



# County of Fairfax, Virginia

*To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County*

April 13, 2006

Keith C. Martin, Esquire  
Sack, Harris & Martin, P.C.  
8270 Greensboro Drive, Suite 810  
McLean, Virginia 22102

RE: Proffered Condition Amendment Number PCA 84-L-020-20

Dear Mr. Martin :

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on April 3, 2006, approving Proffered Condition Amendment PCA 84-L-020-20 in the name of Apple Federal Credit Union and Kohl's Department Stores, Incorporated, to amend the proffers for RZ 84-L-020, previously approved for commercial retail development to permit an addition to an existing retail building and to add a freestanding building to include a bank with drive-through, eating establishment, office use and establishment of a commuter parking lot with an overall Floor Area Ratio (FAR) of 0.28 located in the northeast quadrant of the intersection of King Centre Drive and Sir Viceroy Drive (Tax Map 91-2 ((1)) 32C and 32E), subject to the proffers dated January 30, 2006, consisting of approximately 10.55 acres located in Lee District.

The Conceptual Development Plan Amendment was approved; the Planning Commission having previously approved Final Development Plan FDPA 84-L-020-02-11 on January 26, 2006, subject to the development conditions dated January 26, 2006, and subject to the Board's approval of PCA 84-L-020-20.

**The Board also:**

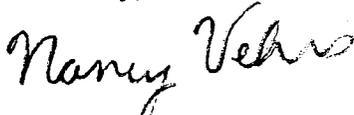
- **Modified the transitional screening requirement and waived the barrier requirement to the east.**

**Office of Clerk to the Board of Supervisors**  
12000 Government Center Parkway, Suite 533  
Fairfax, Virginia 22035

Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903  
Email: [clerktothebos@fairfaxcounty.gov](mailto:clerktothebos@fairfaxcounty.gov)  
<http://www.fairfaxcounty.gov/bosclerk>

- **Approved a variance, in accordance with Paragraph 8 of Section 16-401 to permit the retaining wall located in the front yard to be greater than four feet in height, up to a maximum of ten feet.**

Sincerely,



Nancy Vehrs  
Clerk to the Board of Supervisors

NV/ns

cc: Chairman Gerald E. Connolly  
Supervisor Dana Kauffman, Lee District  
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Admin.  
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ  
Leslie B. Johnson, Deputy Zoning Administrator/Zoning Permit Review  
Thomas Conry, Dept. Mgr. – GIS - Mapping/Overlay  
Angela K. Rodeheaver, Section Chief, Trnsprt'n. Planning Div.  
Charles Strunk, Project Planning Section, Dept. of Transportation  
Audrey Clark, Director – Building Plan Review DPWES  
Michelle A. Brickner, Director, Deputy Director, DPWES  
Ken Williams, Plans & Document Control, ESRD, DPWES  
Deloris Harris, DPWES  
Department of Highways - VDOT  
Sandy Stallman, Park Planning Branch MgrCD/Design Development Div.  
District Planning Commissioner., FCPA  
Gordon Goodlett, Development Officer, DH  
Barbara J. Lippa, Executive Director, Planning Commission  
Jose Comayagua, Director, Facilities Management  
Gary Chevalier, Office of Capital Facilities/Ffx. Cnty. Public Schools

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 3rd day of April, 2006, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE  
PROFFERED CONDITION AMENDMENT PCA 84-L-020-20

WHEREAS, Apple Federal Credit Union & Kohl's Department Stores, Inc. filed in the proper form an application to **amend the proffers for RZ 84-L-020** hereinafter described, by amending conditions proffered and accepted pursuant to Virginia Code Ann. § 15.2-2303(a), and

WHEREAS, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Lee District, and more particularly described as follows (see attached legal description):

Be, and hereby is further restricted by the amended conditions proffered and accepted pursuant to Virginia Code Ann., § 15.2-2303(a), which conditions are incorporated into the Zoning Ordinance as it affects said parcel, and

BE IT FURTHER ENACTED, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcels.

GIVEN under my hand this 3<sup>rd</sup> day of April, 2006.

  
\_\_\_\_\_  
Nancy Vehrs  
Clerk to the Board of Supervisors

# **BC Consultants**

*Planners · Engineers · Surveyors · Landscape Architects*

**RECEIVED**  
Department of Planning & Zoning

JUN 9 0 2003

June 9, 2003  
Kohl's Dept. Store PDC Zone  
Job No.: 03034.01  
Page 1 of 3

Zoning Evaluation Division

**DESCRIPTION OF  
A PORTION OF THE PROPERTY OF  
KOHL'S DEPARTMENT STORES, INC.  
LEE DISTRICT  
FAIRFAX COUNTY, VIRGINIA**

Being a portion of the property acquired by Kohl's Department Stores, Inc. as recorded in Deed Book 9803 at Page 1776 and being all of the PDC Zone of a portion of Parcel C - Commercial 34 Kingstowne as recorded in Deed Book 8928 Page 1353, and a portion of Outlot "A" as recorded in Deed Book 9269 Page 1326 among the Land Records of Fairfax County, Virginia and being more particularly described as follows

Beginning at a point being the intersection of the Southeasterly right-of-way lines of Kingstowne Boulevard (variable width) Deed Book 7048 Page 771 and Deed Book 10004 Page 1415 and Sir Viceroy Drive (variable width) Deed Book 9312 Page 1188 thence running with the Southeasterly right-of-way line of said Kingstowne Boulevard the following three (3) courses and distances

