



FAIRFAX COUNTY

OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

V I R G I N I A

Telephone: 703-324-3151
FAX: 703-324-3926
TTY: 703-324-3903

November 16, 2000

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

RE: Proffered Condition Amendment Number PCA 1998-SU-024
(Concurrent with SEA 98-Y-025)

Dear Ms. Byrd:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on October 30, 2000, approving Proffered Condition Amendment PCA 1998-SU-024 in the name of Centreville-Pickwick L.L.C., to amend the proffers for RZ 1998-SU-024 to permit a drive-through pharmacy with an overall Floor area Ratio (FAR) of 0.16, on subject parcel 54-4 ((2)) B1, subject to the proffers dated October 13, 2000, consisting of approximately 1.68 acres located in Sully District.

Sincerely,

Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

PCA 1998-S-024
November 16, 2000

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cc: Chairman Katherine K. Hanley
Supervisor Sully District
Hunter Mill District Planning Commissioner
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Michael R. Congleton, Deputy Zoning Administrator
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Thomas Conry, Dept. Mgr. - GIS - Mapping/Overlay
Robert Moore, Trnsprt'n. Planning Div., Dept. of Transportation
Ellen Gallagher, Project Planning Section, Dept. of Transportation
Michelle Brickner, Deputy Director, DPW&ES
DPW&ES - Bonds & Agreements
Frank Edwards, Department of Highways - VDOT
Land Acqu. & Planning Div., Park Authority
Jack Seamon, Acting Director, Facilities Mgmt. Div., DPW&ES

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 30th day of October, 2000, the following ordinance was adopted.

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROFFERED CONDITION AMENDMENT PCA 1998-SU-024
(CONCURRENT WITH SEA 98-Y-025)

WHEREAS, Centreville-Pickwick, L.L.C. filed in the proper form an application to amend the proffers for RZ 1998-SU-024 pursuant to Virginia Code Ann. § 15.2-2303(a), and

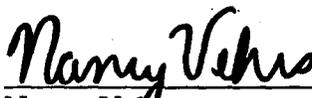
WHEREAS, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

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

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Sully District,

Be, and hereby is further restricted by the amended conditions proffered and accepted pursuant to Virginia Code Ann., § 15.2-23-3(a). which conditions are incorporated into the Zoning ordinance as it affects said parcel.

GIVEN under my hand this 30th day of October, 2000.



Nancy Velts

Clerk to the Board of Supervisors

April 26, 2000

**DESCRIPTION OF
PARCEL "B"
CENTERVILLE FARMS
SULLY DISTRICT
FAIRFAX COUNTY, VIRGINIA**

Beginning at a point marking the intersection of the westerly line of Pickwick Road (Route 1021) and the northerly line of Lee Highway (Route 29); thence with the northerly line of Lee Highway N86°59'43"W, 211.45 feet to a point; thence with Lee Highway and continuing with the easterly line of LH Properties, Inc. the following courses: N02°33'38"W, 231.33 feet; S88°05'23"W, 50.22 feet and N02°31'20"W, 84.51 feet to a southerly corner of Outlot "A-1", Centerville Farms; thence with the southerly line of the said Outlot "A-1" N88°05'23"E, 264.41 feet to a point on the westerly line of Pickwick Road; thence with the westerly line of Pickwick Road S01°54'37"E, 333.93 feet to the point of beginning, containing 1.68 acres of land.

All being more particularly described on a plat attached hereto and made a part hereof.

p:\descript\2000\Centreville Farms Parcel B

PROFFER STATEMENT
FOR A PROFFER CONDITION AMENDMENT
BY CENTREVILLE-PICKWICK, L.L.C.

