



APPLICATION ACCEPTED: April 27, 2009
PLANNING COMMISSION: October 1, 2009
BOARD OF SUPERVISORS: Not yet scheduled

County of Fairfax, Virginia

September 17, 2009

STAFF REPORT

APPLICATIONS PCA C-448-32/FDPA C-448-10-03
(Concurrent with RZ/FDP 2009-LE-008 and RZ/FDP 2009-LE-009)

LEE DISTRICT

APPLICANT: Kingstowne Gas Station, L.P.

PRESENT ZONING: PDH-4

PARCEL: 91-2 ((1)) 26F part

ACREAGE: 1.108 acres

FLOOR AREA RATIO: 0.15

PLAN MAP: Mixed Use

PCA PROPOSAL: To amend PCA C-448-23 and FDPA C-448-10-03 in order to remove hotel use and permit an 113,500 SF office building, and to replace mini-mart use with a quick-service food store in the existing service station, fast food restaurant and car wash on the subject property.

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA C-448-32, RZ 2009-LE-008, and RZ 2009-LE-009 and the Conceptual Development Plan Amendment subject to the draft proffers contained in Appendix 1.

Staff recommends approval of FDPA C-448-10-03, FDP 2009-LE-008, and FDP 2009-LE-009, subject to the draft development conditions contained in Appendix 2 and the Board of Supervisors' approval of PCA C-448-32, RZ 2009-LE-008, and RZ 2009-LE-009.

St.Clair Williams

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703-324-1290 FAX 703-324-3924
www.fairfaxcounty.gov/dpz/



Staff recommends that the transitional screening yard requirement be modified along the northeastern property line in favor of that shown on the combined rezoning and final development plan.

Staff recommends that the barrier requirement be waived along the northeastern property line.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).



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APPLICATION RZ/FDP 2009-LE-008

(Concurrent with PCA C-448-32/FDPA C-448-10-03 and RZ/FDP 2009-LE-009)

LEE DISTRICT

APPLICANT: Kingstowne Gas Station, L.P.

PRESENT ZONING: PDC & PDH-4

REQUESTED ZONING: PDC

PARCEL(S): 91-2 ((1)) 26F part

ACREAGE: 4.51 acres

FAR: 0.62

OPEN SPACE: 27.4%

PLAN MAP: Mixed Use

PROPOSAL: To rezone 4.51 acres from the PDC and PDH-4 Districts to the PDC District to permit a proposed 113,500 SF office building, and to replace the existing mini-mart use with a quick-service food store within the existing service station, fast food restaurant and car wash on the subject property. No physical changes are proposed to the service station site.

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA C-448-32, RZ 2009-LE-008, and RZ 2009-LE-009 and the Conceptual Development Plan Amendment subject to the draft proffers contained in Appendix 1.

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Staff recommends approval of FDPA C-448-10-03, FDP 2009-LE-008, and FDP 2009-LE-009, subject to the draft development conditions contained in Appendix 2 and the Board of Supervisors' approval of PCA C-448-32, RZ 2009-LE-008, and RZ 2009-LE-009.

Staff recommends that the transitional screening yard requirement be modified along the S. Van Dorn Street in favor of that shown on the combined CDPA/FDPA and referenced in the draft proffers in Appendix 1 and the development conditions in Appendix 2.

Staff recommends that the barrier requirement be waived along S. Van Dorn Street.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

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STAFF REPORT

APPLICATION RZ/FDP 2009-LE-009

(Concurrent with PCA C-448-32/FDPA C-448-10-03 and RZ/FDP 2009-LE-008)

LEE DISTRICT

APPLICANT: Kingstowne Gas Station, L.P.

PRESENT ZONING: PDC

REQUESTED ZONING: PDH-4

PARCEL(S): 91-2 ((1)) 26F part

ACREAGE: 1,321 square feet

FAR: 0 (open space)

OPEN SPACE: 100%

PLAN MAP: Mixed Use

PROPOSAL: To rezone 1,321 square feet from the PDC District to the PDH-4 District to remain as open space and part of the larger proposed office development.

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA C-448-32, RZ 2009-LE-008, and RZ 2009-LE-009 and the Conceptual Development Plan Amendment subject to the draft proffers contained in Appendix 1.

Staff recommends approval of FDPA C-448-10-03, FDP 2009-LE-008, and FDP 2009-LE-009, subject to the draft development conditions contained in Appendix 2 and the Board of Supervisors' approval of PCA C-448-32, RZ 2009-LE-008, and RZ 2009-LE-009.

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Staff recommends that the transitional screening yard requirement be modified along the S. Van Dorn Street in favor of that shown on the combined CDPA/FDPA and referenced in the draft proffers in Appendix 1 and the development conditions in Appendix 2.

Staff recommends that the barrier requirement be waived along S. Van Dorn Street.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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Proffered Condition Amendment

PCA -C-448-32

Applicant: KINGSTOWNE GAS STATION LP
Accepted: 03/31/2009
Proposed: AMEND RZ C-448 PREVIOUSLY APPROVED FOR COMMERCIAL DEVELOPMENT TO PERMIT SITE MODIFICATIONS

Area: 1.108 AC OF LAND, DISTRICT - LEE
Zoning Dist Sect:
Located: NORTH SIDE OF KING CENTER PARKWAY APPROXIMATELY 450 WEST OF ITS INTERSECTION WITH SOUTH VAN DORN STREET

Zoning: PDH- 4
Overlay Dist:
Map Ref Num: 091-2- /01/ /0026F pt.

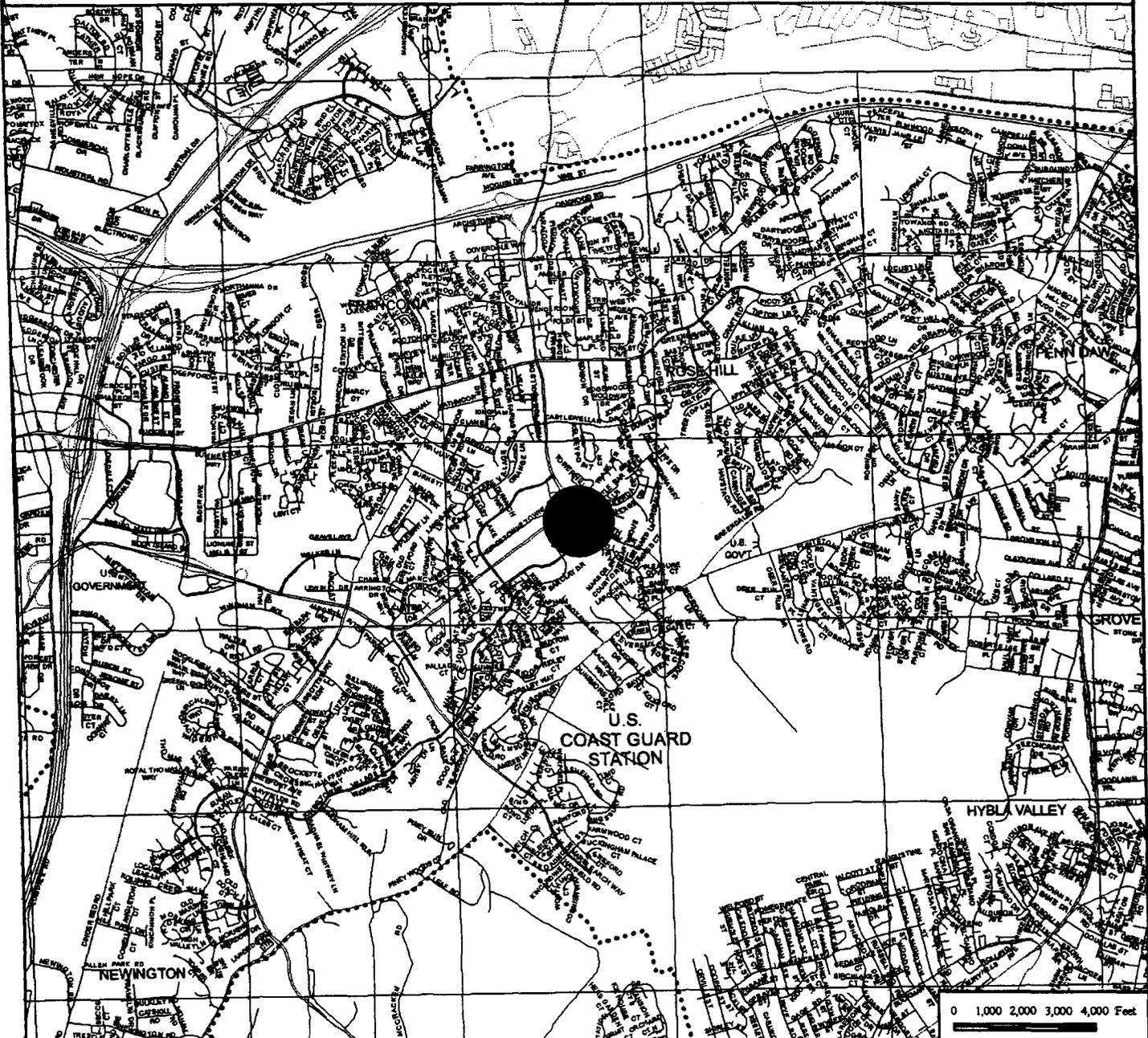
Final Development Plan Amendment

FDPA -C-448-10-03

Applicant: KINGSTOWNE GAS STATION LP
Accepted: 03/31/2009
Proposed: AMEND FDP C-448 PREVIOUSLY APPROVED FOR COMMERCIAL DEVELOPMENT TO PERMIT SITE MODIFICATIONS

Area: 1.108 AC OF LAND, DISTRICT - LEE
Zoning Dist Sect:
Located: NORTH SIDE OF KING CENTER PARKWAY APPROXIMATELY 450 FEET WEST OF ITS INTERSECTION WITH SOUTH VAN DORN STREET

Zoning: PDH- 4
Overlay Dist:
Map Ref Num: 091-2-01/ /0026F pt.



Proffered Condition Amendment

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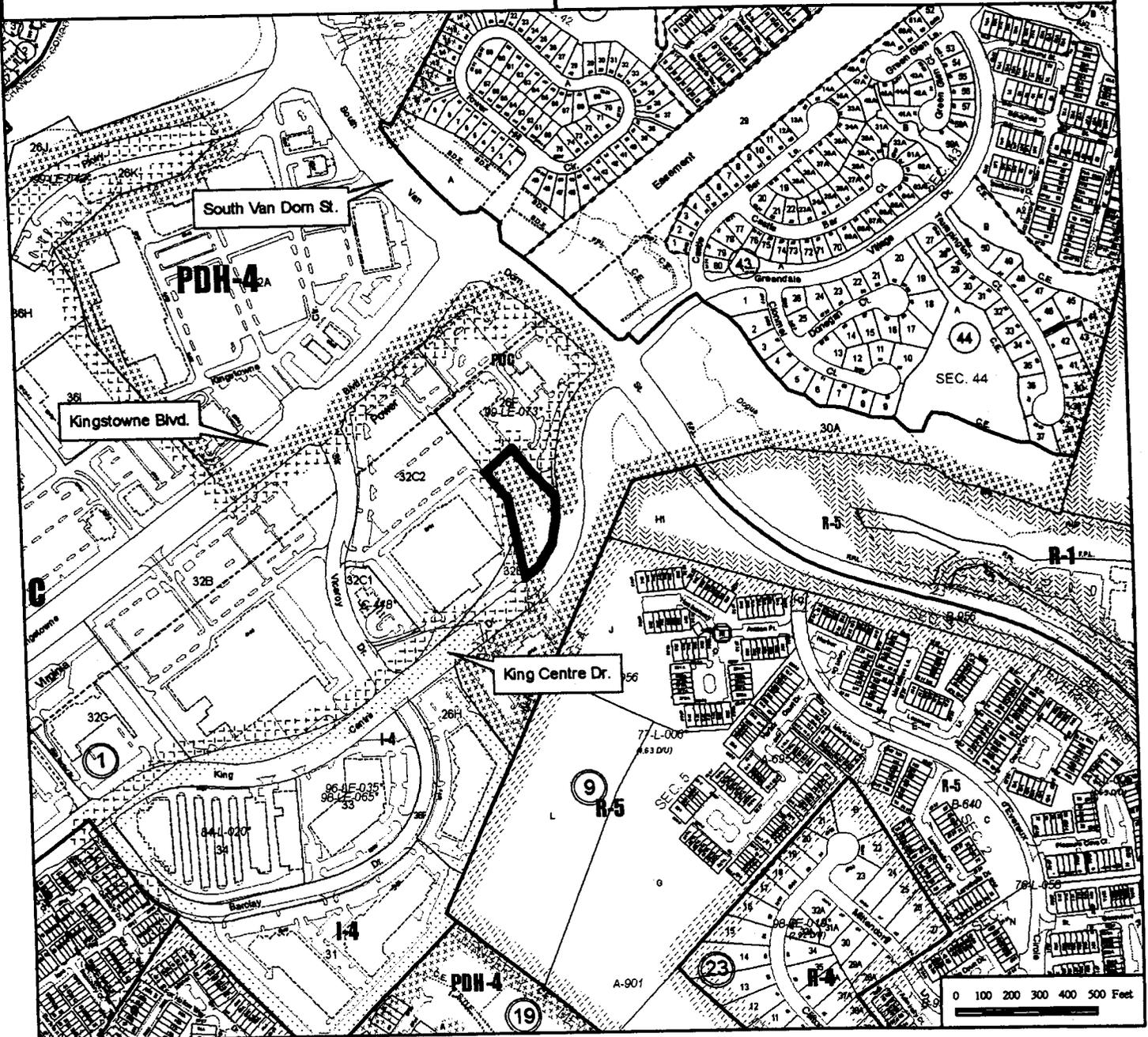
Final Development Plan Amendment

FDPA -C-448-10-03

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Accepted: 03/31/2009
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Zoning: PDH- 4
Overlay Dist:
Map Ref Num: 091-2-/01/ /0026F pt.



Rezoning Application

RZ 2009-LE-008

Applicant: KINGSTOWNE GAS STATION LP
Accepted: 03/31/2009
Proposed: COMMERCIAL
Area: 4.51 AC OF LAND; DISTRICT - LEE
Zoning Dist Sect:
Located: NORTHWEST QUADRANT OF THE INTERSECTION
OF SOUTH VAN DORN STREET AND KING
CENTER DRIVE

Zoning: FROM PDH- 4 TO PDC
Overlay Dist:
Map Ref Num: 091-2- /01/ /0026F pt.

Final Development Plan

FDP 2009-LE-008

Applicant: KINGSTOWNE GAS STATION LP
Accepted: 03/31/2009
Proposed: COMMERCIAL
Area: 4.51 AC OF LAND; DISTRICT - LEE
Zoning Dist Sect:
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CENTER DRIVE

Zoning: PDC
Overlay Dist:
Map Ref Num: 091-2- /01/ /0026F pt.



Rezoning Application

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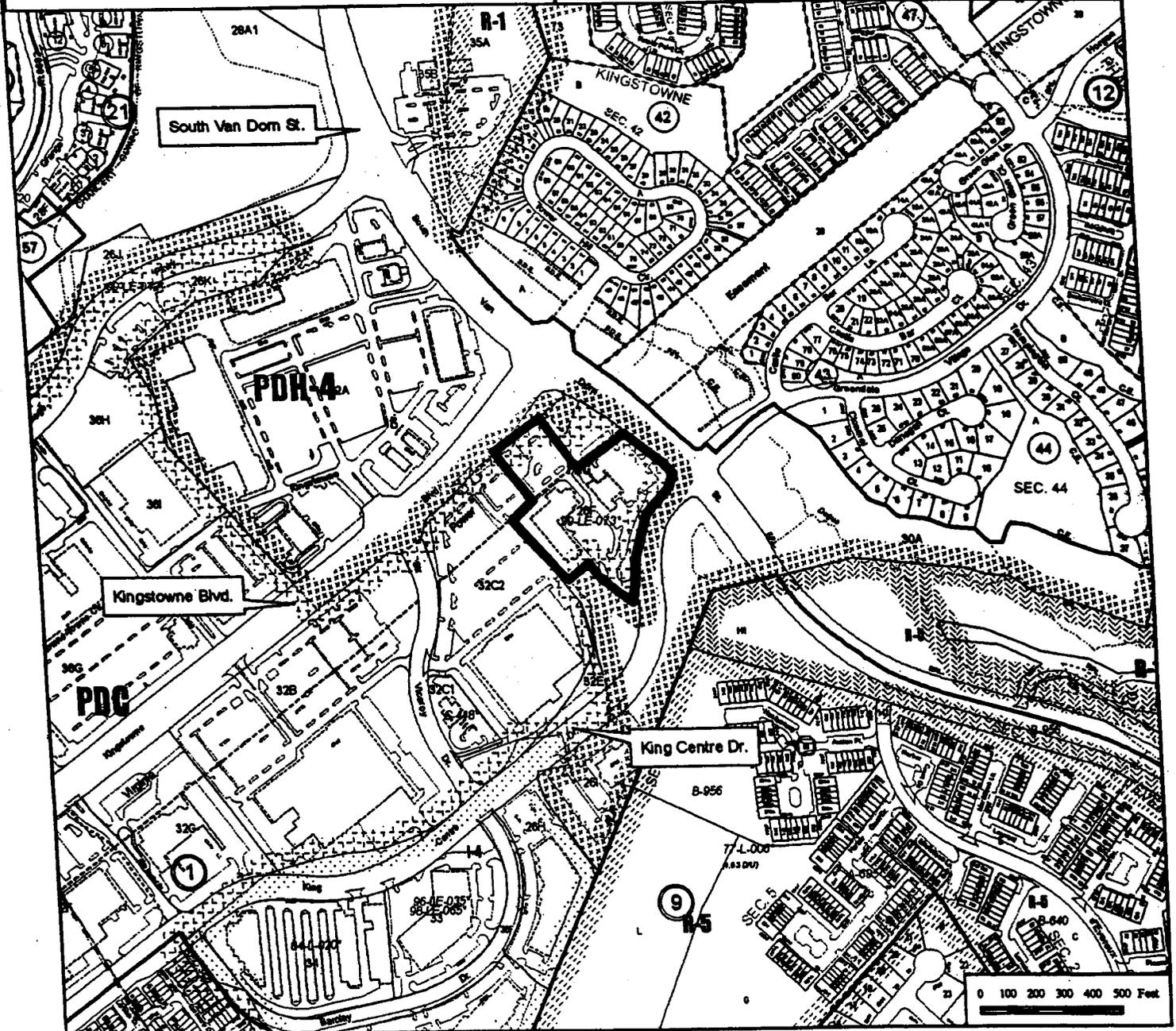
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Rezoning Application

RZ 2009-LE-009

Applicant: KINGSTOWNE GAS STATION LP
Accepted: 03/31/2009
Proposed: COMMERCIAL
Area: 1,321 SF OF LAND; DISTRICT - LEE
Zoning Dist Sect:
Located: APPROXIMATELY 100 FEET NORTH OF KING CENTER DRIVE AND 500 FEET WEST OF ITS INTERSECTION WITH SOUTH VAN DORN STREET

Zoning: FROM PDC TO PDH- 4
Overlay Dist:
Map Ref Num: 091-2- /01/ /0026F pt.

Final Development Plan

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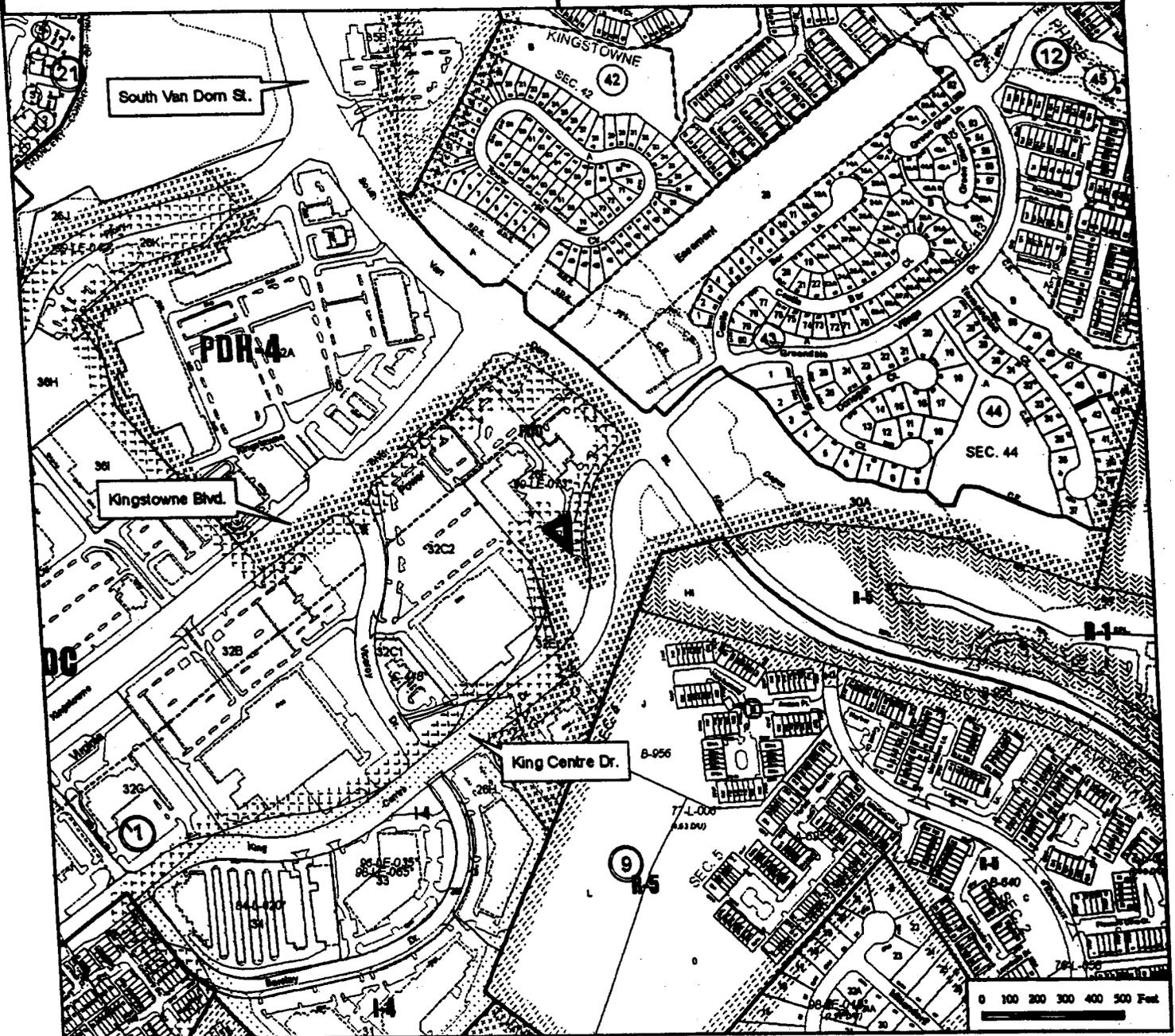
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Overlay Dist:
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FDA NOTES:

1. THE PROPERTY SHOWN ON THIS FINAL DEVELOPMENT PLAN IS IN THE LEE SERVICE DISTRICT, THE DOGUE CREEK SANITARY SEWER DISTRICT AND THE DOGUE CREEK WATERSHED.
2. FAIRFAX WATER IS THE PUBLIC WATER SUPPLY AGENCY FOR THIS DEVELOPMENT.
3. DETAILED INFORMATION IS TAKEN FROM EXISTING INFORMATION.
4. LOCATION OF EASEMENTS SHOWN HEREON ARE BASED ON INFORMATION AVAILABLE FROM TAX MAPS AND/OR DEEDS OF RECORD, NOT ACTUAL FIELD LOCATIONS OR TITLE SEARCH, AND SHOULD NOT BE REGARDED AS A CORRECT OR FINAL LOCATION.
5. STATEMENT OF CONDITIONS OR COMMITMENTS AND/OR STATEMENTS REQUIRED PURSUANT TO SECTION 16-502 ARE INCLUDED WITH THESE PLANS.
6. THIS PLAN DOES NOT PURPORT TO SHOW ALL EXISTING UNDERGROUND UTILITIES AND THOSE SHOWN ARE APPROXIMATE.
7. DATUM: U.S.G.S. 2 FOOT CONTOUR INTERVAL FIELD RUN TOPOGRAPHY.
8. ALL STREETS ARE TO BE PRIVATELY OWNED AND MAINTAINED.
9. STORMWATER DETENTION AND/OR RETENTION AND BEST MANAGEMENT PRACTICES (BMP'S) ARE PROVIDED PER KINGSTOWNE LAKE POND AND IN ACCORDANCE WITH FAIRFAX COUNTY POLICIES AND ORDINANCES.
10. ALL NECESSARY PUBLIC UTILITIES ARE READILY AVAILABLE TO THE SITE AND WILL BE EXTENDED BY THE DEVELOPER OR UTILITY COMPANY, AS MAY BE THE CASE.
11. THE PROPERTY DELINEATED BY THIS PLAN IS SHOWN ON ASSESSMENT MAP 91-2-001, PART OF PARCEL 26F AND IS ZONED PDC, PDH-4.
12. ALL PROPOSED BUILDING FOOTPRINTS ARE APPROXIMATE AND SUBJECT TO CHANGES AS A RESULT OF FINAL ENGINEERING AND ARCHITECTURAL DESIGN, HOWEVER THE GROSS SQUARE FOOTAGE INDICATED ON THE PLAN AND THE SETBACKS TO THE PERIPHERY WILL BE MAINTAINED.
13. BUILDING FOOTPRINTS ARE APPROXIMATE AND MAY CHANGE DUE TO ARCHITECTURAL REVIEW AND MARKET CONDITIONS.
14. APPLICANT WILL PROVIDE THE MINIMUM NUMBER OF PARKING SPACES, AS REQUIRED BY THE ZONING ORDINANCE, THE ACTUAL NUMBER OF PARKING SPACES IN EACH PARKING BAY SUBJECT TO CHANGE AT FINAL ENGINEERING.
15. PARKING PROVIDED WILL CONFORM TO ARTICLE 11 (PARKING, LOADING, PRIVATE STREETS) OF THE FAIRFAX COUNTY ZONING ORDINANCES. THE APPLICANT RESERVES THE RIGHT TO INCREASE OR DECREASE THE NUMBER OF PARKING SPACES AS LONG AS THEY ARE IN SUBSTANTIAL CONFORMANCE WITH THE PERIPHERAL AND INTERIOR LANDSCAPING AND OPEN SPACE SHOWN ON THIS GENERALIZED DEVELOPMENT PLAN PURSUANT TO PAR. 4 AND 5 OF SECT. 16-204 OF THE ZONING ORDINANCE. A FINAL NUMBER OF PARKING SPACES WILL BE DETERMINED AT THE TIME OF SITE PLAN SUBMISSION AND WILL BE PROVIDED IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 11 OF THE ZONING ORDINANCE.
16. OFFSITE GRADING, RIGHT-OF-WAYS, PARKING, ACCESS AND UTILITY CROSSINGS SHALL BE ALLOWED WITH THE PERMISSION OF THE ADJACENT OWNER.
17. ALL SIGNAGE SHALL CONFORM TO ARTICLE 12 REGULATIONS.
18. NO EXISTING VEGETATION ON SITE IS TO BE RETAINED FOR THOSE AREAS YET TO BE CONSTRUCTED. THE PROPOSED LIMITS OF CLEARING AND GRADING ARE APPROXIMATE AND ARE SUBJECT TO ADJUSTMENT AT THE TIME OF FINAL ENGINEERING.
19. THE ADJACENT PROPERTIES WILL NOT BE ADVERSELY EFFECTED WITH THIS PROPOSED DEVELOPMENT. PROPOSED VEHICULAR ACCESS, SCREENING MEASURES AND DIMENSIONS OF ALL PERIPHERAL YARDS ARE SHOWN ON THE PLAN.
20. TO THE BEST OF MY KNOWLEDGE, THE DEVELOPMENT IS IN CONFORMANCE WITH THE FAIRFAX COUNTY COMPREHENSIVE PLAN.
21. THERE ARE NO EXISTING TREES ON SITE OR ANY GENERAL AREAS THAT HAVE SCENIC ASSETS OR NATURAL FEATURES DESERVING OF PROTECTION OR PRESERVATION.
22. IN ACCORDANCE WITH PARAGRAPH 4 OF SECTION 16-403 OF THE ZONING ORDINANCE, MINOR MODIFICATIONS TO THE SIZES, DIMENSIONS, FOOTPRINTS AND LOCATIONS OF BUILDINGS, PARKING SPACES AND UTILITIES MAY OCCUR WITH FINAL ENGINEERING AND DESIGN. THE FOOTPRINTS REPRESENTED HEREON ARE APPROXIMATE. BUILDING FOOTPRINTS MAY BE INCREASED OR DECREASED SO LONG AS THE PERIPHERAL LOT LINE DIMENSIONS ARE NOT DIMINISHED. THE APPLICANT RESERVES THE RIGHT TO DEVELOP A LARGER NUMBER OF RENTAL UNITS AND RENTAL SPACE THAN THOSE NUMBERS REPRESENTED HEREON AND REDUCE THE NUMBER OF PARKING SPACES ACCORDINGLY. ANY MODIFICATIONS SHALL NOT REDUCE THE PERMETER BUILDING SETBACK DIMENSIONS FROM PROPERTY LINES AS SHOWN ON THIS PLAN.
23. AN ENTRANCE WILL BE PROVIDED INTO THE SITE OFF OF KINGSTOWNE BOULEVARD SUBJECT TO APPROVAL BY VDOT AND FAIRFAX COUNTY AND SUBJECT TO OBTAINING ALL NECESSARY OFFSITE DEDICATION AND ASSOCIATED EASEMENTS. IF THE APPLICANT IS UNABLE TO OBTAIN THE APPROPRIATE APPROVALS AND/OR THE OFFSITE DEDICATION/EASEMENTS, THE APPLICANT RESERVES THE RIGHT NOT TO CONSTRUCT THE ENTRANCE.

STORMWATER MANAGEMENT:

THE REQUIRED DETENTION FOR THIS SITE IS PROVIDED FOR IN THE KINGSTOWNE LAKE PLAN, 6105-PI-12, APPROVED 3/21/88 AND THE REGIONAL DRY POND DC106, APPROVED 6/2/01.

REQUIRED BMP'S:

THE REQUIRED BMP'S FOR THIS SITE ARE PROVIDED FOR IN THE KINGSTOWNE LAKE PLAN, 6105-PI-12, APPROVED 3/21/88 AND THE REGIONAL DRY POND DC106, APPROVED 6/2/01.

OUTFALL NARRATIVE:

ON SITE RUNOFF FLOWS AS SHEET AND SHALLOW CONCENTRATED FLOW TO VARIOUS STORM INLETS LOCATED ON SITE. THE RUNOFF IS CONVEYED VIA A CLOSED STORM DRAIN SYSTEM LOCATED ON SITE. THE MAJORITY OF SITE RUNOFF FLOWS TO THE SOUTHEAST UNDER KING CENTRE DRIVE AND OUTFALLS INTO FAIRFAX COUNTY REGIONAL DRY POND DC106, 6105-SP-73 (APPROVED UNDER CONSTRUCTION), WHICH HAS THE ADEQUATE CAPACITY TO HANDLE THE POST DEVELOPMENT RUNOFF. THE OUTFALL OF THE POND IS A TRAPEZOIDAL RIPRAP CHANNEL THAT EXTENDS TO THE BED AND BANKS OF DOGUE CREEK, WITHIN ITS 100 YEAR FLOODPLAIN. THE REMAINDER OF THE SITE IS CONVEYED TOWARD SOUTH VAN DORN STREET THROUGH THE EXISTING STORM DRAIN SYSTEM AND INTO THE EXISTING DOGUE CREEK FLOODPLAIN. THE STORM DRAIN COMPUTATIONS FOR THE EXISTING PIPE OUTFALLS ARE INCLUDED ON SHEET B AND SHOW THAT THE EXISTING PIPES ARE ADEQUATE. IT IS OUR OPINION, BASED ON OUR REVIEW OF THE EXISTING PIPES, COMPUTATIONS AND THE STORMWATER MANAGEMENT PROVIDED BY THE KINGSTOWNE LAKE AND THE COUNTY REGIONAL POND, THAT NO DAMAGE OR ADVERSE IMPACT TO DOWNSCREEN STRUCTURES OR CHANNELS ARE ANTICIPATED AND THE SITE OUTFALLS ARE ADEQUATE.

