



# FAIRFAX COUNTY

RZ APPLICATION FILED: February 4, 1998  
SE APPLICATION FILED: April 3, 1998  
PLANNING COMMISSION: October 7, 1998  
BOARD OF SUPERVISORS: Not Scheduled

V I R G I N I A

September 23, 1998

## STAFF REPORT

### APPLICATIONS RZ 1998-SU-024 and SE 98-Y-025

#### SULLY DISTRICT

**APPLICANT:** S & S Development, L.L.C.

**PRESENT ZONING:** 0.41 acres - R-1, HC, SC, WS  
1.27 acres - C-8, HC, SC, WS

**REQUESTED ZONING:** C-8, HC, SC, WS

**PARCEL(S):** 54-4 ((2)) pt. A, pt.127, (R-1 District)  
54-4 ((2)) B, 129 (C-8 District)

**ACREAGE:** 1.68 acres

**FAR:** 0.15

**OPEN SPACE:** 20%

**PLAN MAP:** Retail and other commercial use

**PROPOSAL:** Rezone 1.68 acres from the R-1 (Residential) and C-8 (Highway Commercial) District to the C-8 (Highway Commercial) District and special exception request to permit development of a pharmacy with two drive-thru windows on the subject property.

#### STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 1998-SU-024 subject to the execution of proffers consistent with those in Appendix 1.

Staff recommends approval of SE 98-Y-025 subject to the proposed development conditions in Appendix 2.

Staff recommends approval of a modification of the transitional screening requirement and waiver of the barrier requirement along the north property boundary, in favor of that shown on the GDP/SE Plat and as conditioned.

Staff recommends approval of a modification of the transitional screening requirement and waiver of the barrier requirement along the east property boundary, as conditioned.

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

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.