APPLICATION NUMBER PCA 1998-SU-024
(CONCURRENT WITH SEA 98-Y-025)

October 13, 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 amended), the Owners and Applicant (collectively, the "Applicant") in this Proffer Condition Amendment application ("PCA") proffer that the development of the parcels under consideration and shown on the Fairfax County Tax Maps as Tax Map Reference No. 54-4((2)) B1 (hereinafter referred to as the "Property") will be in accordance with the following conditions if, and only if, said PCA request for the Property is granted. In the event said PCA application request is denied, these proffers shall be null and void. The Applicant, for itself, its successors and assigns, agrees that these proffers, if accepted, shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board of Supervisors of Fairfax County, Virginia (the "Board of Supervisors") in accordance with applicable Fairfax County and State statutory procedures. The Applicant further agrees that these proffers shall remain fully binding on the Applicant and its successors or assigns and any and all future owners of the Property. These proffered conditions, if accepted, supersede all proffers existing on the Property. The proffered conditions are as follows:

1. Subject to the proffers and the provisions of Section 18-204 of the Zoning Ordinance, under which minor modifications to an approved generalized development plan are permitted, the Property shall be developed in substantial conformance with the Generalized Development Plan and Special Exception Amendment Plat (collectively, the "GDP"), prepared by Dewberry & Davis and dated April 21, 2000, revised through September 20, 2000.

2. The Applicant shall contribute to the Centreville Area Road Fund in accordance with the Procedural Guidelines adopted by the Board of Supervisors. If necessary, said contribution amount shall be adjusted by increases to the Construction Cost Index from the Engineering News Record from the date of Board of Supervisors approval of this PCA application to the date of site plan approval.

3. The Applicant will make a monetary contribution to the Department of Public Works and Environmental Services for the Applicants' pro rata share of the cost to relocate the existing traffic signal at the intersection of Lee Highway (Route 29) and Pickwick Road (Route 1021). This contribution will be made at the time of site plan approval. The amount of the contribution will be determined by the Virginia Department of Transportation ("VDOT") and Department of Public Works and Environmental Services, but shall represent the Applicants' pro rata share of the cost of the signal based on the number of P.M. peak hour trips generated at the intersection by the Applicants' proposed use of the Property.

4. The following road improvements involving Lee Highway (Route 29) will be provided by Applicant:

- a. Right-of-way along the Property frontage on Lee Highway as further shown on the GDP, measuring one hundred seven feet (107') from the existing centerline of Lee Highway will be dedicated by Applicant to Fairfax County pursuant to Proffer Six below.
- b. A service drive will be constructed by Applicant along the Property frontage on Lee Highway, as further shown on the GDP, as a twenty-six foot (26') travelway. Applicant will provide a public access easement across the service drive as said easement is reflected on the GDP.
- c. Curb and gutter with sidewalk will be constructed by Applicant along the Property's Lee Highway frontage, as further shown on the GDP.

5. The following road improvements involving Pickwick Road (Route 1021) will be provided by Applicant:

- a. Right-of-way along the Property frontage on Pickwick Road, as further shown on the GDP, measuring forty-five feet (45') from the existing centerline of Pickwick Road will be dedicated by Applicant to Fairfax County pursuant to Proffer Six below.
- b. Pickwick Road will be constructed by Applicant along the Property frontage, as further shown on the GDP, as a thirty-five foot (35') cross-section of pavement from centerline to face of curb.

c. Curb and gutter with sidewalk will be constructed by Applicant along the Property's Pickwick Road frontage, as further shown on the GDP.

6. All of the foregoing public roadway improvements will be implemented in accordance with VDOT and Fairfax County standards, and all rights-of-way to accomplish said road improvements will be dedicated upon final approval of applicable site plans, or will be submitted for advanced density credit and dedication approval within sixty (60) days of written notice from the County. In such event, the Applicant will dedicate the right-of-way within thirty (30) days of advance density credit approval. In conjunction with Fairfax County Zoning Ordinance §2-308 (4) such density credit shall be calculated on the land area prior to dedication of right-of-way, and upon approval, shall run in perpetuity with the land remaining after such dedication.