RZ/FDP PDH-4/PDC TO PDC SITE TABULATIONS:

TAX MAP ID: 91-2-((1))-26F (PORTION)
 EXISTING ZONE: PDC
 PROPOSED ZONE: PDC
 SITE AREA: 196,377 S.F. OR 4.5082 ACRES
 BUILDING AREA:
 EXISTING (NO CHANGE)
 CARWASH: 3,840 S.F.
 RETAIL:
 FAST FOOD: 500-1,300 S.F.
 QUICK SERVICE FOOD STORE: 1,850-2,500 S.F.
 TOTAL RETAIL: 3,500 S.F.
 PROPOSED:
 OFFICE/RETAIL:
 OFFICE: 108,500 S.F.
 RETAIL: 5,000 S.F.
 TOTAL OFFICE/RETAIL: 113,500 S.F.
 NOTE: ANCILLARY RETAIL USE'S PERMITTED.
 PROPOSED FAR: 0.62
 OPEN SPACE REQUIRED: 15% OR 29,457 S.F.
 OPEN SPACE PROVIDED: 27.4% OR 53,835 S.F.
 PARKING REQUIRED:
 RETAIL/CAR WASH: 41 PARKING PLUS 10 STACKING
 OFFICE/RETAIL: 108,500 S.F. (3 SPACES/1,000 S.F.) + 1,000 S.F. (6 SPACES/1,000 S.F.) + 4,000 S.F. (6 SPACES/1,000 S.F.) = 355 SPACES
 PARKING PROVIDED:
 RETAIL/CAR WASH: 47 PARKING PLUS 28 STACKING
 OFFICE/RETAIL: 355 SPACES
 LOADING SPACES REQUIRED:
 RETAIL/CAR WASH: 1 SPACE
 OFFICE: 3 SPACES
 NOTE: MAXIMUM OF 5 SPACES REQUIRED FOR THE SITE
 LOADING SPACES PROVIDED:
 RETAIL/CAR WASH: 1 SPACE
 OFFICE: 4 SPACES
 TOTAL: 5 SPACES

SECTION 16-502:

1.
 - A. SHOWN ON PLAN
 - B. SHOWN ON PLAN
 - C. REFER TO SITE TABULATIONS
 - D. SHOWN ON PLAN
 - E. SHOWN ON PLAN
 - F. SHOWN ON PLAN
 - G. SHOWN ON PLAN
 - H. SHOWN ON PLAN
 - I. SHOWN ON PLAN
 - J. N/A. MINIMUM DISTANCES FROM THE BUILDINGS TO THE BOUNDARY LINES ARE SHOWN ON THE PLAN
 - K. SHOWN ON PLAN
 - L. REFER TO SITE TABULATIONS/SHOWN ON PLAN
 - M. SHOWN ON PLAN
 - N. SHOWN ON PLAN
 - O. NO KNOWN GRAVE OR BURIAL SITES EXIST ON THE SITE
 - P. SHOWN ON PLAN. SEE GENERAL NOTE 10
 - Q. SEE GENERAL NOTE 9.
 - R. SHOWN ON PLAN
 - S. THERE ARE NO AREAS OF FLOODPLAIN, ENVIRONMENTAL QUALITY CORRIDORS OR RESOURCE PROTECTION AREAS ON SITE
 - T. DEVELOPMENT SCHEDULE AND PHASING TO BE DETERMINED AS MARKET CONDITIONS ALLOW.
2. REFER TO SITE TABULATIONS
3. N/A
4. ARCHITECTURAL SKETCHES INCLUDING LIGHT FIXTURES AND SIGNS ARE NOT AVAILABLE AT THIS TIME.
5. TO THE BEST OF OUR KNOWLEDGE, NO HAZARDOUS OR TOXIC SUBSTANCES EXIST ON THE SITE. IF ANY SUBSTANCES ARE FOUND, THE METHODS FOR DISPOSAL SHALL ADHERE TO COUNTY, STATE OR FEDERAL LAWS.
6. TO THE BEST OF OUR KNOWLEDGE, THIS PLAN CONFORMS TO THE PROVISIONS OF ALL APPLICABLE ORDINANCES, REGULATIONS AND ADOPTED STANDARDS AND CONDITIONS WITH THE FOLLOWING EXCEPTIONS, WAIVERS AND/OR MODIFICATIONS REQUESTED:
 - A. AN EXCEPTION TO THE TREE COVER REQUIREMENT FOR THE AREA COMPRISED OF THE VEPOD EASEMENT IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 13, SECTION 13-174, PARAGRAPH 2.
 - B. MODIFICATION OF THE TRANSITIONAL SCREENING TO THAT AS SHOWN ON THE PLAN, AND WAIVER OF THE BARRIER REQUIREMENTS IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 13, SECTION 13-304, PARAGRAPHS 1, 5 AND 12.
 - C. A WAIVER TO THE LOT SIZE REQUIREMENTS FOR THE MINIMUM DISTRICT SIZE PER SECTION 2-306.
7. N/A
8. N/A

RZ/FDP PDC TO PDH-4 SITE TABULATIONS:

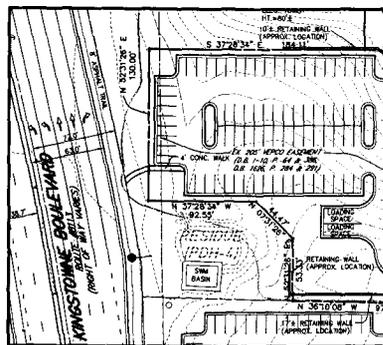
TAX MAP ID: 91-2-((1))-26F (PORTION)
 EXISTING ZONE: PDC
 PROPOSED ZONE: PDH-4
 GROSS SITE AREA: 1,321 S.F. OR 0.0303 ACRES
 BUILDING AREA:
 EXISTING: 0 S.F.
 PROPOSED: 0 S.F.
 PROPOSED FAR: N/A
 LOT SIZE REQUIREMENTS:
 MINIMUM DISTRICT SIZE: 2 ACRES
 PROPOSED DISTRICT SIZE: 0.0303 ACRES
 (A WAIVER IS REQUESTED BY THE BOARD PER SECTION 2-306)
 PROPOSED NUMBER OF UNITS: 0
 REQUIRED PARKING SPACES: 0
 PROPOSED PARKING SPACES: 0
 PROPOSED OPEN SPACE: 1,321 S.F. (0.0303 AC)

PCA (PDH-4 AREA) SITE TABULATIONS:

TAX MAP ID: 91-2-((1))-26F (PORTION)
 EXISTING ZONE: PDH-4
 GROSS SITE AREA: 48,274 S.F. OR 1.1082 ACRES
 BUILDING AREA:
 EXISTING: 0 S.F.
 PROPOSED: 0 S.F.
 PROPOSED FAR: N/A
 LOT SIZE REQUIREMENTS:
 MINIMUM DISTRICT SIZE: 2 ACRES
 PROPOSED DISTRICT SIZE: 1.1082 ACRES
 (A WAIVER IS REQUESTED BY THE BOARD PER SECTION 2-306)
 PROPOSED NUMBER OF UNITS: 0
 REQUIRED PARKING SPACES: 0
 PROPOSED PARKING SPACES: 0
 PROPOSED OPEN SPACE: 48,274 (1.1082 AC)

REZONING TABULATIONS	
RZ/FDP PDH-4/PDC TO PDC	196,377 S.F. (4.5082 AC.)
RZ/FDP PDC TO PDH-4	1,321 S.F. (0.0303 AC.)
PCA (PDH-4 AREA)	48,274 S.F. (1.1082 AC.)

PROJECT DESCRIPTIONS:
 TO REZONE AREAS OF LAND PART OF TAX MAP 91-2 ((1)) 26F FROM PDC/PDH-4 TO PDC, ANOTHER PART FROM PDC TO PDH-4 AND AMEND THE PCA/PDPA C-448-23 ASSOCIATED WITH LAND AREA.



INSERT SHOWING PLAN WITHOUT KINGSTOWNE BOULEVARD ENTRANCE

SCALE: 1"=30'

NOTE: PLAN ADDS 5 PARKING SPACES



CIVIL ENVIRONMENTAL LAND PLANNING SURVEYING

690 Center Street
 Suite 300
 Herndon, Virginia 20170
 V: (703) 481-5900
 F: (703) 481-5901
 info@tritekinc.com



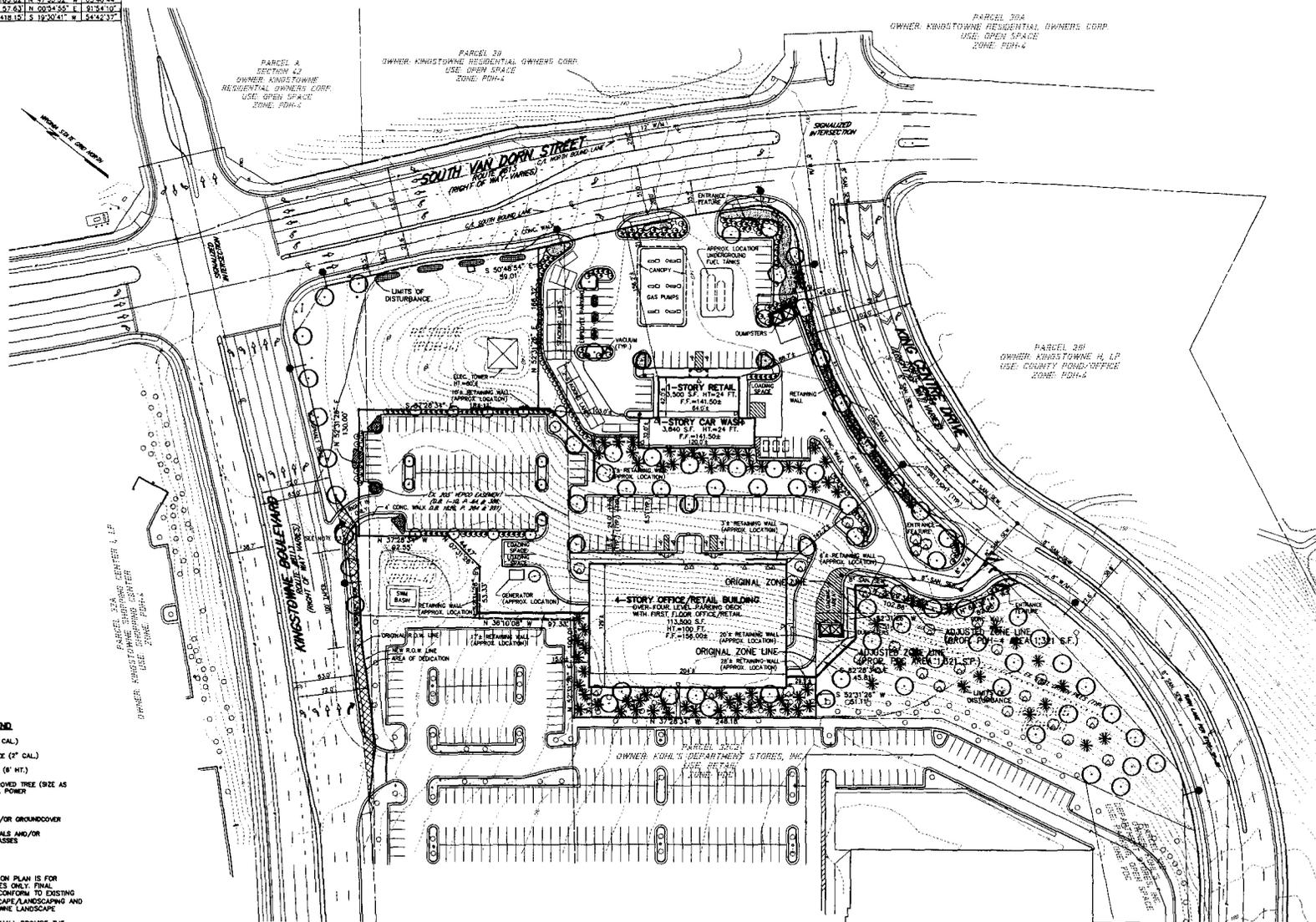
KINGSTOWNE SECTION 36A
 FAIRFAX COUNTY, VIRGINIA
 LEE DISTRICT

NOTES AND TABULATIONS

DATE	ISSUE	REVISION
12/29/09	PER COUNTY COMMENTS	
09/02/09	PER COUNTY COMMENTS	

PW: IDB SCALE: AS SHOWN
 PLS: JWB DATE: 10/23/08
 CD: MSO SHEET 2 OF 10

CURVE TABLE					
CURVE	RADIUS	LENGTH	TAN CHORD	BEARING	DELTA
C1	1844.727	165.89	83.01	162.82° N 47°52'32" W	02°49'44"
C2	400.00	54.00	41.44	57.62° N 20°34'55" E	9°34'00"
C3	458.00	434.47	235.50	438.15° S 19°20'41" W	54°42'37"



LANDSCAPE LEGEND

- SHADE TREE (3" CAL.)
- ORNAMENTAL TREE (2" CAL.)
- * EVORGREEN TREE (8" HT.)
- VA. POWER APPROVED TREE (SIZE AS SPECIFIED BY VA. POWER)
- SHRUB MASSING
- PERENNIALS AND/OR GROUNDCOVER
- SHRUBS, PERENNIALS AND/OR ORNAMENTAL GRASSES

NOTES:

1. LANDSCAPING SHOWN ON PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY. FINAL LANDSCAPING SHALL CONFORM TO EXISTING KINGSTOWNE STREETSCAPE/LANDSCAPING AND ESTABLISHED KINGSTOWNE LANDSCAPE STANDARDS.
2. FINAL LANDSCAPING SHALL PROVIDE THE NECESSARY TREE COVER AND INTERIOR PARKING LOT LANDSCAPING IN ACCORDANCE WITH ARTICLE 13 OF THE FAIRFAX COUNTY ZONING ORDINANCES.

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 690 Center Street
 Suite 300
 Herndon, Virginia 20170
 V. (703) 481-5900
 F. (703) 481-5901
 info@tritekinc.com



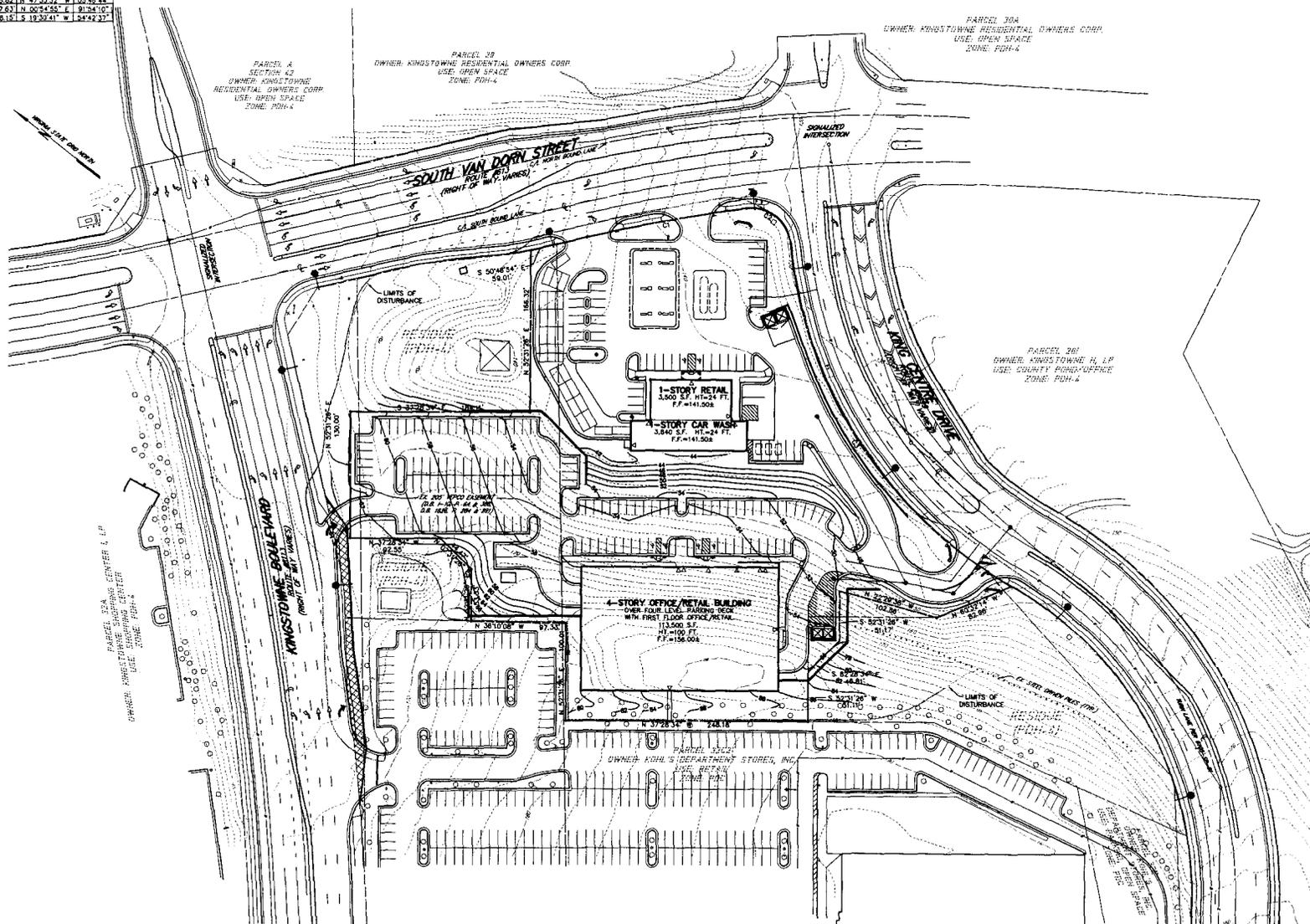
KINGSTOWNE SECTION 36A
 FARFAX COUNTY, VIRGINIA
 LEE DISTRICT

PCA/FDPA/FDP/RZ

DATE	REVISION
03/29/04	PER COUNTY COMMENTS
05/18/04	PER COUNTY COMMENTS
05/23/04	PER COUNTY COMMENTS

PL: IDB SCALE: 1"=50'
 PE: IDB DATE: 10/30/08
 CO: M50 SHEET: 3 OF 10

CURVE	RADIUS	LENGTH	TAN	CHORD	BEARING	DELTA
C1	1644.72	165.02	83.91	165.82	N 47°52'32" W	02°42'44"
C2	430.91	84.92	41.44	82.83	N 00°45'53" E	01°24'00"
C3	458.00	454.47	235.92	416.15	S 19°20'41" W	24°42'37"



NOTE: THIS GRADING PLAN IS CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE BASED ON FINAL ENGINEERING.



TRI-TEK ENGINEERING
 CIVIL ENVIRONMENTAL LAND PLANNING SURVEYING
 690 Center Street
 Suite 300
 Herndon, Virginia 20170
 V: (703) 481-5900
 F: (703) 481-5901
 info@tritekinc.com



KINGSTOWNE SECTION 36A
 FAIRFAX COUNTY, VIRGINIA
 LEE DISTRICT

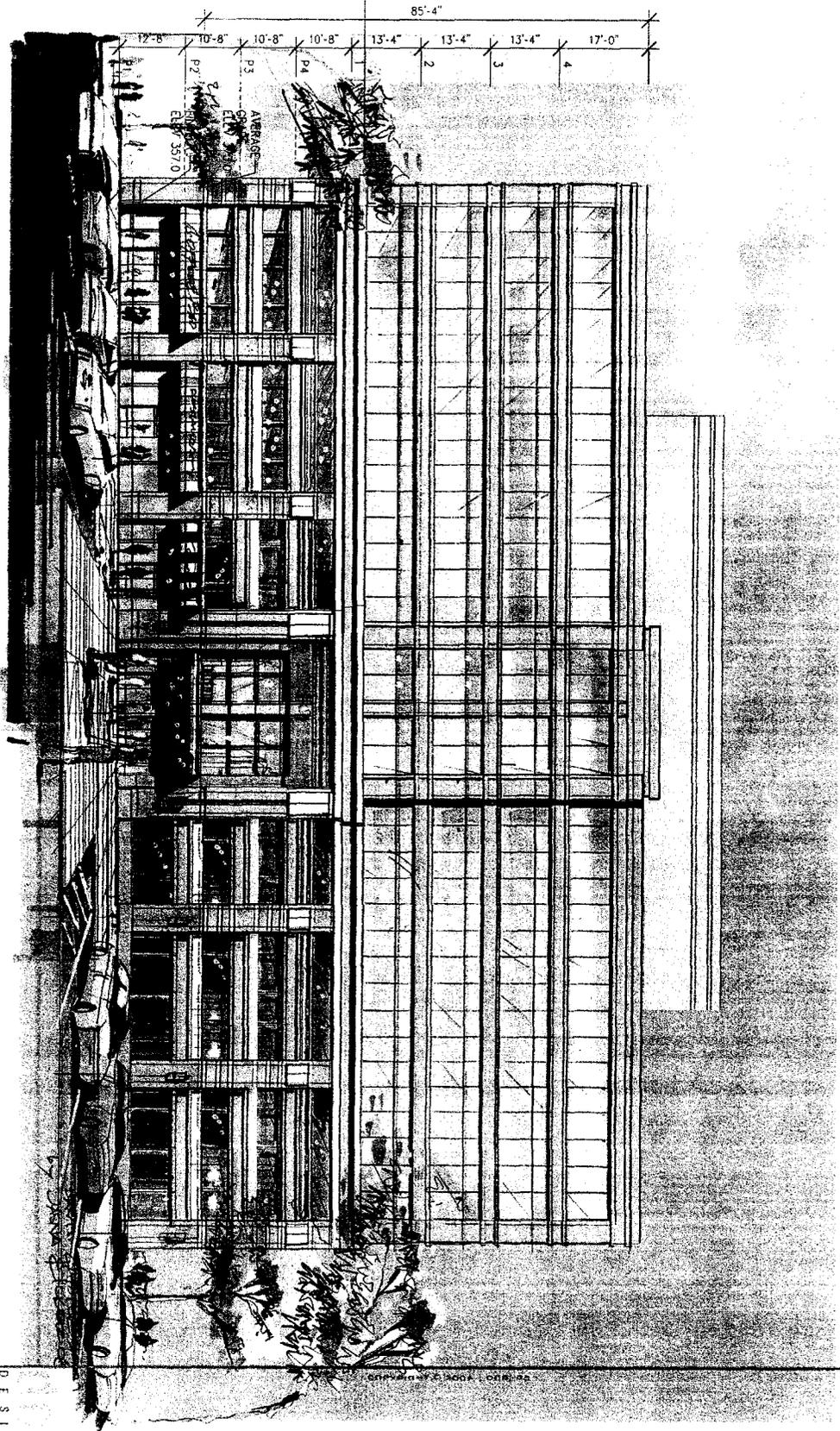
CONCEPTUAL GRADING PLAN

DATE	REVISION
12/26/08	PER COUNTY COMMENTS
01/29/09	PER COUNTY COMMENTS
05/08/09	PER COUNTY COMMENTS
09/22/09	PER COUNTY COMMENTS

PW: JBB SCALE: 1"=50'
 P.E. JOB DATE: 10/26/08
 CO. MSD SHEET: 4 OF 10

KINGSTOWNE 36

Front Elevation



DESIGN

DATE: 12/8/08
 DRAWN BY: J. J. JONES
 CHECKED BY: J. J. JONES

DATE	REVISION
12/8/08	PER COUNTY COMMENTS.
01/29/09	PER COUNTY COMMENTS.
06/19/09	PER COUNTY COMMENTS.
09/03/09	PER COUNTY COMMENTS.

BUILDING ELEVATION

KINGSTOWNE SECTION 36A

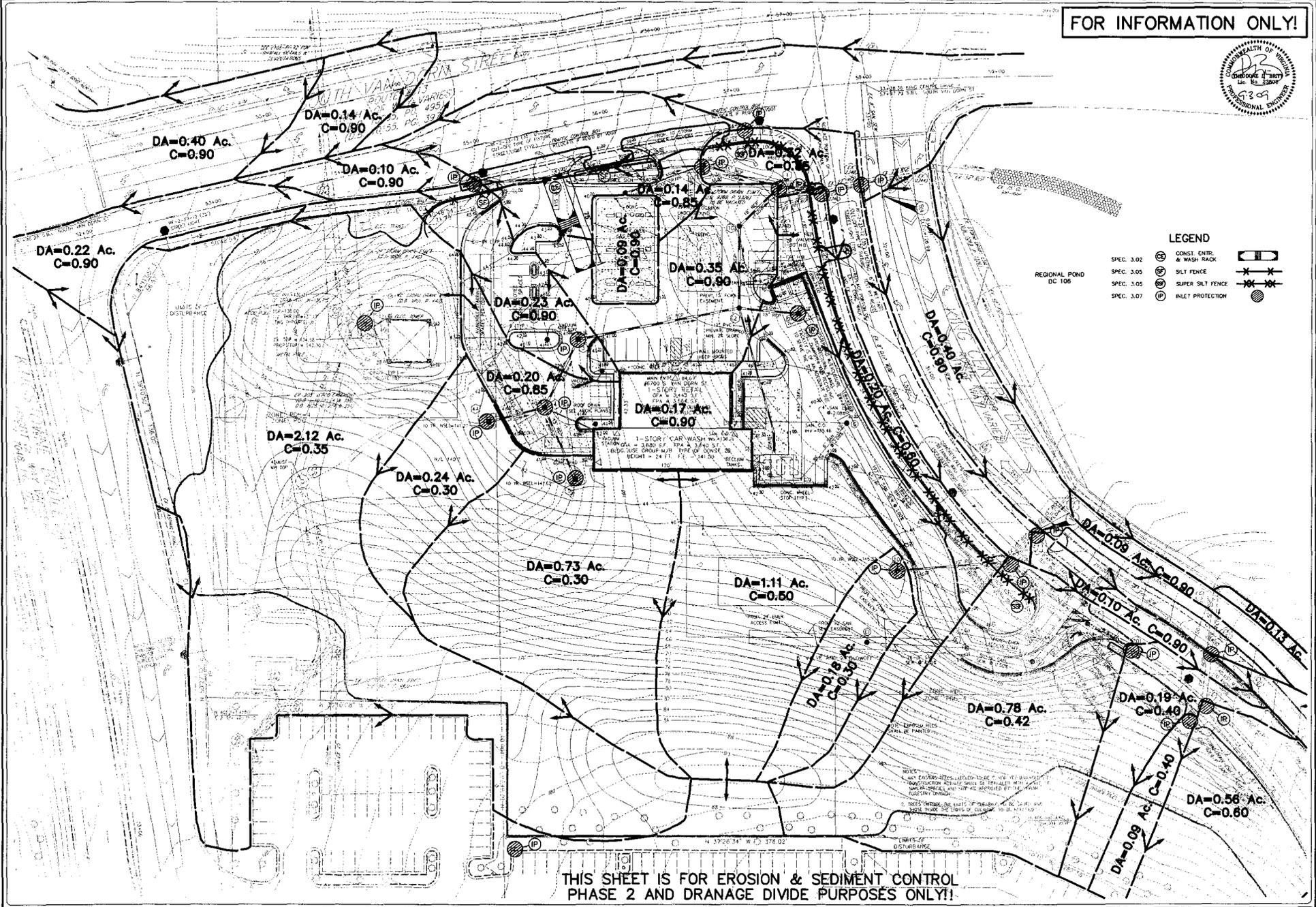
LEE DISTRICT
 FAIRFAX COUNTY, VIRGINIA



690 Capital Street
 Suite 300
 Herndon, Virginia 20170
 V. (703) 481-5800
 F. (703) 481-5801
 info@tritek.com



FOR INFORMATION ONLY!



- LEGEND**
- SPEC. 3.02 CONST. ENTR. & WASH RACK
 - SPEC. 3.05 SILT FENCE
 - SPEC. 3.06 SUPER SILT FENCE
 - SPEC. 3.07 INLET PROTECTION
-

REGIONAL POND DC 106

THIS SHEET IS FOR EROSION & SEDIMENT CONTROL PHASE 2 AND DRAINAGE DIVIDE PURPOSES ONLY!



TRI-TEK ENGINEERING
CIVIL & ENVIRONMENTAL & LAND PLANNING & SURVEYING
1000 Capital Square, Suite 300
Farmingdale, Virginia 22030-5018 (703) 461-5900

KINGSTOWNE
SECTION 36
LEE DISTRICT
FAIRFAX COUNTY, VIRGINIA

EROSION & SEDIMENT CONTROL
PHASE 2 AND DRAINAGE DIVIDES

SCALE: 1"=30'
DATE: 11/19/06
DRN: M.S.G.
CKD: M.B.A./D.B.L.
SHEET 10 OF 11

C:\pwworking\179\pwworking\179106.dwg, 9/20/06 8:43:03 AM, JobNo: 0201 New Farm.pdw, 11, TRI-TEK Engineering, Inc.

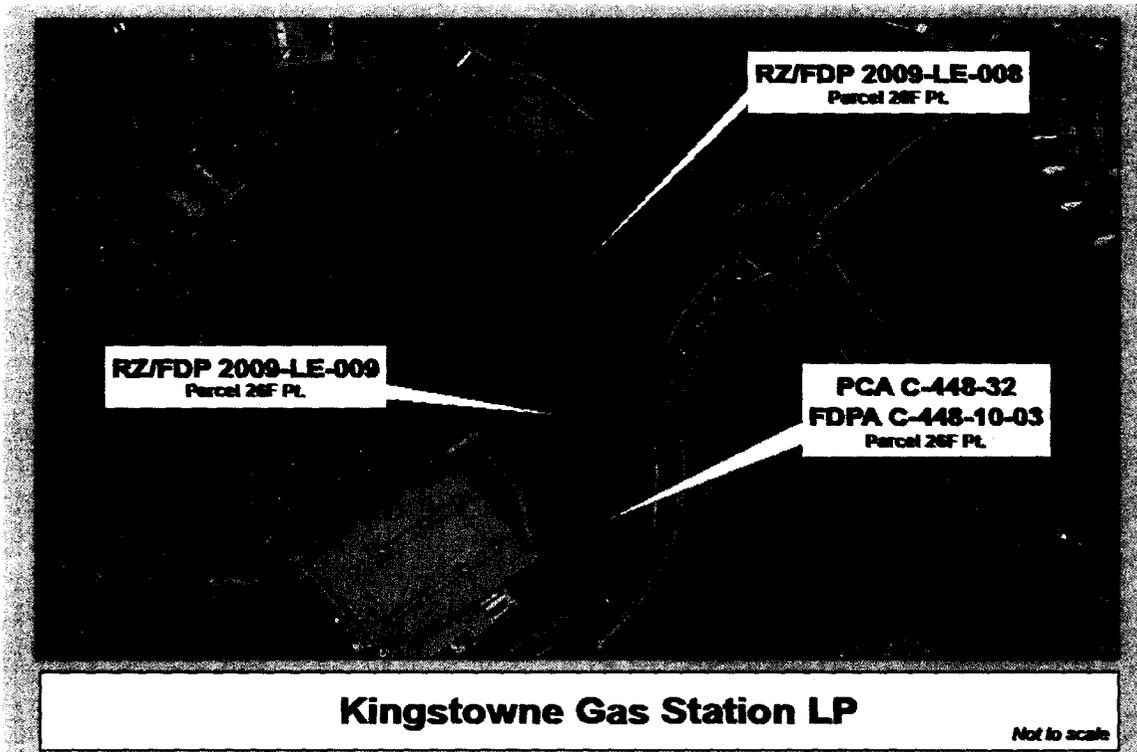
**A GLOSSARY OF TERMS FREQUENTLY
USED IN STAFF REPORTS WILL BE
FOUND AT THE BACK OF THIS REPORT**

DESCRIPTION OF THE APPLICATION

Proposal:

This package of applications (See Exhibit A below) has been filed to allow an exchange of ground between the PDH-4 and the PDC Districts within Kingstowne to amend PCA C-448-32 previously approved for the development of a hotel and combined service station/mini-mart/fast food restaurant and a car wash in order to permit the development of an 113,500 square foot (SF) office building with retail instead of the un-built hotel and convert the mini-mart use to quick service food store. No land disturbance is proposed on the portion of the property which contains the existing service station/mini-mart/fast food restaurant and a car wash. The map below depicts the land area covered by these applications.

EXHIBIT A



PCA C-448-32/FDPA C-448-10-03 is a request to amend the Proffers and Final Development Plan (FDP) approved with PCA C-448-23 to convert the existing service station/mini-mart/fast food restaurant and car wash to service station/quick-service food store/fast food restaurant. No physical changes are proposed to the existing “retail building” (as labeled on the plan) on the subject property. Rather, the applicant is requesting the change to a quick-service food store in order to permit the sale of beer and wine on the subject property. The PCA/FDPA is required to allow this change since the Zoning Ordinance definition of mini-mart does not permit the sale of alcoholic beverages (whereas it does permit the sale of beer and wine in quick-service food stores).

In addition, this request seeks to convert an approved, but not yet built, hotel (87,000 SF) with an office building (113,500 SF) containing up to 5,000 SF of retail use, which may include a restaurant, on the first floor of the office building. The applicant notes that the requested change from hotel to office/retail is due in part to the expected growth in demand for office resulting from the Base Realignment and Closure ("BRAC"), a program enacted by Congress in 2005 which will shift thousands of federal employees the Engineer Proving Ground ("EPG") located in Ft. Belvoir by 2011. The portion of the site where the proposed office building would be located at is part of Tax Map 91-2 ((1)) 26F, and is currently undeveloped.

RZ/FDP 2009-LE-008 is a request to rezone 4.51 acres of land from the PDC and PDH-4 Districts to the PDC District. RZ/FDP 2009-LE-009 is a request to rezone 1,321 SF of land from the PDC District to the PDH-4 District.

Essentially what is proposed with these two rezoning applications (RZ/FDP 2008-LE-008 and RZ/FDP 2009-LE-009) is a land swap. This proposal would allow a small lateral shift in the location of the proposed office building, from where the hotel building was previously approved. This shift in the building will allow for the trash dumpster enclosure to be relocated to the east side of the proposed building away from the overhead power lines (A 25-foot wide power line easement runs through the subject property parallel to Kingstowne Boulevard and through the center of the Kingstowne Town Center). The CDP/FDP approved with PCA C-448-23/FDPA C-448-10-2 depicted the trash dumpsters located immediately adjacent to the power line easement. Under this proposal, the area previously shown to contain the trash dumpsters would become an open space area.

The applicant's draft proffers, affidavit, and Statement of Justification are contained in Appendices 1, 3 and 4 respectively.

Applications for the PDH and PDC Districts are subject to the General Standards and the Design Standards contained in Article 16 of the Zoning Ordinance, among others. The relevant standards are contained in the Excerpts from the Zoning Ordinance contained in Appendix 14.

LOCATION AND CHARACTER

The site is located at the southwest quadrant of the intersection of King Centre Drive and South Van Dorn Street. The northeast section of the property contains an existing service station/mini-mart/fast food restaurant and carwash (7,340 SF), which was constructed in 2007. There are six pumps with a canopy located between the retail building and South Van Dorn Street. Access to the service station site is provided via two existing curb cuts along South Van Dorn Street and one existing curb cut along King Centre Drive.

The northwestern portion of the application property contains a large 25-foot wide power line easement that parallels Kingstowne Boulevard through the center of the Kingstowne Town Center. A portion of the subject site extends to Kingstowne Boulevard and is located within the easement.

The undeveloped portion of the site contains fill from several construction projects, including the construction of South Van Dorn Street, King Centre Drive, the parking lot for the Kohl's store, and construction of the existing combined service station/mini-mart/fast food restaurant and a car wash. This activity has established a topography that rises steeply from South Van Dorn Street to the Kohl's parking lot. The elevation of the median strip in South Van Dorn Street that is opposite the existing gas pumps is 140 feet; the elevation of the Kohl's parking lot is 190 feet.

The following chart identifies the uses located around the site.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
Northwest	Commercial	PDH-4	Residential; 3-4 du/ac
Southeast	Open Space	PDH-4	Mixed Use
Northeast	Open Space/Residential	PDH-4	Residential; 3-4 du/ac
Southwest	Retail (Kohl's)	PDC	Mixed Use

BACKGROUND

With the initial approval of Kingstowne in 1985, this portion of Kingstowne was shown as "proposed plant nursery". In 1988, with the approval of the revised layout of the road network for the Kingstowne Town Center, which included the connection of the road serving the southern portion of the Town Center to S. Van Dorn Street, the nursery was no longer included in this location; only the roadway was shown on the approved Conceptual Development Plan and the approved Final Development Plan, FDP C-448-10. A copy of the proffers for FDP C-448-10, PCA C-448-2, CDPA C-448-6, PCA 84-L-020-2 and CDPA 84-L-020-1 are on file in the Zoning Evaluation Division, DPZ.

On July 24, 2000, the Board of Supervisors approved RZ 1999-LE-073 concurrent with PCA C-448-23 to allow an exchange of ground between the PDH-4 and the PDC Districts within Kingstowne to allow the development of a hotel and combined service station/mini-mart/fast food restaurant and a car wash on 4.48 acres, subject to proffers dated July 18, 2000. The Planning Commission approved FDP 1999-LE-073, on June 21, 2000, subject to the Board's approval of RZ 1999-LE-073.

COMPREHENSIVE PLAN PROVISIONS

- Plan Area:** IV
- Planning District:** Rose Hill Planning District
- Planning Sector:** RH4 Lehigh Community Planning Sector
- Plan Map:** Mixed Use

In the Fairfax County Comprehensive Plan, 2007 Edition, Area IV, Rose Hill Planning District, RH4 Lehigh Community Planning Sector, as amended through January 26, 2009, pages 61 - 64, the Plan states:

General Kingstowne/Manchester Lakes Policies

4. Encourage a planned development with a mixed-use commercial/community activity center as its focal point. The center should operate much like a downtown area, with the residential, retail and office uses all easily accessible by public transit, by foot or bicycle, as well as by automobile. The center should include residential densities sufficient to support a major core area in conjunction with recreational and leisure activities, commercial retail, office, service uses and compatible high-quality industrial uses, such as high technology. This core, or town center, should be located at the South Van Dorn Street/Kingstowne Boulevard junction.