**REZONING APPLICATION /  
RZ 1998-SU-024**

**SPECIAL EXCEPTION APPLICATION  
SE 98-Y-025**

FILED 02/04/98

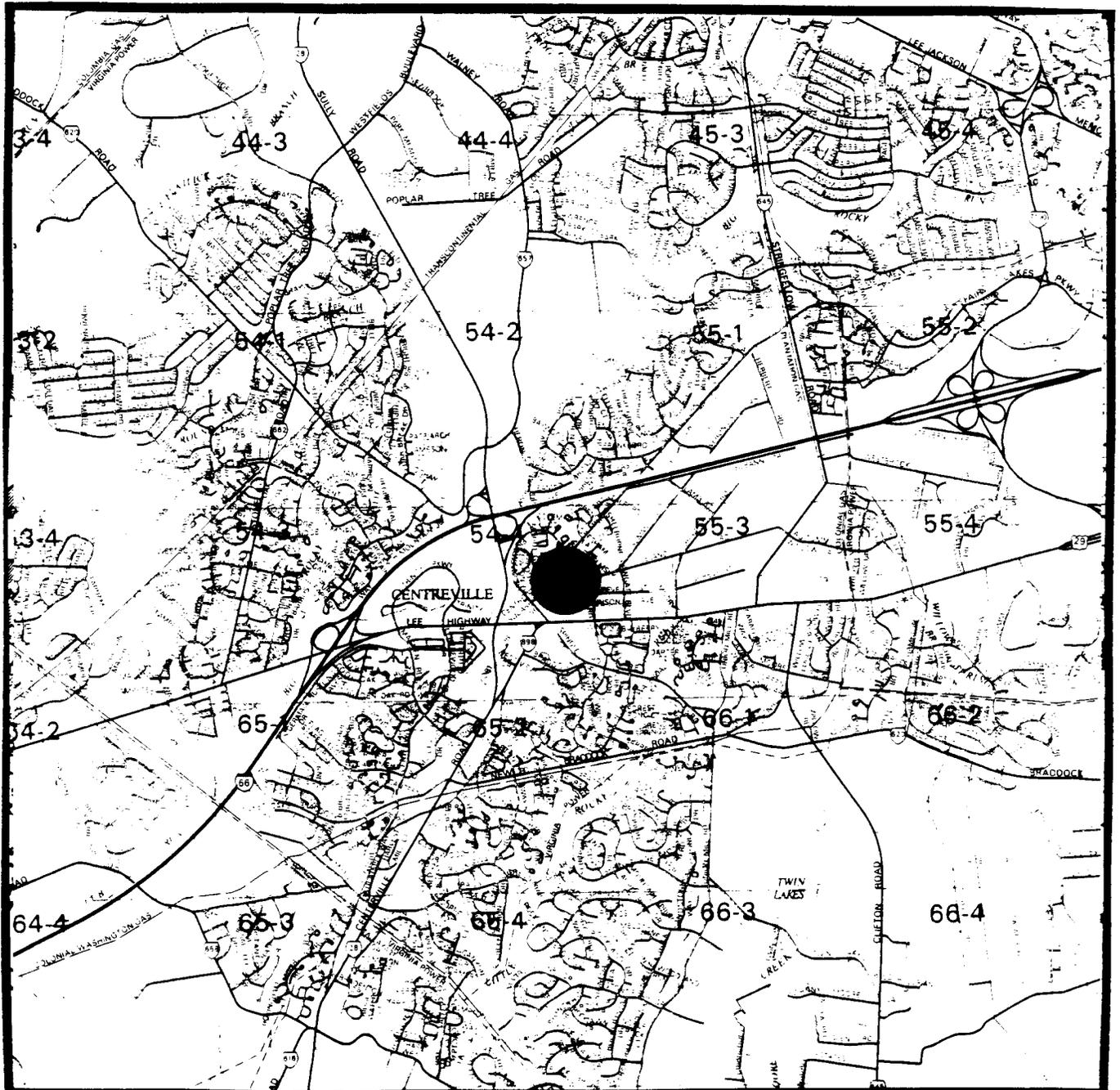
SE 98-Y-025  
FILED 04/03/98

S & S DEVELOPMENT L L C  
TO REZONE: 1.68 ACRES OF LAND; DISTRICT - SULLY  
PROPOSED: REZONE FROM THE R-1 DISTRICT TO THE C-8 DISTRICT  
TO PERMIT COMMERCIAL DEVELOPMENT  
LOCATED: N.W. QUADRANT OF THE INTERSECTION OF LEE  
HIGHWAY AND PICKWICK ROAD  
ZONING: R- 1  
TO: C- 8  
OVERLAY DISTRICT(S): HC SC WS

S & S DEVELOPMENT  
AUTOMOBILE-ORIENTED USE  
ZONING DIST SECTION: 04-0804  
ART 9 CATEGORY/USE: 05-02  
LOCATED: 1.68 ACRES OF LAND; DISTRICT - SULLY  
N.W. QUADRANT OF THE INTERSECTION OF LEE  
HIGHWAY & PICKWICK ROAD  
PLAN AREA 3  
OVERLAY DISTRICT(S): HC SC WS

MAP REF054-4- /02/ / -A P,0127- P ,129 ,B

TAX MAP 054-4- /02/ /0129- B A P 0127



# REZONING APPLICATION /

## RZ 1998-SU-024

# SPECIAL EXCEPTION APPLICATION

## SE 98-Y-025

FILED 02/04/98

SE 98-Y-025  
FILED 04/03/98

S & S DEVELOPMENT  
TO REZONE: 1.68 ACRES OF LAND; DISTRICT - SULLY  
PROPOSED: REZONE FROM THE R-1 DISTRICT TO THE C-8 DISTRICT  
TO PERMIT COMMERCIAL DEVELOPMENT