- 1) 19.81 feet along the arc of a curve deflecting to the left having a radius of 14,074.57 feet and a chord bearing North 51°29'18" East 19.81 feet to a point, thence
- 2) 278.56 feet along the arc of a curve deflecting to the left having a radius of 2,383.12 feet and a chord bearing North 48°06'27" East 278.41 feet to a point, thence
- 3) North 50°27'32" East 72.51 feet to a point said being the Northwesterly corner of Kingstowne Commercial L.P. as recorded in Deed Book 6251 Page 713 thence running with the Westerly lines of said Kingstowne Commercial L.P. the following six (6) courses and distances
- 4) South 36°10'08" East 226.21 feet to a point, thence
- 5) South 52°31'26" West 100.00 feet to a point, thence
- 6) South 37°28'34" East 378.02 feet to a point, thence
- 7) South 13°18'19" East 152.08 feet to a point, thence

The BC Consultants, Inc.  
12600 Fair Lakes Circle, Suite 100, Fairfax, VA 22033  
(703) 449-8100 (703) 449-8108 (Fax)  
www.bcccon.com

June 9, 2003  
Kohl's Dept. Store PDC Zone  
Job No.: 03034.01  
Page 2 of 3

- 8) South  $32^{\circ}00'19''$  West 47.17 feet to a point, thence
- 9) South  $10^{\circ}01'19''$  East 120.80 feet to a point on the Northerly right-of-way line of King Centre Drive (variable width) Deed Book 9269 Page 1326, thence running with said King Centre Drive, the following two (2) courses and distances
- 10) 22.88 feet along the arc of a curve deflecting to the right having a radius of 365.00 feet and a chord bearing South  $52^{\circ}02'08''$  West 22.87 feet to a point, thence
- 11) South  $53^{\circ}49'52''$  West 233.39 feet to a point, thence leaving King Centre Drive and running through the property of Kohl's Department Store's, Inc. as recorded in Deed Book 9803 at Page 1776 the following three (3) courses and distances
- 12) South  $77^{\circ}45'30''$  West 108.92 feet to a point, thence
- 13) 110.46 feet along the arc of a curve deflecting to the right having a radius of 350.00 feet and a chord bearing South  $31^{\circ}14'01''$  West 110.00 feet to a point, thence
- 14) 8.37 feet along the arc of a curve deflecting to the right having a radius of 630.00 feet and a chord bearing South  $40^{\circ}39'18''$  West 8.37 feet to a point on the aforementioned right-of-way line of King Centre Drive, thence running with said King Centre Drive the following two (2) courses and distances.
- 15) South  $53^{\circ}49'52''$  West 49.69 feet to a point, thence
- 16) 65.51 feet along the arc of a curve deflecting to the right having a radius of 40.00 feet and a chord bearing North  $79^{\circ}14'55''$  West 58.43 feet to a point on the Easterly right-of-way line of the aforementioned Sir Viceroy Drive, thence running with said Sir Viceroy Drive the following five (5) courses and distances.
- 17) North  $32^{\circ}19'42''$  West 155.03 feet to a point, thence
- 18) 324.59 feet along the arc of a curve deflecting to the right having a radius of 374.00 feet and a chord bearing North  $07^{\circ}27'53''$  West 314.50 feet to a point, thence

June 9, 2003  
Kohl's Dept. Store PDC Zone  
Job No.: 03034.01  
Page 3 of 3

- 19) North  $17^{\circ}23'55''$  East 52.47 feet to a point, thence
- 20) 359.07 feet along the arc of a curve deflecting to the left having a radius of 500.00 feet and a chord bearing North  $03^{\circ}10'28''$  West 351.40 feet to a point, thence
- 21) North  $06^{\circ}44'01''$  East 56.37 feet to the point of beginning containing 459,401 square feet or 10.54639 acres of land.

This description was prepared without the benefit of a title report which may reveal or discover easements and/or rights-of-way not described herein.

V:\PROJECT\\_2003\03034\Surv\Documents\03034mbd2.doc

**PROFFER STATEMENT  
KINGSTOWNE PDC SECTION  
PCA 84-L-020-20  
January 30, 2006**

Pursuant to Section 15.2-2303(A) of the Code of Virginia, 1950, as amended, and Section 16-403 of the Zoning Ordinance of Fairfax County (1978, as amended), Apple Federal Credit Union and Kohl's Department Stores, Inc., their successors and assigns (the "Applicant" or "Developer") in this Proffer Condition Amendment ("PCA") proffers that the development of the parcel under consideration and shown on the Fairfax County Tax Maps as Tax Map Reference No. 91-2 ((1)), Parcels 32C and 32E (hereinafter referred to as the "Property") will be developed in accordance with the following conditions if, and only if, said PCA is granted. In the event said application is denied, this proffer statement shall be rendered null and void.

Except as modified below, the Property is governed by the Proffer of Development Conditions dated June 17, 1985, of DPA C-448-2 and RZ 84-L-020 and the subsequent amendments that apply to the Property, Proffer Statement dated November 17, 1992 of PCA 84-L-020-4, and Proffer Statement dated April 29, 1996 of PCA 84-L-020-10, except for the following modification to Proffer 67a.:

67a. Development of that portion of the Towne Center identified as Building X and Building X-1 shall be in accordance with the plan entitled Proffered Condition Amendment/FDPA, Kingstowne-Commercial 34, prepared by BC Consultants, Inc., dated June 20, 2003, and revised through January 6, 2006.

In addition to the above-referenced proffers, the development of the parcel under consideration and shown on the Fairfax County Tax Maps as Tax Map Reference No. 91-2 ((1)), Parcels 32C and 32E (hereinafter referred to as the "Property"), which is the subject of application number PCA 84-L-020-20, will be developed in accordance with the following additional conditions if, and only if, said PCA is granted:

1. Apple Federal Credit Union shall enter into a license agreement with the Fairfax County Board of Supervisors to provide twelve (12) parking spaces on the Property for a commuter park-and-ride facility within the proposed parking lot for the Credit Union building, as shown on the CDP/FDP. Subject to the provisions set forth in the license agreement, the twelve (12) spaces shall be available for use upon issuance of the NON RUP for Apple Federal Credit Union. The spaces shall be made available from 5:00 am to 11:00 pm, Monday thru Friday, excluding holidays, for a period of 10 (ten) years from the time they are first made available, after which either party may terminate the agreement upon thirty (30) days written notice, or upon the occurrence of certain events set forth in the license agreement. The license agreement shall stipulate that either party may terminate the agreement during the initial ten year period in the event that commuter parking in excess of the twelve spaces on the Property is occurring on a regular basis within the adjacent Kohl's parking lot. Fairfax County shall provide all necessary signage.