7. Promote an identifying theme for the entire planned development center to foster a sense of place including superior urban design features which should be a prerequisite to develop above the low end of the planned density range. Through the application of these design features, the relationship of all land uses within the planned community should exhibit an order, coherent arrangement of uses, identity and aesthetic/sensory appeal.

Policies for the Kingstowne Town and Village Centers

25. A mixed-use activity center should be planned in the core area at the intersection of South Van Dorn Street and Kingstowne Boulevard. Uses should include a balanced mix of residential, retail, office, research and development and recreation/leisure activities, and attractive public open spaces and amenities. Industrial uses may be appropriate within the southeastern portion of the core area provided adequate assurances are made that any such industrial uses will be compatible with nearby uses, existing or planned, and of high quality and low intensity, such as high technology.

26. Development of high-rise and high density residential use within the mixed-use activity center is appropriate. Densities and building heights should decrease in relation to the distance from the core area so as not to cause adverse impacts on adjoining existing and planned residential areas.

ANALYSIS

Combined Rezoning and Final Development Plan (Copy at front of staff report)

Title: Kingstowne Section 36A

Prepared By: Tri-Tek Engineering

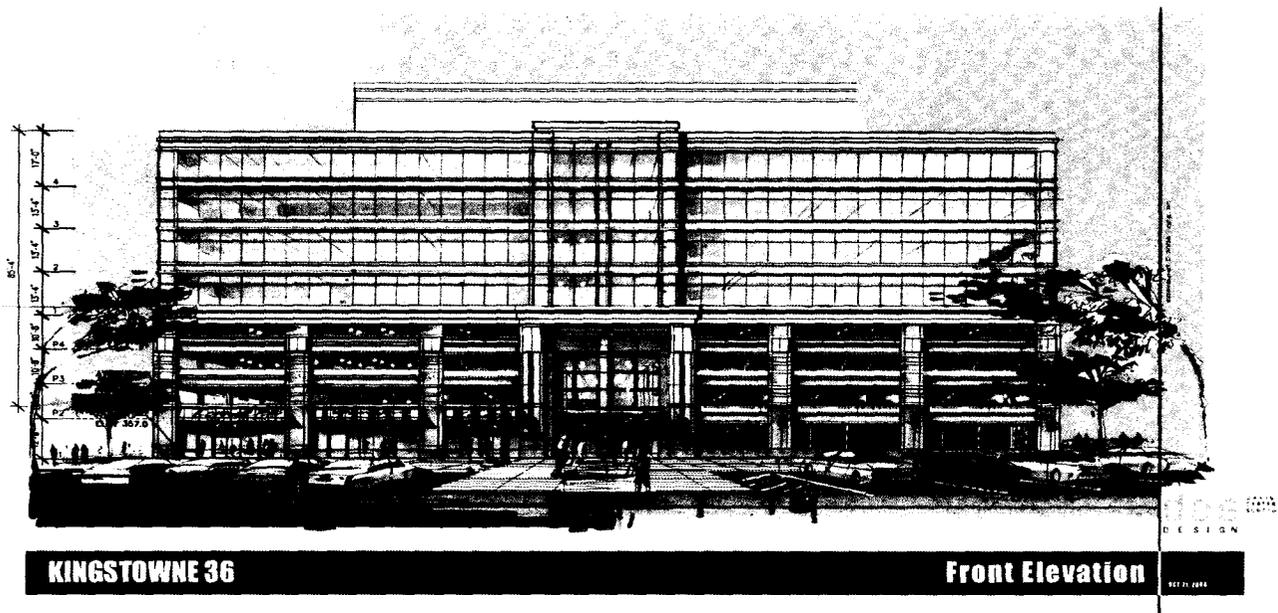
Original and Revision Dates: October 30, 2008, as revised through September 3, 2009

The applicant has submitted a single combined rezoning and final development plan, which consists of 10 sheets, for all 3 applications.

- **Sheet 1** is a cover sheet, and includes vicinity map, contact list and a sheet index.
- **Sheet 2** includes the general notes and site tabulations.
- **Sheet 3** includes the proposed site layout.
- **Sheet 4** shows the conceptual grading plan.
- **Sheet 5** shows the limits of the application property.
- **Sheet 6** shows the proposed building elevation.
- **Sheet 7** shows the stormwater management plan for the site.
- **Sheet 8** shows the stormwater management information.
- **Sheet 9** shows the erosions and sediment, and drainage divides.
- **Sheet 10** shows the storm sewer profiles and computations.

Major Features of the Combined Rezoning and Final Development Plan

Office: An 113,500 SF office building is proposed to be constructed in the southern portion of the site (abutting the existing Kohl's Department Store). It would consist of 4-stories for office use above a four (4) level parking structure with first floor retail use. The proposed office building is shown along the southwestern property line, between King Centre Drive and Kingstowne Boulevard, "behind" the existing service station and car wash. The maximum height for the proposed office building is 85 feet, 4 inches. Up to a maximum of 5,000 SF of retail use is proposed to be provided on the first floor of the office building. Access to the office use is proposed via the existing curb cut along King Centre Drive and a right-in only access from Kingstowne Boulevard at the western boundary of the site. An existing 30-foot wide service drive which runs parallel to King Centre Drive will provide a connection between the existing service station/car wash site and the proposed office building. A total of 355 parking spaces consisting of structural and surface parking are proposed for the office building.



Service station/quick-service food store/fast food restaurant and car wash: The plan also depicts the existing service station/quick-service food store/fast food restaurant and car wash development located in the southwest quadrant of the intersection of King Centre Drive and South Van Dorn Street. The only change to the service station proposed with this application package is to replace the previously approved mini-mart use with quick-service food store use in order to permit the sale of beer and wine. The existing service station building is a 3,500 SF, one-story building, 24 feet in height. Attached to the rear of the service station building is the 3,840 SF one-story car wash building, which is also 24 feet in height. There are six pumps with a canopy located between the service station building and South Van Dorn Street. Access to the service station site is provided via two existing curb cuts along South Van Dorn Street and one existing curb cut along King Centre Drive. The existing service station/car wash development contains 47 parking spaces and 26 stacking spaces for the car wash.

Parking: As noted earlier, the service station/quick-service food store/fast food restaurant and car wash is shown to contain 47 parking spaces and 26 stacking spaces. 19 spaces are shown around the 1-story service station/quick-service food store/fast food restaurant and car wash building and 6 spaces are shown near the exit of the car wash. The remaining parking spaces on this portion of the site are shown to be located to the east and west of the gas pumps and canopy. All of the parking spaces associated with the service station/quick-service food store/fast food restaurant and car wash are existing spaces. Parking for the office building is shown to be provided in two surface parking lots to the north and northeast of the office building and also within a four level parking structure within the proposed office building. The proposed surface parking lots are shown to contain approximately 126 spaces and the parking structure would contain approximately 229 spaces for a total of 355 parking spaces for the office building (which includes up to 5,000 SF of retail use).

Pedestrian Connections: The plan depicts an existing eight-foot wide asphalt trail along the Kingstowne Boulevard frontage of the site. Existing four-foot wide concrete sidewalks are shown along the South Van Dorn Street and King Centre Drive frontages of the property. These existing trails and sidewalks would remain. Proposed four-foot wide concrete sidewalks are shown to provide pedestrian access into the site from the Kingstowne Boulevard and King Centre Drive access points to the site. A proposed four-foot wide concrete sidewalk is depicted from the Kohl's parking lot to the proposed office building.

Open Space and Landscaping: The applicant proposes a total of 27.4 % (53,835 SF) of open space. The majority of the proposed open areas are located along the periphery of the site. There is existing landscaping consisting of evergreen and shade trees along portion of the King Centre Drive frontage of the property which is developed with the service station/quick-service food store/fast food restaurant and car wash. Existing shrubs are shown along the South Van Dorn Street frontage of the subject site and existing shade trees are depicted along the Kingstowne Boulevard frontage of the subject site.

As previously noted, the undeveloped portion of the subject site contains fill from several construction projects and there are no mature trees on that portion of the site. The plan depicts evergreen and shade trees to be provided in the open space area depicted at the southeast corner of the subject site and in open space areas between the proposed office building and the Kohl's Department Store property and between the proposed parking lot in front of the proposed office building and the existing car wash. Shrubs and ornamental trees are shown to be provided along the periphery of the parking lot at the western portion of the subject site.

Stormwater Management: The stormwater management narrative indicates that water quality and quantity control requirements for this site are accommodated by the Kingstowne Lake as well as by Regional Pond DC106. No additional stormwater management facilities are proposed with the application package.

Land Use Analysis

The application package proposes an 113,500 SF office building (including up to 5,000 SF of retail) in place of the hotel (87,760 SF) previously approved in conjunction with PCA C-448-23/FDPA C-448-10-2 and RZ 1999-LE-073. In addition, the applicant seeks to convert the existing service station/mini-mart/fast food restaurant and car wash to a service station/mini-mart/fast food restaurant and car wash on an overall land area of 4.51 acres, with an overall FAR of 0.62. As previously stated, these uses are existing and there would be no physical changes to these uses. The overall intensity proposed under this application package remains in conformance with the use and intensity recommendations of the Comprehensive Plan.

As previously discussed, the land swap proposed with RZ/FDP 2009-LE-008 and RZ/FDP 2009-LE-009 is sought to allow a small lateral shift in the location of the proposed office building, from where the hotel building was previously approved. This shift would allow for the trash dumpster enclosure to be relocated to the east side of the proposed building and away from the existing 240,000 Volt overhead lines. The applicant notes in the statement of justification that the approved location for the dumpsters (under power lines) is not an ideal location for a metal dumpster, which must be raised by a truck to remove the trash. Furthermore, the previous location was also highly visible from Kingstowne Boulevard. The new location allows for the dumpster enclosure to be concealed between the building and a retaining wall, thus improving the view of the site from Kingstowne Boulevard. Finally, the applicant notes that incorporation of the parking structure into the office building will reduce the number and height of the retaining walls required due to the varying grades on the site. Therefore, staff supports the proposed site modifications.

Environmental Analysis (Appendix 6)

Issue: Low Impact Development (LID) Measures

While the stormwater management narrative provided by the applicant indicates that water quality and quantity control requirements for this site will be accommodated by the existing Kingstowne Lake and existing Regional Pond DC106, staff recommended that the applicant consider the use of appropriate onsite infiltration facilities or other low impact development (LID) techniques to supplement the existing stormwater management facilities.

Resolution:

The applicant has proposed a proffer stating the applicant will “look at” the use of pervious pavement in a portion of the parking area and as an alternative to pervious pavement, the applicant may provide such measures as a cistern to hold water for irrigation, or Filterrras for improved SWM/BMP. Staff continues to urge the applicant to incorporate LID techniques into the site design.

Issue: Parking Lot Landscaping

The original plans submitted with the application package depicted landscaping along the periphery of the site as well as within small landscape islands within the surface parking areas. Staff recommended that the applicant provide landscaping beyond that shown on the proposed plan, such as longer landscaping islands within the parking areas. These larger islands would provide both a water quality control benefit as well as an enhancement to the appearance of the site.

Resolution:

The applicant has revised the plans to provide some additional plantings along the western perimeter of the proposed surface parking area.

Issue: Green Building

The Comprehensive Plan’s Policy Plan was amended in 2007 to incorporate guidance in support of the application of energy conservation, water conservation, and other green building practices in the design and construction of new development and redevelopment. As such, staff encouraged the applicant to seek the U.S. Green Building Council Leadership in Energy and Environmental Design (LEED) certification.

Resolution:

The applicant has submitted proffers which includes commitments to have a U.S. Green Building Council Leadership in Energy and Environmental Design (“LEED”) accredited professional as a member of the design team, and to submit a LEED Scorecard prior to the issuance of a building permit for the proposed building. The Scorecard will meet, at least, the minimum number of credits necessary to attain LEED Core and Shell Certification of the building for which the scorecard is being submitted. With the adoption of the proposed proffers, this issue is resolved.

Transportation Analysis (Appendix 7)

Fairfax County Department of Transportation (FCDOT) staff has reviewed revised materials and prepared the following transportation analysis based on those materials.

Issue: VDOT “527” requirements

Fairfax County Department of Transportation (FCDOT) staff noted that the additional trips projected with the application package did not meet the trip generation thresholds set forth in the VDOT Chapter 527 regulations for requiring a traffic impact study. On the other hand, the applicant had not provided any commitment on limiting trips to the site to ensure that the trip generation for the site remains below the threshold for requiring a traffic impact study.

Resolution:

The applicant has proffered to limit the potential retail uses and corresponding retail square footage to maintain a trip generation below the Chapter 527 threshold. The proffer also states that if any retail uses are proposed for the site which would cause the trip generation for the site to exceed the trip generation threshold as part of the development of the office building, a VDOT Chapter 527 traffic impact study would be submitted and approved prior to submission of building permit plans for that tenant. With the adoption of the proffers, this issue is addressed.

Issue: Kingstowne Boulevard Access

As previously discussed, a right-in only access is proposed to be provided for the proposed office building from Kingstowne Boulevard. However, VDOT staff has indicated that the proposed access point from Kingstowne Boulevard would not be acceptable unless a deceleration lane is provided for this proposed entrance. The most recent plan submission did not depict a right turn deceleration lane at the Kingstowne Boulevard access to the site.

Resolution:

The applicant has revised the plan to show the Kingstowne Boulevard access to the site with a right turn deceleration lane. Furthermore, the applicant has proffered to acquire all the permissions required in order to provide the offsite improvements necessary to provide the deceleration lane. The applicant has also proffered that if the required permissions are not acquired, no access would be provided along Kingstowne Boulevard. The plan has been revised to provide an insert on Sheet 2 which shows an alternative plan without a Kingstowne Boulevard entrance. Based on these provisions, this issue has been addressed.

Issue: Bus Shelter

FCDOT staff recommended that the applicant provide the necessary easements and construct a pad large enough to accommodate an advertising bus shelter. Alternatively, it was suggested that the applicant could provide and maintain a bus shelter on the King Centre Drive frontage of the site, as well as a paved surface to accommodate access between the shelter and the boarding of buses.

Resolution:

The applicant has proffered to provide a bus shelter adjacent to the property, and to work with FCDOT staff to determine the best location for the bus shelter during the site plan approval process. With the adoption of these proffers this issue is addressed.

Stormwater Management Analysis (Appendix 8)

Issue: Stormwater Management (SWM)/Best Management Practices (BMP)

A note on the plan indicates that the required stormwater detention and BMP (water quality) requirements shall be handled by the existing Kingstowne Lake and existing Regional Dry Pond DC106.

Resolution:

Department of Public Works and Environmental Services (DPWES) staff has reviewed the application and determined that the required water quality and quantity controls will be provided by the existing stormwater management facilities noted on the Combined Rezoning and Final Development Plan, and that an overview of the adequate outfall requirements has been provided. Any final determinations on the adequacy of the proposed SWM/BMP measures and outfall will be made by DPWES at the time of site plan review.

Urban Forestry Management Division Analysis (Appendix 9)

Issue: Landscaping

A note on the plan states that final landscaping will provide the necessary tree cover and interior parking lot landscaping in accordance with Article 13 of the Zoning Ordinance. However, the Tree Cover requirements are now covered in Article 2 of Chapter 122 of the Code of the County of Fairfax. In order to demonstrate compliance with those standards staff requested that the applicant provide a landscape plan depicting both the existing vegetation for the service station site and the proposed vegetation for the office building. Furthermore, staff noted that the applicant should demonstrate that tree cover in conformance with Chapter 122 of the Code of Fairfax County and tree cover calculations in conformance with Section 12 of the PFM would be provided. Finally, staff requested that the applicant provide a plant schedule specifying the categories of trees, with the number, sizes and amount of tree canopy cover that will be provided, as well as peripheral and interior parking lot landscaping.

Resolution:

The applicant has revised Sheet 3 of the plans to depict both the existing vegetation for the service station site and the proposed vegetation for the office building. A note on that sheet states that the final landscaping will provide the necessary tree cover and interior parking lot landscaping in accordance with Article 13 of the Zoning Ordinance. Furthermore, staff has proposed a development conditions requiring a landscape plan to be submitted concurrent with site plan review, and demonstration that tree cover in conformance with Chapter 122 of the Code of Fairfax County and tree cover calculations in conformance with Section 12 of the PFM shall be provided prior to site plan approval. With the adoption of these development conditions, this issue is addressed.

Public Facilities Analysis (See Appendices 10-13)

Fire and Rescue (Appendix 10)

The subject property is serviced by the Fairfax County Fire and Rescue Department Station #405, Franconia. The requested rezoning currently meets fire protection guidelines, as determined by the Fire and Rescue Department.

Fairfax County Park Authority (FCPA) (Appendix 11)

The FCPA reviewed the subject application and determined that it will not bear any adverse impact on land or resources of the Park Authority.

Sanitary Sewer Analysis (Appendix 12)

The proposed project is located in the Dogue Creek Watershed and will be sewered by the Noman M. Cole Pollution Control Plant. Based on the current and committed flow, excess capacity is available at this time. In addition, the existing 8-inch pipe line located at the subject property is adequate for the proposed use.

Fairfax County Water Authority (Appendix 13)

The subject property is located within the Fairfax County Water Authority Service Area and adequate domestic water service is available at the site from existing 8-inch water main located at the property. Depending upon the configuration of the on-site water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

ZONING ORDINANCE PROVISIONS (Appendix 14)

Bulk Standards (PDC District) PCA C-448-32/FDPA C-448-10-03 RZ/FDP 2009-LE-008		
Standard	Required	Provided
Min. District Size	Must yield a min. of 40,000 SF of GFA	120,840 GFA
Building Height	Per Par. 1 of Sect. 6-208, building height is controlled by the provisions of Part 1 of Article 16.	85' 4"
Front Yard (South Van Dorn)	Per Par. 2 of Sect. 6-208, yards are controlled by the provisions of Part 1 of Article 16.	156.2'
Front Yard (King Centre Drive)	Per Par. 2 of Sect. 6-208, yards are controlled by the provisions of Part 1 of Article 16.	88.7'
Side Yard	Per Par. 2 of Sect. 6-208, yards are controlled by the provisions of Part 1 of Article 16.	15'
Rear Yard	Per Par. 2 of Sect. 6-208, yards are controlled by the provisions of Part 1 of Article 16.	30.4'

Bulk Standards (PDC District) PCA C-448-32/FDPA C-448-10-03 RZ/FDP 2009-LE-008		
Standard	Required	Provided
FAR	1.5	0.62
Open Space	15%	27.4%
Parking Spaces	Retail/Car Wash Car Wash - 4/service bay (4 x 2) = 8 Service Station./Quick-service – 3,500 SF (6.5/1000 SF) = 23 Fast Food - Minimum = 10 Retail/Car Wash total = 41 Office/Retail 108,500 SF (3/1,000 SF) = 326 1,000 SF (1/200 SF) = 5 4,000 SF (6/1,000SF) = 24 Office/retail total = 355 Overall total = 396 spaces	Retail/Car Wash – 47 spaces <u>Office/Retail – 355 spaces</u> Total – 402 spaces
Stacking Spaces (Car Wash)	10/car wash bay = 10 spaces	26 stacking spaces
Loading Spaces	Maximum of 5	Retail/Car Wash – 1 space <u>Office/Retail – 4 spaces</u> Total – 5 spaces
Transitional Screening		
Northwest (Retail)	Not Required	N/A
Southeast (Open Space)	Not Required	N/A
Northeast (Residential)	TS-3 (50-foot wide landscape strip)	None (Waiver required)
Southwest (Retail)	Not Required	N/A
Barrier		
Northwest (Retail)	Not Required	N/A
Southeast (Open Space)	Not Required	N/A
Northeast (Residential)	Barrier D, E, or F (6 foot high barrier)	None (Waiver required)
Southwest (Retail)	Not Required	N/A

Bulk Standards for RZ/FDP 2009-LE-009 (PDH -4 District)

The 1,321 SF of land that is proposed to be rezoned from PDC to PDH-4 is proposed to remain as open space. No structures are proposed on this portion of the property. The proposal is in conformance with the PDH-4 bulk standards except for the minimum district size which is 2.0 acres. The applicant has requested a waiver of the minimum district size requirement per Par. 4 of Sect. 2-306 of the Zoning Ordinance, which states that no parcel of lesser size than the minimum district size can be classified to that district except by the Board of Supervisors acting on its own motion.

As noted, this rezoning would allow a small lateral shift in the location of the proposed office building, from where the hotel building was previously approved. Which, in turn, will allow the trash dumpster enclosure to be relocated to the east side of the proposed building away from the 240,000 Volt overhead power lines which encumber the western portion of the site. Staff believes that the proposed rezoning from the PDC District to the PDH-4 District would not have any adverse impact on adjacent properties and supports the request for a waiver of the minimum district size standard.

WAIVERS/MODIFICATIONS:

Modification of the transitional screening and waiver of the barrier requirement along the northeastern property line

The only portion of the application property that is subject to the transitional screening and barrier requirements of the Zoning Ordinance is the South Van Dorn Street boundary of the site, near the existing service station portion of the site, which is across the street from existing residential dwellings. The applicant is seeking the respective modification and waiver of these requirements per Par. 2 of Sect. 13-305 of the Zoning Ordinance, which states that the transitional screening and barriers requirements can be waived or modified when the land between the building and the property line has been specifically designed to minimize adverse impact through a combination of architectural and landscaping techniques, where the strict provisions of those requirements would reduce the usable area of a lot preclude a reasonable use of the lot. No land disturbance is proposed at this portion of the property and the nearest dwellings on the opposite side of South Van Dorn Street are set back at least three hundred (300) feet from the edge of the right-of-way. The provision of the required transitional screening and barrier along the northeastern property line would severely impact the existing service station use at that portion of the property. In addition, a modification of the transitional screening requirement and waiver of the barrier requirement were approved for this portion of the property with PCA C-448-23.

Staff believes that given the distance the residential dwellings are set back from South Van Dorn Street and the distance the proposed office building will be set back from South Van Dorn Street that the new development proposed with the application package will establish sufficient screening between the uses. Furthermore, as noted above, no land disturbance is proposed at this portion of the property and the nearest dwellings, and a modification of the transitional screening requirement and a waiver of the barrier requirement were approved with RZ/FDP 1999-LE-073. Therefore, staff supports the requested waivers.

OTHER ZONING ORDINANCE REQUIREMENTS:

Sect. 16-101 General Standards

The first general standard requires that the planned development conform with the Comprehensive Plan (Par. 1). As discussed in the Land Use Analysis, staff has determined that this standard has been satisfied.

The second General Standard addresses whether or not the planned development is of such a design that it achieves the purpose and intent of a planned development more than would be achieved under a conventional district (Par. 2). The purpose and intent of the Planned Development Commercial District, which is contained in Sect. 16-201, is to accommodate high density land uses, and to ensure high standards of layout, design and construction of commercial development. The development proposed with these applications is in general harmony with the development previously approved for the site. The changes proposed under this application package include switching out the previously approved mini-mart use with a quick-service food store use with no physical changes proposed on the service station portion of the site and to replace the previously approved, but un-built, hotel with an office building with first floor retail. The application package proposes an office building with structured parking in order to minimize the amount of surface parking on the site and architectural treatments to mitigate the visual impact of the structured parking. Staff finds that these measures help provide a high quality design, and as such, the proposed development continues to satisfy this standard.

The third general standard addresses the efficient use of the available land and protection of scenic assets and natural features such as trees, streams and topographic features (Par. 3). As discussed earlier in this report, the undeveloped portion of the site contains fill from several construction projects in the general vicinity of the site and the other portions of the site have been previously cleared and graded with the development of the service station/mini-mart/fast food restaurant and car wash uses on the site, and does not include any scenic assets. The proposed development is in general harmony with the previously approved development of the site and does not create any additional impacts to any natural features or topography than was previously approved. Staff has determined that this standard has been satisfied.

The fourth general standard states that the planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development and shall not hinder, deter or impede development of surrounding undeveloped properties (Par. 4). Staff believes that the proposed development will not deter or impede development of surrounding undeveloped properties. The proposed layout is similar to the layout previously approved for the subject property. The proposed relocation of the trash dumpsters away from Kingstowne Boulevard and provision of landscaping in that area will result in better screening of the office building from Kingstowne Boulevard. In addition, the proposed office building will be sufficiently buffered from any undeveloped properties in the area. Staff has determined that this standard has been satisfied.

The fifth general standard addresses the adequacy of public facilities in the vicinity (Par. 5). As noted in the Public Facilities Analysis, the site is located in an area where public facilities and public utilities are adequate for the proposed development. Staff has determined that this standard has been satisfied.

The sixth general standard addresses internal linkages between internal facilities and external facilities at a scale appropriate to the development (Par. 6). The existing roadway and pedestrian network adequately provides linkages to the subject property. Pedestrian connections in the form of four-foot wide sidewalks are shown to provide access from the external sidewalks into the site. A proposed four-foot wide concrete sidewalk is also shown from the proposed office building to the existing Kohl's parking lot which abuts the subject property. Staff believes that this standard has been met.

Sect. 16-102, Design Standards

The first design standard states that all peripheral boundaries of the PDC District, bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type of development under consideration. The purpose of this standard is to address compatibility with the adjacent properties, which, in this instance, are other parts of Kingstowne. There are no conventional districts abutting the property. The property abuts commercial development to the northwest and southwest, open space to the southeast and single family detached dwellings to the northeast (on the opposite side of South Van Dorn Street) all of which are part of Kingstowne. It should be noted that the nearest residences to the site is set back at least four hundred (400) feet from the subject site. Therefore, staff has determined that the proposed development will be compatible with adjacent development and that this standard has been satisfied.

The second design standard states that other applicable provisions of the Ordinance such as off-street parking, landscaping, signs, etc. are applicable to planned developments (Par. 2). The parking proposed for the overall development is in compliance with Zoning Ordinance standards. The applicant has also proffered to provide signage in accordance with Article 12 of the Zoning Ordinance. Staff has also proposed a development condition to ensure that all landscaping provided will be in accordance with Article 13 of the Zoning Ordinance. Therefore, staff finds that those standards have been satisfied.

Design Standard Number 3 specifies that the street systems conform with the applicable requirements and that a network of trails be provided to provide access to recreational amenities, open space, public amenities, vehicular access routes and mass transit facilities (Par. 3). The abutting streets (Kingstowne Boulevard, S. Van Dorn Street and King Centre Drive) are existing public streets which meet all applicable regulations. Pedestrian connections are provided by the existing sidewalks along those roadways and via a trail connection from the office parking lot to the eight-foot wide asphalt trail along Kingstowne Boulevard, as well as from the proposed office building to the abutting Kohl's parking lot via a four-foot wide concrete sidewalk. This standard has been satisfied.

Sect. 6-206 Use Limitations

Use Limitations Regarding Fast Food Restaurants

Par. 10 of Sect. 6-206, Use Limitations, states that fast food restaurants are permitted in a PDC District when shown on a CDP/FDP only when the facility is oriented to cater primarily to occupants and employees of the building and adjacent structures in the same complex and is limited to fifteen (15) percent of the gross floor area of the structure. No changes are proposed to the previously approved fast food restaurant use on the subject property. The draft proffers carry forward the previously approved proffer limiting the size of the fast food use to 1,100 SF (15%) of the service station/quick-service food store/fast food restaurant/ car wash building (7,340 SF) unless a special exception is obtained. The fast food use is proposed to cater to occupants of the proposed office building and customers of the existing service station and car wash. Therefore, this standard has been met.

Use Limitations Regarding Secondary Uses that are Category Uses

Par. 3 of Sect. 6-206 states that, when a final development plan includes a secondary use which is identified as a Category Use, the standards of Article 9, Special Exceptions, shall be used as a guide to evaluate such a use. Except for the proposed office use, all of the uses proposed with this application are Category 5 Special Exception Uses. The applicable standards for those uses were evaluated during the review of PCA C-448-23/FDPA C-448-10-2. The only change proposed to the permitted uses on the site is to replace the mini-mart use with a quick-service food store under the list of permissible uses on the site. No physical changes are proposed to the portion of the site which contains the building that would contain the quick-service food store use. The change is being requested to permit the sale of beer and wine on the subject site. Per the Zoning Ordinance definition of a mini-mart, the sale of alcoholic beverages is not permitted at a mini-mart, however, the sale of alcohol is permitted in quick-service food stores. Staff believes that this change will not affect the development's compliance with the standards for secondary uses.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Staff believes the proposal is in conformance with the Comprehensive Plan guidelines for the subject property and the applicable Zoning Ordinance standards.

Recommendations

Staff recommends approval of PCA C-448-32, RZ 2009-LE-008, and RZ 2009-LE-009 and the Conceptual Development Plan Amendment subject to the draft proffers contained in Appendix 1.

Staff recommends approval of FDPA C-448-10-03, FDP 2009-LE-008, and FDP 2009-LE-009, subject to the draft development conditions contained in Appendix 2 and the Board of Supervisors' approval of PCA C-448-32, RZ 2009-LE-008, and RZ 2009-LE-009.

Staff recommends that the transitional screening yard requirement be modified along the northeastern property line in favor of that shown on the combined rezoning and final development plan.

Staff recommends that the barrier requirement be waived along the northeastern property line.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

APPENDICES

1. Draft Proffers
2. Draft Development Conditions
3. Affidavits
4. Statements of Justification
5. Previously Approved Proffers and Development Conditions (PCA C-448-23/
FDPA C-448-10-2/RZ 1999-LE-073)
6. Environmental Analysis
7. Transportation Analysis
8. Stormwater Management Analysis
9. Urban Forestry Management Division Analysis
10. Fire and Rescue Analysis
11. Fairfax County Park Authority Analysis
12. Sanitary Sewer Analysis
13. Fairfax County Water Authority
14. Applicable Zoning Ordinance Standards
15. Glossary

DRAFT – 9/03/09

Proffer Statement
Kingstowne Section 36A
PCA C-448-32
RZ 2009-LE-008
RZ 2009-LE-009
9/03/09

Pursuant to Section 15.2-2303(A) of the Code of Virginia, 1950, as amended, and Section 18-203 of the Zoning Ordinance of Fairfax County (1978, as amended), Kingstowne Gas Station L.P., (the “Applicant”) 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)), pt. 26F (hereinafter referred to as the “Property”), shall be in accordance with the following conditions if said applications are approved. In the event said application requests are denied, this proffer statement shall be rendered null and void. The proffered conditions are as follows:

1. **Proffered Development Conditions.** Except as modified herein, the subject property is governed by the Proffer Development Conditions of June 17, 1985 in RZ 84-L-020 and the applicable proffers of rezonings and proffered condition amendments approved subsequent thereto but prior hereto.
2. **Plans.** Subject to the provisions of Section 18-204 of the Zoning Ordinance, under which minor modifications to an approved Conceptual/Final Development Plan are permitted, the Property shall be developed in substantial conformance with the plan entitled Kingstowne Section 36A, prepared by Tri-Tek Engineering, consisting of 10 sheets and dated 10/30/08 and revised through 9/03/09 (the “Plans”).
3. **Lighting.** Light poles on the Office Building portion of the Property shall be limited to a maximum height of twenty-five (25) feet. Any parking lot lighting, security lighting or other lighting shall be fully shielded and directed downward if they directly face residential neighborhoods. Off site glare to adjacent residential uses shall be minimized. All lighting shall be in conformance with Article 12 of the Zoning Ordinance.
4. **Architectural Renderings.** The architectural design of the Office Building shall be in general conformance with the Office Building rendering on page 6 of the PCA/FDPA/FDP/RZ.
5. **Storage of Vehicles.** There shall be no storage of vehicles on any portion of the property.
6. **Irrigation.** The Applicant shall install irrigation in the areas of landscaping as shown on the Plans. Irrigation does not need to be installed in the areas designated to return to a “natural state”. The irrigation shall be used to maintain the health of the landscaping.
7. **Architectural Review.** The Applicant shall submit architectural plans for the Office Building for review and approval by the Board of Trustees for the Kingstowne

Residential Owners Corporation. The Applicant shall obtain written approval from KROC for the architectural plans. Said written approval of the architectural plans shall be submitted to Fairfax County prior to building permit approval for the Office Building.

8. **Traffic Island.** Customers and users of the Property utilizing the S. Van Dorn Street exit may employ an undesirable weaving and U-turn pattern (i.e., leaving the Property southbound on S. Van Dorn, traveling over three lanes of travel to get to the left turn lane on S. Van Dorn). In such event, and upon written notice from the Office of Transportation and/or KROC, the Applicant shall request that VDOT review the possibility of constructing an island on S. Van Dorn isolating said left turn lane and thereby preventing said undesirable weaving. If so requested by VDOT, Applicant shall design, fund and construct said island.
9. **Maximum Size of Service Station/Quick Service Food Store.** The maximum area of the retail building on the Property shall be 3,500 square feet. This retail building and the car wash shall be constructed as one building. The uses within the retail building shall be limited to service station/quick service food store and fast food. The fast food component of the retail building shall not exceed 1,100 square feet without the approval of a special exception. The car wash shall not exceed 3,840 square feet in area.
10. **Erosion Control.** During construction, within 24 hours of a major storm event (i.e. storm event greater than a two year storm), the Property shall be inspected for damage and/or problems with the erosion and sedimentation control measures on the site. An engineer familiar with erosion and sedimentation control shall perform the inspection (the inspector). If problems or damage involving erosion and sedimentation control exist on the site, the Inspector shall make recommendations to address the problem or damage. These recommendations shall be implemented immediately. Within three (3) days of any major storm event, as defined herein, a report shall be filed with the Department of Public Works and Environmental Service, Public Utilities Department. This report shall be filed whether or not there are problems or damage and shall detail the findings of the inspection (damage and/or problems, remediation recommendations, and actions taken to respond.)
11. **Pervious Pavement or Alternatives.** Applicant shall look at the use of pervious pavement in a portion of the parking area. The amount of pervious pavement is not to exceed the difference between the required county parking requirement and that being provided by the applicant. As an alternative to pervious pavement, Applicant may choose to alternatives such as a cistern to hold water for irrigation, or Filterras for improved SWM BMPs.
12. **Landscaping on the steep hill East of the Office Building.** The hill to the East of the Office Building is to be planted with additional trees in substantial conformance with the landscape exhibit shown in the Plan. This area shall be allowed to return to a natural state after planting. A landscaped grass buffer of up to 25' shall be allowed at the perimeter of this natural state area.
13. **Bus Shelter.** Applicant shall provide and maintain a bus shelter adjacent to the property. The best location for the bus shelter is to be worked out with the Fairfax County Dept. of Transportation during the site plan approval process.
14. **Participation in a Bus circulator.** Applicant agrees to participate in a bus circulator, if the Fairfax County Connector or other County bus service stops serving the area within

a reasonable walking distance adjacent to the property, and there is an actual need from office tenants and their customers. Applicant's participation in a bus circulator shall be on a pro-rata basis, based on building square footage for the area served by the circulator.