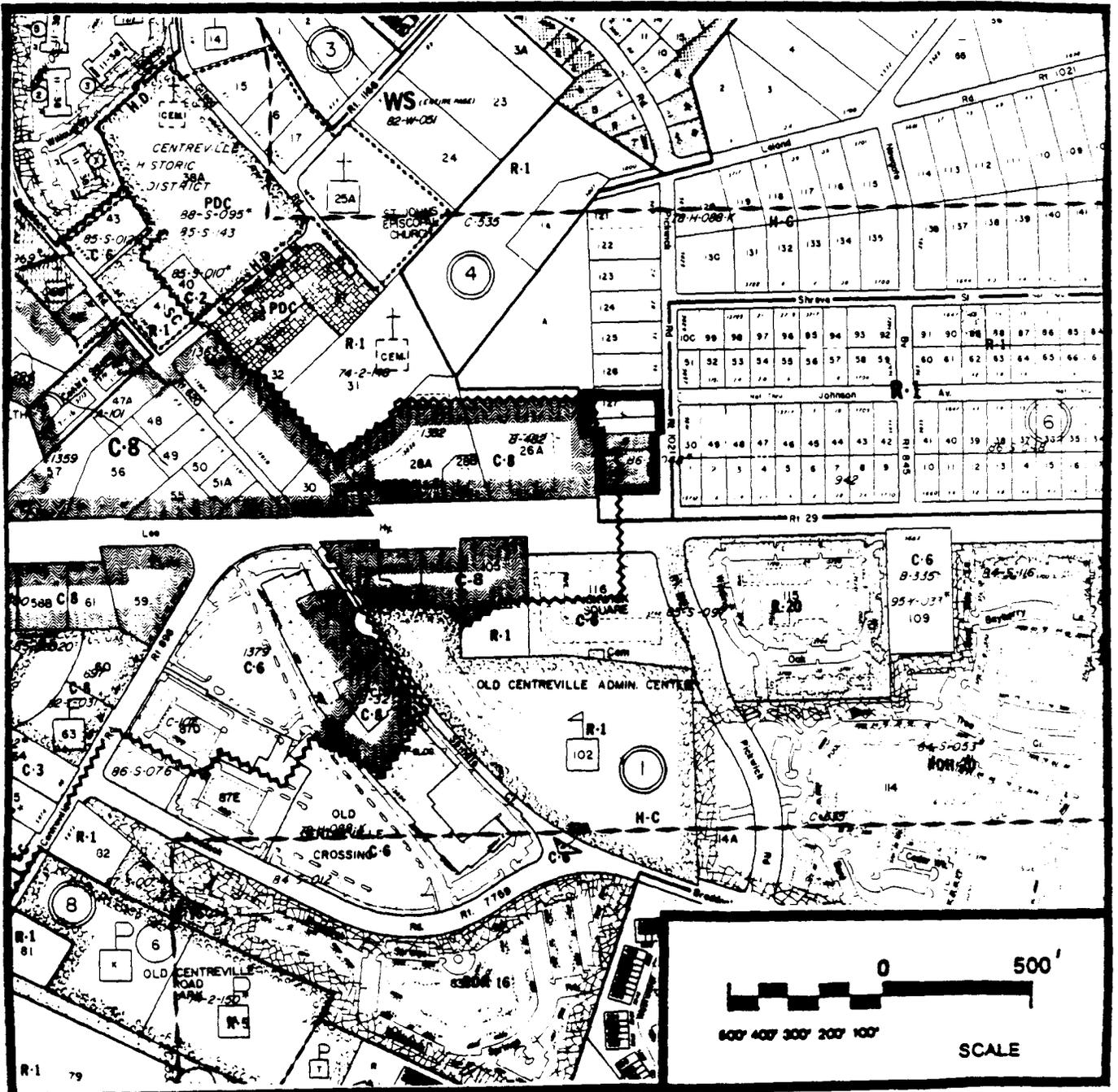
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LOCATED: N.W. QUADRANT OF THE INTERSECTION OF LEE  
HIGHWAY & PICKWICK ROAD  
PLAN AREA 3

ZONING: TO: C-8  
OVERLAY DISTRICT(S): HC SC WS  
MAP REF 054-4- /02/ / -A P,0127- P .129 .B

ZONED C-8  
OVERLAY DISTRICT(S): HC SC WS  
TAX MAP 054-4- /02/ /0129\* B, A P,0127



# RITE AID / CENTREVILLE

SULLY DISTRICT  
FAIRFAX COUNTY, VIRGINIA

## GENERALIZED DEVELOPMENT PLAN SPECIAL EXCEPTION PLAT

APPLICANT:

S & S DEVELOPMENT  
5265 PROVIDENCE RD. - SUITE 403  
VIRGINIA BEACH, VA 23464

RITE AID / CENTREVILLE

SULLY DISTRICT  
FAIRFAX COUNTY VIRGINIA  
GENERALIZED DEVELOPMENT PLAN  
SPECIAL EXCEPTION PLAT  
S & S DEVELOPMENT  
5265 PROVIDENCE ROAD, SUITE 403  
VIRGINIA BEACH, VA 23464

SHEET INDEX:

1. COVER SHEET
2. NOTES AND TABULATIONS
3. GENERALIZED DEVELOPMENT PLAN AMENDMENT /  
SPECIAL EXCEPTION PLAT

Jan. 8, 1998  
Rev. July 6, 1998  
Rev. September 15, 1998



**Dewberry & Davis**  
8401 Arlington Blvd., Fairfax, Va. 22031  
(703) 649-0100 FAX (703) 649-0116



NOTES

1. THIS GENERALIZED DEVELOPMENT PLAN/SPECIAL EXCEPTION (GD/SE) PLAN ACCOMPANIES A SPECIAL EXCEPTION (SE) APPLICATION TO PERMIT A RETAIL SALES ESTABLISHMENT WITH A DRIVE-THROUGH FACILITY AND A REZONING APPLICATION FOR APPROXIMATELY 0.41 ACRES FROM THE R-1 TO THE C-4 DISTRICT. THE TOTAL AREA OF THE GD/SE IS APPROXIMATELY 1.46 ACRES.
2. THE PROPERTY SHOWN HEREON IS IDENTIFIED ON THE FAIRFAX COUNTY ZONING MAP AS 54-4 (11) 129 AND B, AND 54-4 (22) A (PART) AND 127 (PART).
3. THE TOPOGRAPHY SHOWN HEREON IS AT A CONTOUR INTERVAL OF TWO FEET FROM EXISTING RECORDS. DEWBERRY & DAVIS ASSUMES NO RESPONSIBILITY FOR DESIGN OR CONSTRUCTION CHANGES CAUSED BY INACCURACIES IN THE TOPOGRAPHIC INFORMATION.
4. THE BOUNDARY INFORMATION PRESENTED HEREON IS FROM EXISTING RECORDS. DEWBERRY & DAVIS ASSUMES NO RESPONSIBILITY FOR DESIGN OR CONSTRUCTION CHANGES CAUSED BY INACCURACIES IN THE BOUNDARY INFORMATION.
5. STORMWATER MANAGEMENT (SWM)/BEST MANAGEMENT PRACTICES (BMP) WILL BE PROVIDED ON SITE IN AN UNDERGROUND SYSTEM.
6. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO UTILITY EASEMENTS HAVING A WIDTH OF TWENTY-FIVE (25) FEET OR GREATER LOCATED ON THE SUBJECT PROPERTY.
7. ALL STREETS WITHIN THE PROJECT WILL BE PRIVATE AND PRIVATELY MAINTAINED.
8. THE LANDSCAPING SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY AND MAY CHANGE WITH FINAL ENGINEERING AND DESIGN. A DETAILED LANDSCAPE PLAN WILL BE SUBMITTED IN CONJUNCTION WITH THE SITE PLANS WHICH WILL BE IN SUBSTANTIAL CONFORMANCE WITH THE LANDSCAPING FEATURES PRESENTED HEREON.
9. THERE IS NO FLOODPLAIN LOCATED ON THE SITE DESIGNATED BY THE FEDERAL INSURANCE ADMINISTRATION, UNITED STATES GEOLOGICAL SURVEY OR FAIRFAX COUNTY. THERE IS NO RESOURCE PROTECTION AREAS (RPA) OR ENVIRONMENTAL QUALITY CORRIDOR (EQC) ON THIS PROPERTY.
10. THE EXISTING SITE WILL BE CLEARED AND BORDEADED.
11. THE MINIMUM YARD REQUIREMENTS SET FORTH IN THE C-4 DISTRICT OF THE ZONING ORDINANCE ARE AS FOLLOWS:  
 FRONT YARD: CONTROLLED BY A 45° ANGLE OF BULK PLANE, BUT NOT LESS THAN 40 FEET.  
 SIDE YARD: NO REQUIREMENT.  
 REAR YARD: 20 FEET.
12. PURSUANT TO SECT. 9-610 OF THE ZONING ORDINANCE, A WAIVER OF THE MINIMUM LOT WIDTH ALONG LEE HIGHWAY IS HEREBY REQUESTED.
13. PURSUANT TO PAR. 3 OF SECT. 13-304 OF THE ZONING ORDINANCE, A MODIFICATION OF THE TRANSITIONAL SCREENING AND A WAIVER OF THE BARBER REQUIREMENTS ALONG THE NORTHERN AND EASTERN PROPERTY LINES IS HEREBY REQUESTED.
14. THE COMPREHENSIVE PLAN TRAILS MAP RECOMMENDS A TRAIL ON THE SOUTH SIDE OF ROUTE 29 TO BE BUILT BY OTHERS.
15. A STATEMENT THAT CONFIRMS THE OWNERSHIP OF THE SUBJECT PROPERTY AND THE NATURE OF THE APPLICANT'S INTEREST IN THE SAME IS PROVIDED ON THE AFFIDAVIT SUBMITTED SEPARATELY.
16. THERE ARE NO EXISTING STRUCTURES LOCATED ON THE SUBJECT PROPERTY.
17. AT A MINIMUM, PARKING WILL BE PROVIDED IN ACCORDANCE WITH ARTICLE 11 OF THE ZONING ORDINANCE. THE APPLICANT RESERVES THE RIGHT TO PROVIDE MORE THAN THE NUMBER OF PARKING SPACES PRESENTED HEREON PROVIDED THAT THE AMOUNT OF OPEN SPACE IS NOT DECREASED.