KOHL'S DEPARTMENT STORES, INC.

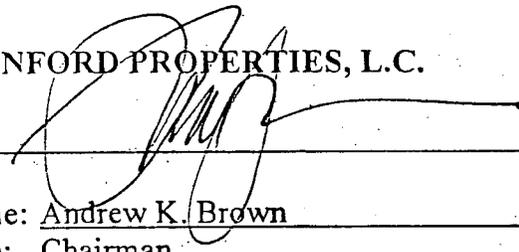


By: 

Name: Richard D. Schepp

Title: Executive Vice President

STANFORD PROPERTIES, L.C.

By: 

Name: Andrew K. Brown

Title: Chairman

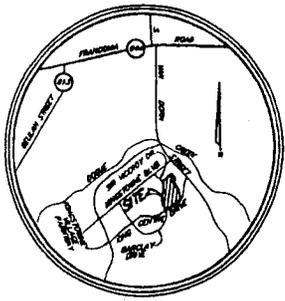
## APPROVED DEVELOPMENT CONDITIONS

FDPA 84-L-020-2-11  
(Building X and X-1)

January 26, 2006

If it is the intent of the Planning Commission to approve Final Development Plan Amendment (FDPA) 84-L-020-11 located at Tax Map 91-2 ((1)) pt. 32C and pt. 32 E, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions which shall be in addition to all previously approved conditions that affect the subject street.

1. Development of the subject property shall be in substantial conformance with the plan, entitled "Kingstowne-Commercial 34," prepared by the BC Consultants dated June 20, 2003 as revised through January 6, 2006.
2. Dumpsters for Building X-1 shall be enclosed with brick or architectural block walls with a wooden gate.
3. The width of the island adjacent to the teller window/ATMs located at the southern side of Building X-1 shall be a minimum of 23 feet from face-of-curb to face-of-curb.
4. The applicant shall provide a pro-rata contribution towards expansion of the existing right turn taper to a full right turn deceleration lane at the intersection of Kingstowne Boulevard and Sir Viceroy Drive as deemed appropriate by the Department of Public Works and Environmental Services and the Department of Transportation. In the event that sufficient funding for construction has not become available within ten (10) years from the approval of this application, the funds may be used for other transportation related improvements in the area as deemed appropriate by Fairfax County.
5. At the time of site plan review the applicant should verify that the sight distance calculations do meet current standards, or modify the plan as needed to achieve these standards. The two access points along Sir Viceroy Drive shall be designed to meet site distance requirements as determined by VDOT.
6. At the time of subdivision plan approval the applicant shall contribute \$1,000 to the County to be placed in a fund established by the County specifically for the preservation and planting of trees within the County.



VICINITY MAP  
SCALE: 1" = 2,000'

LEGEND:

- PROPOSED LARGE DECIDUOUS TREE
- PROPOSED EVERGREEN TREE
- PROPOSED SMALL OR COMPACT DECIDUOUS TREE
- EXISTING TREE (SEE SHEET 5 - EXISTING VEGETATION MAP)
- EXISTING TREE TO BE REMOVED (SEE SHEET 4 - EXISTING VEGETATION MAP)
- APPROXIMATE LIMITS OF CLEARING AND GRADING (SEE GENERAL NOTE 13 ON SHEET 2)
- AREA WITHIN APPLICATION AREA UNCHANGED FROM PREVIOUSLY APPROVED PCA/FDPA
- PROPOSED COMMUTER PARKING SPACES (12 PARKING SPACES)
- AREA OF PROPOSED SUPPLEMENTAL LANDSCAPING
- LIMITS OF PCA/FDPA/PC APPLICATION AREA