7. All right-of-way dedication in conjunction with these proffers and as depicted on the Generalized Development Plan/Special Exception Plat shall be conveyed to the Board in fee simple upon demand by the County or at the time of recordation of the final record plat, whichever occurs first, and shall be subject to Proffer 6 regarding reservation of development intensity to the residue of the subject Property.

8. Stormwater management and erosion and sedimentation controls will be provided on the Property in accordance with applicable County ordinances, including, but not limited to, those determined by the Department of Public Works and Environmental Services and the BMP provisions of the Water Supply Protection Overlay District.

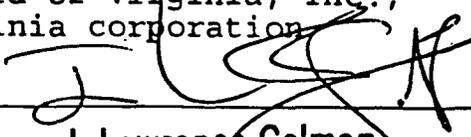
9. If required by the Department of Public Works and Environmental Services, a geotechnical study will be submitted by the Applicant for approval by Department of Public Works and Environmental Services as required by Department of Public Works and Environmental Services under Public Facilities Manual standards at the time of site plan approval and implemented pursuant to the Department of Public Works and Environmental Services.

10. Subject to the approval by the Urban Forestry Branch of the Department of Public Works and Environmental Services ("Urban Forestry Branch"), landscaping shall be provided as generally shown on the GDP. Minor modifications to the GDP concerning locations, layouts and species of vegetation may be permitted pursuant to final landscape plans submitted for review and approval to the Urban Forestry Branch at the time of site plan review. Landscaping shown in the area of the right-of-way on the southern portion of the Property shall be installed subject to permission obtained from the VDOT.

11. All light pole locations on the Property shall conform to the light pole locations shown on the GDP. The height, to the top of the fixture, of any freestanding parking lot lights shall not exceed twenty feet (20') from grade and shall be equipped with box-type light fixtures which direct light downward and inward to prevent light spill-over onto adjacent properties. All exterior lighting attached to the building shall also be so arranged and shielded and shall meet light glare standards as portrayed on the WLS Photometric Plan Sheet 6 of 6.

Owner:

Rite Aid of Virginia, Inc.,
a Virginia corporation

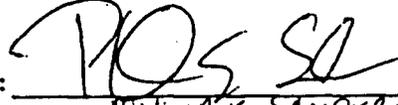
By:  _____

Name: I. Lawrence Gelman

Title: Vice President

Contract Purchaser:

Centreville-Pickwick, L.L.C.

By: 
Name: PHILIP E. SANDERS
Title: Manager

F A I R F A X C O U N T Y

BOARD OF SUPERVISORS ACTION
ZONING MAP AMENDMENT
DATE OF ACTION 10/30/00

APPLICATION NUMBER: PCA 98-Y-024

SULLY

DISTRICT

APPLICANT: CENTREVILLE-PICKWICK, L.L.C.

STAFF: BURNS

APPLICATION DATA

EXISTING ZONING AND ACREAGE

ZONING: C- 8

ACRES: 1.68

PROPOSAL DISTRICT:

ACTION:

C- 8
1.68

APPROVE
1.68

TOTAL ACRES

1.68

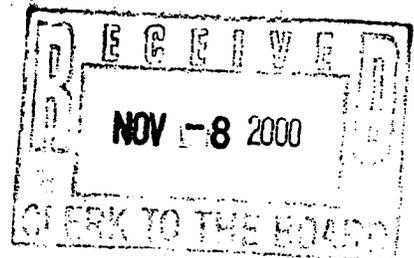
TOTAL ACRES

1.68

MAP NUMBERS

054-4- /02/ / -B1

REMARKS:



ZONING MAP AMENDMENT

PCA 98-Y-024

ZONING DISTRICT DATA

ZONING DISTRICT: C- 8

PROFFERED/CONDITIONED DWELLING UNIT DATA

TYPES	UNITS	ACRES	DENSITY	RANGE	LOMOD INCL	LOMOD ADD
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PROFFERED/CONDITIONED NON-RESIDENTIAL GROSS FLOOR AREAS