15. **Athletic Turf Field Contribution for Edison High School.** Applicant shall contribute \$10,000 towards the construction of a synthetic athletic turf field for Edison High School. The contribution shall be paid by the applicant when construction begins on the synthetic athletic turf field at Edison High School.
16. **Maximum Size of Retail Use in the Office.** The maximum amount of retail in the office building shall be up to 5,000 square feet. This retail shall be limited to the ground level of the office building. This space may also be used for approved office uses. The potential retail uses and their maximum square footages shall comply with the restrictions as outlined in proffer 17.
17. **VDOT 527 Requirement.** The additional trips generated by the potential retail with office use did not meet the trip generation thresholds set forth in the Chapter 527 regulations (250 peak hour trips or 2,500 daily trips). The applicant agrees to limit the potential retail uses and corresponding retail square footage to maintain a trip generation below the Chapter 527 threshold. The applicant further agrees that if they choose to bring in a retail use that exceeds the trip generation threshold as part of the development of the office building, a VDOT Chapter 527 traffic impact study shall be submitted and approved prior to submission of building permit plans for that tenant. See attached tabulations.
18. **Entrance off of Kingstowne Boulevard into the Site.** Applicant shall construct an entrance into the site off of Kingstowne Boulevard subject to approval by VDOT and Fairfax County and subject to obtaining all necessary offsite dedication and associated easements. If the applicant is unable to obtain the appropriate approvals and or the offsite dedication/easements, the applicant reserves the right not to construct the entrance.
19. **GREEN BUILDING PRACTICES.**
 - a. The Applicant shall include a U.S. Green Building Council Leadership in Energy and Environmental Design ("LEED") accredited professional as a member of the design team. The LEED accredited professional shall work with the team to incorporate LEED design elements into this project. At time of site plan submission, the Applicant shall provide documentation to the Environment and Development Review Branch of DPZ demonstrating compliance with the commitment to engage such a professional.
 - b. LEED Certification:
 - (1) Prior to the issuance of a building permit for the building, the Applicant shall provide a LEED Scorecard (the "Scorecard") that lists the anticipated credits within version 2.0 of the U.S. Green Building Council's Leadership in Energy and Environmental Design. The Scorecard shall meet, at least, the minimum number of credits necessary to attain LEED Core and Shell Certification of the Submitted Building.

(2) In the event that the Submitted Building is not LEED Core and Shell Certified, within one (1) year of the issuance of its final Non-RUP, the Applicant shall provide evidence to DPWES of filing for LEED Core and Shell Certification with the U.S. Green Building Council, and shall execute a separate agreement and post, for the Submitted Building, a "LEED Building Escrow," in the form of cash or a Letter of Credit from a financial institute acceptable to DPWES as defined in the Public Facilities Manual, in the amount of \$2.00 per gross square foot of the Submitted Building. This LEED Building Escrow shall be in addition to and separate from other bond or escrow requirements and shall be released upon demonstration to DPWES of attainment of certification by the U.S. Green Building Council's Leadership in Energy and Environmental Design that is determined to be applicable to the Submitted Building. If the Submitted Building is LEED Core and Shell Certified within one (1) year of the issuance of the final Non-RUP, then no LEED Building Escrow shall be required or provided for that Submitted Building. The maximum LEED Building Escrow Amount for the Building shall be \$227,000.

(3) If, within two (2) years of issuance of the Non-RUP for the Submitted Building, the Applicant provides evidence to DPWES demonstrating that LEED Core and Shell Certification for the Submitted Building has not been attained, but that the Submitted Building has been determined by the U.S. Green Building Council to fall within three points or less of attainment of LEED Core and Shell Certification, then 50% of the LEED Building Escrow shall be released to the Applicant and the other 50% of the escrow shall be contributed to Fairfax County and shall be posted to a fund within the County's budget supporting implementation of environmental initiatives. However, if the Applicant provides evidence that LEED Core and Shell Certification has been delayed through no fault of the Applicant, this proffered time-frame shall be extended until such time as evidence is obtained, and no release of escrowed funds shall be made to the Applicant or the County during this extended time-frame.

(4) If, within two (2) years of issuance of the Non-RUP for the Submitted Building, the Applicant fails to provide evidence demonstrating attainment of LEED Core and Shell Certification, or otherwise provides evidence that the Submitted Building has fallen short of LEED Core and Shell Certification by four points or more, the entirety of the LEED Building Escrow for that Submitted Building shall be contributed to Fairfax County and shall be posted to a fund within the County's budget supporting implementation of environmental initiatives. However, if the Applicant provides evidence that LEED Core and Shell Certification has been delayed through no fault of the Applicant, this proffered time-frame shall be extended until such time as evidence is obtained, and no release of escrowed funds shall be made to the Applicant or to the County during this extended time-frame.

(5) Within one (1) year of the issuance of a Non-RUP for the Submitted Building, the Applicant shall provide to the Environment and Development

Review Branch of DPZ a letter from a LEED-accredited professional stating that: a LEED building maintenance reference manual (the "Manual") has been prepared for use by future building owner's and/or tenants; the Manual has been written by a LEED-accredited professional; copies of the Manual shall be provided to all future building occupants; and, the Manual, at a minimum, provides the following:

- (a) A narrative description of LEED components, including a description of the environmental benefits of that component and information regarding the importance of maintenance and operation in retaining the attributes of the Submitted Building;
- (b) Product manufacturer's manuals or other instructions, where applicable, regarding operations and maintenance needs for applicable LEED components, including operational practices that can enhance energy and water conservation;
- (c) A maintenance staff notification process for improperly functioning equipment and/or a list of local service providers that offer regularly scheduled service and maintenance contracts to assure proper performance of LEED building-related equipment and the Submitted Building, to include, where applicable, the HVAC system, water heating equipment, water conservation features, sealants, and caulks; and,
- (d) Contact information that the Submitted Building's occupants can use to obtain further guidance on each LEED component that is applicable to the Submitted Building.

Submission of this letter, as described above, shall satisfy this proffer.

(6) In addition to the letter specified above, and also within one (1) year of the issuance of a Non-RUP for the Submitted Building, the Applicant shall provide an electronic copy of the Manual in PDF format (or other electronic format as determined acceptable by the County) to the Environment and Development Review Branch of the Department of Planning and Zoning. This electronic version of the manual shall be edited to exclude information pertaining to security systems or maintenance of systems in classified and secure areas.

(7) All references to the U.S. Green Building Council shall apply to similar certifying agencies that are created subsequent to approval of this rezoning application, provided that the alternative certifying agency is acceptable to Fairfax County and the Applicant

Final Development Plan Conditions

FDPA C-448-10-03

FDP 2009-LE-008

FDP 2009-LE-009

September 17, 2009

If it is the intent of the Board of Supervisors (Board) to approve FDPA C-448-10-03, FDP 2009-LE-008 and FDP 2009-LE-009 for an Office, a Service Station/Quick-Service Food Store, a Fast Food Restaurant, and a Car Wash on the property located at Tax Maps 91-2 ((1)) pt. 26F, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions:

1. Irrespective of that shown on the plat, the applicant shall submit revised ten-year tree canopy calculations and tree preservation target calculations, including a landscape plan with plant schedule, at the time of site plan, subject to verification and approval by UFM.
2. All lighting fixtures in the above-grade garage structure on the application property shall be inset into the deck ceilings.
3. All façade treatments of the service station/quick-service food store/fast food restaurant and car wash shall be 90% brick.
4. Prior to the issuance of the Non-RUP for the office use, a bus shelter shall be provided adjacent to the property in consultation with the Fairfax County Department of Transportation. The bus shelter shall be of an approved Fairfax County Shelter Design and the installation shall be limited to the concrete pad, the shelter itself, a trash can and improved ADA compliant connections to the existing pedestrian infrastructure. The general upkeep of the grounds in the vicinity of the shelter (grass mowing, landscape maintenance) and for collection and disposal of trash from the shelter shall be the responsibility of the Applicant.
5. Written approval from the Board of Trustees for the Kingstowne Residential Owners Corporation (KROC) shall be obtained by the applicant prior to building permit approval for any future modifications to the service station/quick –service food store/fast food restaurant and car wash.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by the Board of Supervisors.

REZONING AFFIDAVIT

DATE: MAY 08 2009
 (enter date affidavit is notarized)

I, David R. Lasso, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below

1041926

in Application No.(s): PCA C - 448 - 32 / FOPAC - 448 - 10 - 03
 (enter County-assigned application number(s), e.g. RZ 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in BOLD print must be disclosed. Multiple relationships may be listed together, e.g., Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Kingstowne Gas Station L.P.	2900 Linden Lane Suite 300 Silver Spring, MD 20910	Applicant/Title Owner TM91-2((1)) 0026F Agent for Applicant Agent for Applicant Agent for Applicant
Warren E. Halle Jonathan B. Halle Richard M. Rounds		
Venable LLP Erika L. Byrd David R. Lasso Kwasi X. Bosompem	8010 Towers Crescent Drive Suite 300 Vienna, VA 22182	Agents/Attorneys Agent/Attorney Agent/Attorney Agent/Urban Planner

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Rezoning Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
 ** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Rezoning Attachment to Par. 1(a)

DATE: MAY 08 2009
(enter date affidavit is notarized)

1041925

for Application No. (s): PCAC-448-32/FOPAC-448-10-03
(enter County-assigned/application number (s))

(NOTE: All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Davis, Carter, Scott Ltd. Claude R. Atkinson Renzo X. Carlin Stephen A. Smith Ali X. Afchami	1676 International Drive Suite 500 McLean, VA 22102	Agents/Architects Agent/Architect Agent/Architect Agent/Architect Agent/Architect
M.J. Wells & Associates, Inc. Robin L. Antonucci Kevin R. Fellin Terrence J. Miller	1420 Spring Hill Road Suite 600 McLean, VA 22102	Agents/Traffic Consultants Agent/Consultant Agent/Consultant Agent/Consultant
Tri-Tek Engineering, Inc. Theodore D. Britt Kevin E. Murray David T. Currin Brian R. Thomas	690 Center Street Suite 300 Herndon, VA 20170	Agents/Engineers Agent/Engineer Agent/Engineer Agent/Engineer Agent Engineer

(check if applicable)

There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.

REZONING AFFIDAVIT

DATE: MAY 08 2009
(enter date affidavit is notarized)

1041926

for Application No. (s): PCAC - 448 - 32 / FDPA C 448 - 10 - 03
(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the SHAREHOLDERS of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders, and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:

(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Davis, Carter, Scott Ltd.
1676 International Drive
Suite 500
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

Douglas N. Carter	Alan K. Houde	Lena I. Scott
Claude R. Atkinson	Christine C. Garity	Maria K. Calhoun
Chris L. Garwood	Patricia A. Appleton	

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice President, Secretary, Treasurer, etc.)

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Rezoning Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Rezoning Attachment to Par. 1(b)

DATE: MAY 08 2009
(enter date affidavit is notarized)

1041926

for Application No. (s): PCAC 448-321 / EOPAC-448-10-03
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

M.J. Wells & Associates, Inc.
1420 Spring Hill Road
Suite 600
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)

M.J. Wells & Associates, Inc. Employee Stock Ownership Trust. All employees are eligible plan participants; however, no one employee owns more than 10% of any class of stock.

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g.

President, Vice-President, Secretary, Treasurer, etc.)
Martin J. Wells, President and Secretary
Terrence J. Miller, Vice President and Treasurer

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Tri-Tek Engineering, Inc.
690 Center Street, Suite 300
Herndon, VA 20170

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Kevin E. Murray
Theodore D. Britt

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g.

President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

Rezoning Attachment to Par. 1(b)

1041926

DATE: MAY 08 2009

(enter date affidavit is notarized)

for Application No. (s): PCAC-448-32 / FDPAC 448-10-03
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Halle Enterprises, Inc.
2900 Linden Lane
Suite 300
Silver Spring, VA 20910

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)

Warren E. Halle	Edwin C. Halle
Martha D. Halle	Jonathan B. Halle
Stephen N. Fleischman	
Gerald W. Halle	

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g.

President, Vice-President, Secretary, Treasurer, etc.)

Warren E. Halle	President/Director
Stephen N. Fleischman	Vice-President/Director/Secretary/Treasurer

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Halle & Halle, Inc.
2900 Linden Lane, Suite 300
Silver Spring, MD 20910

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Warren E. Halle
Martha D. Halle

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g.

President, Vice-President, Secretary, Treasurer, etc.)

Warren E. Halle	President/Director
Stephen N. Fleischman	Vice-President/Director
Jonathan B. Halle	Secretary/Treasurer/Director

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

REZONING AFFIDAVIT

DATE: MAY 08 2009
 (enter date affidavit is notarized)

1041a26

for Application No. (s): PCAC 448-32 / FDPAC 448-10-03
 (enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state and zip code)

Kingstowne Gas Station L.P.
 2900 Linden Lane
 Suite 300
 Silver Spring, MD 20910

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

Halle & Halle, Inc.	General Partner	Lauren M. Halle Trust	Limited Partner
Warren E. Halle	Limited Partner	Warren E. Halle	Trustee
Martha D. Halle	Limited Partner	Martha D. Halle	Trustee
Kingstowne Associates L.P.	Limited Partner	Lauren M. Trust	Beneficiary
Gerald W. Halle	Limited Partner	Angelina L. Halle Trust	Limited Partner
Edwin C. Grayson, Jr.	Limited Partner	Warren E. Halle	Trustee
Jonathan B. Halle	Limited Partner	Martha D. Halle	Trustee
Cynthia L. Grayson	Limited Partner	Angelina L. Halle	Beneficiary
Joshua E. Halle Trust	Limited Partner	Marco E. Halle Trust	Limited Partner
Warren E. Halle	Trustee	Warren E. Halle	Trustee
Martha D. Halle	Trustee	Martha D. Halle	Trustee
Joshua E. Halle	Beneficiary	Marco E. Halle	Beneficiary
Jeremy M. Halle Trust	Limited Partner	Benjamin J. Halle Trust	Limited Partner
Warren E. Halle	Trustee	Warren E. Halle	Trustee
Martha D. Halle	Trustee	Martha D. Halle	Trustee
Jeremy M. Halle	Beneficiary	Benjamin J. Halle	Beneficiary

(check if applicable) There is more partnership information and Par. 1(c) is continued on a "Rezoning Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.*

Rezoning Attachment to Par. 1(c)

DATE: MAY 08 2009

1041926

for Application No. (s): PCAC 448-32 / FOPAC 448-10-03
(enter date affidavit is notarized)
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

Kingstowne Associates L.P.
2900 Linden Lane, Suite 300
Silver Spring, MD 20901

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)

Halle Enterprises, Inc.	General Partner
R. Bruce Thompson	Limited Partner
Warren E. Halle	Limited Partner
Martha D. Halle	Limited Partner

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Rezoning Attachment to Par. 1(c)" form.

Rezoning Attachment to Par. 1(c)

DATE: MAY 08 2009
(enter date affidavit is notarized)

104426

for Application No. (s): PCAC-448-32 / FDPAC 448 10 03
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

Venable LLP
8010 Towers Crescent Drive
Suite 300
Vienna, VA 22182

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., General Partner, Limited Partner, or General and Limited Partner)

- | | | |
|-----------------------------|-------------------------|---------------------------|
| Adams , David G. | Calvert , Walter R. | Evans , Edward S. III |
| Adducci , Steven A. | Capute , Courtney G. | Fales , Lisa Jose |
| Albrecht , Ralph P. | Christner , Wallace E. | Faley , Kevin O. |
| Ames , Robert G. | Ciatto , Frank A. | Farnum , David |
| Anderson , Lars E. | Cirulnick , Arthur E. | Ferrell , Michael J. |
| Aragon , Rebecca M. | Cividanes , Emilio W. | Flack , Brian L. |
| Atlas , Harry I. | Civiletti , Benjamin R. | Flyer , Michael R. |
| Auberger , Marcia A. | Clancy , Patrick L. | Foley , Danielle R. |
| Ayres , Jeffrey P. | Cohen , Rory M. | France , Thomas W. |
| Baader , Michael J. | Colaizzi , Roger A. | Frerichs , Herbert D. Jr. |
| Babayi , Robert | Constantine , George E. | Gaarder , Christina L. |
| Bailey , Claude E. | Cook , Bryson L. | Gallagher , Stephen K. |
| Baker , Constance N. | Cooke , Lawrence H. II | Garfinkel , Michael |
| Baldrige , J. Douglas | Cooney , John F. | Garinther , Geoffrey R. |
| Barnes , Jeffrey A. | Coston , William D. | Garrote , Nora E. |
| Baskin , Maurice | Craig , Ashley | Gately , Caroline Petro |
| Bayh , Birch E. Jr. | Cross , Gregory A. | Geis , Robert H. Jr. |
| Beaty , John B. | Cumbie , James E. | Gendron , Andrew |
| Becman , E. Ray | Currie , Andrew J. | Gesner , Lawrence H. |
| Bechamps , Anne-Therese | Curtin , Peter J. | Gill , Gregory M. |
| Blinken , Sally G. | Daley , Henry J. | Glancz , Ronald R. |
| Block , Joseph G. | Davis , Michael C. | Glasgow , Paul T. |
| Block , Sondra H. | Deal , Jill B. | Glynn , Edward F. Jr. |
| Bolger , Robert J. | Debolt , Paul A. | Goewey , David W. |
| Borkowski , George M. | Deeley , C. Carey Jr. | Gollin , Michael A. |
| Boyle , Edward Patrick | DeLong , Stephanie L. | Gonya , Jeffrey K. |
| Braker , Gregory S. | Devaney , William H. | Goodman , Leonard S. |
| Brandenstein , Henry F. Jr. | Dolan , William D. III | Gorry , Timothy J. |
| Bronstein , John D. | Donovan , William J. | Gottlieb , Robert G. |
| Bruton , Jennifer | Dunbar , James A. | Gray , James E. |
| Bryan , Sally R. | Dunn , Jeffrey A. | Green , Douglas H. |
| Buckley , Richard D. | Dvorak , James P. Jr. | Grunberg , Nancy R. |
| Burdett , James R. | Edlavitch , Susan T. | Guben , Jan K. |
| Burnley , James H. IV | Eichen , Jeffrey L. | Haddaway , Keith G. |
| Burton , Robert A. | Elling , Terry L. | Hailey , Gary D. |
| Bushnaq , Darek S. | Emhoff , Douglas C. | Hamel , W. Warren |
| Callari , Carolynn H.G. | Esty , JoAnna M. | Hanks , James J. Jr. |

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Rezoning Attachment to Par. 1(c)" form.

Rezoning Attachment to Par. 1(c)

DATE: MAY 08 2009
(enter date affidavit is notarized)

1041926

for Application No. (s): PCAC 448-32/EDPA C-448-10-03
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

Venable LLP
8010 Towers Crescent Drive
Suite 300
Vienna, VA 22182(check if applicable) The above-listed partnership has no limited partners.NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)Hardway, Kathleen S.
Hardy, John D. Jr.
Harrison, Mark B.
Harrison, Todd A.
Harting, Marta D.
Hauptman, Gregory B.
Heard, C. Stephen Jr.
Heubeck, David J.
Heyward, Peter E.
Hill, Jon-Jamison
Hill, M. King III
Hobbs, Ann S.
Hoeg, A. Everett III
Hoffman, Kenneth R.
Hoffman, Robert A.
Hommer, J. Scott III
Horn, Todd J.
Horowitz, Philip M.
Howard, John B.
Hughes, Elizabeth R.
Ingis, Stuart P.
Jackson, Linda M.
Jacoby, Aaron
Johnson, Thora A.
Johnson, Treazure R.
Johnston, George W.
Jolly, Bruce O. Jr.
Joyce, Frederick M.
Kaminski, Jeffri A.
Kaplan, Paul T.
Karceski, David
Katz, Lawrence A.
Kaufman, Joshua J.
Kelly, Thomas J. Jr.
Kemp, Paul F.
Kettel, David
Killefer, CampbellKinberg, Robert
Kirchanski, Stefan J.
Knowles, Jeffrey D.
Kolkin, Mitchell
Kroupa, Sharon A.
Kurzweil, Jeffrey
Lalle, A. Wayne Jr.
Landry, Brock R.
Leber, Michael A.
Lee, Tony S.
LeMoult, Brendan J.
Lencz, Norman
Levy, David M.
Lewis-Eng, Claudia A.
Lingan, Thomas M.
Lombard, Rebecca Goldsmith
Lynyak, Joseph T. III
MacWilliams, Michael B.
Madden, Michael K.
Madden, Thomas J.
Mallon, Colleen M.
Marshall, Stephen E.
McCann, Clifton E.
McCauley, John
McDonald, Douglas B.
McGowan, Patricia
McLaughlin, Matthew T.
Mellott, Christopher R.
Meyer, David C.
Meyer, Lindsay B.
Miles, Ralph
Milliken, John G.
Mirviss, Mitchell Y.
Moore, Jerry A. III
Morton, Charles J. Jr.
Moylan, Daniel P.
Mumane, Matthew T.Newlon, Jeanne L.
Nifosi, Dana C.
Nordwind, William R.
O'Brien, Andrea I.
O'Connor, Brian J.
O'Neill, John J. Jr.
Olchyk, Samuel
Ossi, Gregory J.
O'Toole, Edmund M.
Parker, Bruce R.
Parvis, Peter P.
Pass, Caryn G.
Pate, Christopher
Pavlick, John J.
Pearson, Rebecca E.
Petruzzelli, Julie A.
Powers, Richard E. Jr.
Price, Andrew D.
Prisbe, John T.
Quinn, Thomas H.
Racine, Karl A.
Radowich, Jeffrey J.
Ramirez, Ted L.
Reno, Russell R. Jr.
Rice, David E.
Richard, Julie
Ritchie, George F.
Roberts, Theodore F.
Robinson, Michael W.
Rodriguez, Maria E.
Rose, Jason
Rosenthal, Seth A.
Rothschild, Lowell M.
Rudd, Christopher L.
Sangiama, Dino S.
Sartori, Michael A.
Satterthwaite, Janet F.(check if applicable) There is more partnership information and Par. 1(c) is continued further on a
"Rezoning Attachment to Par. 1(c)" form.

Rezoning Attachment to Par. 1(c)

DATE: MAY 08 2009

1041926

for Application No. (s): PCAC-448-32/FPAC 448-10-03
(enter date affidavit is notarized)
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

Venable LLP
8010 Towers Crescent Drive
Suite 300
Vienna, VA 22182

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)

- | | |
|--------------------------|--------------------------|
| Schatzow, Michael | Troup, James U. |
| Schlaff, Barbara E. | Tucker, Stefan F. |
| Schiffer, Michael D. | Vecchio, Mark S. |
| Schmelter, Joseph C. | Volner, Ian D. |
| Schwalb, Brian L. | Volpe, Michael J. |
| Sega, A. Christopher | Wagner, Martha Jo |
| Sergent, Randolph S. | Waldman, Robert L. |
| Shea, James L. | Walsh, William L. Jr. |
| Sharpe, Ralph E. | Warner, David R. |
| Shelton, Robert A. | Washburne, Thomas D. Jr. |
| Shepherd, Kevin L. | Wasserman, Richard L. |
| Shepherd, Raymond V. III | Webb, G. Stewart Jr. |
| Sherman, Davis V.R. | Weissman, William R. |
| Sherman, Michael D. | Wender, Edward L. |
| Shull, Joe A. | Whitwell, Ben D. |
| Singh, Jagpreet | Wilhelm, John A. |
| Slaughter, Kenneth S. | Wilkins, Robert L. |
| Smith, David S. | Williams, Samantha M. |
| Smith, Edward A. | Wilson, D. Edward Jr. |
| Smith, Herbert G. II | Wood, Sheryl Robinson |
| Smith, Robert G. | Wright, Damon W.D. |
| Spira, Samuel R. | Wright, James D. |
| Starr, Judson W. | Yurov, M. Jay |
| Stearns, Frank W. | Zemil, Brian A. |
| Steinman, Melissa L. | Zink, John H. III |
| Strachan, Nell B. | Zinkham, W. Robert |
| Strain, Paul F. | Zottola, A.J. |
| Strand, Margaret | |
| Stierhoff, John R. | |
| Stuart III, Colbern C. | |
| Sweeney, Mary Rosewin | |
| Tancredi, Lisa B. | |
| Tavares, Lisa A. | |
| Taylor, Ronald W. | |
| Tenenbaum, Jeffrey S. | |
| Thompson, Craig A. | |
| Treanor, Gerard | |

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Rezoning Attachment to Par. 1(c)" form.

REZONING AFFIDAVIT

DATE: MAY 08 2009
(enter date affidavit is notarized)

1041926

for Application No. (s): PCAC 448-32 / EOPAC 448-10-03
(enter County-assigned application number(s))

1(d). One of the following boxes must be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: MAY 08 2009
(enter date affidavit is notarized)

1041926

for Application No. (s): PCAC 448-32/FDPAC 448-10-03
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

Venable partners Frank Stearns, Tom France and Scott Hommer made a contribution to Friends of Pat Herrity; Venable partner Frank Stearns made a contribution to John Cook for Supervisor, Venable partners John Milliken, David Lasso, Henry Brandenstein, Bill Dolan, Bill Walsh, and Doug McDonald made a contribution to Sharon Bulova for Chairman all in excess of \$100.00 within the past twelve (12) month period.

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [] There are more disclosures to be listed and Par. 3 is continued on a "Rezoning Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

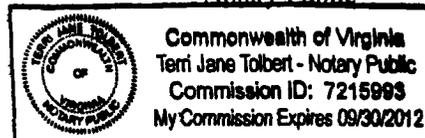
David R. Lasso
[] Applicant [x] Applicant's Authorized Agent

David R. Lasso, Esq.
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 8TH day of May 2009, in the State of Comm. of Virginia, County/City of Fairfax.

Terri Jane Tolbert
Notary Public

My commission expires: 9/30/2012



REZONING AFFIDAVIT

DATE: MAY 08 2009
(enter date affidavit is notarized)

I, David R. Lasso, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below 104191w

in Application No.(s): RZ/FDP 2009-LE-008
(enter County-assigned application number(s), e.g. RZ 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Kingstowne Gas Station L.P. Warren E. Halle Jonathan B. Halle Richard M. Rounds	2900 Linden Lane Suite 300 Silver Spring, MD 20910	Applicant/Title Owner TM91-2((1)) 0026F Agent for Applicant Agent for Applicant Agent for Applicant
Venable LLP Erika L. Byrd David R. Lasso Kwasi X. Bosompem	8010 Towers Crescent Drive Suite 300 Vienna, VA 22182	Agents/Attorneys Agent/Attorney Agent/Attorney Agent/Urban Planner

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Rezoning Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Rezoning Attachment to Par. 1(a)

DATE: MAY 08 2009
(enter date affidavit is notarized)

1041914

for Application No. (s): RZ/FDP 2009-LE-008
(enter County-assigned application number (s))

(NOTE): All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Davis, Carter, Scott Ltd. Claude R. Atkinson Renzo X. Carlin Stephen A. Smith Ali X. Afkhami	1676 International Drive Suite 500 McLean, VA 22102	Agents/Architects Agent/Architect Agent/Architect Agent/Architect Agent/Architect
M.J. Wells & Associates, Inc. Robin L. Antonucci Kevin R. Fellin Terrence J. Miller	1420 Spring Hill Road Suite 600 McLean, VA 22102	Agents/Traffic Consultants Agent/Consultant Agent/Consultant Agent/Consultant
Tri-Tek Engineering, Inc. Theodore D. Britt Kevin E. Murray David T. Currin Brian R. Thomas	690 Center Street Suite 300 Herndon, VA 20170	Agents/Engineers Agent/Engineer Agent/Engineer Agent/Engineer Agent Engineer

(check if applicable)

There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.

REZONING AFFIDAVIT

DATE: MAY 08 2009
(enter date affidavit is notarized)

104191-6

for Application No. (s): RZ/FOP 2009-LE-008
(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the SHAREHOLDERS of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders, and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:

(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Davis, Carter, Scott Ltd.
1676 International Drive
Suite 500
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

Douglas N. Carter	Alan K. Houde	Lena I. Scott
Claude R. Atkinson	Christine C. Garity	Maria K. Calhoun
Chris L. Garwood	Patricia A. Appleton	

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice President, Secretary, Treasurer, etc.)

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Rezoning Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Rezoning Attachment to Par. 1(b)

DATE: MAY 08 2009
(enter date affidavit is notarized)

1041916

for Application No. (s): RZ/FDP 2009-LE-008
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

M.J. Wells & Associates, Inc.
1420 Spring Hill Road
Suite 600
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)

M.J. Wells & Associates, Inc. Employee Stock Ownership Trust. All employees are eligible plan participants; however, no one employee owns more than 10% of any class of stock.

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g.

President, Vice-President, Secretary, Treasurer, etc.)
Martin J. Wells, President and Secretary
Terrence J. Miller, Vice President and Treasurer

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Tri-Tek Engineering, Inc.
690 Center Street, Suite 300
Herndon, VA 20170

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER S: (enter first name, middle initial, and last name)

Kevin E. Murray
Theodore D. Britt

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

Rezoning Attachment to Par. 1(b)

DATE: MAY 08 2009
(enter date affidavit is notarized)

104191 t

for Application No. (s): RZ/FDP 2009-LE-008
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Halle Enterprises, Inc.
2900 Linden Lane
Suite 300
Silver Spring, VA 20910

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)

Warren E. Halle	Edwin C. Halle
Martha D. Halle	Jonathan B. Halle
Stephen N. Fleischman	
Gerald W. Halle	

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g.

President, Vice-President, Secretary, Treasurer, etc.)

Warren E. Halle	President/Director
Stephen N. Fleischman	Vice-President/Director/Secretary/Treasurer

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Halle & Halle, Inc.
2900 Linden Lane, Suite 300
Silver Spring, MD 20910

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Warren E. Halle
Martha D. Halle

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g.

President, Vice-President, Secretary, Treasurer, etc.)

Warren E. Halle	President/Director
Stephen N. Fleischman	Vice-President/Director
Jonathan B. Halle	Secretary/Treasurer/Director

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

REZONING AFFIDAVIT

DATE: MAY 08 2009
(enter date affidavit is notarized)

1041916

for Application No. (s): RZ/FDP 2009-LE-008
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state and zip code)

Kingstowne Gas Station L.P.
2900 Linden Lane
Suite 300
Silver Spring, MD 20910

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

Halle & Halle, Inc.	General Partner	Lauren M. Halle Trust	Limited Partner
Warren E. Halle	Limited Partner	Warren E. Halle	Trustee
Martha D. Halle	Limited Partner	Martha D. Halle	Trustee
Kingstowne Associates L.P.	Limited Partner	Lauren M. Trust	Beneficiary
Gerald W. Halle	Limited Partner	Angelina L. Halle Trust	Limited Partner
Edwin C. Grayson, Jr.	Limited Partner	Warren E. Halle	Trustee
Jonathan B. Halle	Limited Partner	Martha D. Halle	Trustee
Cynthia L. Grayson	Limited Partner	Angelina L. Halle	Beneficiary
Joshua E. Halle Trust	Limited Partner	Marco E. Halle Trust	Limited Partner
Warren E. Halle	Trustee	Warren E. Halle	Trustee
Martha D. Halle	Trustee	Martha D. Halle	Trustee
Joshua E. Halle	Beneficiary	Marco E. Halle	Beneficiary
Jeremy M. Halle Trust	Limited Partner	Benjamin J. Halle Trust	Limited Partner
Warren E. Halle	Trustee	Warren E. Halle	Trustee
Martha D. Halle	Trustee	Martha D. Halle	Trustee
Jeremy M. Halle	Beneficiary	Benjamin J. Halle	Beneficiary

(check if applicable) There is more partnership information and Par. 1(c) is continued on a "Rezoning Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Rezoning Attachment to Par. 1(c)

DATE: MAY 08 2009
(enter date affidavit is notarized)

1041916

for Application No. (s): RZ/FOP 2009-LE-008
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

Kingstowne Associates L.P.
2900 Linden Lane, Suite 300
Silver Spring, MD 20901

(check if applicable) [] The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)

Halle Enterprises, Inc.	General Partner
R. Bruce Thompson	Limited Partner
Warren E. Halle	Limited Partner
Martha D. Halle	Limited Partner

(check if applicable) [✓] There is more partnership information and Par. 1(c) is continued further on a "Rezoning Attachment to Par. 1(c)" form.

Rezoning Attachment to Par. 1(c)

DATE: MAY 08 2009
(enter date affidavit is notarized)

1041916

for Application No. (s): RZ/FDP 2009-LE-005
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

Venable LLP
8010 Towers Crescent Drive
Suite 300
Vienna, VA 22182

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., General Partner, Limited Partner, or General and Limited Partner)

Adams , David G.
Adducci , Steven A.
Albrecht , Ralph P.
Ames , Robert G.
Anderson , Lars E.
Aragon, Rebecca M.
Atlas , Harry I.
Auberger , Marcia A.
Ayles , Jeffrey P.
Baader , Michael J.
Babayi, Robert
Bailey , Claude E.
Baker , Constance N.
Baldrige , J. Douglas
Barnes, Jeffrey A.
Baskin , Maurice
Bayh , Birch E. Jr.
Beaty , John B.
Beeman , E. Ray
Bechamps, Anne-Therese
Blinken, Sally G.
Block , Joseph G.
Block , Sondra H.
Bolger , Robert J.
Borkowski, George M.
Boyle , Edward Patrick
Braker , Gregory S.
Brandenstein , Henry F. Jr.
Bronstein , John D.
Bruton , Jennifer
Bryan , Sally R.
Buckley , Richard D.
Burdett , James R.
Burnley , James H. IV
Burton, Robert A.
Bushnaq , Darek S.
Callari, Carollynn H.G.

Calvert , Walter R.
Capute , Courtney G.
Christner , Wallace E.
Ciatto , Frank A.
Cirulnick , Arthur E.
Cividanés , Emilio W.
Civiletti , Benjamin R.
Clancy , Patrick L.
Cohen, Rory M.
Colaizzi , Roger A.
Constantine, George E.
Cook , Bryson L.
Cooke , Lawrence H. II
Cooney , John F.
Coston , William D.
Craig, Ashley
Cross , Gregory A.
Cumbie , James E.
Currie, Andrew J.
Curtin , Peter J.
Daley , Henry J.
Davis , Michael C.
Deal , Jill B.
Debolt , Paul A.
Deeley , C. Carey Jr.
DeLong , Stephanie L.
Devaney , William H.
Dolan , William D. III
Donovan , William J.
Dunbar , James A.
Dunn , Jeffrey A.
Dvorak , James P. Jr.
Edlavitch , Susan T.
Eichen , Jeffrey L.
Elling , Terry L.
Emhoff , Douglas C.
Esty , JoAnna M.

Evans , Edward S. III
Fales , Lisa Jose
Faley , Kevin O.
Farnum, David
Ferrell , Michael J.
Flack, Brian L.
Flyer , Michael R.
Foley, Danielle R.
France , Thomas W.
Frerichs, Herbert D. Jr.
Gaarder , Christina L.
Gallagher , Stephen K.
Garfinkel, Michael
Garinther , Geoffrey R.
Garrote , Nora E.
Gately , Caroline Petro
Geis , Robert H. Jr.
Gendron , Andrew
Gesner , Lawrence H.
Gill, Gregory M.
Glancz , Ronald R.
Glasgow , Paul T.
Glynn , Edward F. Jr.
Goewey , David W.
Gollin , Michael A.
Gonya , Jeffrey K.
Goodman , Leonard S.
Gorry , Timothy J.
Gottlieb , Robert G.
Gray , James E.
Green, Douglas H.
Grunberg , Nancy R.
Guben , Jan K.
Haddaway , Keith G.
Hailey , Gary D.
Hamel , W. Warren
Hanks , James J. Jr.

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Rezoning Attachment to Par. 1(c)" form.