CURVE TABLE

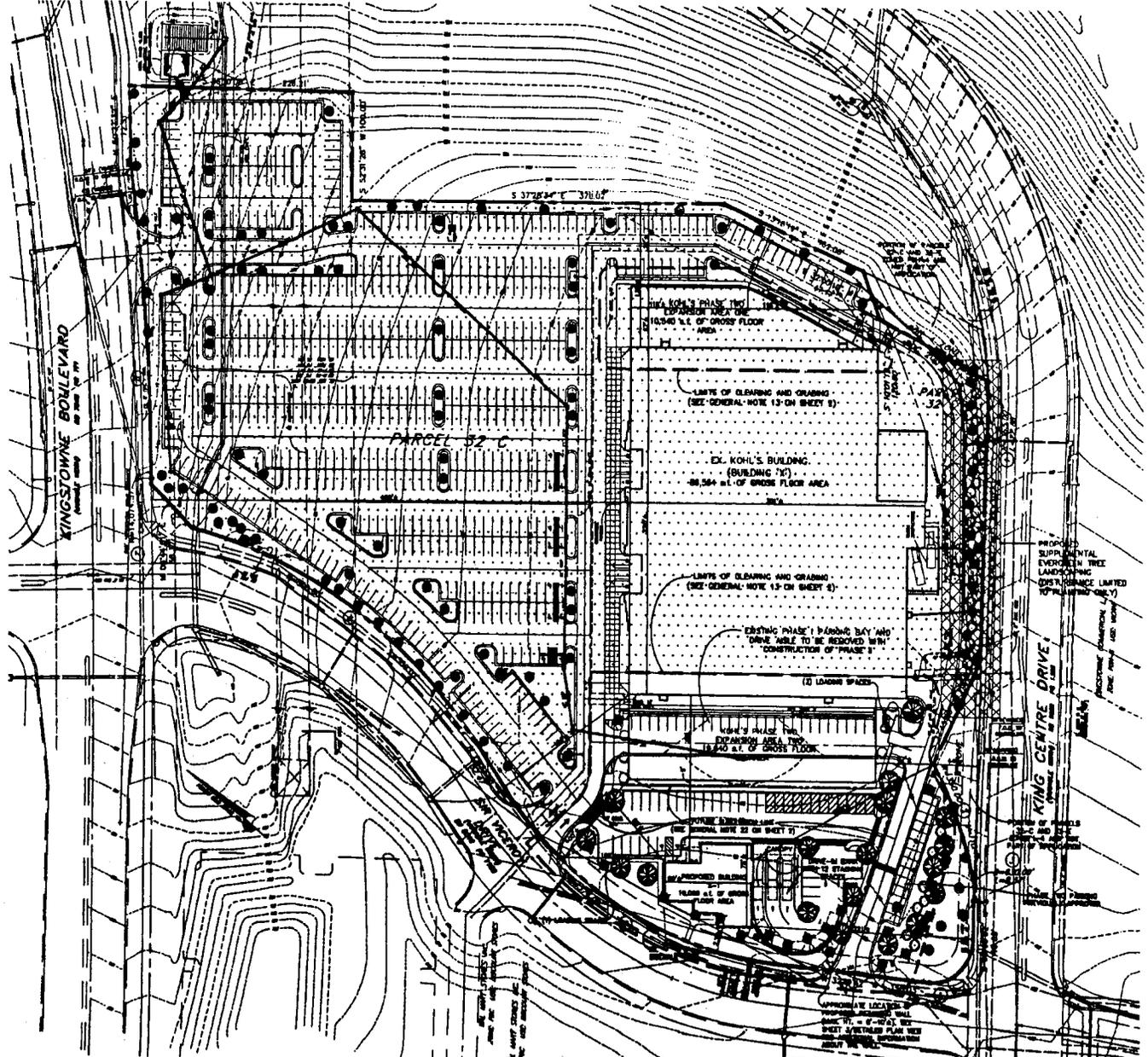
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
1	364.00'	22.86'	11.44'	22.87'	S 87°00'00" W	90°00'00"
2	364.00'	111.84'	44.19'	110.87'	S 31°34'00" W	180°00'00"
3	630.00'	8.17'	6.18'	8.17'	S 90°00'00" W	90°00'00"
4	630.00'	88.51'	42.72'	88.51'	N 29°24'50" W	90°00'00"
5	274.00'	28.28'	13.24'	28.28'	N 87°27'00" W	90°00'00"
6	630.00'	28.28'	13.24'	28.28'	N 87°27'00" W	90°00'00"
7	1487.87'	18.87'	8.97'	18.87'	N 81°28'00" W	90°00'00"
8	2384.17'	278.98'	128.54'	278.97'	N 89°27'00" W	90°00'00"

SITE TABULATIONS:

CROSS SITE AREA (G.S.A.)	464,405.6 sq ft or 10,548.8 Ac. <sup>(1)</sup>
SITE AREA BREAKDOWN	
Kohl's Parcel	5.58 Ac. <sup>(2)</sup>
BLDG. 3-1 PARCEL	0.96 Ac. <sup>(3)</sup>
ZONE	POC
GROSS FLOOR AREA (G.F.A.)	
PHASE ONE (EX. KOHL'S BLDG. - BLDG. 1)	85,500 sq ft
PHASE TWO (Kohl's EXPANSION)	25,300 sq ft
PHASE THREE (BLDG. 3-1)	14,200 sq ft
TOTAL	125,000 sq ft
MAXIMUM FAR ALLOWED	1.5 TO 2.0 FAR
PROPOSED FAR	
PHASE ONE	0.180 FAR
PHASE TWO	0.250 FAR
PHASE THREE (FINAL FAR)	0.275 FAR
EXISTING PROPOSED USE:	
PHASE ONE - BUILDING 3 (EXISTING USE)	RETAIL SALES ESTABLISHMENT (R.S.E.)
PHASE TWO - BUILDING 3 EXPANSION (PROPOSED USE)	R.S.E.
PHASE THREE - BUILDING 3-1 (PROPOSED USE)	R.S.E., EATING ESTABLISHMENT, DRIVE-IN BANK AND OFFICE (3)
OPEN SPACE REQUIRED (10% OF G.S.A.)	46,440.56 sq ft or 1.06 Ac.
MINIMUM OPEN SPACE PROVIDED:	
PHASE ONE	230 Ac. <sup>(4)</sup> (INCLUDES FUTURE DEVELOPMENT AREA)
PHASE TWO	1.28 Ac. <sup>(5)</sup> (INCLUDES FUTURE DEVELOPMENT AREA)
PHASE THREE (FINAL TOTAL)	1.88 Ac. <sup>(6)</sup> (ALL UNDEVELOPED)
PARKING SPACES REQUIRED:	
PHASE ONE	347 SPACES
PHASE TWO	121 ADDITIONAL SPACES
PHASE THREE	56 ADDITIONAL SPACES
TOTAL	524 SPACES
PARKING SPACES PROVIDED:	
PHASE ONE	580 SPACES
PHASE TWO	24 ADDITIONAL SPACES <sup>(7)</sup>
PHASE THREE	8 ADDITIONAL SPACES
TOTAL	612 SPACES
LOADING SPACES REQUIRED:	
PHASE ONE	5 SPACES <sup>(8)</sup>
PHASE TWO	0 ADDITIONAL SPACE
PHASE THREE	1 ADDITIONAL SPACE <sup>(9)</sup>
TOTAL	6 SPACES
LOADING SPACES PROVIDED:	
PHASE ONE	3 SPACES
PHASE TWO	1 ADDITIONAL SPACE
PHASE THREE	0 ADDITIONAL SPACE
TOTAL	4 SPACES
MAXIMUM BUILDING HEIGHT:	47'