USE	GFA	FAR	USE	GFA	FAR
COMMERICAL-GEN			PUBLIC/QUASI PUB		
HOTEL/MOTEL			OFFICE		
INDUSTRIAL-GEN			TRAN-UTIL-COMM		
CULT/EDU/RELG/ENT			RETAIL-EATING EST		
INDUST-WAREHOUSE			*****TOTAL*****	12,000	.16

REMARKS:

ZONING MAP AMENDMENT

PCA 98-Y-024

CONDITION/CONTRIBUTION DATA

COND CODE DESCRIPTION	COND CODE DESCRIPTION
3Z OTHER - TRANSPORTATION	3Z OTHER - TRANSPORTATION
3B RIGHT-OF-WAY: DEDICATION/RESERV	3Z OTHER - TRANSPORTATION
4Z OTHER - ENVIRONMENT	4M SOIL PROBLMS/GEOTECHNICAL REVIEW
3C FACIL: CONSTR/REALGN/WIDEN/EXPND	3Z OTHER - TRANSPORTATION
4Z OTHER - ENVIRONMENT	4Z OTHER - ENVIRONMENT
1Z OTHER - GENERAL	4H LANDSCAPING
4P LIGHTING	1A GENERALIZED DEVEL PLAN
2I ARCHITECTURE	2Z OTHER - LAND USE
2B USE RESTRICTION	4H LANDSCAPING
4Z OTHER - ENVIRONMENT	4P LIGHTING

CONTRIB DATA:	CND CODE	AMOUNT	CONDITIONED	EXPIRES	CONTRIB CODE
		\$0		00/00/00	
		\$0		00/00/00	
		\$0		00/00/00	
		\$0		00/00/00	

REMARKS:

RECEIVED
DEPARTMENT OF PLANNING AND ZONING
OCT 30 2000

10/30/00 Board Meeting

ZONING EVALUATION DIVISION

3:30 p.m. Items - PCA-1998-SU-024 - CENTREVILLE-PICKWICK LLC
SEA-98-Y-025 - CENTREVILLE-PICKWICK LLC
Sully District

On Wednesday, October 25, 2000, the Planning Commission voted unanimously (Commissioner Wilson absent from the meeting) to recommend to the Board of Supervisors the following actions pertinent to the subject applications:

- 1) approval of PCA-1998-SU-024, subject to the execution of proffers consistent with those dated October 13, 2000;
- 2) approval of SEA-98-Y-025, subject to the development conditions dated October 25, 2000, with the deletion of Condition #10;
- 3) modification of the transitional screening requirement along the northern property boundary in favor of that shown on the GDP/SEA plat, and as conditioned;
- 4) modification of the transitional screening requirement along the eastern property boundary in favor of that shown on the GDP/SEA plat, and as conditioned.

Planning Commission Meeting
October 25, 2000
Verbatim Excerpts

PCA-1998-SU-024 - CENTREVILLE-PICKWICK, L.L.C.
SEA-98-Y-025 - CENTREVILLE-PICKWICK, L.L.C.

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed. Recognize Mr. Koch.

Commissioner Koch: Thank you, Mr. Chairman. On December 7, 1998 the Board of Supervisors approved an application for a pharmacy with a drive-through window. Tonight we have a Proffered Condition Amendment to modify the site layout to add a mezzanine and delete the interparcel connection. The application is in harmony with the Comprehensive Plan and conforms with applicable Zoning Ordinance provisions. It has staff's recommendation for approval and the applicant has worked closely with the West Fairfax County Citizens Association. And tonight, we have conditions dated tonight, but the only changes were Number 8 which included some plantings that the citizens had requested to be included and Number 9 -- Number 10 -- is going to be deleted. So, Mr. Chairman, I'd like to MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE APPROVAL OF PCA-1998-SU-024, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED OCTOBER 13, 2000.

Commissioner Byers: Second.

Chairman Murphy: Seconded by Mr. Byers. Discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve PCA-1998-SU-024, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Koch.