18. THE FOOTPRINT OF THE BUILDING SHOWN HEREON MAY BE MODIFIED IN ACCORDANCE WITH PAR. 4 OF SECT. 9-404 AND PAR. 3 OF SECT. 14-204 OF THE ZONING ORDINANCE. THE SIZE AND SHAPE OF THE BUILDING IS PRELIMINARY AND MAY VARY, AND THE EXACT LOCATION OF THE BUILDING MAY CHANGE AS A RESULT OF FINAL ENGINEERING AND/OR ARCHITECTURAL DESIGN. THE TOTAL GROSS FLOOR AREAS AND THE BUILDING HEIGHT PRESENTED IN THE TABULATIONS ARE TO BE CONSIDERED MAXIMUMS. THE APPLICANT RESERVES THE RIGHT TO DEVELOP A LESSEER AMOUNT OF GROSS FLOOR AREA FROM THE TOTAL PRESENTED IN THE TABULATION AND THE BUILDING FOOTPRINT AND ASSOCIATED PARKING LOT LAYOUT WILL BE MODIFIED ACCORDINGLY. ADDITIONAL PARKING SPACES MAY BE PROVIDED WHERE THE BUILDING FOOTPRINT IS REDUCED, SHIFTED OR MODIFIED SO LONG AS THE AREA OF LANDSCAPED OPEN SPACE PROVIDED IS NOT DECREASED. IT IS UNDERSTOOD THAT SUCH DEVIATIONS ARE PERMITTED PROVIDED THE RESULTS ARE IN SUBSTANTIAL CONFORMANCE WITH THIS PLAN.

MINOR MODIFICATIONS TO THE LOCATIONS OF SIDEWALKS AND UTILITIES MAY OCCUR WITH FINAL ENGINEERING AND DESIGN.

19. ADDITIONAL SITE FEATURES SUCH AS PLANTERS, ENTRANCE SIGNS, TRASH/RECYCLING FACILITIES AND/OR WALLS NOT REPRESENTED HEREON MAY BE PROVIDED.

20. IT IS CURRENTLY ANTICIPATED THAT DEVELOPMENT OF THE PROPERTY WILL COMMENCE WHEN ALL REQUIRED APPROVALS AND PERMITS HAVE BEEN OBTAINED. HOWEVER, THIS MAY CHANGE WITH MARKET CONDITIONS.

21. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO URAGES ON THE SITE.

22. TO THE BEST OF OUR KNOWLEDGE, THE PROPOSED USES WILL NOT GENERATE, UTILIZE, STORE, TREAT AND/OR DISPOSE OF ANY HAZARDOUS OR TOXIC SUBSTANCES AS SET FORTH IN TITLE 40, CODE OF FEDERAL REGULATIONS PARTS 116.4, 302.4, AND 351; ANY HAZARDOUS WASTE AS SET FORTH IN COMMONWEALTH OF VIRGINIA DEPARTMENT OF WASTE MANAGEMENT VS 672-16-1; VIRGINIA HAZARDOUS WASTE MANAGEMENT REGULATIONS, AND/OR ANY PETROLEUM PRODUCTS AS DEFINED IN TITLE 40, CODE OF FEDERAL REGULATIONS PART 300. HOWEVER, ANY SUCH SUBSTANCES THAT MAY BE UTILIZED, STORED AND DISPOSED OF IN CONJUNCTION WITH THE USES AND MAINTENANCE OF BUILDINGS WILL BE IN ACCORDANCE WITH SAID REGULATIONS.

23. THERE ARE NO AREAS THAT HAVE SCENIC ASSETS OR NATURAL FEATURES DESERVING OF PROTECTION OR PRESERVATION ON THE SITE.

24. THERE ARE NO COMMUNITY OR PUBLIC FACILITIES.

25. THE SUBJECT PROPERTY IS IN THE SUB-UNIT B-5 OF THE CENTREVILLE AREA AND SUBURBAN CENTER IN THE BULL RUN PLANNING DISTRICT AND IS PLANNED FOR NEIGHBORHOOD-SERVING RETAIL COMMERCIAL AND LIMITED OFFICE USE UP TO A 0.25 FAR. THE PROPOSED DEVELOPMENT IS IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN.

26. PUBLIC IMPROVEMENTS PROPOSED WITH THIS DEVELOPMENT ARE DEDICATION OF RIGHTS-OF-WAY OF 45 FEET FROM THE CENTERLINE OF THE FRONTAGE ON PICKWICK ROAD AND 107 FEET FROM THE CENTERLINE OF LEE HIGHWAY AND CONSTRUCTION OF IMPROVEMENTS TO THESE PUBLIC STREETS.