- (1) ORIGINAL APPLICATION AREA (464,405.6 sq ft or 10,548.8 Ac.) LESS SUBSEQUENT PLAIN REVISION (46,440.56 sq ft or 1.06 Ac.). THE ORIGINAL APPLICATION AREA USES THE POC ZONE OF THE MAP 08-2-1(1), PARCELS 28-C AND 28-C ONLY.
- (2) KOHL'S EXPANSION AREA 1 (5,580 sq ft) & KOHL'S EXPANSION AREA 2 (5,580 sq ft) IS PURSUANT TO SECTION 4-208 OF THE FARMER COUNTY ZONING ORDINANCE.
- (3) PURSUANT TO SECTION 11-202, PARAGRAPH 10 OF THE FARMER COUNTY ZONING ORDINANCE.
- (4) 128,864 sq ft OF SHOPPING CENTER SPACE AS 4 PARKING SPACES/1,000 sq ft OF G.F.A. + 10 SPACES (ALLOWED) FOR EATING ESTABLISHMENT. THE 128,864 sq ft OF SHOPPING CENTER SPACE INCLUDES THE 1,000 sq ft OF OFFICE SPACE (PROPOSED FOR BLDG. 3-1) WHICH IS ONLY REQUIRED TO BE PARKED AT 3.0 SPACES PER 1,000 sq ft OF GROSS FLOOR AREA. AT THE SITE PLAN PHASE, PROPOSED AREAS FOR SQUARE FOOTAGE OF SPACE ALLOCATED TO THE EATING ESTABLISHMENT SHALL NOT RESULT IN MORE PARKING SPACES THAN THE 10 SPACES ALLOWANCE.
- (5) PURSUANT TO SECTION 11-202, PARAGRAPH 10 OF THE FARMER COUNTY ZONING ORDINANCE.
- (6) PURSUANT TO SECTION 11-202, PARAGRAPH 10 OF THE FARMER COUNTY ZONING ORDINANCE BASED ON THE PROPOSED USES AS LISTED IN FOOTNOTE (7) BELOW.
- (7) 1,000-1,500 sq ft OF RETAIL SALES ESTABLISHMENT/EATING ESTABLISHMENT, 1,000-4,000 sq ft DRIVE-IN BANK AND 5,000 sq ft OFFICE. TOTAL OF ALL USES NOT TO EXCEED 1.88 FAR <sup>(8)</sup> AT THE GENERAL NOTE 22 ON SHEET 2 FOR THE AREA BREAKDOWN EXPLANATION.
- (8) INCLUDES 12 COMMUTER PARKING SPACES.

NOTE: FOR THE PURPOSES OF QUANTITATIVE ANALYSIS, PHASE TWO IN THE SITE TABULATIONS HAS BEEN IDENTIFIED AS THE KOHL'S EXPANSION AND PHASE THREE AS BUILDING 3-1. HOWEVER, BUILDING 3-1 MAY BE BUILT PRIOR TO THE KOHL'S EXPANSION. THE PHASE TWO AND PHASE THREE TABULATIONS WILL CHANGE ACCORDINGLY, HOWEVER, THE FINAL TOTALS WILL BE MAINTAINED.



NOTE: FOR DIMENSIONS FROM AN EXISTING OR PROPOSED BUILDING TO THE ROAD (FACE OF CURVE), ADD 1 FT TO THE DIMENSION FROM THE BUILDING TO THE PROPERTY LINE/RIGHT-OF-WAY.

**BC Consultants**  
 Planners • Engineers • Surveyors • Landscape Architects  
 12800 Park Lakes Church, Suite 100, Parkville, MO 64151  
 (781)449-8100 Fax: (781)449-8108  
 www.bcconsultants.com



PROFFERED CONDITION AMENDMENT/FDPA

KINGSTOWNE - COMMERCIAL 34

LEE BENTON  
 FARMER COUNTY, MISSOURI

REV 03-27-03	REV 10-20-03	DESIGNED BY: DDD
REV 07-24-03	REV 05-05-03	DRAFTED BY: CAD
REV 11-14-03	REV 12-28-03	CHECKED BY: DDD
REV 08-20-03	REV 08-20-03	DATE: JUNE 20, 2003
REV 08-20-03	REV 08-20-03	SCALE: 1/8" = 1' @ 11"
REV 08-20-03	REV 08-20-03	SHEET 1 OF 6
REV 08-20-03	REV 08-20-03	CAD NAME: ASOSAPALDING
REV 08-20-03	REV 08-20-03	LAYOUT: PCA
REV 08-20-03	REV 08-20-03	FILE NO. 03034-01-08