Commissioner Koch: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE APPROVAL OF SEA-98-Y-025, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED OCTOBER 25, 2000, WITH THE DELETION OF NUMBER 10.

Commissioner Byers: Second.

Chairman Murphy: Seconded by Mr. Byers. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SEA-98-Y-025, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Koch.

Commissioner Koch: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT ALONG THE NORTHERN PROPERTY BOUNDARY IN FAVOR OF THAT SHOWN ON THE GDP/SE PLAT AND AS CONDITIONED.

Commissioner Byers: Second.

Chairman Murphy: Seconded by Mr. Byers. Discussion?

Commissioner Byers: You want to include the waiver of the barrier requirement also?

Commissioner Koch: That's going to be next.

Chairman Murphy: All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Koch.

Commissioner Koch: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT AND WAIVER OF THE BARRIER REQUIREMENT ALONG THE EAST PROPERTY BOUNDARY AS CONDITIONED.

Commissioner Byers: Second.

Chairman Murphy: Seconded by Mr. Byers. Discussion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Koch: Mr. Chairman?

Commissioner Byers: One more.

Commissioner Koch: Mr. Byers pointed out on one of the GDP/SEA plats it also shows a waiver of the transitional screening requirement along the northern property. Did we leave that out?

Chairman Murphy: Yes.

Commissioner Byers: Mr. Chairman?

Chairman Murphy: Mr. Byers?

Commissioner Byers: Mr. Koch made a motion to modify the transitional screening requirement on the eastern property boundary but omitted a waiver of the barrier requirement along the northern property boundary? Was the barrier requirement also on the northern boundary?

Chairman Murphy: Without objection, that will be incorporated into the motion. Without objection.

Commissioner Koch: First of all, can we determine if that's what we want? It's on top of -- that's what we want?

Leslie Johnson: Yes.

Chairman Murphy: Yes.

Commissioner Koch: Okay. Thank you.

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(The motions carried unanimously with Commissioner Wilson absent from the meeting.)

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LBR



COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX
APPLICATION FOR ZONING MAP AMENDMENT

PLEASE TYPE
RECEIVED
DEPARTMENT OF PLANNING AND ZONING

AUG 25 2000

APPLICATION NO. PCA 1998-50-024 amended

(Assigned by Staff)

Centreville-Pickwick, L.E.C. PETITION 2288 9/20/00 ZONING EVALUATION DIVISION

TO: THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA
I (We), Service Neon Signs Incorporated, the applicant(s),
petition you to adopt an ordinance amending the Zoning Map of Fairfax County, Virginia, by
reclassifying from the C-8, H-C, S-C District to the with revised proffer
District the property described below and outlined in red on the Zoning Section Sheet(s)
accompanying and made a part of this application.

PROPERTY DESCRIPTION

1. LEGAL DESCRIPTION:

see attached
Lot(s) Block(s) Subdivision Deed Book Page No.

2. TAX MAP DESCRIPTION:

54-4((2))B1 73,249 square feet

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

3. POSTAL ADDRESS OF PROPERTY: (If any)

none

1. ADVERTISING DESCRIPTION: (Ex. South of Rt. 236, 1000 feet west of Rt. 274)
Property is located at the northwestern corner of the intersection of
Route 29 and Pickwick Road in Centreville

5. PRESENT USE: vacant but approved for drive-through pharmacy

6. PROPOSED USE: drive-through pharmacy and waiver of certain sign regulations

7. SUPERVISOR DISTRICT: Sully

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

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

Erika L. Byrd, Esquire
Type or Print Name of Applicant or Agent

McGuireWoods LLP
Signature of Applicant or Agent

1750 Tysons Boulevard, Suite 1800, McLean, VA 22102 PCA 2000-0038
Address

(703) 712-5480
Telephone No. Home Work

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

DO NOT WRITE IN THIS SPACE

Date application received: _____ Application Fee Paid: \$ n/a

Date application accepted: 9-1-00 Virginia Ruffan Form RZ (10/89)