Rezoning Attachment to Par. 1(c)

DATE: MAY 08 2009
(enter date affidavit is notarized)

1041916

for Application No. (s): RZ/FDP 2009 - LE - 008
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

Venable LLP
8010 Towers Crescent Drive
Suite 300
Vienna, VA 22182

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., General Partner, Limited Partner, or General and Limited Partner)

Hardway, Kathleen S.
Hardy, John D. Jr.
Harrison, Mark B.
Harrison, Todd A.
Harting, Marta D.
Hauptman, Gregory B.
Heard, C. Stephen Jr.
Heubeck, David J.
Heyward, Peter E.
Hill, Jon-Jamison
Hill, M. King III
Hobbs, Ann S.
Hoeg, A. Everett III
Hoffman, Kenneth R.
Hoffman, Robert A.
Hommer, J. Scott III
Horn, Todd J.
Horowitz, Philip M.
Howard, John B.
Hughes, Elizabeth R.
Ingis, Stuart P.
Jackson, Linda M.
Jacoby, Aaron
Johnson, Thora A.
Johnson, Treazure R.
Johnston, George W.
Jolly, Bruce O. Jr.
Joyce, Frederick M.
Kaminski, Jeffri A.
Kaplun, Paul T.
Karceski, David
Katz, Lawrence A.
Kaufman, Joshua J.
Kelly, Thomas J. Jr.
Kemp, Paul F.
Kettel, David
Killefer, Campbell

Kinberg, Robert
Kirchanski, Stefan J.
Knowles, Jeffrey D.
Kolkin, Mitchell
Kroupa, Sharon A.
Kurzweil, Jeffrey
Lalle, A. Wayne Jr.
Landry, Brock R.
Leber, Michael A.
Lee, Tony S.
LeMoult, Brendan J.
Lencz, Norman
Levy, David M.
Lewis-Eng, Claudia A.
Lingan, Thomas M.
Lombard, Rebecca Goldsmith
Lynyak, Joseph T. III
MacWilliams, Michael B.
Madden, Michael K.
Madden, Thomas J.
Mallon, Colleen M.
Marshall, Stephen E.
McCann, Clifton E.
McCauley, John
McDonald, Douglas B.
McGowan, Patricia
McLaughlin, Matthew T.
Mellott, Christopher R.
Meyer, David C.
Meyer, Lindsay B.
Miles, Ralph
Milliken, John G.
Mirviss, Mitchell Y.
Moore, Jerry A. III
Morton, Charles J. Jr.
Moylan, Daniel P.
Murnane, Matthew T.

Newlon, Jeanne L.
Nifosi, Dana C.
Nordwind, William R.
O'Brien, Andrea I.
O'Connor, Brian J.
O'Neill, John J. Jr.
Olchyk, Samuel
Ossi, Gregory J.
O'Toole, Edmund M.
Parker, Bruce R.
Parvis, Peter P.
Pass, Caryn G.
Pate, Christopher
Pavlick, John J.
Pearson, Rebecca E.
Petruzzelli, Julie A.
Powers, Richard E. Jr.
Price, Andrew D.
Prisbe, John T.
Quinn, Thomas H.
Racine, Karl A.
Radowich, Jeffrey J.
Ramirez, Ted L.
Reno, Russell R. Jr.
Rice, David E.
Richard, Julie
Ritchie, George F.
Roberts, Theodore F.
Robinson, Michael W.
Rodriguez, Maria E.
Rose, Jason
Rosenthal, Seth A.
Rothschild, Lowell M.
Rudd, Christopher L.
Sangiama, Dino S.
Sartori, Michael A.
Satterthwaite, Janet F.

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Rezoning Attachment to Par. 1(c)" form.

Rezoning Attachment to Par. 1(c)

DATE: MAY 08 2009
(enter date affidavit is notarized)

1041916

for Application No. (s): RZ/FDP 2009-LE-008
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

Venable LLP
8010 Towers Crescent Drive
Suite 300
Vienna, VA 22182

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., General Partner, Limited Partner, or General and Limited Partner)

- | | |
|--------------------------|--------------------------|
| Schatzow, Michael | Troup, James U. |
| Schlaff, Barbara E. | Tucker, Stefan F. |
| Schiffer, Michael D. | Vecchio, Mark S. |
| Schmelter, Joseph C. | Volner, Ian D. |
| Schwalb, Brian L. | Volpe, Michael J. |
| Sega, A. Christopher | Wagner, Martha Jo |
| Sergent, Randolph S. | Waldman, Robert L. |
| Shea, James L. | Walsh, William L. Jr. |
| Sharpe, Ralph E. | Warner, David R. |
| Shelton, Robert A. | Washburne, Thomas D. Jr. |
| Shepherd, Kevin L. | Wasserman, Richard L. |
| Shepherd, Raymond V. III | Webb, G. Stewart Jr. |
| Sherman, Davis V.R. | Weissman, William R. |
| Sherman, Michael D. | Wender, Edward L. |
| Shull, Joe A. | Whitwell, Ben D. |
| Singh, Jagpreet | Wilhelm, John A. |
| Slaughter, Kenneth S. | Wilkins, Robert L. |
| Smith, David S. | Williams, Samantha M. |
| Smith, Edward A. | Wilson, D. Edward Jr. |
| Smith, Herbert G. II | Wood, Sheryl Robinson |
| Smith, Robert G. | Wright, Damon W.D. |
| Spira, Samuel R. | Wright, James D. |
| Starr, Judson W. | Yurow, M. Jay |
| Stearns, Frank W. | Zemil, Brian A. |
| Steinman, Melissa L. | Zink, John H. III |
| Strachan, Nell B. | Zinkham, W. Robert |
| Strain, Paul F. | Zottola, A.J. |
| Strand, Margaret | |
| Stierhoff, John R. | |
| Stuart III, Colbern C. | |
| Sweeney, Mary Rosewin | |
| Tancredi, Lisa B. | |
| Tavares, Lisa A. | |
| Taylor, Ronald W. | |
| Tenenbaum, Jeffrey S. | |
| Thompson, Craig A. | |
| Treanor, Gerard | |

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Rezoning Attachment to Par. 1(c)" form.

REZONING AFFIDAVIT

DATE: MAY 08 2009
(enter date affidavit is notarized)

10419/b

for Application No. (s): RZ/FDP 2009-LE-008
(enter County-assigned application number(s))

1(d). One of the following boxes must be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: MAY 08 2009
(enter date affidavit is notarized)

104191 w

for Application No. (s): RZ/FDP 2009-LE-008
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

Venable partners Frank Stearns, Tom France and Scott Hommer made a contribution to Friends of Pat Herry; Venable partner Frank Stearns made a contribution to John Cook for Supervisor, Venable partners John Milliken, David Lasso, Henry Brandenstein, Bill Dolan, Bill Walsh, and Doug McDonald made a contribution to Sharon Bulova for Chairman all in excess of \$100.00 within the past twelve (12) month period.

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [] There are more disclosures to be listed and Par. 3 is continued on a "Rezoning Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

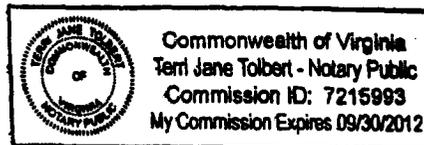
David R. Lasso
[] Applicant [x] Applicant's Authorized Agent

David R. Lasso, Esq.
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 8TH day of May 2009, in the State/Comm. of Virginia, County/City of Fairfax.

Terri Jane Tolbert
Notary Public

My commission expires: 9/30/2012



REZONING AFFIDAVIT

MAY 08 2009

DATE: (enter date affidavit is notarized)

I, David R. Lasso, do hereby state that I am an (enter name of applicant or authorized agent)

(check one) [] applicant [x] applicant's authorized agent listed in Par. 1(a) below 1041446

in Application No.(s): RZ/FDP 2009 LE-009 (enter County-assigned application number(s), e.g. RZ 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES of the land described in the application,* and, if any of the foregoing is a TRUSTEE,** each BENEFICIARY of such trust, and all ATTORNEYS and REAL ESTATE BROKERS, and all AGENTS who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in BOLD print must be disclosed. Multiple relationships may be listed together, e.g., Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

Table with 3 columns: NAME, ADDRESS, RELATIONSHIP(S). Includes entries for Kingstowne Gas Station L.P., Warren E. Halle, Jonathan B. Halle, Richard M. Rounds, Venable LLP, Erika L. Byrd, David R. Lasso, Kwasi X. Bosompem.

(check if applicable) [x] There are more relationships to be listed and Par. 1(a) is continued on a "Rezoning Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium. ** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Rezoning Attachment to Par. 1(a)

DATE: MAY 08 2009
(enter date affidavit is notarized)

1041446

for Application No. (s): RZ/FOP 2009 LE-009
(enter County-assigned application number (s))

(NOTE: All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Davis, Carter, Scott Ltd. Claude R. Atkinson Renzo X. Carlin Stephen A. Smith Ali X. Afkhami	1676 International Drive Suite 500 McLean, VA 22102	Agents/Architects Agent/Architect Agent/Architect Agent/Architect Agent/Architect
M.J. Wells & Associates, Inc. Robin L. Antonucci Kevin R. Fellin Terrence J. Miller	1420 Spring Hill Road Suite 600 McLean, VA 22102	Agents/Traffic Consultants Agent/Consultant Agent/Consultant Agent/Consultant
Tri-Tek Engineering, Inc. Theodore D. Britt Kevin E. Murray David T. Currin Brian R. Thomas	690 Center Street Suite 300 Herndon, VA 20170	Agents/Engineers Agent/Engineer Agent/Engineer Agent/Engineer Agent/Engineer

(check if applicable)

There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.

REZONING AFFIDAVIT
MAY 08 2009

DATE: _____
(enter date affidavit is notarized)

1041445

for Application No. (s): RZ/FDP 2009 LE-009
(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the SHAREHOLDERS of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders, and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:

(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Davis, Carter, Scott Ltd.
1676 International Drive
Suite 500
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

Douglas N. Carter	Alan K. Houde	Lena I. Scott
Claude R. Atkinson	Christine C. Garity	Maria K. Calhoun
Chris L. Garwood	Patricia A. Appleton	

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice President, Secretary, Treasurer, etc.)

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Rezoning Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Rezoning Attachment to Par. 1(b)

DATE: MAY 08 2009
(enter date affidavit is notarized)

1041446

for Application No. (s): RZ/EOP 2009 LG-009
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

M.J. Wells & Associates, Inc.
1420 Spring Hill Road
Suite 600
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)

M.J. Wells & Associates, Inc. Employee Stock Ownership Trust. All employees are eligible plan participants; however, no one employee owns more than 10% of any class of stock.

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

Martin J. Wells, President and Secretary
Terrence J. Miller, Vice President and Treasurer

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Tri-Tek Engineering, Inc.
690 Center Street, Suite 300
Herndon, VA 20170

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Kevin E. Murray
Theodore D. Britt

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

Rezoning Attachment to Par. 1(b)

DATE: MAY 08 2009
(enter date affidavit is notarized)

1041441

for Application No. (s): RZ/FDP 2009 LE-009
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Halle Enterprises, Inc.
2900 Linden Lane.
Suite 300
Silver Spring, VA 20910

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)

Warren E. Halle	Edwin C. Halle
Martha D. Halle	Jonathan B. Halle
Stephen N. Fleischman	
Gerald W. Halle	

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

Warren E. Halle	President/Director
Stephen N. Fleischman	Vice-President/Director/Secretary/Treasurer

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Halle & Halle, Inc.
2900 Linden Lane, Suite 300
Silver Spring, MD 20910

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Warren E. Halle
Martha D. Halle

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

Warren E. Halle	President/Director
Stephen N. Fleischman	Vice-President/Director
Jonathan B. Halle	Secretary/Treasurer/Director

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

REZONING AFFIDAVIT

DATE: MAY 08 2009
(enter date affidavit is notarized)

104144/5

for Application No. (s): RZ/FDP 2009 LE-009
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state and zip code)

Kingstowne Gas Station L.P.
2900 Linden Lane
Suite 300
Silver Spring, MD 20910

(check if applicable) [] The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

Halle & Halle, Inc.	General Partner	Lauren M. Halle Trust	Limited Partner
Warren E. Halle	Limited Partner	Warren E. Halle	Trustee
Martha D. Halle	Limited Partner	Martha D. Halle	Trustee
Kingstowne Associates L.P.	Limited Partner	Lauren M. Trust	Beneficiary
Gerald W. Halle	Limited Partner	Angelina L. Halle Trust	Limited Partner
Edwin C. Grayson, Jr.	Limited Partner	Warren E. Halle	Trustee
Jonathan B. Halle	Limited Partner	Martha D. Halle	Trustee
Cynthia L. Grayson	Limited Partner	Angelina L. Halle	Beneficiary
Joshua E. Halle Trust	Limited Partner	Marco E. Halle Trust	Limited Partner
Warren E. Halle	Trustee	Warren E. Halle	Trustee
Martha D. Halle	Trustee	Martha D. Halle	Trustee
Joshua E. Halle	Beneficiary	Marco E. Halle	Beneficiary
Jeremy M. Halle Trust	Limited Partner	Benjamin J. Halle Trust	Limited Partner
Warren E. Halle	Trustee	Warren E. Halle	Trustee
Martha D. Halle	Trustee	Martha D. Halle	Trustee
Jeremy M. Halle	Beneficiary	Benjamin J. Halle	Beneficiary

(check if applicable) [x] There is more partnership information and Par. 1(c) is continued on a "Rezoning Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Rezoning Attachment to Par. 1(c)

DATE: MAY 08 2009
(enter date affidavit is notarized)

1041446

for Application No. (s): RZ/FDP 2009 LE-009
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

Kingstowne Associates L.P.
2900 Linden Lane, Suite 300
Silver Spring, MD 20901

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)

Halle Enterprises, Inc.	General Partner
R. Bruce Thompson	Limited Partner
Warren E. Halle	Limited Partner
Martha D. Halle	Limited Partner

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Rezoning Attachment to Par. 1(c)" form.

Rezoning Attachment to Par. 1(c)

DATE: MAY 08 2009
(enter date affidavit is notarized)

104144w

for Application No. (s): RZ/FDP 2009 LE-009
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

Venable LLP
8010 Towers Crescent Drive
Suite 300
Vienna, VA 22182

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., General Partner, Limited Partner, or General and Limited Partner)

Adams, David G.
Adducci, Steven A.
Albrecht, Ralph P.
Ames, Robert G.
Anderson, Lars E.
Aragon, Rebecca M.
Atlas, Harry I.
Auberger, Marcia A.
Ayres, Jeffrey P.
Baader, Michael J.
Babayi, Robert
Bailey, Claude E.
Baker, Constance N.
Baldridge, J. Douglas
Barnes, Jeffrey A.
Baskin, Maurice
Bayh, Birch E. Jr.
Beaty, John B.
Beeman, E. Ray
Bechamps, Anne-Therese
Blinken, Sally G.
Block, Joseph G.
Block, Sondra H.
Bolger, Robert J.
Borkowski, George M.
Boyle, Edward Patrick
Braker, Gregory S.
Brandenstein, Henry F. Jr.
Bronstein, John D.
Bruton, Jennifer
Bryan, Sally R.
Buckley, Richard D.
Burdett, James R.
Burnley, James H. IV
Burton, Robert A.
Bushnaq, Darek S.
Callari, Carollynn H.G.

Calvert, Walter R.
Capute, Courtney G.
Christner, Wallace E.
Ciatto, Frank A.
Cirulnick, Arthur E.
Cividanis, Emilio W.
Civiletti, Benjamin R.
Clancy, Patrick L.
Cohen, Rory M.
Colaizzi, Roger A.
Constantine, George E.
Cook, Bryson L.
Cooke, Lawrence H. II
Cooney, John F.
Coston, William D.
Craig, Ashley
Cross, Gregory A.
Cumbie, James E.
Currie, Andrew J.
Curtin, Peter J.
Daley, Henry J.
Davis, Michael C.
Deal, Jill B.
Debolt, Paul A.
Deeley, C. Carey Jr.
DeLong, Stephanie L.
Devaney, William H.
Dolan, William D. III
Donovan, William J.
Dunbar, James A.
Dunn, Jeffrey A.
Dvorak, James P. Jr.
Edlavitch, Susan T.
Eichen, Jeffrey L.
Elling, Terry L.
Emhoff, Douglas C.
Esty, JoAnna M.

Evans, Edward S. III
Fales, Lisa Jose
Faley, Kevin O.
Farnum, David
Ferrell, Michael J.
Flack, Brian L.
Flyer, Michael R.
Foley, Danielle R.
France, Thomas W.
Frerichs, Herbert D. Jr.
Gaarder, Christina L.
Gallagher, Stephen K.
Garfinkel, Michael
Garinther, Geoffrey R.
Garrote, Nora E.
Gately, Caroline Petro
Geis, Robert H. Jr.
Gendron, Andrew
Gesner, Lawrence H.
Gill, Gregory M.
Glancz, Ronald R.
Glasgow, Paul T.
Glynn, Edward F. Jr.
Goewey, David W.
Gollin, Michael A.
Gonya, Jeffrey K.
Goodman, Leonard S.
Gorry, Timothy J.
Gottlieb, Robert G.
Gray, James E.
Green, Douglas H.
Grunberg, Nancy R.
Guben, Jan K.
Haddaway, Keith G.
Hailey, Gary D.
Hamel, W. Warren
Hanks, James J. Jr.

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Rezoning Attachment to Par. 1(c)" form.

Rezoning Attachment to Par. 1(c)

DATE: MAY 08 2009
(enter date affidavit is notarized)

104144r

for Application No. (s): RZ/FOP 2009 LE-009
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

Venable LLP
8010 Towers Crescent Drive
Suite 300
Vienna, VA 22182

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., General Partner, Limited Partner, or General and Limited Partner)

Hardway, Kathleen S.
Hardy, John D. Jr.
Harrison, Mark B.
Harrison, Todd A.
Harting, Marta D.
Hauptman, Gregory B.
Heard, C. Stephen Jr.
Heubeck, David J.
Heyward, Peter E.
Hill, Jon-Jamison
Hill, M. King III
Hobbs, Ann S.
Hoeg, A. Everett III
Hoffman, Kenneth R.
Hoffman, Robert A.
Hommer, J. Scott III
Horn, Todd J.
Horowitz, Philip M.
Howard, John B.
Hughes, Elizabeth R.
Ingis, Stuart P.
Jackson, Linda M.
Jacoby, Aaron
Johnson, Thora A.
Johnson, Treazure R.
Johnston, George W.
Jolly, Bruce O. Jr.
Joyce, Frederick M.
Kaminski, Jeffri A.
Kaplun, Paul T.
Karceski, David
Katz, Lawrence A.
Kaufman, Joshua J.
Kelly, Thomas J. Jr.
Kemp, Paul F.
Kettel, David
Killefer, Campbell

Kinberg, Robert
Kirchanski, Stefan J.
Knowles, Jeffrey D.
Kolkin, Mitchell
Kroupa, Sharon A.
Kurzweil, Jeffrey
Lalle, A. Wayne Jr.
Landry, Brock R.
Leber, Michael A.
Lee, Tony S.
LeMoult, Brendan J.
Lencz, Norman
Levy, David M.
Lewis-Eng, Claudia A.
Lingan, Thomas M.
Lombard, Rebecca Goldsmith
Lynyak, Joseph T. III
MacWilliams, Michael B.
Madden, Michael K.
Madden, Thomas J.
Mallon, Colleen M.
Marshall, Stephen E.
McCann, Clifton E.
McCauley, John
McDonald, Douglas B.
McGowan, Patricia
McLaughlin, Matthew T.
Mellott, Christopher R.
Meyer, David C.
Meyer, Lindsay B.
Miles, Ralph
Milliken, John G.
Mirviss, Mitchell Y.
Moore, Jerry A. III
Morton, Charles J. Jr.
Moylan, Daniel P.
Murnane, Matthew T.

Newlon, Jeanne L.
Nifosi, Dana C.
Nordwind, William R.
O'Brien, Andrea I.
O'Connor, Brian J.
O'Neill, John J. Jr.
Olchyk, Samuel
Ossi, Gregory J.
O'Toole, Edmund M.
Parker, Bruce R.
Parvis, Peter P.
Pass, Caryn G.
Pate, Christopher
Pavlick, John J.
Pearson, Rebecca E.
Petruzzelli, Julie A.
Powers, Richard E. Jr.
Price, Andrew D.
Prisbe, John T.
Quinn, Thomas H.
Racine, Karl A.
Radowich, Jeffrey J.
Ramirez, Ted L.
Reno, Russell R. Jr.
Rice, David E.
Richard, Julie
Ritchie, George F.
Roberts, Theodore F.
Robinson, Michael W.
Rodriguez, Maria E.
Rose, Jason
Rosenthal, Seth A.
Rothschild, Lowell M.
Rudd, Christopher L.
Sangiama, Dino S.
Sartori, Michael A.
Satterthwaite, Janet F.

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Rezoning Attachment to Par. 1(c)" form.

Rezoning Attachment to Par. 1(c)

DATE: MAY 08 2009
(enter date affidavit is notarized)

1041446

for Application No. (s): RZ/FDP 2009 LE-009
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

Venable LLP
8010 Towers Crescent Drive
Suite 300
Vienna, VA 22182

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., General Partner, Limited Partner, or General and Limited Partner)

- | | |
|---------------------------|---------------------------|
| Schatzow , Michael | Troup, James U. |
| Schlaff , Barbara E. | Tucker , Stefan F. |
| Schiffer, Michael D. | Vecchio , Mark S. |
| Schmelter , Joseph C. | Volner , Ian D. |
| Schwalb , Brian L. | Volpe , Michael J. |
| Sega , A. Christopher | Wagner , Martha Jo |
| Sergent , Randolph S. | Waldman , Robert L. |
| Shea , James L. | Walsh , William L. Jr. |
| Sharpe , Ralph E. | Warner , David R. |
| Shelton , Robert A. | Washburne , Thomas D. Jr. |
| Shepherd , Kevin L. | Wasserman , Richard L. |
| Shepherd , Raymond V. III | Webb , G. Stewart Jr. |
| Sherman , Davis V.R. | Weissman, William R. |
| Sherman, Michael D. | Wender , Edward L. |
| Shull , Joe A. | Whitwell , Ben D. |
| Singh , Jagpreet | Wilhelm , John A. |
| Slaughter , Kenneth S. | Wilkins , Robert L. |
| Smith , David S. | Williams , Samantha M. |
| Smith , Edward A. | Wilson , D. Edward Jr. |
| Smith , Herbert G. II | Wood, Sheryl Robinson |
| Smith , Robert G. | Wright , Damon W.D. |
| Spira, Samuel R. | Wright , James D. |
| Starr , Judson W. | Yurow , M. Jay |
| Stearns , Frank W. | Zemil , Brian A. |
| Steinman , Melissa L. | Zink , John H. III |
| Strachan , Nell B. | Zinkham , W. Robert |
| Strain , Paul F. | Zottola, A.J. |
| Strand , Margaret | |
| Stierhoff, John R. | |
| Stuart III, Colbern C. | |
| Sweeney, Mary Rosewin | |
| Tancredi , Lisa B. | |
| Tavares , Lisa A. | |
| Taylor , Ronald W. | |
| Tenenbaum , Jeffrey S. | |
| Thompson , Craig A. | |
| Treanor , Gerard | |

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Rezoning Attachment to Par. 1(c)" form.

REZONING AFFIDAVIT

DATE: MAY 08 2009
(enter date affidavit is notarized)

104144w

for Application No. (s): RZ/FOP 2009 LE-009
(enter County-assigned application number(s))

1(d). One of the following boxes must be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: MAY 08 2009
(enter date affidavit is notarized)

1041446

for Application No. (s): RZ/FDP 2009 LE-009
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

Venable partners Frank Stearns, Tom France and Scott Hommer made a contribution to Friends of Pat Herry; Venable partner Frank Stearns made a contribution to John Cook for Supervisor, Venable partners John Milliken, David Lasso, Henry Brandenstein, Bill Dolan, Bill Walsh, and Doug McDonald made a contribution to Sharon Bulova for Chairman all in excess of \$100.00 within the past twelve (12) month period.

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [] There are more disclosures to be listed and Par. 3 is continued on a "Rezoning Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

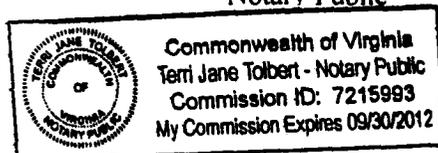
David R. Lasso
[] Applicant [x] Applicant's Authorized Agent

David R. Lasso, Esq.
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 8th day of May 2009, in the State/Comm. of Virginia, County/City of Fairfax.

Terri Jane Tolbert
Notary Public

My commission expires: 9/30/2012



**KINGSTOWNE GAS STATION SECTION 36A
STATEMENT OF JUSTIFICATION**

**TO AMEND
PCA C-448-23**

RECEIVED
Department of Planning & Zoning
FEB 25 2009
Zoning Evaluation Division

Introduction

This is a request to amend the Proffer Conditions (PCA C-448-23) of the Kingstowne Gas Station Site (Section 36A) to permit a gas station, quick service food store and to convert an approved, but not yet built, hotel with an office building. The property for the proposed office building is located at Tax Map 91-2 ((1)) 0026F, and is currently undeveloped.

Surrounding Area

The subject area of this Application is located at the intersection of Kings Center Drive and South Van Dorn Street. The site occupies an area of 6.60 acres and is zoned PDC.

Locality and Zoning

The amendment is due to two rezoning applications PDC/PDH4 to PDC and PDC to PDH-4 that has impacted the PCA area due to a land swap

Land Swap Area.

The land swap is necessary due to a small lateral shift in the location of the proposed office building. This shift in the building will allow for the dumpster enclosure to be moved to the East side of the proposed building. This is the best location for the dumpsters. They were previously located immediately adjacent to the 240,000 Volt overhead lines. That is not the ideal location for a metal dumpster that must be raised overhead to empty. The previous location was also in clear view from Kingstowne Boulevard. The new location allows for the dumpster enclosure to be concealed between the building and a retaining wall. This new location will allow the trash truck to get completely out of the vehicle travel way for the dumping operation. The new location is adjacent to the area where a restaurant would be located in the building. The shift will also allow for a second garage entrance and service area for the restaurant. All of the loading for the restaurant will be from this concealed entrance and service area adjacent to the dumpsters. It is for these reasons that a land swap is necessary for this application.

Planning and Zoning History

An RZ/FDP 1999-LE-073 was approved on June 21, 2000, for a hotel and combined service station/mini-mart/fast food restaurant and car wash and is subject to a determination dated January 17, 2005, attached hereto. The mini mart/fast food restaurant and cashiers area for the service station is located in a 3,500 square foot, one story building with the 3,840 square foot car wash building abutting the mini mart/fast food restaurant. The not yet built hotel portion of the project was approved to permit 87,000 square feet of hotel use.

The Comprehensive Plan Recommendations

This proposed rezoning is consistent with the Comprehensive Plan 2007 Edition, Rose Hill Planning District, Amended through 9-24-2007, RH4 Lehigh Community Planning Sector. Recommendations, Polices for the Kingstowne Towne Center, states in pertinent part as follows:

- "25. A mixed-use activity center should be planned in the core area at the intersection of South Van Dorn Street and Kingstown Boulevard, the uses should include a balanced mix of residential, retail, office, research and development and recreational/leisure activities, and

attractive public open spaces and amenities. Industrial uses may be appropriate within the southeastern portion of the core area provided adequate assurances are made that any such industrial uses will be compatible with nearby uses, existing or planned and of high quality and low intensity, such as high technology..."

"26. Development of high-rise density residential use within the mixed-use activity center is appropriate. Densities and building heights should decrease in relation to the distance from the core area so as not to cause adverse impacts on adjoin existing and planned residential areas."

Compliance of the Proposal under the Zoning Ordinance

The current zoning of PDC (Zoning Code Section 6-202) allows quick service food store uses subject to the approval of a final development plan and subject to the use limitation set out in Section 6-206. Moreover, the PDC district would allow office use to be developed at an appropriate density with the approval of the Board of Supervisors (Section 6208).

Applicant's Justification for the Request for a Conversion from Hotel to Office-BRAC Development

The change from hotel to office/retail is market driven and due in part to the expected growth in demand for office resulting from the Base Realignment and Closure ("BRAC"). BRAC is a program enacted by Congress in 2005 and it will shift thousands of federal employees (their vehicles, homes and commerce) from points north such as New Jersey, Ohio, Pennsylvania, and the District of Columbia to points south, including the Engineer Proving Ground ("EPG") located in Ft. Belvoir, in southern Fairfax County. The BRAC proposal is tantamount to dropping a large town in an already developed area. It is projected that approximately 50,000 new construction employees will work at Fort Belvoir and Quantico projects between now and 2011.

There is already a large tenant base within Kingstowne that serves Fort Belvoir and other facilities. New companies that service the military are and will be relocating from other locations to be closer to the agencies they will serve in and around the Lee District of Fairfax County. Since EPG and Fort Belvoir are approximate to the Kingstowne suburban area, the need for additional office is already being felt in the market. The existing office buildings within Kingstowne are approximately 98% occupancy at the present time.

The hotel site also presents a number of expensive and challenging engineering issues. The largest of these issues is dealing with dramatic changes in elevation across the site. The site will require extensive retaining walls in order to build any structure. It has been determined that a hotel no longer makes economic sense to build on this site. In addition, there are already a number of hotel projects built, previously approved, or pending approval within a 4 mile radius, thus reducing the already marginal viability of a hotel project.

The applicant believes that the best use for this site, given the engineering challenges and market conditions, is an office building, with integral parking structure. The parking structure will be built below the office building and will serve as part of the retaining wall system for the site. The building will sit on top of the parking structure, and thus be marketable and attractive to tenants. Approximately half of the parking for the building will be provided as surface parking in front of and next to the building. A small amount of ground level office/retail 5,000 square feet +/- will be included adjacent to the building main entrance. This ground level space would be well suited for a restaurant or other retail or office use. It is for these reasons that we are requesting the change from hotel to office with a small amount of permitted retail.

Applicants Justification for a Mini-Mart/Service Station with Quick Service Food Store

The existing service station/mini-mart/carwash is an attractive successful business. The project opened for business in November of 2007. The opening of this project instantly benefited the community by providing competition to the only other gas station in Kingstowne. No changes to the existing structures or design are proposed. Adding the quick service food store use will simply broaden the permitted types of retail/food sales, to include beer and wine. This will provide an additional convenience to area residents. The proposed change will reduce traffic by avoiding extra customer trips. In addition, it has been a challenge finding a quality mix of sandwiches and other lunch/dinner items to carry in the store. This change will also make the store more attractive for a small deli operation. It is for these reasons that we are requesting the change from mini mart to quick service food store. Whether a customer needs a newspaper, coffee in the morning, a hot lunch or late snack, the store provides quick food service and affordable products they need, when they need them, in a safe and convenient location.

The majority of customers in the area are office and retail workers. This proposed quick-service food store will have a local presence and will employ workers from the local population. The taxes from the expanded retail operation will increase the commercial tax base of Fairfax County. According to the 2000 Census, Fairfax County has a high level of self-employed people who are either on the road most of the time and depend on local retail services. This proposal will help to serve the self-employed and mobile professionals in the area.

Mitigation for Public Safety;

The proposed Quick Service Food Store will not create adverse traffic impacts. Adequate security and lighting is already provided to promote safety.

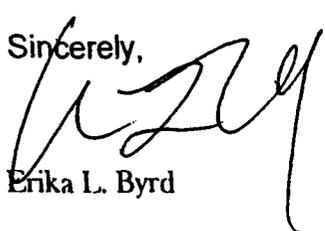
Bulk Requirements and Provisions

The proposal satisfies and complies with the general standards for all planned developments and the design standards efficiently utilize the land and complements development on adjacent properties. The proposal meets all requirements of the PDC district.

Conclusion

As described above, the proposed amendments to the existing approval conforms to the provisions of all applicable ordinances, regulations and adopted standards. On behalf of the applicant, it is respectfully requested that these applications be endorsed by the Planning Staff, Planning Commission and ultimately approved by the Board of Supervisors. Thank you very much for the favorable consideration of this proposal.

Sincerely,


Erika L. Byrd

**KINGSTOWNE GAS STATION SECTION 36A
STATEMENT OF JUSTIFICATION**

RZ/FDP 2009-LE - PDC to PDH-4

RECEIVED
Department of Planning
FEB 25 2009
Zoning Evaluation Division

Introduction

This is a request to rezone a small area of land part of Tax Map 91-2 ((1)) 26F from PDC to PDH-4 and amend the Proffer Conditions (PCA C-448-23) of the Kingstowne Gas Station Site (Section 36A) to permit a gas station, quick service food store and to convert an approved, but not yet built, hotel with an office building. The site of proposed office building (108,500 sq. ft.) is located at Tax Map 91-2 ((1)) 0026F, and is currently undeveloped.

Surrounding Area

The subject area of this Application is located at the intersection of Kings Center Drive and South Van Dorn Street.

Locality and Zoning

The rezoning application comprise of an area zoned PDC (1321 sq .ft) to be rezoned PDH-4 as part of a land swap.

Land Swap Area PDC to PDH-4

The land swap is necessary due to a small lateral shift in the location of the proposed office building. This shift in the building will allow for the dumpster enclosure to be moved to the East side of the proposed building. This is the best location for the dumpsters. They were previously located immediately adjacent to the 240,000 Volt overhead lines. That is not the ideal location for a metal dumpster that must be raised overhead to empty. The previous location was also in clear view from Kingstowne Boulevard. The new location allows for the dumpster enclosure to be concealed between the building and a retaining wall. This new location will allow the trash truck to get completely out of the vehicle travel way for the dumping operation. The new location is adjacent to the area where a restaurant would be located in the building. The shift will also allow for a second garage entrance and service area for the restaurant. All of the loading for the restaurant will be from this concealed entrance and service area adjacent to the dumpsters. It is for these reasons that a land swap is necessary for this application.

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This proposed rezoning is consistent with the Comprehensive Plan 2007 Edition, Rose Hill Planning District, Amended through 9-24-2007, RH4 Lehigh Community Planning Sector. Recommendations, Policies for the Kingstowne Towne Center, states in pertinent part as follows:

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Compliance of the Proposal under the Zoning Ordinance

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Mitigation for Public Safety;

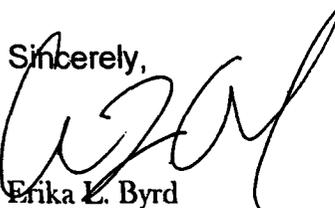
The proposed Quick Service Food Store will not create adverse traffic impacts. Adequate security and lighting is already provided to promote safety.

Bulk Requirements and Provisions

The proposal satisfies and complies with the general standards for all planned developments and the design standards efficiently utilize the land and complements development on adjacent properties. The proposal meets all requirements of the PDC district.

Conclusion

As described above, the proposed amendments to the existing approval conforms to the provisions of all applicable ordinances, regulations and adopted standards. On behalf of the applicant, it is respectfully requested that these applications be endorsed by the Planning Staff, Planning Commission and ultimately approved by the Board of Supervisors. Thank you very much for the favorable consideration of this proposal.