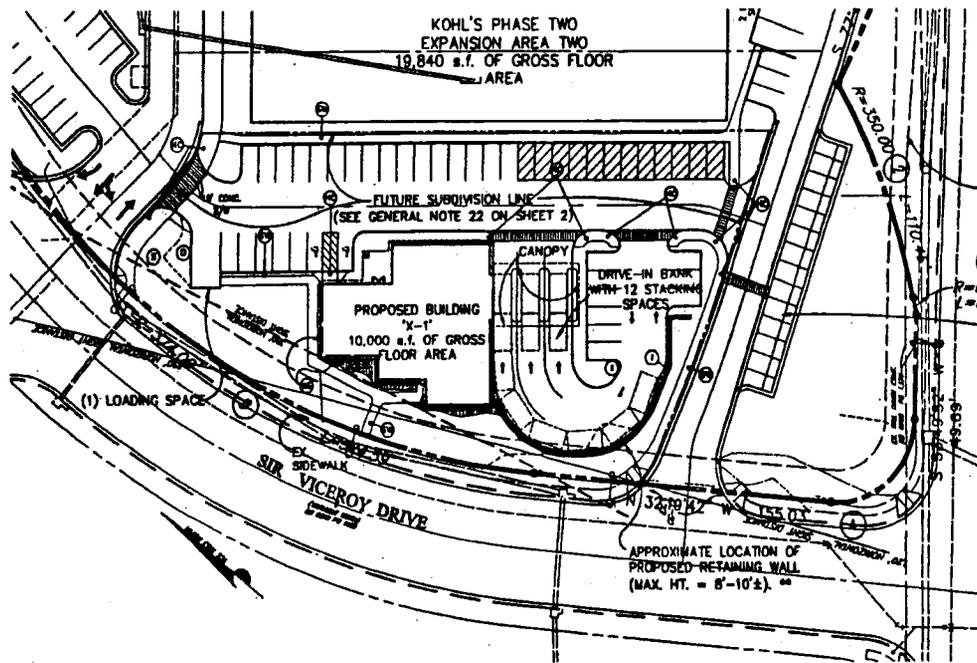


**LEGEND:**

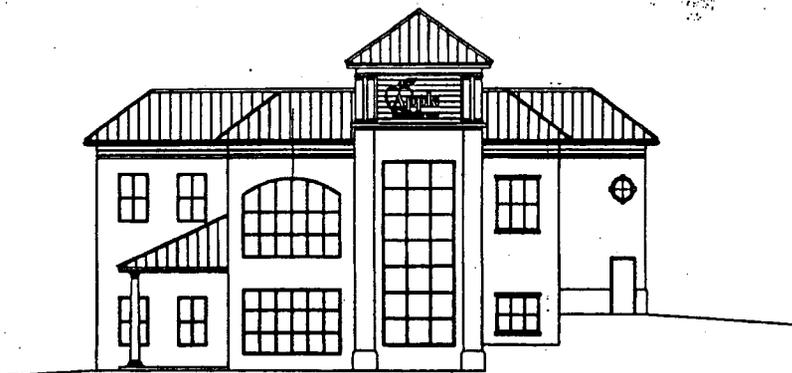
- ⊙ POSSIBLE SLUMPETER LOCATION (FULLY ENCLOSED)
- Ⓜ APPROXIMATE LOCATION OF INFORMATIONAL TRAFFIC SIGN ("DRIVE THRU BANKING ONLY")
- Ⓜ PROPOSED SIDEWALK
- △ DOOR LOCATION
- ▲ POSSIBLE DOOR LOCATION
- Ⓜ PROPOSED LOCATION OF WALL MOUNTED SIGN
- ♿ HANDICAP RAMP
- Ⓜ POSSIBLE LOCATION OF FREE STANDING SIGN
- ▨ FOUNDATION PLACEMENT OF SWALES, PERIMETERS AND/OR GROUNDCOVER WITHIN THE RIGHT DISTANCE EASEMENT\*
- ▨ PAINTED CROSSWALK

\* ANY AND ALL PLANTINGS WITHIN THE RIGHT DISTANCE EASEMENT SHALL BE SUBJECT TO VDOT APPROVAL AND SHALL NOT ENVIOLATE THE MINIMUM RIGHT LINES AS SET FORTH IN THE VDOT STANDARDS.

\*\* RETAINING WALL SHALL BE EITHER A SEGMENTAL BLOCK (I.E. KEYSTONE, ETC.) MASONRY WALL OR A BRICK FACADE STRUCTURAL WALL.



**DETAILED PLAN VIEW OF BUILDING X-1**



**NOTE:**

- 1) THE ELEVATION SHOWN ON THIS SHEET IS INTENDED FOR ILLUSTRATIVE PURPOSES TO SHOW DESIGN INTENT AND THE TYPE AND QUALITY OF CONSTRUCTION MATERIALS TO BE USED. FINAL ELEVATIONS PROVIDED SHALL BE IN SUBSTANTIAL CONFORMANCE WITH THAT SHOWN HERE. DOOR LOCATIONS MAY CHANGE OR BE ELIMINATED DEPENDING ON THE FINAL GRADE OF THE SITE, HOWEVER, NO LESS THAN TWO (2) DOORS WILL BE PROVIDED.
- 2) ACCENT BANDS OF SPLIT MASONRY BLOCK (SIMILAR TO THE FACADE OF THE EXISTING KOHL'S BUILDING) MAY BE ADDED TO THE PROPOSED BRICK FACADE (WITH VDOT APPROVAL) TO PROVIDE DESIGN CONTINUITY BETWEEN THE PROPOSED BUILDING AND THE EXISTING KOHL'S BUILDING.

**BC Consultants**  
 Planning • Engineering • Architecture • Landscape Architecture  
 18000 Piedmont Drive, Suite 100, Nutley, NJ 07110  
 (973) 444-8100 (Fax)  
 www.bcconsultants.com



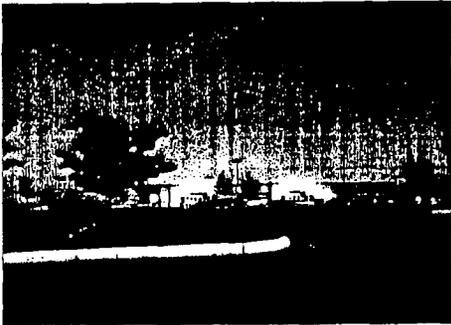
ELEVATIONS AND DETAILED PLAN  
**KINGSTOWNE - COMMERCIAL 34**  
 LAW OFFICES  
 HUNTERDON COUNTY, VIRGINIA

REV. 12-10-03	REV. 11-14-03				
REV. 11-14-03					
REV. 11-14-03					
REV. 11-14-03					
REV. 11-14-03					
REV. 11-14-03					