27. THE SITE WILL BE SERVED BY PUBLIC WATER AND SEWER.

28. ARCHITECTURAL SKETCHES OF THE PROPOSED BUILDINGS ARE NOT AVAILABLE AT THIS TIME.

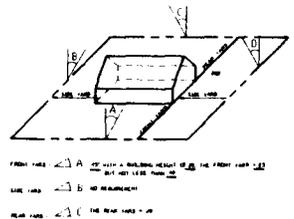
29. WITH THE EXCEPTION OF THE MODIFICATIONS AND WAIVERS REQUESTED ABOVE, TO THE BEST OF OUR KNOWLEDGE, THE PROPOSED DEVELOPMENT OF THE SUBJECT PROPERTY CONFORMS TO ALL CURRENT APPLICABLE LAND DEVELOPMENT ORDINANCES, REGULATIONS AND ADOPTED STANDARDS.

TABULATION

CURRENT ZONING	R-1, C-4, HC, SC
PROPOSED ZONING	C-4, HC, SC
TOTAL LAND AREA	73,249 SF
AREA OF PROPOSED REZONING	18,074± SF
AREA OF PROPOSED DEDICATION	16,770± SF
AREA OF SPECIAL EXCEPTION AFTER DEDICATION	56,479± SF
PROPOSED GROSS FLOOR AREA	11,206± SF
MAXIMUM PERMITTED FLOOR AREA RATIO	0.50
PROPOSED FLOOR AREA RATIO	0.15
MAXIMUM BUILDING HEIGHT PROPOSED	30 FT
PARKING SPACES REQUIRED	53
PARKING SPACES PROVIDED	56
OPEN SPACE REQUIRED (15%)	8,471± SF
OPEN SPACE PROVIDED (20%)	11,295± SF

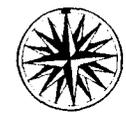
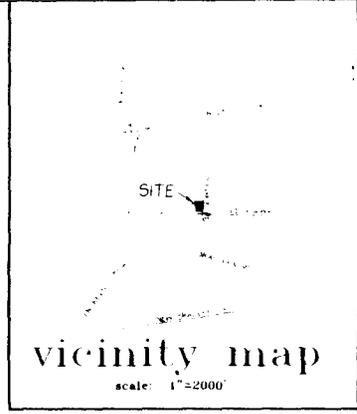
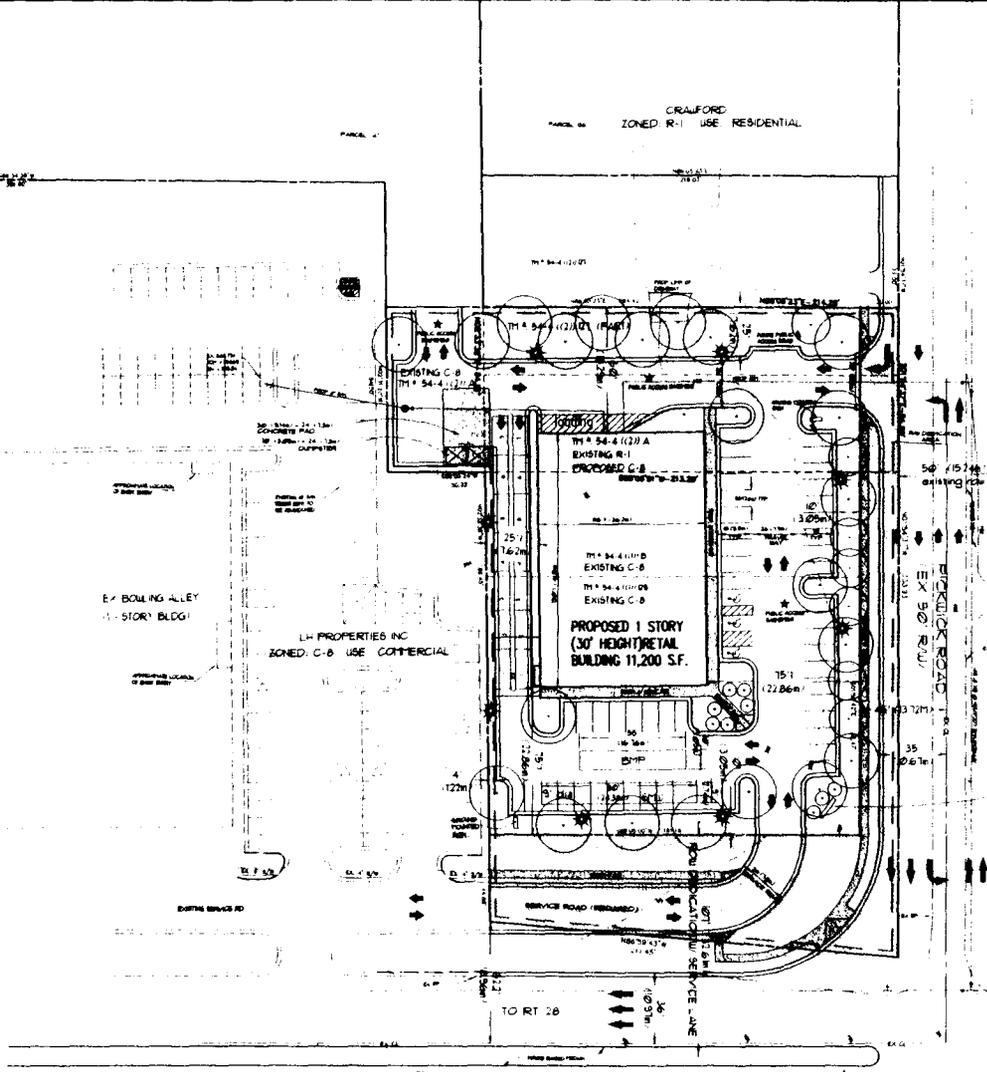
NOTE: THE FLOOR AREA RATIO (FAR) IS BASED ON THE LAND AREA PRIOR TO ROAD DEDICATION. OPEN SPACE CALCULATIONS ARE BASED ON LAND AREA AFTER ROAD DEDICATION.