Sincerely,

Erika L. Byrd

PROFFERED CONDITION AMENDMENT /
PCA C-448-23

FINAL DEVELOPMENT PLAN AMENDMENT
FDPA C-448-10-2

1-23
10/99

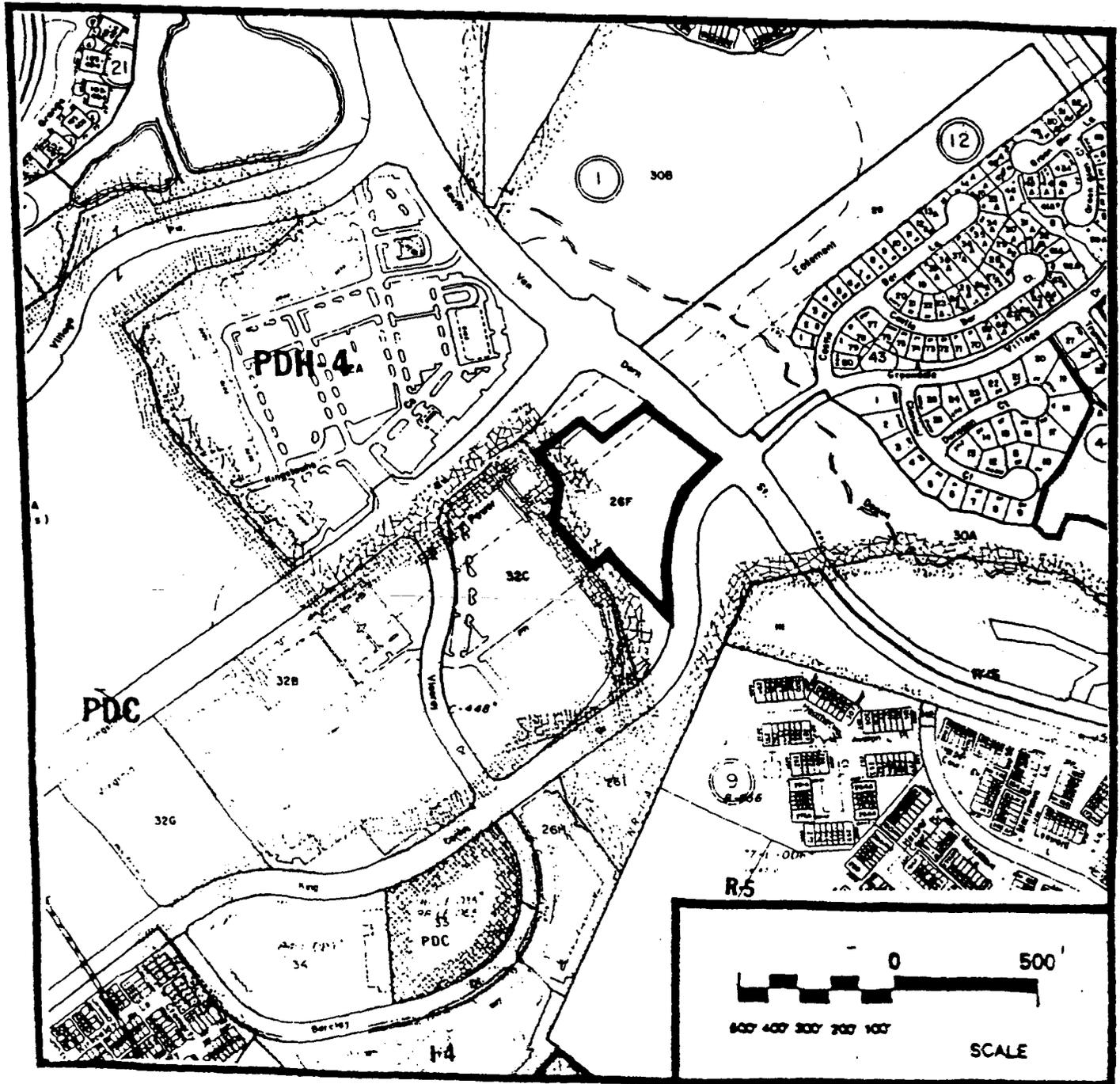
KINGSTOWNE COMMERCIAL LP
PROFFERED CONDITION AMENDMENT AND
PROPOSED: COMMERCIAL DEVELOPMENT
APPROX.: 4.48 ACRES OF LAND; DISTRICT - LEE FILED 06/10/99
LOCATED: IN THE N.W. QUADRANT OF THE INTERSECTION
OF S. VAN DORN ST. AND KING CENTRE DR.

FDPA C-448-10-2

KINGSTOWNE COMMERCIAL LP
FINAL DEVELOPMENT PLAN AMENDMENT
PROPOSED: COMMERCIAL DEVELOPMENT
APPROX.: 4.48 ACRES OF LAND; DISTRICT - LEE
LOCATED: IN THE N.W. QUADRANT OF THE INTERSECTION
OF S. VAN DORN ST. AND KING CENTRE DR.

ZONING: PDH-4
OVERLAY DISTRICT(S): NR
91-2 ((1)) 26F PT.

ZONING: PDH-4
OVERLAY DISTRICT(S): NR
91-2 ((1)) 26F PT.

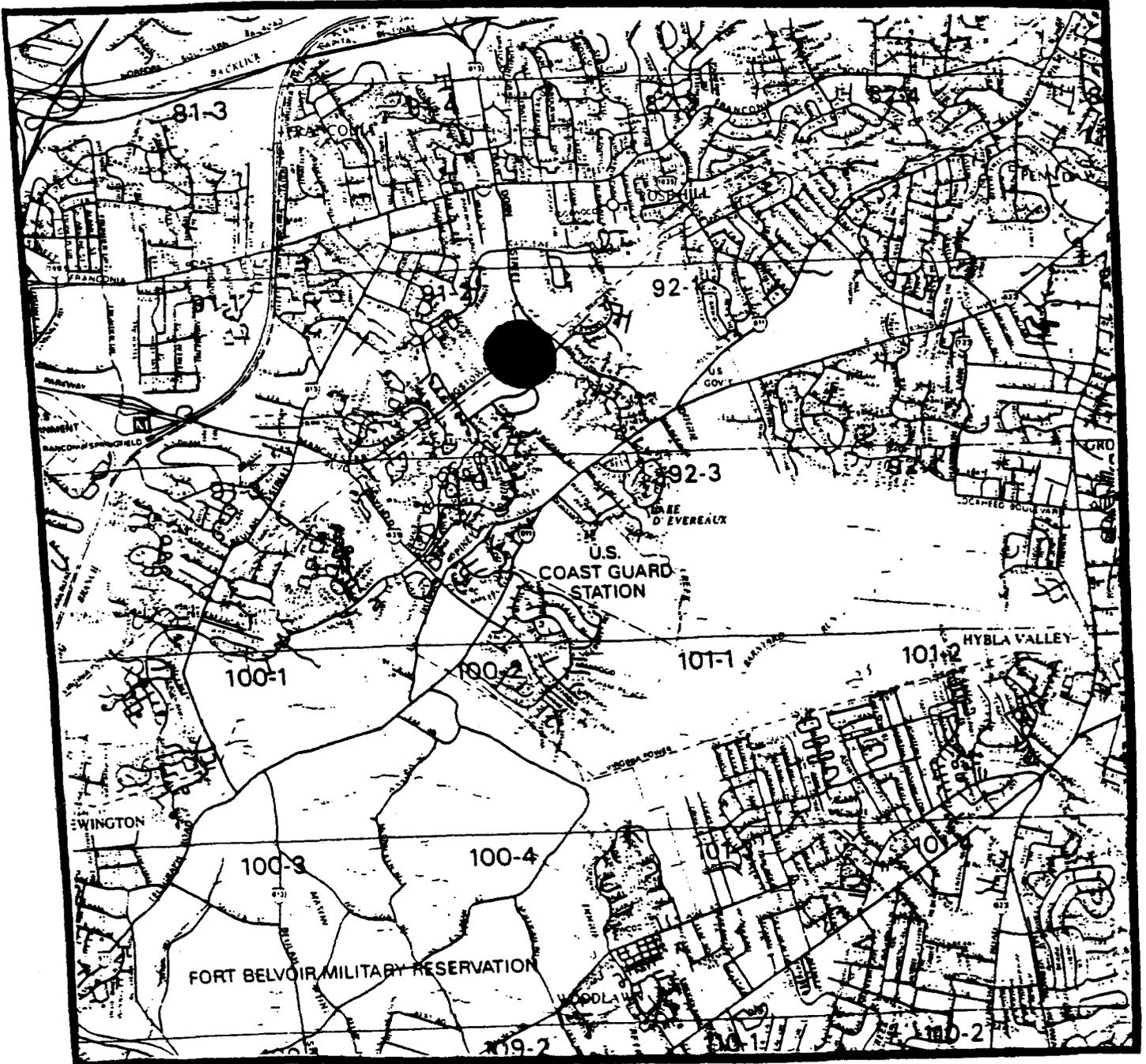


**REZONING APPLICATION /
RZ 1999-LE-073**

**FINAL DEVELOPMENT PLAN
FDP 1999-LE-073**

FILED 12/15/99
KINGSTOWNE COMMERCIAL L.P.
TO REZONE: 4.48 ACRES OF LAND; DISTRICT - LEE
PROPOSED: REZONE FROM THE PDM-4 DISTRICT TO THE PDC
DISTRICT
LOCATED: IN THE N.W. QUADRANT OF THE INTERSECTION OF
SOUTH VAN DORN ST. AND KING CENTRE DR.
ZONING: PDM-4
TO: PDC
OVERLAY DISTRICT(S):
MAP REF 091-2- /01/ /0026-F P

FILED 12/15/99
KINGSTOWNE COMMERCIAL L.P.
FINAL DEVELOPMENT PLAN
PROPOSED: COMMERCIAL DEVELOPMENT
APPROX. 4.48 ACRES OF LAND; DISTRICT - LEE
LOCATED: IN THE N.W. QUADRANT OF THE INTERSECTION OF
SOUTH VAN DORN ST. AND KING CENTRE DR.
ZONING: PDC
OVERLAY DISTRICT(S):
MAP REF 091-2- /01/ /0026-F P

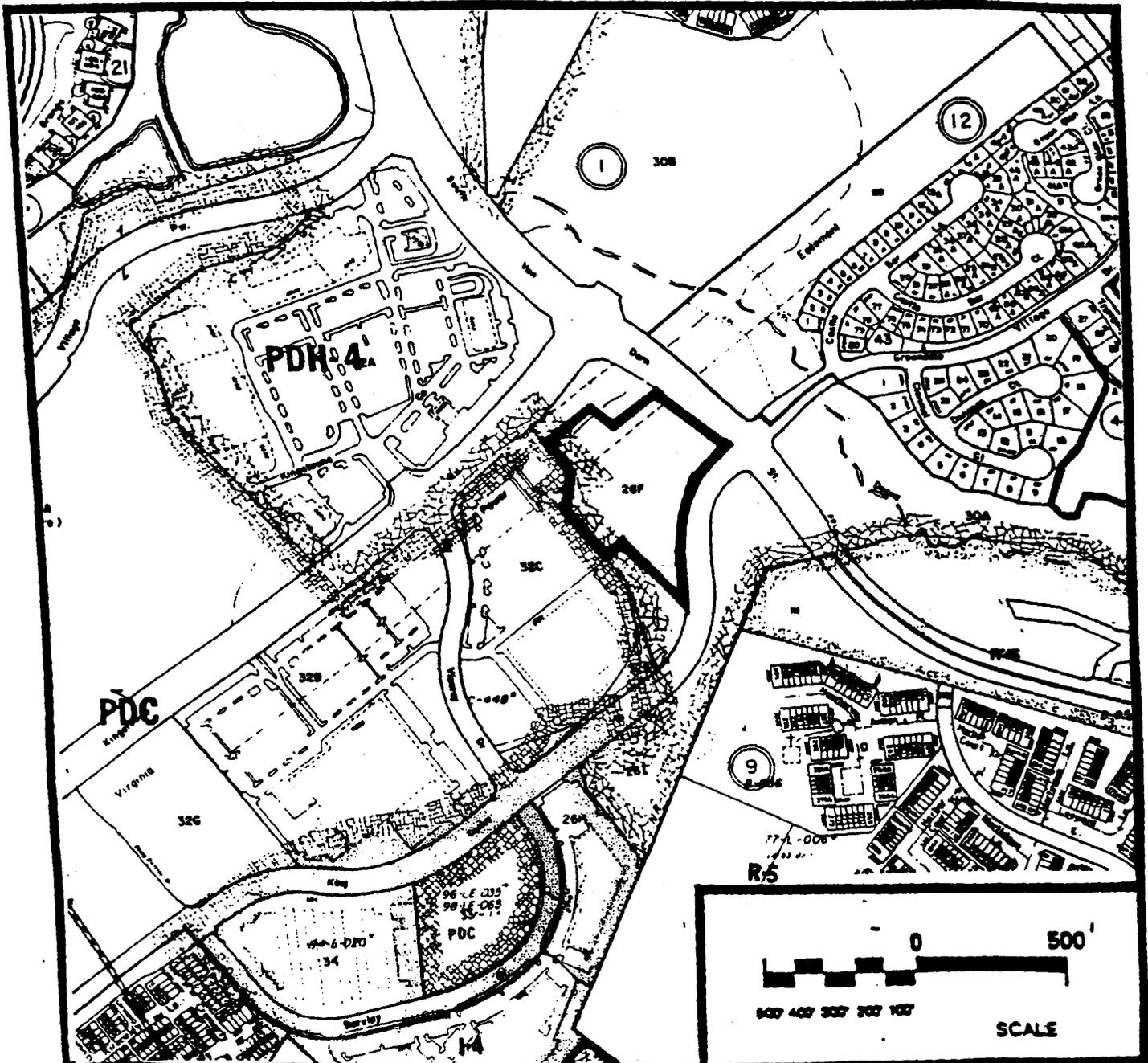


**REZONING APPLICATION /
RZ 1999-LE-073**

**FINAL DEVELOPMENT PLAN
FDP 1999-LE-073**

FILED 12/15/99
KINGSTOWNE COMMERCIAL L.P.
TO REZONE: 4.48 ACRES OF LAND; DISTRICT - LEE
PROPOSED: REZONE FROM THE PDH-4 DISTRICT TO THE PDC
DISTRICT
LOCATED: IN THE N.W. QUADRANT OF THE INTERSECTION OF
SOUTH VAN DORN ST. AND KING CENTRE DR.
ZONING: PDH-4
TO: PDC
OVERLAY DISTRICT(S):
MAP REF 091-2- /01/ /0026-F P

FILED 12/15/99
KINGSTOWNE COMMERCIAL L.P.
FINAL DEVELOPMENT PLAN
PROPOSED: COMMERCIAL DEVELOPMENT
APPROX. 4.48 ACRES OF LAND; DISTRICT - LEE
LOCATED: IN THE N.W. QUADRANT OF THE INTERSECTION OF
SOUTH VAN DORN ST. AND KING CENTRE DR.
ZONING: PDC
OVERLAY DISTRICT(S):
MAP REF 091-2- /01/ /0026-F P

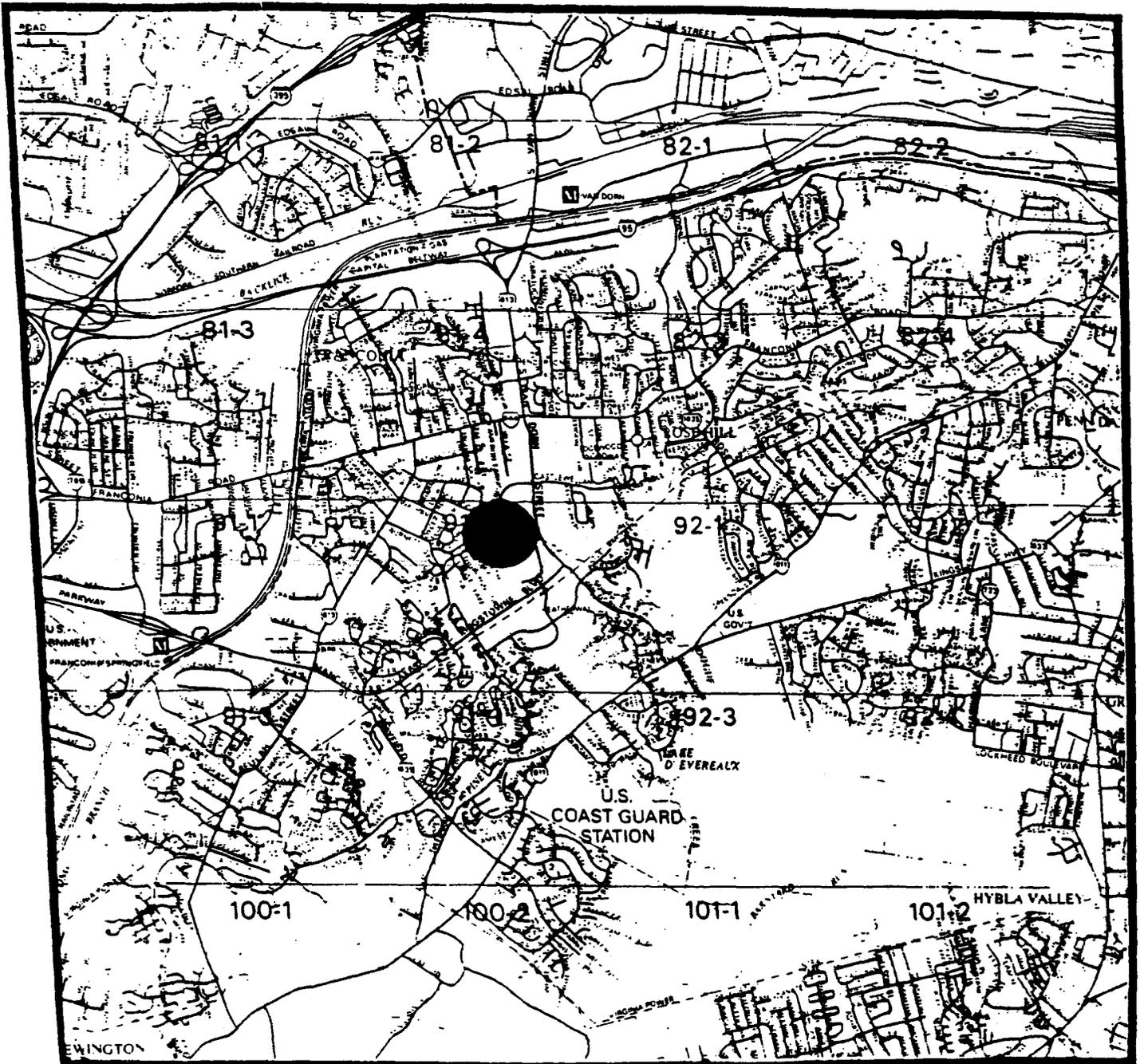


**OFFERED CONDITION AMENDMENT /
PCA 84-L-020-18**

PCA 84-L-020 -18
FILED 04/28/00
KINGSTOWNE COMMERCIAL L.P.
OFFERED CONDITION AMENDMENT
PROPOSED: OPEN SPACE
APPROX. 4.48 ACRES OF LAND; DISTRICT - LEE
LOCATED: NORTH OF KINGSTOWNE VILLAGE PARKWAY, WEST
OF SOUTH VAN DORN STREET
ZONING: PDC
OVERLAY DISTRICT(S):
MAP REF 91-2 ((1)) 26B pt. and 26J (Formerly 26A pt.)

**FINAL DEVELOPMENT PLAN AMENDMENT
FDPA 84-L-020-02-09**

FDPA 84-L-020 -02-09
FILED 04/28/00
KINGSTOWNE COMMERCIAL L.P.
FINAL DEVELOPMENT PLAN AMENDMENT
PROPOSED: OPEN SPACE
APPROX. 4.48 ACRES OF LAND; DISTRICT - LEE
LOCATED: NORTH OF KINGSTOWNE VILLAGE PARKWAY, WEST
OF SOUTH VAN DORN ST.
ZONING: PDC
OVERLAY DISTRICT(S):
MAP REF 91-2 ((1)) 26B pt. and 26J (Formerly 26A pt.)

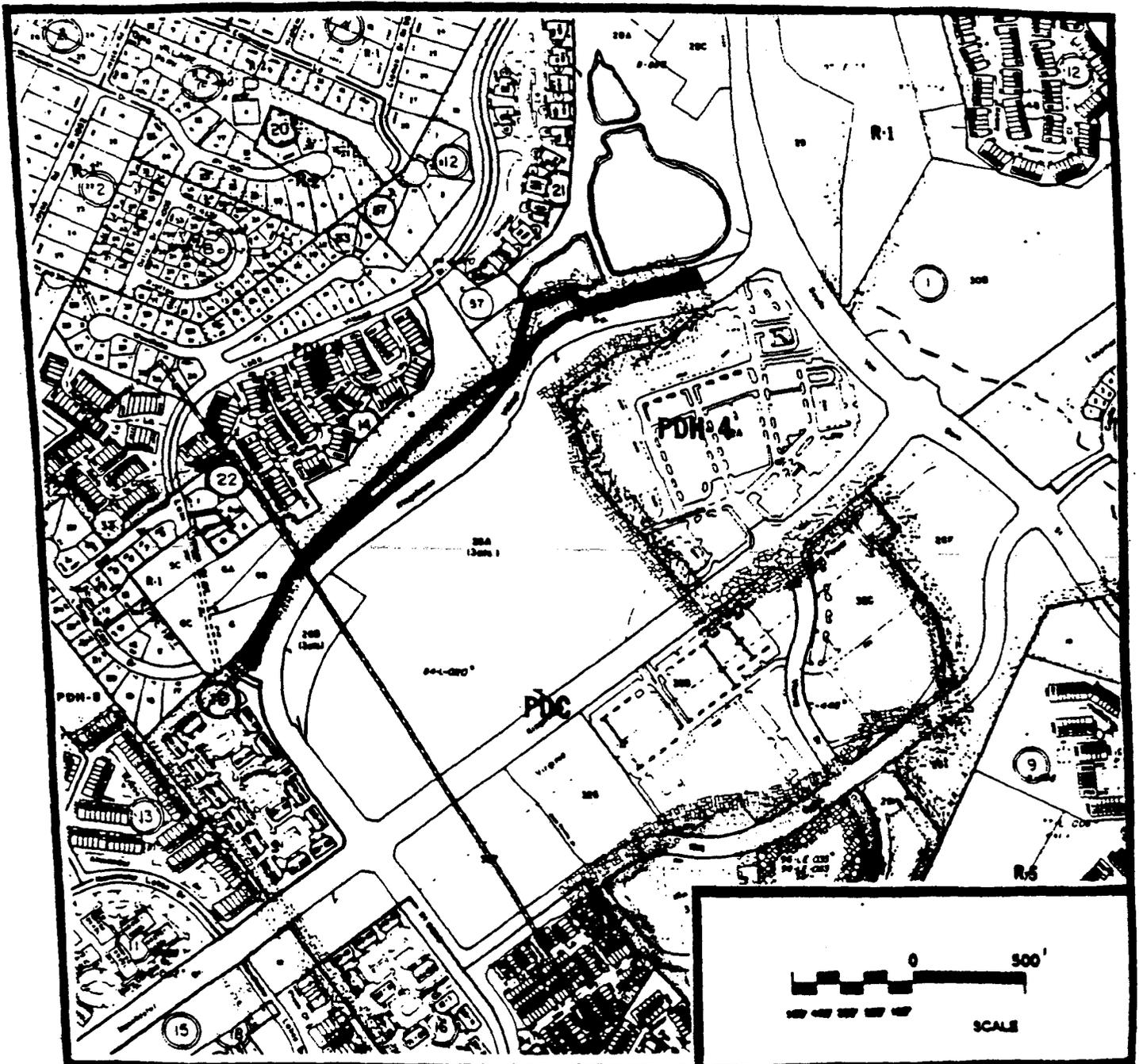


**OFFERED CONDITION AMENDMENT/
PCA 84-L-020-18**

84-L-020 -18
FILED 04/28/00
KINGSTOWNE COMMERCIAL L.P.
OFFERED CONDITION AMENDMENT
PROPOSED: OPEN SPACE
APPROX. 4.48 ACRES OF LAND; DISTRICT - LEE
LOCATED: NORTH OF KINGSTOWNE VILLAGE PARKWAY, WEST
OF SOUTH VAN DORN STREET
ZONING: PDC
OVERLAY DISTRICT(S):
MAP REF 91-2 ((1)) 26B pt. and 26J (Formerly 26A pt.)

**FINAL DEVELOPMENT PLAN AMENDMENT
FDPA 84-L-020-02-09**

FDPA 84-L-020 -02-09
FILED 04/28/00
KINGSTOWNE COMMERCIAL L.P.
FINAL DEVELOPMENT PLAN AMENDMENT
PROPOSED: OPEN SPACE
APPROX. 4.48 ACRES OF LAND; DISTRICT - LEE
LOCATED: NORTH OF KINGSTOWNE VILLAGE PARKWAY, WE:
OF SOUTH VAN DORN ST.
ZONING: PDC
OVERLAY DISTRICT(S):
MAP REF 91-2 ((1)) 26B pt. and 26J (Formerly 26A pt.)



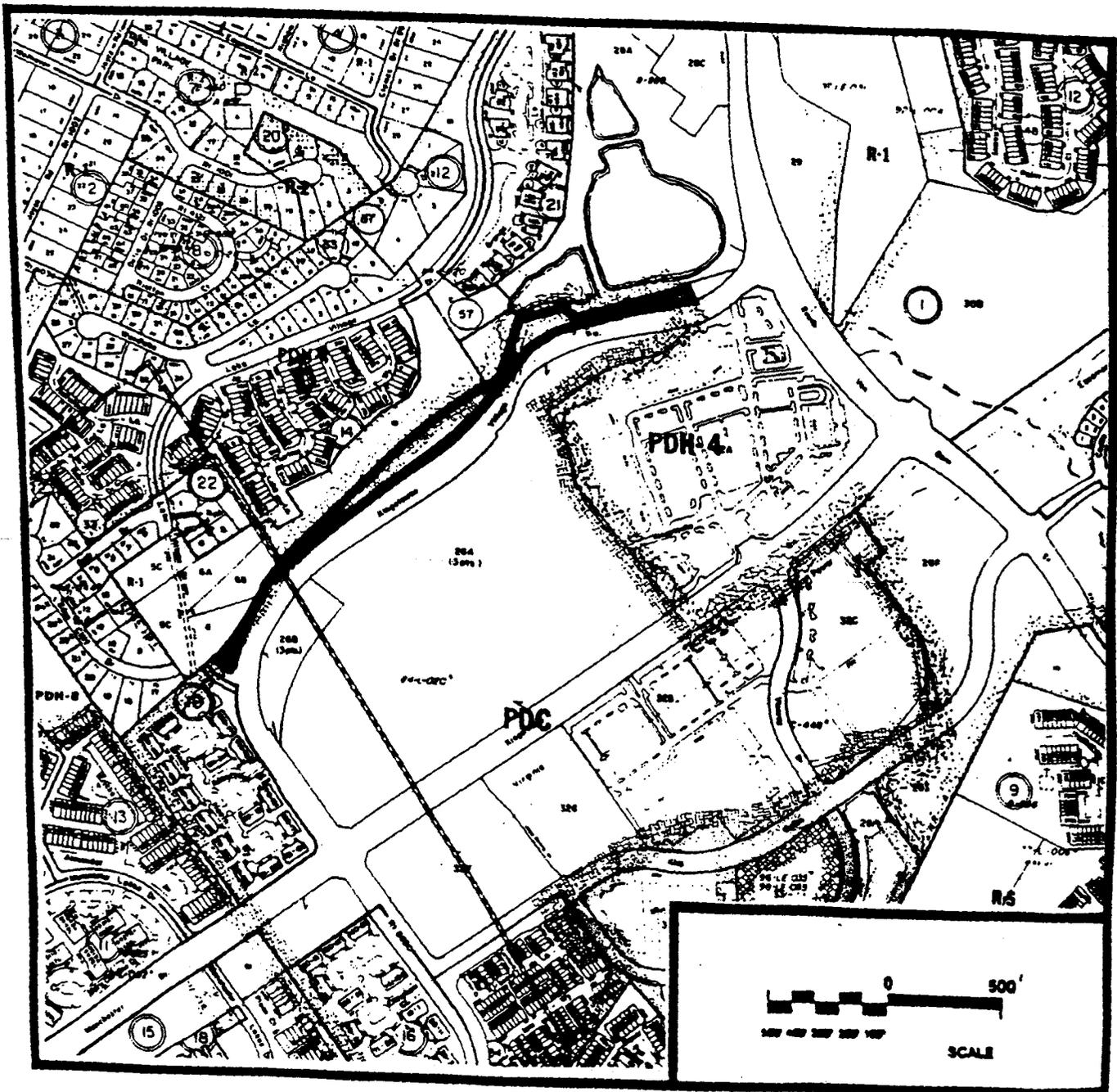
**REZONING APPLICATION /
RZ 1999-LE-042**

**FINAL DEVELOPMENT PLAN
FDP 1999-LE-042**

FILED 12/15/99
KINGSTOWNE COMMERCIAL L.P.
TO REZONE: 4.48 ACRES OF LAND; DISTRICT - LEE
PROPOSED: REZONE FROM THE PDC DISTRICT TO THE PDH-4
DISTRICT
LOCATED: NORTH OF KINGSTOWNE VILLAGE PARKWAY, WEST
OF SOUTH VANDORN STREET
ZONING: PDC
TO: PDH-4
OVERLAY DISTRICT(S): NR

REF 91-2 ((1)) 26B pt. and 26J (Formerly 26A pt.)

FILED 12/15/99
KINGSTOWNE COMMERCIAL L.P.
FINAL DEVELOPMENT PLAN
PROPOSED: COMMERCIAL DEVELOPMENT
APPROX. 4.48 ACRES OF LAND; DISTRICT - LEE
LOCATED: NORTH OF KINGSTOWN PARKWAY, WEST OF SOUTH
VAN DORN STREET
ZONING: PDH-4
OVERLAY DISTRICT(S): NR
MAP REF 91-2 ((1)) 26B pt. and 26J (Formerly 26A pt.)





FAIRFAX COUNTY

OFFICE OF THE
BOARD OF SUPERVISORS
12000 Government Center Parkway, S
Fairfax, Virginia 22031

V I R G I N I A

Telephone: 703-321-2000
FAX: 703-321-2000
TTY: 703-321-2000

August 9, 2000

Erika L. Byrd, Esquire
McGuire, Woods, Battle & Boothe LLP
1750 Tysons Boulevard - Suite 1800
McLean, Virginia 22102-3915

RE: Rezoning Application Number RZ 1999-LE-073
(Concurrent with RZ 1999-LE-042, PCA C-448-23,
and PCA 84-L-020-18)

Dear Ms. Byrd:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on July 24, 2000, granting Rezoning Application Number RZ 1999-LE-073 in the name of Kingstowne Commercial L.P., to rezone certain property in the Lee District from the PDH-4 District to the PDC District, subject to the proffers dated July 18, 2000, on subject parcel 91-2 ((1)) Pt. 26F consisting of approximately 4.48 acres.

The Board also approved the Conceptual Development Plan; the Planning Commission having previously approved Final Development Plan FDP 1999-LE-073 on June 21, 2000, subject to the Board's approval of RZ 1999-LE-073.

In addition, the Board modified the transitional screening yard and barrier requirements for Rezoning/Final Development Plan application RZ/FDP 1999-LE-073 along South Van Dorn Street.

Sincerely,

Nancy Vehrs
Clerk to the Board of Supervisors

Proffer Statement
Kingstowne Section 36A
RZ 1999-LE-073
July 18, 2000

Pursuant to Section 15.2-2303(A) of the Code of Virginia, 1950, as amended, and Section 18-203 of the Zoning Ordinance of Fairfax County (1978, as amended), Kingstowne Commercial L.P., (the "Applicant") 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)), pt. 26F (hereinafter referred to as the "Property"), will be in accordance with the following conditions if said PCA is granted. In the event said application request is denied, this proffer statement shall be rendered null and void. The proffered conditions are as follows:

1. Proffered Development Conditions. Except as modified herein, the subject property is governed by the Proffer Development Conditions of June 17, 1985 in RZ 84-L-020 and the applicable proffers of rezonings and proffered condition amendments approved subsequent thereto but prior hereto.

2. Plans. Subject to the provisions of Section 18-204 of the Zoning Ordinance, under which minor modifications to an approved Conceptual/Final Development Plan are permitted, the Property shall be developed in substantial conformance with the plan entitled "CDP/FDP" prepared by BC Consultants, dated 11/15/99 and revised through 5/17/00 (the "Plans").

3. Lighting.

(a) The lighting of the service station/mini-mart canopy shall be limited to recessed lights under the canopy with a flat lens at a similar level as the bottom of the canopy with lamps that are no more than 400 watts each. There shall be no upwardly directed lights from the canopy and the fascia shall not be backlit, except for identification signage.

(b) Light poles on the service station/mini-mart portion of the Property shall be limited to a maximum height of sixteen (16) feet and light poles on the hotel portion of the Property shall be limited to a maximum height of twenty five (25) feet. Any parking lot lighting, security lighting or other lighting shall be fully shielded and directed downward. Off site glare to adjacent residential uses shall be minimized.

4. Outdoor Storage/Sales. There shall be no outdoor storage of merchandise for sale of any kind at the service station/mini-mart, including vending machines.

5. Architectural Renderings.

(a) Hotel. The architectural design of the hotel shall be in general conformance with the hotel renderings on page 4 of the CDP/FDP. All facade treatments of the hotel shall be approximately 90% brick.

(b) Service station. All facade treatments of the service station/mini-mart shall be approximately 90% brick.

6. Fast Food. The fast food component of the service station/mini-mart shall be permitted to operate daily between the hours of 6:00 a.m. and 10:00 p.m. There shall be no drive-through for the fast food component of the service station/mini-mart. The fast food user shall not be a McDonalds, Burger King or a Kentucky Fried Chicken without prior written consent from Kingstowne Residential Owners Corporation ("KROC"). The maximum area of fast food permitted shall be 1,100 square feet, without the approval of a special exception.

7. Kingstowne Towne Center. Prior to the issuance by Fairfax County of any building permit for the Property, the Applicant shall have commenced construction on Building B of the Towne Center (pursuant to PCA 84-L-020-16 and FDPA 84-L-020-2-7). Commencement of construction shall be defined as the Applicant having obtained a building permit from Fairfax County.

8. Storage of Vehicles. There shall be no storage of vehicles on any portion of the Property.

9. Conversion of Hotel. The hotel on the Property shall not be converted to rental apartments or condominiums.

10. Irrigation. The Applicant shall install irrigation in the areas of landscaping as shown on the Plans. The irrigation shall be used to maintain the health of the landscaping.

11. Traffic Signal. Subject to all necessary approvals from Fairfax County and VDOT, the Applicant shall design, fund and construct a traffic signal located at the intersection of S. Van Dorn Street and King Centre Drive. The Applicant shall coordinate efforts with KROC, Fairfax County and the Virginia Department of Transportation to obtain approval for said traffic signal including performing a warrant study, if required, by the Virginia Department of Transportation.

12. Architectural Review. The Applicant shall submit architectural plans for the service station/mini-mart/carwash building and hotel building for review and approval by the Board of Trustees for the Kingstowne Residential Owners Corporation. Written approval shall be obtained by the Applicant from KROC for the architectural plans. Said written approval of the architectural plans shall be submitted to Fairfax County prior to building permit application for the service station/mini-mart/car wash building and hotel building.