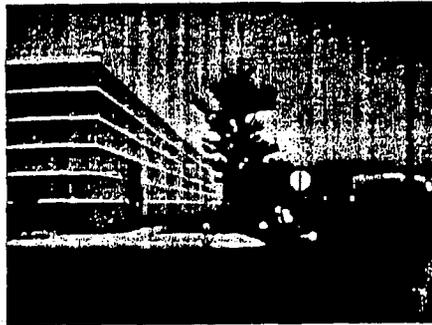
DESIGNED BY: DOB
DRAFTED BY: CAG
CHECKED BY: DOB
DATE: NOV. 14, 2003
SCALE: 1/8"=1'-0"
SHEET 3 OF 6
CO. NO.
CAD NAME: A30344LE.DWG
LAYOUT: ELEVATIONS
FILE NO. 030344-01-01







① FRONT VIEW OF EXISTING KOHL'S BUILDING FROM MAIN PARKING LOT



② VIEW OF WESTERN SIDE OF EXISTING KOHL'S BUILDING/APPLICATION AREA



③ VIEW OF THE SITE OF THE PROPOSED BUILDING X-1/APPLICATION AREA



④ FRONT VIEW OF EXISTING KOHL'S BUILDING



⑤ VIEW OF THE EASTERN SIDE OF THE EXISTING KOHL'S BUILDING/EXPANSION AREA 1



⑥ REAR VIEW OF EXISTING KOHL'S BUILDING AT THE LOADING DOCK LOOKING WEST

**BC Consultants**  
 Planners • Engineers • Surveyors • Landscape Architects  
 12900 Fair Lakes Circle, Suite 100, Fairfax, VA 22033  
 (703)449-8100 (703)449-8108 (Fax)  
 www.bcva.com



PHOTOGRAPHIC INFORMATION  
**KINGSTOWNE — COMMERCIAL 34**  
 USE DISTRICT

DATE	BY	DESCRIPTION
12-17-05		DESIGNED BY: CJD
12-17-05		DRAFTED BY: CJD
11-14-03		CHECKED BY: CJD
11-14-03		DATE: JUNE 20, 2003
11-14-03		SCALE: SEE 3RD SHEET
11-14-03		SHEET 6 OF 6
11-14-03		CAD NAME: A3034P01
11-14-03		LAYOUT: PHOTO
11-14-03		FILE NO.: 03034-01



**WAIVERS/MODIFICATIONS**

**APPROVED WAIVERS/MODIFICATIONS**

MODIFY TRANSITIONAL SCREENING REQUIREMENT

VARIANCE FOR HEIGHT OF FENCE IN FRONT YARD

WAIVE BARRIER REQUIREMENT

---

**SUPPLEMENTAL MOTIONS**

**SUPPLEMENTAL MOTIONS APPROVED**

---



Concurrent PCA 84-L-020-20

COMMONWEALTH OF VIRGINIA  
COUNTY OF FAIRFAX  
APPLICATION FOR ZONING MAP AMENDMENT

RECEIVED PLEASE TYPE  
Department of Planning & Zoning  
OR PRINT IN INK  
AUG 08 2003  
Zoning Evaluation Division

APPLICATION NO. FDPA 84-L-020-02-11

(Assigned by Staff)

PCA 84-L-020-20 PETITION

TO: THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA

I (We), Apple Federal Credit Union & Kohl's Department Stores, Inc. the applicant(s), petition you to adopt an ordinance amending the Zoning Map of Fairfax County, Virginia, by reclassifying from the \_\_\_\_\_ District to the \_\_\_\_\_ District the property described below and outlined in red on the Zoning Section Sheet(s) accompanying and made a part of this application.

PROPERTY DESCRIPTION

LEGAL DESCRIPTION:

Lot(s)	Block(s)	Subdivision	Deed Book	Page No.
Parcel C	Commercial 34	Kingstowne	8928	1353
Outlot A	Property of Kingstowne	Commercial LB	9803	1776

TAX MAP DESCRIPTION:

091-2	((1))	32C	10.53	10.54639 acres
091-2	((1))	32E		0.3883 acres

Map No.	Double Circle No.	Single Circle No.	Parcel(s)/Lot(s) No.	Total Area(Ac. or Sq. Ft.)
---------	-------------------	-------------------	----------------------	----------------------------

POSTAL ADDRESS OF PROPERTY: (If any)

5701 Kingstowne Boulevard  
Springfield, Virginia

ADVERTISING DESCRIPTION: (Ex. South of Rt. 236, 1000 feet west of Rt. 274)

Located in the northeast quadrant of the intersection of King Centre Drive and  
Sir Viceroy Drive

PRESENT USE: Retail

PROPOSED USE: Retail, eating establishment, office, and bank with drive-thru facilities

SUPERVISOR DISTRICT: Lee District

The name(s) and address(es) of owner(s) of record shall be provided on the affidavit form attached and made part of this application.

The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter on the subject property as necessary to process the application.

Charles L. Shumate, Esquire, Agent for Applicants

Type or Print Name of Applicant or Agent

Signature of Applicant or Agent

8280 Greensboro Drive, Suite 601, McLean, Virginia 22102

Address

Telephone No.

Home

(703) 749-6034

Work

Please provide name and telephone number of contact person if different from above.

PCA 2003-0372  
FDPA 2003-0373

DO NOT WRITE IN THIS SPACE

Date application received: \_\_\_\_\_

Application Fee Paid: \$3355<sup>00</sup>

Date application accepted: 8-8-03

Form RZ (10/89)

RECEIVED  
Department of Planning & Zoning  
JUL 20 2006  
Zoning Evaluation Division

Board Agenda Item  
April 3, 2006

3:00 p.m.

Public Hearing on PCA 84-L-020-20 (Apple Federal Credit Union & Kohl's Department Stores, Inc.) to Amend the Proffers for RZ 84-L-020 Previously Approved for Commercial Retail Development to Permit an Addition to an Existing Retail Building and to Add a Freestanding Building to Include a Bank With Drive-Thru, Eating Establishment, Office Uses and Establishment of a Commuter Parking Lot With an Overall Floor Area Ratio of 0.28. Located on Approximately 10.55 Acres Zoned PDC, Lee District

The application property is located in the northeast quadrant of the intersection of King Centre Drive and Sir Viceroy Drive, Tax Map 91-2 ((1)) 32C And 32E.