**ANGLE OF BULK PLANE-C-B**  
 ANGLE OF BULK PLANE-C-B FROM THE BUILDING INTO THE STREET

- LEGEND:**
- EXISTING SANITARY SEWER
  - PROPOSED SANITARY SEWER
  - EXISTING WATER MAIN
  - PROPOSED WATER MAIN
  - PROPOSED TREES (STREET, ORNAMENTAL AND EVERGREEN)
  - PROPOSED SHRUB
  - PROPOSED SIDEWALKS
  - PROPOSED LIMITS OF CLEARING AND GRADING
  - ↑ PROPOSED TRASH LOCATION
  - PROPOSED COMP PLAN TRAIL (BY OTHERS)
  - AREA TO BE REZONED FROM R-1 TO C-8 R/W DEDICATION
  - ★ PROPOSED LIGHT (20' HT.)



PROP. LOCATION FOR PRESERVATION  
 30' HEIGHT MAX. 30' FOOT

RATCHIFFS SUBDIVISION  
 ZONED R-1 USE RESIDENTIAL

TO FAIRFAX

CENTREVILLE OXFORD LTD PARTNERSHIP  
 ZONED R-10 USE APARTMENTS



Engineers  
 Planners  
 Surveyors  
 Architects  
 Dewberry & Davis  
 8401 Arlington Blvd., Fairfax, VA 22031  
 (703) 261-1000  
 www.dewberry.com

Generalized Development Plan - Social Excavation Plan  
**RITE AID / CENTREVILLE**

Drawn By: JMI  
 Designed By: DAI  
 Checked By: LAM  
 Date: 1/18/07  
 Rev: 7/8/06  
 Proj. No: 10-000  
 Scale: 1"=30'  
 Plan Number:  
 Ex. Zoning: C-8 AND R-1  
 Prop. Zoning: C-8  
 Sheet:  
 3 of 3  
 File Number:  
 M-074.1

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

**DESCRIPTION OF THE APPLICATION**

The applicant, S & S Development, L.L.C., requests approval to rezone 0.41 acres in the R-1 (Residential) District and 1.27 acres in the C-8 (Highway Commercial) District to the C-8 (Highway Commercial) District for a total of 1.68 acres. The property is within the Highway Corridor (HC), Sign Control (SC), and Water Supply Protection (WS) Overlay Districts. The applicant also requests special exception approval to permit development of a pharmacy with two drive-thru windows on the subject property. A drive-thru pharmacy is a Category 5 Special Exception use (automobile-oriented use) in the C-8 District and is subject to the standards contained in Sect. 9-505, among others, which are attached in Appendix 9.

**Hours:** 7:00 a.m. to 12:00 a.m. Monday through Sunday

**Waivers and Modifications Requested:**

Modification of the transitional screening requirement and a waiver of the barrier requirement along the eastern and northern property boundaries;

**LOCATION AND CHARACTER**

**Site Description:**

The subject property is located in the northwest quadrant of the intersection of Lee Highway (Route 29) and Pickwick Road. The property is covered with mature vegetation.