13. Additional Landscaping on Greendale Drive. The Applicant shall, in coordination with KROC, install additional landscaping along Greendale Village Drive. The Applicant shall submit a supplemental landscaping plan to the Board of Trustees for KROC for review and approval. Said written approval of the supplemental landscaping plan shall be submitted to Fairfax County prior to building permit issuance for the service station/mini-mart/car wash building.

14. Entrance Feature. Entrance features shall be installed by the Applicant in the locations shown generally on the Plans in general conformance (i.e. size, style, materials and design) with Kingstowne entrance features. The specific entry feature size, location and design shall be coordinated between the Applicant and the Board of Trustees for KROC and approved, in writing, by KROC. Said written approval of the entry feature shall be submitted to Fairfax County prior to building permit issuance for the service/station/mini-mart/car wash building.

15. Traffic Island. Customers and users of the Property utilizing the S. Van Dorn Street exit may employ an undesirable weaving and U-turn traffic pattern (i.e., leaving the Property southbound on S. Van Dorn, traveling three lanes of travel to get to the left turn lane on S. Van Dorn). In such event, and upon written notice from the Office of Transportation and/or KROC, the Applicant shall request that VDOT review the possibility of constructing an island on S. Van Dorn isolating said left turn lane and thereby preventing said undesirable weaving. If so requested by VDOT, Applicant shall design, fund and construct said island.

16. Maximum Size of Service Station/Minimart. The maximum area of the retail building on the Property shall be 3,500 square feet. This retail building and the car wash shall be constructed as one building. The uses within the retail building shall be limited to service station/mini-mart and fast food. The fast food component of the retail building shall not exceed 1,100 square feet without the approval of a special exception. The car wash shall not exceed 3,840 square feet in area.

17. Additional Landscaping on King Centre Drive. Six (6) foot evergreen trees shall be planted with spacing in conformance with the PFM in the landscape strip adjacent to King Centre Drive to provide screening along King Centre Drive. The evergreen screening shall extend from the back of the dumpster enclosure to the fourth deciduous tree west of the dumpster enclosure shown along the service drive (a distance of approximately 175 feet) to screen the dumpster and car drying area from King Centre Drive. This evergreen landscaping shall be subject to approval by the Urban Forestry Branch.

18. Median Break on King Centre Drive. The Applicant shall construct the median break on King Centre Drive as shown on the Plans in conformance with all applicable Virginia Department of Transportation standards. In the event the median break is not approved by the Virginia Department of Transportation, the Plans may be constructed with the solid median, deleting the proposed break.

19. Erosion Control. During construction, within 24 hours of a major storm event (i.e. storm event greater than a two year storm), the Property shall be inspected for damage and/or problems with the erosion and sedimentation control measures on the site. An engineer familiar with erosion and sedimentation control shall perform the inspection (the inspector). If problems or damage involving erosion and sedimentation control exist on the site, the Inspector shall make recommendations to address the problem or damage. These recommendations shall be implemented immediately. Within three (3) days of any major storm event, as defined herein, a report shall be filed with the Department of Public Works and Environmental Service, Public Utilities Department. This report shall be filed whether or not there are problems or damage and shall detail the finding of the inspection (damage and/or problems, remediation recommendations, any actions taken to respond).

Kingstowne Commercial L.P.

By: Halle Enterprises, Inc., its
General Partner

By: Warren E. Halle
Warren E. Halle, President

PROPOSED DEVELOPMENT CONDITIONS

June 8, 2000

FDP 1999-LE-073

If it is the intent of the Planning Commission to approve Final Development Plan FDP 1999-LE-073 for a Hotel, a Service Station/Minimart, a Fast Food Restaurant, and a Car Wash on property located at Tax Map 91-2 ((1)) pt. 26F, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions:

1. Development of the property shall be in substantial conformance with the Final Development Plan for Kingstowne Sect. 36A prepared by BC Consultants, which is dated November 15, 1999, as revised through May 17, 2000.
2. Evergreen trees shall be planted in the landscape strip adjacent to King Centre Drive to provide screening along King Centre Drive. The number and size of evergreen trees at planting shall be sufficient to provide full screening, as determined by the Urban Forestry Division. The screening shall extend from the back of the dumpster enclosure to the fourth deciduous tree shown along the service drive, a distance of approximately 175 feet.

GENERAL NOTES:

- THE PROPERTY DELINEATED ON THIS CONCEPT DEVELOPMENT/FINAL DEVELOPMENT PLAN (CDP/FDP) IS DEFINED ON FAIRFAX COUNTY TAX ASSESSMENT MAP #91-2 (11), PART OF PARCEL 76A, AND IS CURRENTLY ZONED PDC.
- THE BOUNDARY INFORMATION SHOWN HEREIN IS COMPILED FROM DEEDS OF RECORD AND ADJACENT INFORMATION. NO TITLE REPORT WAS FURNISHED.
- THE TOPOGRAPHIC INFORMATION SHOWN HEREON IS COMPILED FROM AN AERIAL SURVEY PROVIDED BY BUNGE. THE TOPOGRAPHY IS SHOWN AT A TWO FOOT (0.61m) contour interval. THE BC CONSULTANTS ASSUMES NO RESPONSIBILITY FOR DESIGN OR CONSTRUCTION CHANGES DUE TO INACCURACIES IN TOPOGRAPHIC INFORMATION SHOWN HEREON.
- THE PROPERTY SHOWN ON THIS CDP/FDP IS IN THE LEE INDUSTRIAL DISTRICT, THE DOCK CREEK SANITARY SEWER DISTRICT AND THE DOCK CREEK WATER #443.
- THIS DEVELOPMENT IS IN CONFORMANCE WITH THE FAIRFAX COUNTY COMPREHENSIVE PLAN AND WILL CONFORM TO THE PROVISIONS OF ALL APPLICABLE ORDINANCES, REGULATIONS AND ADOPTED STANDARDS AND CONDITIONS.
- A SIDEWALK WILL CONNECT THE SIDEWALK ALONG MONROVIA VILLAGE PARKWAY TO THE LAVERGNE WALK AS SHOWN ON THE PLAN. THIS CONNECTION FULFILLS ANY TRAIL REQUIREMENTS FOR THIS PARTICULAR PARCEL.
- THE COUNTY OF FAIRFAX IS THE PUBLIC WATER AND SANITARY SEWER SUPPLY AGENCY FOR THIS DEVELOPMENT.
- STORM WATER MANAGEMENT WILL BE PROVIDED AS INDICATED ON THE OVERALL SUMP/STW STUDY PLAN (PLAN #8100-P1-12-2) APPROVED BY THE FAIRFAX COUNTY DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES (FORMERLY DEW) ON MARCH 21, 1999.
- THIS PLAN DOES NOT PURPORT TO SHOW ALL EXISTING UNDERGROUND UTILITY AND THOSE SHOWN ARE APPROXIMATE. A 36" (1007mm) SANITARY SEWER EASEMENT IS SHOWN ON THE PLAN.
- THIS PLAN DOES NOT SHOW UTILITIES. ANY NECESSARY PUBLIC UTILITIES ARE READILY ACCESSIBLE TO THE SITE AND WILL BE EXTENDED BY THE DEVELOPER TO THE UTILITY COMPANY. THE DEVELOPER RESERVES THE RIGHT TO ALLOW UTILITIES TO CROSS THE SITE AS REQUIRED FOR THE DEVELOPMENT OF ADJACENT PARCELS.
- THERE ARE NO KNOWN HAZARDOUS OR TOXIC SUBSTANCES ON THIS SITE. IF ANY SUBSTANCES ARE FOUND, THE METHODS FOR DISPOSAL SHALL ADHERE TO COUNTY, STATE OR FEDERAL LAW.
- THERE ARE NO KNOWN BURIAL SITES OR EXISTING STRUCTURES FOUND ON THIS SITE.
- THE PROPOSED LIMITS OF CLEARING AND GRADING EXTEND TO THE PROPERTY BOUNDARIES. WHERE NO DEVELOPMENT IS PROPOSED WITH THIS PLAN, THE LIMITS OF CLEARING AND GRADING HAVE BEEN SET TO ALLOW MAXIMUM FLEXIBILITY IN THE LOCATION OF TREES AND SHRUBS. THE SIDEWALK/TRAIL, UTILITY CROSSINGS FOR DEVELOPMENT OF ADJACENT PARCELS, AND SHOULD THE DEVELOPER/ADJACENT IN USE, INCLUDING AND/OR ANY OTHER FUTURE PLAN ENHANCEMENTS.
- ANY AND ALL OFF-SITE GRADING, R.F.W., PARKING, ACCESS & UTILITY CROSSINGS SHALL BE ALLOWED WITH PERMISSION OF ADJACENT OWNERS.

16-501 CONCEPTUAL DEVELOPMENT PLAN COMMENTS:

- VICINITY MAP AS SHOWN ON PLAN.
- OWNER / APPLICANT: HUNTERSTONE COMMERCIAL, L.P.
- NO MAP IDENTIFICATION: SHEET NO. 01 2 (11) PARCEL / PART OF PARCEL 76A
- TOPOGRAPHY AS SHOWN ON PLAN. SEE GENERAL NOTE 3.
- SCALE AND NORTH ARROW AS SHOWN ON PLAN.
- N/A
- PROPOSED CIRCULATION AS SHOWN ON PLAN.
- THE ENTIRE SITE IS PROPOSED AS OPEN SPACE.
- N/A
- NO IMPROVEMENTS TO THE PUBLIC R.O.W. ARE PROPOSED WITH THIS PLAN. ALL OTHER SUBSTANTIAL INFORMATION IS AS SHOWN ON THE PLAN.
- APPROXIMATE R.F.A. LIMITS ARE DELINEATED AS SHOWN ON PLAN.
- INFORMATION REGARDING VEGETATION AS SHOWN ON THE PLAN.
- SEE GENERAL NOTE 6 FOR INFORMATION REGARDING STORM WATER MANAGEMENT.
- SEE GENERAL NOTE 9 FOR INFORMATION REGARDING EX. UTILITY EASEMENTS AREAS THAT HAVE SCENIC ASSETS OR NATURAL FEATURES DESERVING OF PROTECTION ON THE PROPERTY SHALL BE CONSIDERED FOR PASSIVE RECREATION DEVELOPMENT.
- THERE ARE NO KNOWN CHANGES OR PLACES OF BURIAL ON SITE.
- THIS DEVELOPMENT IS IN CONFORMANCE WITH THE FAIRFAX COUNTY COMPREHENSIVE PLAN.
- ADJACENT AND NEIGHBORING PROPERTIES WILL NOT BE ADVERSELY AFFECTED SINCE DEVELOPMENT OF THE SITE IS NOT PROPOSED WITH THIS PLAN. NO LANDSCAPE SCREENING, BARRIERS OR FENCING IS REQUIRED.
- THERE ARE NO EXISTING STRUCTURES ON SITE.
- N/A
- REFER TO THE SITE TABULATIONS FOR OPEN SPACE CALCULATIONS.
- SEE GENERAL NOTE 5 FOR ORDINANCE CONFORMANCE AND/OR IMPROVEMENTS.
- THE ENTIRE SITE IS PROPOSED AS OPEN SPACE.
- DEVELOPMENT SCHEDULE AND PHASING TO BE DETERMINED AS MARKET CONDITIONS ALLOW.

CURVE TABLE

STATION	CHORD BEARING	CHORD DISTANCE	ARC BEARING	ARC DISTANCE	PI	PT	PC	PT	PI	PT
1+00.00	S 89° 58' 00" W	100.00	S 89° 58' 00" W	100.00	100.00	100.00	100.00	100.00	100.00	100.00
1+00.00	S 89° 58' 00" W	100.00	S 89° 58' 00" W	100.00	100.00	100.00	100.00	100.00	100.00	100.00
1+00.00	S 89° 58' 00" W	100.00	S 89° 58' 00" W	100.00	100.00	100.00	100.00	100.00	100.00	100.00
1+00.00	S 89° 58' 00" W	100.00	S 89° 58' 00" W	100.00	100.00	100.00	100.00	100.00	100.00	100.00
1+00.00	S 89° 58' 00" W	100.00	S 89° 58' 00" W	100.00	100.00	100.00	100.00	100.00	100.00	100.00

16-502 FINAL DEVELOPMENT PLAN COMMENTS:

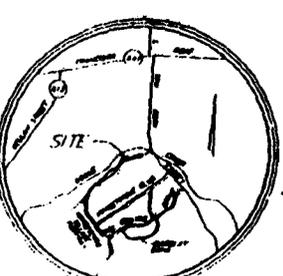
- VICINITY MAP AS SHOWN ON PLAN.
- PROPERTY LINE INFORMATION AS SHOWN ON PLAN.
- REFER TO THE SITE TABULATIONS FOR OFFICIAL SITE AREA.
- SCALE AND NORTH ARROW AS SHOWN ON PLAN.
- EXISTING/PROPOSED STREET INFORMATION AS SHOWN ON PLAN.
- NO IMPROVEMENTS TO THE PUBLIC R.O.W. ARE PROPOSED WITH THIS PLAN.
- TOPOGRAPHY AS SHOWN ON PLAN. SEE GENERAL NOTE 3.
- THE ENTIRE SITE IS PROPOSED AS OPEN SPACE.
- N/A
- N/A
- PROPOSED CIRCULATION AS SHOWN ON PLAN.
- N/A
- THE ENTIRE SITE IS PROPOSED AS OPEN SPACE.
- INFORMATION REGARDING PROPOSED VEGETATION AS SHOWN ON THE PLAN.
- NO LANDSCAPE SCREENING/BARRIERS ARE REQUIRED WITH THIS PLAN.
- THERE ARE NO KNOWN CHANGES OR PLACES OF BURIAL ON SITE.
- SEE GENERAL NOTE 10 FOR INFORMATION REGARDING UTILITIES.
- SEE GENERAL NOTE 6 FOR INFORMATION REGARDING STORM WATER MANAGEMENT.
- SEE GENERAL NOTE 9 FOR INFORMATION REGARDING EXISTING UTILITY EASEMENTS.
- APPROXIMATE R.F.A. LIMITS ARE DELINEATED AS SHOWN ON THE PLAN.
- DEVELOPMENT SCHEDULE AND PHASING TO BE DETERMINED BY MARKET CONDITIONS.
- A SOIL CLASSIFICATION MAP IS NOT REQUIRED.
- N/A
- N/A
- THERE ARE NO KNOWN HAZARDOUS OR TOXIC SUBSTANCES ON SITE. IF ANY SUBSTANCES ARE FOUND, THE METHODS FOR DISPOSAL SHALL ADHERE TO COUNTY, STATE AND/OR FEDERAL LAW.
- SEE GENERAL NOTE 5 FOR ORDINANCE CONFORMANCE AND/OR IMPROVEMENTS.
- A CONCEPTUAL DEVELOPMENT PLAN WILL BE SUBMITTED WITH THIS PLAN.
- THERE ARE NO KNOWN BURIAL SITES AFFECTING THIS PLAN.

SITE TABULATIONS:

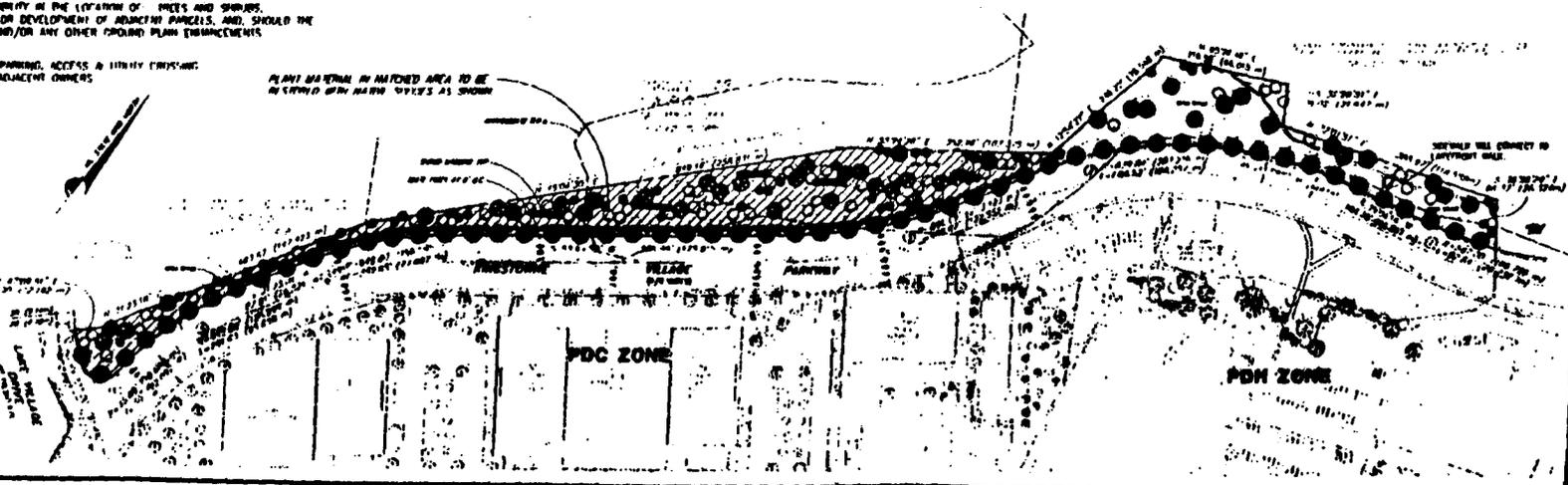
CROSS SITE AREA:	4.4770 AC. (1,81214 SQ)
EXISTING ZONE:	PDC
PROPOSED ZONE:	PDM-1
PROPOSED NUMBER OF UNITS:	
PROPOSED OPEN SPACE:	4.4770 AC. (1,81214 SQ)
REQUIRED PARKING SPACES:	
PROVIDED PARKING SPACES:	0

LANDSCAPE LEGEND:

- SHADY TREE (1" OR 4cm DB)
- DECIDUOUS TREE (2" OR 5cm DB)
- ⊙ PINE/TYPH TREE (2" OR 5cm DB)



VICINITY MAP
SCALE 1" = 100'
(SCALE 1" = 30.48M)



BC Consultants
 12700 Lee Road, Suite 100, Fairfax, VA 22035
 (703) 441-1100
 Fax: (703) 441-1101



CONCEPTUAL/FINAL DEVELOPMENT PLAN
KINGSTOWNE - OPEN SPACE PARCEL

DESIGNED BY:	DATE:
DRAWN BY:	DATE:
CHECKED BY:	DATE:
SCALE:	
SHEET:	1 OF 3

THIS PLAN IS THE PROPERTY OF THE ARCHITECT AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT HIS WRITTEN CONSENT. THE ARCHITECT ASSUMES NO LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

DATE: 10/15/88
 DRAWN BY: J. W. HARRIS
 CHECKED BY: J. W. HARRIS
 APPROVED BY: J. W. HARRIS

THESE PLANS AND SPECIFICATIONS SHALL BE CONSIDERED AS A COMPLETE CONTRACT BETWEEN THE OWNER AND THE ARCHITECT. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT.

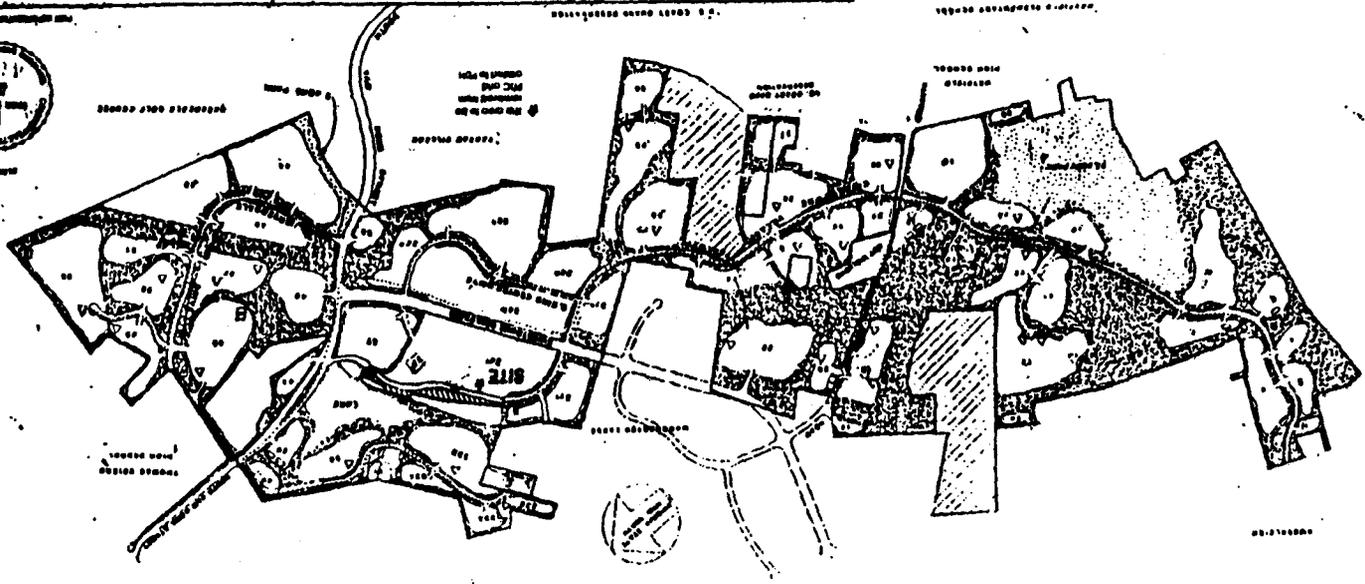
NO PART OF THESE PLANS SHALL BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT.

NO.	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL
1	Excavation	100	cu yd	1.50	150.00
2	Foundation	200	sq ft	2.00	400.00
3	Concrete	500	cu yd	3.00	1500.00
4	Reinforcing Steel	100	lbs	0.10	10.00
5	Formwork	100	sq ft	1.00	100.00
6	Brickwork	100	sq ft	2.50	250.00
7	Plaster	100	sq ft	1.50	150.00
8	Paint	100	sq ft	0.50	50.00
9	Roofing	100	sq ft	1.00	100.00
10	Interior Finishes	100	sq ft	1.00	100.00
11	Electrical	100	sq ft	1.00	100.00
12	Plumbing	100	sq ft	1.00	100.00
13	Mechanical	100	sq ft	1.00	100.00
14	Landscaping	100	sq ft	1.00	100.00
15	Site Work	100	sq ft	1.00	100.00
16	Permits	1	set	100.00	100.00
17	Professional Fees	1	set	100.00	100.00
18	Contingency	10	percent	10.00	10.00
19	Subtotal				3000.00
20	Tax				300.00
21	Total				3300.00

NOTES:
 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 2. FINISH GRADE TO BE DETERMINED BY SURVEYOR.
 3. SEE SPECIFICATIONS FOR MATERIALS AND METHODS OF CONSTRUCTION.
 4. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
 5. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT.

KINGSTOWNE

PLANNING AND ARCHITECTURE



OWNER / DEVELOPER
 GENERAL DEVELOPMENT COMPANY, INC.
 1000 1ST ST. N.W.
 WASHINGTON, D.C. 20004

- LEGEND
- INDICATES PROPOSED BUILDING FOOTPRINT
 - INDICATES PROPOSED DRIVE
 - INDICATES PROPOSED SIDEWALK
 - INDICATES PROPOSED TRAIL SYSTEM
 - INDICATES PROPOSED OPEN SPACE
 - INDICATES PROPOSED EXISTING DRIVE

PROJECT: CONDITION AGREEMENT
KINGSTOWNE (PH-4) OPEN SPACE PARCEL

PLANNING AND ARCHITECTS
KINGSTOWNE
 CORPORATION OF VIRGINIA
 PLANNERS



APPLICATION AREA

THIS AREA NOT PART OF APPLICATION

ENTIRE PDC ZONE TABULATIONS:	
PDC ZONE AREA: (1)	4,242,777 sq ft (97.54 Ac)
(LESS) APPLICATION AREA:	100,700 sq ft (2.30 Ac)
NEW PDC ZONE AREA:	4,082,777 sq ft (93.08 Ac)
OPEN SPACE REQUIRED (10% OF NEW PDC)	408,278 sq ft (9.30 Ac)
OPEN SPACE PROVIDED (10.2% OF NEW PDC)	417,116 sq ft (9.54 Ac)
ADJUSTED PDC ZONE TABULATIONS:	
NEW PDC ZONE AREA:	4,082,777 sq ft (93.08 Ac)
(LESS) ADDITIONAL VILLAGE PARKWAY INFRASTRUCTURE (12)	202,190 sq ft (4.64 Ac)
(LESS) ADDITIONAL OFFICERS (13)	1,900 sq ft (0.04 Ac)
ADJUSTED PDC ZONE AREA:	3,780,577 sq ft (86.40 Ac)
OPEN SPACE REQUIRED (10% OF ADJUSTED PDC)	378,058 sq ft (8.64 Ac)
OPEN SPACE PROVIDED (10.2% OF ADJUSTED PDC)	386,420 sq ft (8.83 Ac)
	SHALL AS ABOVE

(1) PER PREVIOUSLY APPROVED PCA/FDPA BY RESOLUTION # 2008-12-0005
 (2) PER PREVIOUSLY APPROVED PCA/FDPA
 (3) PER 10-101 (ENFORCED) MAY 12, 2005
 NOTE: TABULATIONS ARE BASED ON PREVIOUS APPROVED PLANS AND MAY NOT NECESSARILY REFLECT ACTUAL FIELD CONDITIONS

FOR INFORMATION PURPOSES ONLY

PCA/FDPA
(OPEN SPACE PARCEL)

KINGSTOWNE TOWNE CENTRE

BC Consultants
 1000 West 10th Street, Suite 100, Parkville, VA 22003
 (703) 444-4100 (Fax)
 www.bcconsultants.com

DATE: 08/11/2011	SCALE: AS SHOWN
CHECKED BY: JLD	DRAWN BY: CMC
DESIGNED BY: JLD	PROJECT NO: 11-001
DATE: 08/11/2011	SHEET NO: 3 OF 3

SITE TABULATIONS:

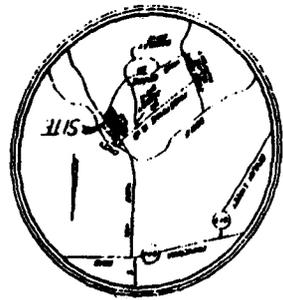
NO.	DESCRIPTION	AMOUNT	UNIT
1	Site Area	1,000,000	SQ. FT.
2	Impervious Area	150,000	SQ. FT.
3	Permeable Area	850,000	SQ. FT.
4	Runoff Coefficient	0.45	-
5	Peak Runoff (100 Year)	1.5	CFS
6	Peak Runoff (2 Year)	0.5	CFS
7	Peak Runoff (1 Year)	0.3	CFS
8	Peak Runoff (0.5 Year)	0.2	CFS
9	Peak Runoff (0.2 Year)	0.1	CFS
10	Peak Runoff (0.1 Year)	0.05	CFS

GENERAL NOTES:

1. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND STATE AGENCIES.
2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND STATE AGENCIES.
3. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND STATE AGENCIES.
4. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND STATE AGENCIES.
5. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND STATE AGENCIES.
6. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND STATE AGENCIES.
7. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND STATE AGENCIES.
8. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND STATE AGENCIES.
9. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND STATE AGENCIES.
10. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND STATE AGENCIES.

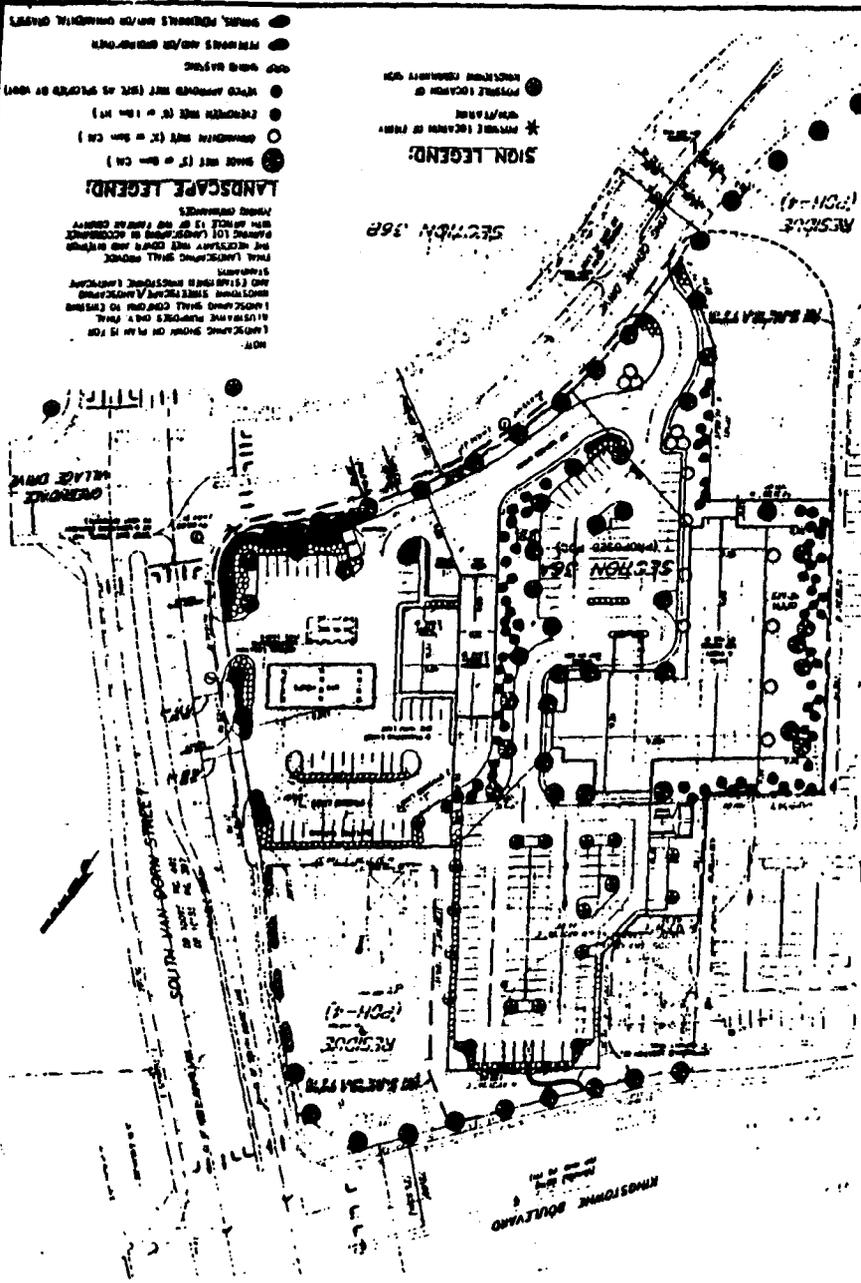
18-502 COMMENTS:

1. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND STATE AGENCIES.
2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND STATE AGENCIES.
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4. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND STATE AGENCIES.
5. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND STATE AGENCIES.
6. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND STATE AGENCIES.
7. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND STATE AGENCIES.
8. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND STATE AGENCIES.
9. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND STATE AGENCIES.
10. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND STATE AGENCIES.



CURVE TABLE

NO.	START STATION	END STATION	LENGTH (FT.)	RADIUS (FT.)	CHORD BEARING	CHORD LENGTH (FT.)	PIECEWISE BEARING	PIECEWISE LENGTH (FT.)
1	10+00	10+50	50	100	N 0° 00' 00" E	50.00	N 0° 00' 00" E	50.00
2	10+50	11+00	50	100	N 45° 00' 00" E	35.36	N 45° 00' 00" E	35.36
3	11+00	11+50	50	100	N 0° 00' 00" E	50.00	N 0° 00' 00" E	50.00
4	11+50	12+00	50	100	N 45° 00' 00" E	35.36	N 45° 00' 00" E	35.36
5	12+00	12+50	50	100	N 0° 00' 00" E	50.00	N 0° 00' 00" E	50.00



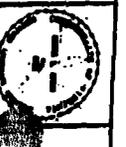
SIGN LEGEND:

- POSSIBLE LOCATION OF SIGN
- * PROPOSED LOCATION OF SIGN
- SIGN NOT TO BE PLACED AT THIS LOCATION
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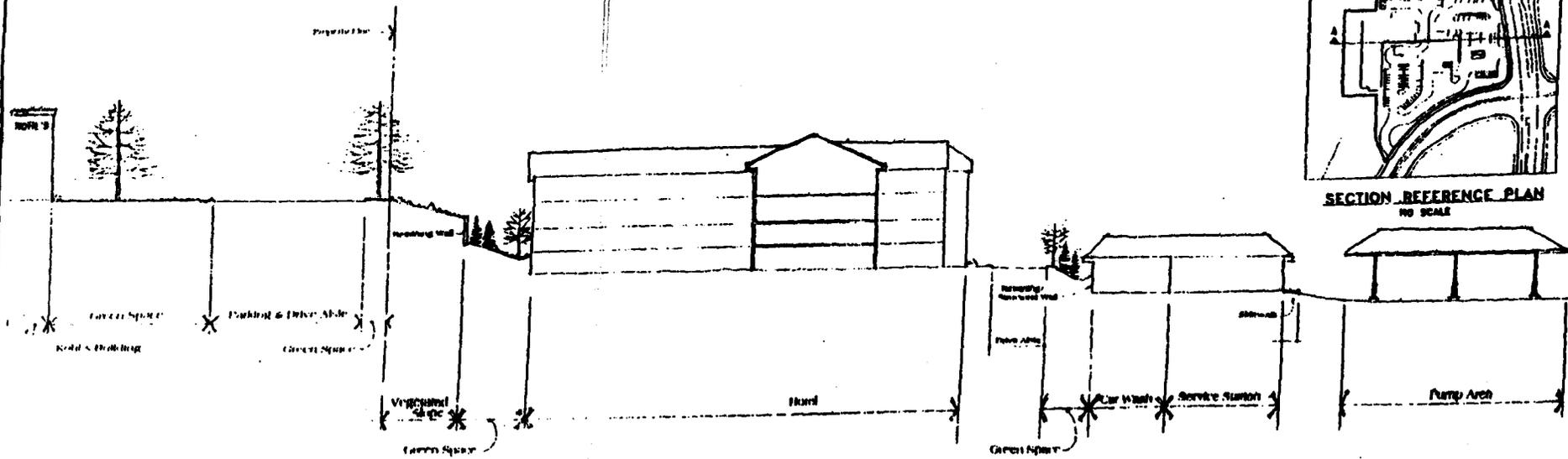
LANDSCAPE LEGEND:

- PLANTING POINTS AND/OR PLANTING POINTS

CONCEPTUAL/FINAL DEVELOPMENT PLAN
KINGSTONE SECTION 36A

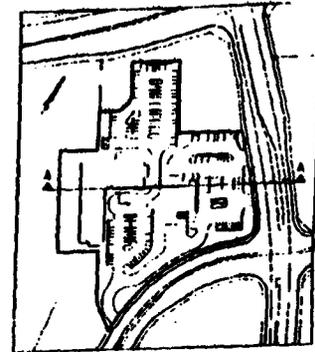


BC Consultants
 1700 West Broadway, Suite 100, Vancouver, BC V6J 1G8
 (604) 681-1100 (Toll-Free: 1-800-467-1100)

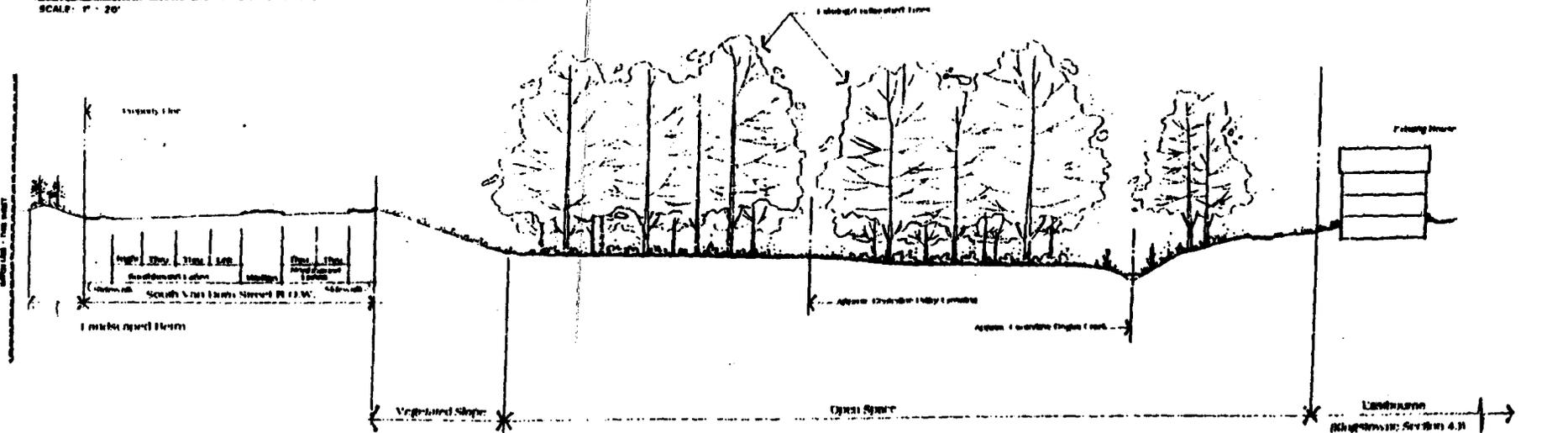


SECTION A - A

SCALE: 1" = 20'



SECTION REFERENCE PLAN
NO SCALE



SECTION A - A (CONTINUED)

SCALE: 1" = 20'

BC Consultants
 10000 Lakeshore Drive, Suite 100, Fairfax, VA 22031
 (703) 441-1100 (Fax) (703) 441-1101 (Cell)



SECTIONS
KIN TOWNE SECTION 36A

DESIGNED BY: JED
DRAWN BY: JED
CHECKED BY: JED
DATE: 10/15/03
SCALE: 1/8" = 1'-0"
SHEET 3 OF 5
FILE NO: 03-0000-01
DATE: 10/15/03

THIS SHEET FOR ILLUSTRATIVE PURPOSES ONLY



County of Fairfax, Virginia

MEMORANDUM

DATE: August 9, 2009

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

FROM: Pamela G. Nee, Chief *PGN*
Environment and Development Review Branch, DPZ

SUBJECT: Environmental Assessment: PCA C-448-32/FDPA C-448-10-03;
RZ/FDP 2009-LE-008; RZ/FDP 2009-LE-009
Kingstowne Gas Station, LP

This memorandum, prepared by Mary Ann Welton, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the subject rezoning application for this property and the revised development plan, dated January 29, 2009. The extent to which the application conforms to the applicable guidance contained in the Comprehensive Plan is noted.