Planning Commission Recommendation:

On Thursday, January 26, 2006, the Planning Commission voted 9-0-1 (Commissioner Byers abstaining; Commissioners Hall and Hopkins absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of PCA 84-L-020-20, subject to the execution of proffers consistent with those contained in Appendix 1 of the staff report;
- Modification of the transitional screening requirement and waiver of the barrier requirement to the east; and
- Approval of a variance to permit the retaining wall located in the front yard to be greater than 4 feet in height, up to a maximum of 10 feet.

The Commission voted 9-0-1 (Commissioner Byers abstaining; Commissioners Hall and Hopkins absent from the meeting) to approve FDPA 84-L-020-02-11, subject to the proposed Development Conditions dated January 26, 2006 and subject also to Board approval of PCA 84-L-020-20.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Barbara A. Byron, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

Greg Chase, Staff Coordinator, Zoning Evaluation Division, DPZ

Planning Commission Meeting  
January 26, 2006  
Verbatim Excerpt

PCA 84-L-020-20 - APPLE FEDERAL CREDIT UNION & KOHL'S DEPARTMENT  
STORES, INC.  
FDPA 84-L-020-02-11 - APPLE FEDERAL CREDIT UNION & KOHL'S DEPARTMENT  
STORES, INC.

Decision Only During Commission Matters  
(Public Hearing held on January 25, 2006)

Commissioner Lusk: Thank you, Mr. Chairman. Since last night the applicant, staff, and I have come to a meeting of the minds on the transportation-related development conditions associated with the public hearing that we heard last night for the Apple Federal Credit Union. There are a number of conditions which are now dated January 26, 2006 which are being proposed for change. The first is deletion of Development Condition Number 4 and a revision of Development Condition Number 5 which now becomes a new Number 4. I'll just quickly state for the record what that change is. This condition requires the applicant to provide a prorated contribution toward the expansion of the existing right turn taper to a full deceleration lane, as deemed appropriate by the Department of Public Works and Environmental Services. If sufficient funds do not become available within 10 years from approval of this application, the funds may be used for other transportation-related improvements in the area, as deemed appropriate by Fairfax County. Now, additionally, I have a new development condition which is in response to a concern raised by my fellow Commissioner, Commissioner Lawrence. He apprised me since that we –since we have a number of trees being removed with the construction of the Apple Federal Credit Union building, he asked if the applicant would consider a small contribution to what he deemed a tree fund. After talking with the applicant, we were able to settle this matter with a development condition that basically states "At the time of subdivision plan approval, the applicant shall contribute 1,000 dollars to the County to be placed in the fund established by the County specifically for the preservation and the planting of trees within the County" and I think that addresses that issue. There are no outstanding issues with this application at this time and for the record, I'd like to note that I'm delighted that we were able to reactivate this request by Apple Federal. I think it will provide a unique opportunity for their more than 6,000 customers who are in the Kingstowne area to provide them a convenient location for their banking needs. Additionally, this approval will provide the community with 12 reserved parking spaces for commuter parking, something that the community needs. And I'd like to commend Apple Federal for their commitment to the community. It says a lot about their willingness to support and to help where they see a need. So, for that, I thank them. The application enjoys the support of the Lee District Land Use Committee, the Kingstowne Residential Owners Corporation, and the Fairfax County staff. So, with that, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 84-L-020 (sic) SUBJECT TO THE EXECUTION PROFFERS CONTAINED IN APPENDIX 1 OF THE STAFF REPORT.

Commissioner Lawrence: Second.

Chairman Murphy: Seconded by Mr. Lawrence. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve PCA 84-L-020-20, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Byers: Abstain; not present for the public hearing.

Chairman Murphy: Motion carries. Mr. Byers abstains; not present for the public hearing. Mr. Lusk.

Commissioner Lusk: Mr. Chairman, I further move that the Planning Commission recommend to the Board of Supervisors approval of FDPA 84-L-020-02 –

Chairman Murphy: Hold on. You want to approve that.

Commissioner Lusk: – oh, pardon me. That's correct. I MOVE THAT THE PLANNING COMMISSION APPROVE FDPA 84-L-020-02-11, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED JANUARY 26, 2006.

Commissioner Lawrence: Second.

Chairman Murphy: Seconded by Mr. Lawrence. Is there a discussion? All those in favor of the motion to approve FDPA 84-L-020-02-11, subject to the Board's approval of the PCA, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Byers: Abstain.

Chairman Murphy: Motion carries; same abstention. Mr. Lusk.

Commissioner Lusk: Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING AND WAIVER OF THE BARRIER REQUIREMENT TO THE EAST.

Commissioner Lawrence: Second.

Chairman Murphy: Seconded by Mr. Lawrence. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Byers: Abstain.

Chairman Murphy: Motion carries; same abstention.

Commissioner Lusk: A final motion, Mr. Chairman. I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A VARIANCE IN ACCORDANCE WITH PARAGRAPH 8 OF SECTION 16-401 TO PERMIT A RETAINING WALL LOCATED IN THE FRONT YARD TO BE A HEIGHT GREATER THAN 4 FEET AND A MAXIMUM OF 10 FEET.

Commissioner Lawrence: Second.

Chairman Murphy: Seconded by Mr. Lawrence. Is there a discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Byers: Abstain.

Chairman Murphy: Motion carries; same abstention.

Commissioner Lusk: Thank you, Mr. Chairman.

//

(The motions carried by votes of 9-0-1 with Commissioner Byers abstaining; Commissioners Hall and Hopkins absent from the meeting.)

SMD