COMPREHENSIVE PLAN CITATIONS:

The Comprehensive Plan is the basis for the evaluation of this application. The assessment of the proposal for conformity with the land use and environmental recommendations of the Comprehensive Plan is guided by the following citations from the Plan:

The Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through February 25, 2008, page 7, states:

- “Objective 2:** Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County.
- Policy a. Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment complies with the County’s best management practice (BMP) requirements. . . .
- Policy k. For new development and redevelopment, apply better site design and low impact development (LID) techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new

development and redevelopment projects may have on the County's streams, some or all of the following practices should be considered where not in conflict with land use compatibility objectives:

- Minimize the amount of impervious surface created.
- Site buildings to minimize impervious cover associated with driveways and parking areas and to encourage tree preservation. . . ."

The Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through February 25, 2008, page 10, states:

“Objective 3: Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.

Policy a. Ensure that new development and redevelopment complies with the County's Chesapeake Bay Preservation Ordinance”

The Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through February 25, 2008, page 16, states:

“Objective 10: Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.

Policy a: Protect or restore the maximum amount of tree cover on developed and developing sites consistent with planned land use and good silvicultural practices. . . .”

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through February 25, 2008, on pages 17-19, the Plan states:

“Objective 13: Design and construct buildings and associated landscapes to use energy and water resources efficiently and to minimize short- and long-term negative impacts on the environment and building occupants.

Policy a. Consistent with other Policy Plan objectives, encourage the application of energy conservation, water conservation and other green building practices in the design and construction of new

development and redevelopment projects. These practices can include, but are not limited to:

- Environmentally-sensitive siting and construction of development
- Application of low impact development practices, including minimization of impervious cover (See Policy k under Objective 2 of this section of the *Policy Plan*)
- Optimization of energy performance of structures/energy-efficient design
- Use of renewable energy resources
- Use of energy efficient appliances, heating/cooling systems, lighting and/or other products
- Application of water conservation techniques such as water efficient landscaping and innovative wastewater technologies
- Reuse of existing building materials for redevelopment projects
- Recycling/salvage of non-hazardous construction, demolition, and land clearing debris
- Use of recycled and rapidly renewable building materials
- Use of building materials and products that originate from nearby sources
- Reduction of potential indoor air quality problems through measures such as increased ventilation, indoor air testing and use of low-emitting adhesives, sealants, paints/coatings, carpeting and other building materials.

Encourage commitments to implementation of green building practices through certification under established green building rating systems (e.g., the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED®) program or other comparable programs with third party certification). Encourage commitments to the attainment of the ENERGY STAR® rating where applicable and to ENERGY STAR qualification for homes. Encourage the inclusion of professionals with green building accreditation on development teams. Encourage commitments to the provision of information to owners of buildings with green building/energy efficiency measures that identifies both the benefits of these measures and their associated maintenance needs.

Policy b. Ensure that zoning proposals for nonresidential development and zoning proposals for multifamily residential development of four or more stories within the Tysons Corner Urban Center, Suburban Centers, Community Business Centers and Transit Station Areas as identified on the Concept Map for Future Development incorporate green building practices sufficient to attain certification through the LEED program or its equivalent, where applicable, where these zoning proposals seek at least one of the following:

- Development in accordance with Comprehensive Plan Options;
- Development involving a change in use from what would be allowed as a permitted use under existing zoning;
- Development at the Overlay Level; or
- Development at the high end of planned density/intensity ranges. For nonresidential development, consider the upper 40% of the range between by-right development potential and the maximum Plan intensity to constitute the high end of the range. . . .

Policy d. Promote implementation of green building practices by encouraging commitments to monetary contributions in support of the county's environmental initiatives, with such contributions to be refunded upon demonstration of attainment of certification under the applicable LEED rating system or equivalent rating system.

Policy e. Encourage energy conservation through the provision of measures which support nonmotorized transportation, such as the provision of showers and lockers for employees and the provision of bicycle parking facilities for employment, retail and multifamily residential uses."

ENVIRONMENTAL ANALYSIS:

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed land use. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Particular emphasis is given to

opportunities provided by this application to conserve the County's remaining natural amenities.

Stormwater Management/Water Quality Protection: The subject property falls within the Dogue Creek watershed. The stormwater management narrative indicates that water quality and quantity control requirements for this site are accommodated by the Kingstowne Lake as well as by Regional Pond DC106. The narrative further describes that the site drains to the Dogue Creek floodplain and that the outfall for the site is adequate.

The applicant is encouraged to consider the use of appropriate onsite infiltration facilities or other low impact development techniques to augment the existing stormwater management measures. The adequacy of any proposed stormwater management/best management practice facility and outfall will be subject to review and approval by the Department of Public Works and Environmental Services (DPWES).

Tree Preservation: The subject property is currently barren of vegetation. The development plan depicts landscaping along the periphery of the site as well as within small landscape islands within the surface parking areas. The applicant is encouraged to look for additional opportunities to augment the amount of landscaping which is shown on sheet 3 of the development plan, such as longer landscaping islands within the parking areas. Such features could be designed to provide a water quality control benefit as well as enhance the appearance of the site.

Green Building: The Policy Plan includes guidance in support of the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. The applicant is seeking a change in use from hotel to office on a site located in the Kingstowne Community Business Center. The Policy Plan recommends that developments which are seeking changes in use and are located in designated areas, such as the Kingstowne Community Business Center, attain basic Leadership in Energy and Environmental Design (LEED) certification through the U.S. Green Building Council or other comparable program with third party certification at a minimum.

The new office building should incorporate green building practices sufficient to attain basic LEED certification under the U.S. Green Building Council program. In support of attainment of LEED certification, the applicant is encouraged to:

- Retain a LEED AP who is a professional engineer or architect licensed to practice in the Commonwealth of Virginia and will be a part of the project's design and construction team.
- Prior to approval of the site plan for the project, execute a separate agreement and post, a "green building escrow," in the form of cash or a letter of credit from a financial institute acceptable to DPWES as defined in the Public

Facilities Manual, in the amount of \$227,000 for the project. The provision of documentation from the U.S. Green Building Council that the project has attained LEED certification to the Environment and Development Review Branch of DPZ will be sufficient to satisfy this commitment. If the applicant fails to provide documentation to the Environment and Development Review Branch of DPZ demonstrating attainment of LEED certification within one year of issuance of the non-Residential Use Permit (non-RUP) for the project, the escrow will be released to Fairfax County and will be posted to a fund within the County budget supporting implementation of County environmental initiatives.

- Include a list of specific credits within the most current version of a LEED rating system as part of the site plan and building plan submission; and
- Retain a professional engineer or architect licensed to practice in the Commonwealth of Virginia who will provide certification statements both at the time of site plan and building plan reviews confirming that the items on the list will meet at least the minimum number of points necessary to attain LEED certification of the project.

In order to ensure the long term viability of the green building measures, the applicant is encouraged to retain a LEED AP who will prepare a green buildings user's manual. The user's manual at a minimum should:

- Provide a narrative description of each green building component, including a description of the environmental benefits of that component and including information regarding the importance of maintenance and operation in retaining the attributes of a green building;
- Provide, where applicable, product manufacturer's manuals or other instructions regarding operations and maintenance needs for each green building component, including operational practices that can enhance energy and water conservation;
- Provide, as applicable, either or both of the following: (1) a maintenance staff notification process for improperly functioning equipment; or (2) a list of local service providers that offer regularly scheduled service and maintenance contracts to assure proper performance of green building-related equipment and the structure, to include, where applicable, the HVAC system, water heating equipment, water conservation features, sealants, and caulks; and
- Provide contact information that the building owner can use to obtain further guidance on each green building component.

Prior to occupancy, the applicant should provide an electronic copy of the manual in PDF format to the Environment and Development Review Branch of the Department of Planning and Zoning.

COUNTYWIDE TRAILS MAP:

The Countywide Trails Plan shows an on road bike lane along Van Dorn Street and a major paved trail, as defined as asphalt or concrete, eight feet or more in width along Kingstowne Boulevard in the vicinity of the subject property. The development plan shows an existing eight foot wide asphalt trail along Kingstowne Boulevard and four feet wide concrete walks along Van Dorn Street and King Centre Drive.

PGN: MAW



County of Fairfax, Virginia

MEMORANDUM

DATE: August 31, 2009

TO: Regina Coyle, Director
Zoning Evaluation Division

FROM: Angela Kadar Rodeheaver, Chief
Site Analysis Section
Department of Transportation

SUBJECT: Transportation Impact

FILE: 3-5 (RZ C-448; RZ 2009-LE-008; RZ 2009-LE-009)

REFERENCE: PCA C-448-32, FDPA C-448-10-03; FDP 2009-LE-008;
FDP 2009-LE-009; Kingstowne Gas Station L.P.
Traffic Zone: 1447
Land Identification: 91-2 ((1)) part of 26F

The following comments reflect the position of the Department of Transportation, and are based on the applicants statement of justification and proposed development plan dated October 30, 2008 with revisions to August 18, 2009; and Determination of Compliance letter dated February 13, 2009. No draft proffers have been received for the proposed proffered condition amendment.

Based on the statement of justification, the applicant is requesting to modify the service station/mini-mart/car wash to a service station/quick service food store/car wash. This requested change is not anticipated to significantly increase trip generation at the site. Any unfulfilled transportation related proffers should be carried forward with the requested proffered condition amendment.

The second request is to eliminate the approved but as yet not constructed 87,760gsf hotel and to construct a 113,500gsf office building which could include up to 10,000gsf of ancillary retail space. Because of the reasons identified below, this department can not support approval of the application, but would not object to approval if these issues are adequately addressed.

The applicant's "Determination of Compliance" regarding VDOT "527" requirements for transportation impact analyses was based on specific use and square footage limitations which established trip generation rates just below the study thresholds. The applicant has not committed

Regina Coyle, Director
Zoning Evaluation Division
August 31, 2009
PCA C-448-32, FDPA C-448-10-03; FDP 2009-LE-008;
FDP 2009-LE-009; Kingstowne Gas Station L.P.
Page 2 of 2

to limit trips as identified in this determination. In addition, VDOT staff have indicated that the proposed new access point from Kingstowne Blvd is not acceptable unless a deceleration lane is provided for the proposed entrance. The most recent submission does not include a deceleration lane.

Note that it would be desirable for the applicant to also commit to provide the necessary easements and construct a pad large enough to accommodate an advertising bus shelter; or commit to provide and maintain a shelter on the King Center Drive side of the site. Related paved surface to accommodate access between the shelter and the boarding of busses should also be provided.

AKR/CAA

Michelle Brickner, Director, Office of Site Development Services, Department of Public Works and Environmental Services.



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)

VID S. EKERN, P.E.
COMMISSIONER

May 11, 2009

Ms. Regina Coyle
Director of Zoning Evaluation
Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5511

Re: PCA -C-448-32/FDPA -C-448-10-03, Kingstowne Section 36A
Tax Map No.: 091-2 /01/ /0026H pt

Dear Ms. Coyle,

This office has reviewed the proffered condition amendment plan relative to the above-referenced applications and offers the following comments.

The proposed right in only along Kingstowne Boulevard should be shown with a taper. The entrance should be designed with the width in accordance with one way travel.

Sincerely,

A handwritten signature in black ink, appearing to read "Noreen H. Maloney".

Noreen H. Maloney
Transportation Engineer

cc: Ms. A. Rodeheaver



County of Fairfax, Virginia

MEMORANDUM

DATE: June 1, 2009

TO: St. Clair Williams, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Beth Forbes, Stormwater Engineer
Environmental and Site Review Division
Department of Public Works and Environmental Services

SUBJECT: Proffered Condition Amendment & Final Development Plan Amendment
Application Nos. PCA C-448-32 & FDPA C-448-10-03, Kingstowne Gas
Station LP, Plat dated January 29, 2009, LDS Project #6105-ZONA-004-1,
Tax Map #91-2-01-0026F, Lee District

We have reviewed the subject application and offer the following comments:

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on this site.

Floodplain

There are no regulated floodplains on the property.

Downstream Drainage Complaints

There are no downstream drainage complaints on file.

Stormwater Management

Water quality and quantity controls will be provided by a regional dry pond.

Site Outfall

An overview of the adequate outfall requirements has been provided.

Please contact me at 703-324-1720 if you have any questions or require additional information.

BF/

cc: Craig Carinci, Director, Stormwater Planning Division
Jeremiah Stonefield, Chief, Stormwater & Geotechnical Section, ESRD, DPWES
Zoning Application File

Department of Public Works and Environmental Services
Land Development Services, Environmental and Site Review Division
12055 Government Center Parkway, Suite 535
Fairfax, Virginia 22035-5503
Phone 703-324-1720 • TTY 711 • FAX 703-324-8359





County of Fairfax, Virginia

MEMORANDUM

May 8, 2009

TO: St. Clair Williams, Staff Coordinator
Department of Planning and Zoning, Zoning Evaluation Division

FROM: Ineke Dickman, Urban Forester II *AD*
Forest Conservation Branch, DPWES

SUBJECT: Kingstowne Section 36A, PCA C-448-32/FDPA C-448-10-03
RZ/FDP 2009-LE

Urban Forest Management Division has reviewed the above referenced request to amend the PCA and to rezone a small section of parcel 91-2((1)) 26 F from PDC to PDH-4.

Site Description: The site contains a recently built and completed gas station and associated landscaping. The remainder of the site is undeveloped and was cleared when the gas station was built. Some shrubs and invasive vines and other early successional stage vegetation is growing on a small section of the site.

- Comment:** The new Public Facilities Manual (PFM) requirements for tree conservation, Section 12, and Chapter 122 of the Fairfax County Code that became effective on January 1, 2009 have not been addressed in this application. In general, proffered conditions, approved development plans, special exception plats, and special permit plats approved prior to January 1, 2009, have been grandfathered by the Board of Supervisors. However, any proffered conditions, development plans, special exception plats, and special permit plats submitted after January 1, 2009, or any proffered conditions, development plans, special exception plats, and special permit plats submitted prior to January 1, 2009, but not approved prior to January 1, 2009, must meet the new Section 12 requirements. Since this amendment of the PCA and rezoning request was submitted after January 1, 2009 it is not grandfathered and is subject to the new PFM and Zoning Ordinance requirements.

Recommendation: In cases of this nature, where there is little or no existing vegetation on site, the Board of Supervisors may direct staff from the Urban Forest Management Division (UFMD) to modify the required Tree Conservation Plan elements of the Public Facilities Manual (PFM) and Chapter 122 of the Fairfax County Code, to that shown on the PCA and FDP layout. Furthermore, the Board may direct staff from UFMD to waive the Provisional Tree Conservation Plan Elements including the Tree Inventory and Condition Analysis (PFM 12-0502.1A) for this site.

Department of Public Works and Environmental Services
Land Development Services, Urban Forest Management Division
12055 Government Center Parkway, Suite 518
Fairfax, Virginia 22035-5503
Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769
www.fairfaxcounty.gov/dpwes



May 6, 2009

Page 2 of 2

- 2. Comment:** The landscaping plan is very general and it is not clear how tree cover will be met on the project site. A note on the plan states that final landscaping shall provide the necessary tree cover and interior parking lot landscaping in accordance with Article 13 of the Zoning Ordinance. Tree Cover requirements are no longer covered in Article 13 of the Zoning ordinance but are now covered in Article 2 of Chapter 122 of the Code of the County of Fairfax.

Recommendation: Provide a landscape plan that displays the as built for the gas station, as well as proposed vegetation for the office building, and provide tree cover in conformance with Chapter 122 of the Code of Fairfax County and tree cover calculations in conformance with Section 12 of the PFM. At a minimum provide a plant schedule specifying Categories of trees, with the number, sizes and sf tree canopy cover and total tree canopy cover. Also provide calculations showing how tree cover requirements, peripheral and interior parking lot landscaping requirements will be met.

Please let me know if you have any questions.

AID

UFMID #: 145301





County of Fairfax, Virginia

MEMORANDUM

DATE: April 17, 2009

TO: Regina Coyle, Director
Zoning Evaluation Division
Office of Comprehensive Planning

FROM: Eric Fisher (246-3501)
Information Technology Section
Fire and Rescue Department

SUBJECT: Fire and Rescue Department Preliminary Analysis of Proffered Condition Amendment/Final Development Plan Amendment PCA C-448-32/FDPA C-448-10-03 concurrent with Rezoning Application/Final Development Plan RZ/FDP 2009-LE-008 and RZ/FDP 2009-LE-009

The following information is submitted in response to your request for a preliminary Fire and Rescue Department analysis for the subject:

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #405, Franconia
2. After construction programmed _____ this property will be serviced by the fire station _____
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
 - a. currently meets fire protection guidelines.
 - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
 - c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
 - d. does not meet current fire protection guidelines without an additional facility. The application property is _____ of a mile outside the fire protection guidelines. No new facility is currently planned for this area.

Proudly Protecting and
Serving Our Community

Fire and Rescue Department
4100 Chain Bridge Road
Fairfax, VA 22030
703-246-2126
www.fairfaxcounty.gov





FAIRFAX COUNTY PARK AUTHORITY



M E M O R A N D U M

TO: Regina M. Coyle, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Sandy Stallman, Manager 
Park Planning Branch, PDD

DATE: May 14, 2009

SUBJECT: PCA C-488-32, C/W RZ/FDP 2009-LE-008, & 009, Kingstowne Gas Station
Tax Map Number: 91-2((1)) 26F & H

The Park Authority staff has reviewed the above referenced plan. Based on that review, staff has determined that this application bears no adverse impact on land or resources of the Park Authority.

FCPA Reviewer: Andy Galusha
DPZ Coordinator: Suzanne Lin

Copy: Cindy Walsh, Director, Resource Management Division
Chron Binder
File Copy

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Staff Coordinator DATE: July 13, 2009
 Zoning Evaluation Division, OCP

FROM: Gilbert Osei-Kwadwo (Tel: 324-5025) *gsk*
 Wastewater Planning and Monitoring Division
 DPW&ES

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. PCA C-448-32/FDPA448-10-03 CONC. /W
 RZ/FDP 200-LE-008 AND RZ/FDP 2009-LE-009

Tax Map No. 091-2-/01/ /0026F pt. and 0026H pt.

The following information is submitted in response to your request for a sanitary sewer analysis for above referenced application:

1. The application property is located in the Dogue Creek (L) watershed. It would be sewered into the Noman M. Cole, Jr. Pollution Control Plant.
2. Based upon current and committed flow, there is excess capacity in the Lower Potomac Pollution Control Plant at this time. For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
3. An existing 8 inch line located in an easement and on the property is adequate for the proposed use at this time.
4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

Sewer Network	Existing Use + Application		Existing Use + Application Previous Rezonings		Existing Use + Application + Comp Plan	
	Adeq.	Inadeq.	Adeq.	Inadeq.	Adeq.	Inadeq.
Collector	X		X		X	
Submain	X		X		X	
Main/Trunk	X		X		X	
Interceptor						
Outfall						

5. Other pertinent information or comments:

Fairfax Water

FAIRFAX COUNTY WATER AUTHORITY
8560 Arlington Boulevard, Fairfax, Virginia 22031
www.fairfaxwater.org

PLANNING & ENGINEERING
DIVISION
Bein Hedges, P.E.
or
289-6325
(703) 289-6382

April 15, 2009

Ms. Regina Coyle, Director
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

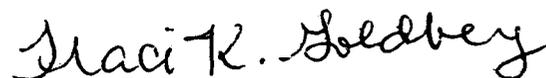
Re: RZ 2009-LE-009
FDP 2009-LE-009

Dear Ms. Coyle:

1. The property is served by Fairfax Water.
2. Adequate domestic water service is available at the site from an existing 8-inch water main located at the property. See the enclosed water system map. The Generalized Development Plan has been forwarded to Plan Control for distribution to the Engineering Firm.
3. Depending upon the configuration of the on-site water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

If you have any questions regarding this information please contact Dave Guerra at (703) 289-6343.

Sincerely,



Traci K. Goldberg, P.E.
Manager, Planning Department

Enclosure

PART 1 16-100 STANDARDS FOR ALL PLANNED DEVELOPMENTS

16-101 General Standards

A rezoning application or development plan amendment application may only be approved for a planned development under the provisions of Article 6 if the planned development satisfies the following general standards:

1. The planned development shall substantially conform to the adopted comprehensive plan with respect to type, character, intensity of use and public facilities. Planned developments shall not exceed the density or intensity permitted by the adopted comprehensive plan, except as expressly permitted under the applicable density or intensity bonus provisions.
2. The planned development shall be of such design that it will result in a development achieving the stated purpose and intent of the planned development district more than would development under a conventional zoning district.
3. The planned development shall efficiently utilize the available land, and shall protect and preserve to the extent possible all scenic assets and natural features such as trees, streams and topographic features.
4. The planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede development of surrounding undeveloped properties in accordance with the adopted comprehensive plan.
5. The planned development shall be located in an area in which transportation, police and fire protection, other public facilities and public utilities, including sewerage, are or will be available and adequate for the uses proposed; provided, however, that the applicant may make provision for such facilities or utilities which are not presently available.
6. The planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development.

16-102 Design Standards

Whereas it is the intent to allow flexibility in the design of all planned developments, it is deemed necessary to establish design standards by which to review rezoning applications, development plans, conceptual development plans, final development plans, PRC plans, site plans and subdivision plats. Therefore, the following design standards shall apply:

1. In order to complement development on adjacent properties, at all peripheral boundaries of the planned development district, the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning district which most closely characterizes the particular type of development under consideration.

2. Other than those regulations specifically set forth in Article 6 for a particular P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments.

3. Streets and driveways shall be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities.

6-206 Use Limitations

1. All development shall conform to the standards set forth in Part 1 of Article 16.
2. All uses shall comply with the performance standards set forth in Article 14.
3. When a use presented in Sect. 203 above as a Group or Category use is being considered for approval on a final development plan, the standards set forth in Articles 8 or 9 shall be used as a guide.

When a use presented in Sect. 203 above as a Group or Category use is being considered for approval as a special exception use, pursuant to Sect. 205 above, the use shall be subject to the provisions of Article 9 and the special permit standards of Article 8, if applicable. Provided that such use is in substantial conformance with the approved conceptual development plan and any imposed development conditions or proffered conditions and is not specifically precluded by the approved final development plan, no final development plan amendment shall be required.

In either of the above, all Category 3 medical care facility uses shall be subject to the review procedures presented in Part 3 of Article 9.

4. All uses permitted pursuant to the approval of a final development plan shall be in substantial conformance with the approved final development plan as provided for in Sect. 16-403.
5. Secondary uses shall be permitted only in a PDC District which contains one or more principal uses. Unless modified by the Board in conjunction with the approval of a conceptual development plan in order for further implementation of the adopted comprehensive plan, the gross floor area devoted to dwellings as a secondary use shall not exceed fifty (50) percent of the gross floor area of all principal uses in the development, except that the floor area for affordable and market rate dwelling units which comprise the increased density pursuant to Part 8 of Article 2 shall be excluded from this limitation. The gross floor area of all other secondary uses shall not exceed twenty-five (25) percent of the gross floor area of all principal uses in the development.

The floor area for dwellings shall be determined in accordance with the gross floor area definition except the following features shall not be deemed gross floor area: balconies, porches, decks, breezeways, stoops and stairs which may be roofed but which have at least one open side; or breezeways which may be roofed but which have two (2) open ends. An open side or open end shall have no more than fifty (50) percent of the total area between the side(s), roof and floor enclosed with railings, walls, or architectural features.

6. Secondary uses shall be designed so as to maintain and protect the character of adjacent properties, and shall be conducted entirely within an enclosed building, with no outside display, except those uses which by their nature must be conducted outside a building.

7. Service stations, service station/mini-marts and vehicle light service establishments shall be permitted only under the following conditions:

A. Located in a commercial center consisting of not less than three (3) commercial establishments, such commercial establishments to be other than automobile-related.

B. There shall be no vehicle or tool rental and no outdoor storage or display of goods offered for sale, except for the outdoor storage or display of goods permitted at a service station or service station/mini-mart. In addition, no more than two (2) vehicles that are wrecked, inoperable or abandoned may be temporarily stored outdoors for a period in excess of seventy-two (72) hours, and in no event shall any one such vehicle be stored outdoors for a period exceeding seventy-two (72) hours.

8. Signs shall be permitted only in accordance with the provisions of Article 12, and off-street parking and loading facilities and private streets shall be provided in conformance with the provisions of Article 11.

9. Notwithstanding the provisions of Par. 5 and 6 above, housing for the elderly as a secondary use need not be designed to serve primarily the needs of the residents and occupants of the planned development in which located but shall be designed so as to maintain and protect the character of adjacent properties. The gross floor area devoted to housing for the elderly as a secondary use shall not exceed fifty (50) percent of the gross floor area of all uses in the development.

10. Fast food restaurants shall be permitted only in accordance with the following:

A. Fast food restaurants may be permitted as a secondary use when shown on an approved final development plan, and provided such use is located in a nonresidential structure containing at least one (1) other permitted principal or secondary use, in accordance with the following:

(1) Such fast food restaurants shall be oriented to cater primarily to occupants and/or employees in the structure in which located, or of that structure and adjacent structures in the same building complex which are accessible via a clearly designated pedestrian circulation system; and

(2) Such use(s) shall comprise not more than fifteen (15) percent of the gross floor area of the structure.

B. Fast food restaurants not permitted under the provisions of Par. A above may be permitted as a secondary use by special exception, in accordance with the following:

(1) The structure containing the fast food restaurant shall be designed as an integral component of a building complex, and shall be reviewed for compatibility with the approved PDC development; and

(2) The fast food restaurant shall be safely and conveniently accessible from surrounding uses via a clearly defined pedestrian circulation system which minimizes points of conflict between vehicular and pedestrian traffic. Pedestrian ways shall be prominently identified through design features such as, but not limited to, the use of special pavement treatments for walkways and crosswalks, and/or the use of consistent and distinctive landscaping. Vehicular access to the use shall be provided via the internal circulation system of the building complex, and no separate entrance to the use shall be permitted from any thoroughfare intended to carry through traffic.

11. Kennels and veterinary hospitals shall be located within a completely enclosed building which is adequately soundproofed and constructed so that there will be no emission of odor or noise detrimental to other property in the area. In addition, the Health Department shall approve the construction and operation of all veterinary hospitals prior to issuance of any Building Permit or Non-Residential Use Permit.

12. Drive-through pharmacies shall be permitted only on a lot which is designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation and parking. Adequate parking and stacking spaces for the use shall be provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the lot. In addition, signs shall be required to be posted in the vicinity of the stacking area stating the limitations on the use of the window service and/or drive-through lane. Such signs shall not exceed two (2) square feet in area or be located closer than five (5) feet to any lot line.

13. Vehicle transportation service establishments shall be permitted in accordance with the following:

A. The total number of company vehicles permitted on site at any given time shall not exceed five (5).

B. There shall be no maintenance or refueling of vehicles on site.

C. Notwithstanding the provisions of Par. 15 of the Transitional Screening and Barrier Matrix, the use shall be subject to the provisions of Par. 9 of the Matrix.

14. New vehicle storage shall be permitted by right in accordance with the following:

A. When located within a parking structure that is accessory to another use(s), and provided that the spaces devoted to new vehicle storage are in excess of the minimum number of off-street parking spaces required in accordance with Article 11 for the use(s) to which the structure is accessory. The owner shall submit a parking tabulation in accordance with Article 17 that demonstrates that such excess parking spaces are available for new vehicle storage.

B. The layout of the new vehicle storage shall not hinder the internal vehicle circulation within the parking structure, and there shall be no mechanical parking lift devices or fencing associated with the new vehicle storage.

C. There shall be no signs identifying the use and/or the associated vehicle, sale, rental and ancillary service establishment.

D. Notwithstanding the provisions of Article 13, transitional screening shall not be required.

15. A mini-warehousing establishment shall only be permitted when specifically identified on an approved development plan or in accordance with Sect. 205 above and only in accordance with the following:

A. Loading and unloading areas shall be located, screened and/or fully enclosed as required to minimize the potential for adverse impacts on adjacent property. All other activities associated with the use shall be conducted completely indoors in a multiple story structure.

B. The design of the storage structure shall be office-like in appearance and harmonious in color and design with that of the surrounding development so to minimize any adverse visual impact.

C. No individual storage bay door or storage items shall be visible from the outside of the storage structure.

D. The site shall be designed to facilitate safe and efficient on-site circulation and parking.

E. Signage shall be in scale and harmony with the surrounding development so not to detract from the character of the area.

F. There shall be no incidental parking or storage of trucks, trailers, and/or moving vans except for purposes of loading and unloading. There shall be no truck, trailer, and/or van rentals conducted from the site.

6-207 Lot Size Requirements

1. Minimum district size: No land shall be classified in the PDC District unless the Board finds that the proposed development meets at least one (1) of the following conditions:

A. The proposed development will yield a minimum of 100,000 square feet of gross floor area.

B. The proposed development will be a logical extension of an existing P District, in which case it must yield a minimum of 40,000 square feet of gross floor area.

C. The proposed development is located within an area designated as a Community Business Center in the adopted comprehensive plan or is in a Commercial Revitalization District and a final development plan is submitted and approved concurrently with the conceptual development plan for the proposed development. The conceptual and final development plan shall specify the uses and gross floor area for the proposed development and shall provide site and building designs that will complement existing and planned development by incorporating high standards of urban design, to include provision for any specific urban design plans for the area and for pedestrian movement and access.

2. Minimum lot area: No requirement for each use or building, provided that a privacy yard, having a minimum area of 200 square feet, shall be provided on each single family attached dwelling unit lot, unless waived by the Board in conjunction with the approval of a development plan.

3. Minimum lot width: No requirement for each use or building.

6-208 Bulk Regulations

1. Maximum building height: Controlled by the standards set forth in Part 1 of Article 16.

2. Minimum yard requirements: Controlled by the standards set forth in Part 1 of Article 16.

3. Maximum floor area ratio: 1.5, which may be increased by the Board, in its sole discretion, up to a maximum of 2.5 in accordance with and when the conceptual and final development plans include one or more of the following:

A. More open space than the minimum required by Sect. 209 below - Not more

than 2% for each additional 1% of the gross area provided in open space.

B. Unique design features and amenities within the planned development which require unusually high development costs and which achieve an especially attractive and desirable development, such as, but not limited to, terraces, sculpture, reflecting pools and fountains - As determined by the Board in each instance, but not to exceed 35%.

C. Below-surface off-street parking facilities - Not more than 5% for each 20% of the required number of parking spaces to be provided.

D. Above-surface off-street parking facilities within an enclosed building or structure - Not more than 3% for each 20% of the required number of parking spaces to be provided.

The maximum floor area ratio permitted by this Part shall exclude the floor area for affordable and bonus market rate dwelling units provided in accordance with Part 8 of Article 2 and the floor area for proffered bonus market rate units and/or bonus floor area, any of which is associated with the provision of workforce dwelling units, as applicable.

6-209 Open Space

1. 15% of the gross area shall be open space.

2. In a PDC development where dwelling units are proposed as a secondary use, as part of the open space to be provided in accordance with the provisions of Par. 1 above, there shall be a requirement to provide recreational facilities for the enjoyment of the residents of the dwelling units. The provision of such facilities shall be subject to the provisions of Sect. 16-404 and such requirement shall be based on a minimum expenditure of \$1500 per dwelling unit for such facilities and either:

A. The facilities shall be provided on-site by the developer in substantial conformance with the approved final development plan. In the administration of this provision, credit shall be considered where there is a plan to provide common recreational facilities for the residents of the dwelling units and the occupants of the principal uses, and/or

B. The Board may approve the provision of the facilities located on property which is not part of the subject PDC District.

Notwithstanding the above, in affordable dwelling unit developments, the requirement for a per dwelling unit expenditure shall not apply to affordable dwelling units.

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBa: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBa value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land parcel. Information such as topography, location and size of proposed structures, location of streets, trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for the public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, on request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site-specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

BAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable location for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 15-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers.

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross-Floor-Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		