<b>SURROUNDING AREA DESCRIPTION</b>			
<b>Direction</b>	<b>Use</b>	<b>Zoning</b>	<b>Plan</b>
<b>North</b>	Single Family Detached Dwelling	R-1	Retail and Other
<b>South</b>	Route 29 & Pickwick Square Shopping Center	C-6	Retail and Other
<b>East</b>	Single Family Detached Dwellings and Vacant land	R-1	Alternative uses, Retail at 0.25 FAR or Residential at 8-12 du/ac
<b>West</b>	Bowling Alley and Shopping Center	C-8	Retail and Other

**BACKGROUND**

Application	Date	Use	Action
RZ 86-S-048	7/22/91	Service station/car wash	BOS Approved <sup>1</sup>
SE 90-S-017	7/22/91	Service station/car wash	BOS Approved <sup>2</sup>

1. On July 22, 1991, the Board of Supervisors approved RZ 86-S-048 which rezoned 35,857 square feet from the R-1 and C-8 District to the C-8 District. The rezoning was concurrent with SE 90-S-017. See Appendix 5 for a copy of the accepted proffers and GDP/SE plat.
2. On July 22, 1991, the Board of Supervisors approved SE 90-S-017, concurrent with RZ 86-S-48 to permit a service station, quick service food store, and a carwash on the subject property. This special exception was never implemented and has since expired. See Appendix 5 for a copy of the approved development conditions.

**COMPREHENSIVE PLAN PROVISIONS (Appendix 6)**

**Plan Area:** Area III

**Planning Sector:** Centreville and Suburban Center in the Bull Run Planning District

On page 40 of the 1991 edition of the Area III Plan, as amended through June 26, 1995, under the heading "Recommendations, Land Use," the Plan states:

"Land Unit B

While the western portion of this land is located in the core area of Centreville, its development potential is somewhat limited because of certain transportation constraints and the need for future development to be compatible with existing residential uses and historic resources. Land Unit B is appropriate for a moderate level of residential, commercial or office development.

B-5 (34 Acres) Suburban Center

Land Unit B-5 contains a number of automobile-oriented commercial uses along Route 28 and Route 29 each with separate access. A full interchange for the Route 28/Route 29 intersection is planned and this will have an impact on existing commercial uses and the access to these uses. However, neighborhood-serving retail commercial and limited office uses up to .25 FAR are planned and will remain appropriate in this land

unit to serve local needs. A motel or bed and breakfast with proximity to the historic district may also be appropriate.

Development in this area should promote the efficient functioning of intersections in the land unit. Consolidation of parcels is encouraged to reduce direct access points to Route 29 and to improve traffic circulation in the vicinity. "

**Plan Map:** Retail and other commercial use

## ANALYSIS

**Generalized Development Plan/Special Exception Plan** (Copy at front of staff report)

**Title:** "Generalized Development Plan/Special Exception Plat, Rite Aid/Centreville"

**Prepared By:** Dewberry & Davis

**Original and Revision Dates:** January 8, 1998 as revised through July 6, 1998

The combined GDP/SE Plat consists of three sheets. Sheet one is a title sheet. Sheet two includes notes and tabulations. Sheet three depicts the proposed one-story, 11,200 square foot pharmacy with two drive thru lanes along the western side of the building. The following features are depicted on the GDP/SE plat:

- The one-story, 11,200 square foot pharmacy with one drive-thru window and two drive-thru lanes along the western side of the building.
- Access to the site is shown off Pickwick Road and off the service road along Route 29. Interparcel access is shown to each of the two parcels to the north of the subject property.
- 56 parking spaces are to be provided on site, with 7 stacking spaces for each of the drive-thru lanes and 1 loading space.
- Open space would constitute approximately 20% of the site.
- Maximum FAR of 0.15.
- Eight 20 foot tall light poles are shown along the perimeter of the parking lot.

- Medium and large trees are proposed within a 10 foot wide strips along Pickwick Road and Route 29, and within a 25 foot wide strip along the northern property line.

### **Transportation Analysis (Appendix 7)**

The transportation issues regarding dedication and frontage improvements along Route 29, contribution to the Centreville Road Fund and previous transportation commitments have been addressed with the draft proffers and proposed development conditions.

### **Environmental Analysis (Appendix 8)**

#### **Issue: Water Quality Best Management Practices**

The subject property falls within the County's Cub Run Watershed, the County's Chesapeake Bay Preservation Area and the Water Supply Protection Overlay District. A note on the GDP/SE plat indicates that stormwater will be accommodated by an underground detention facility; however, the location of the stormwater facility was not depicted on the original submission.

#### **Resolution:**

In response, the applicant has revised the plan to show the location of the underground detention facility and stormwater management facility.

#### **Issue: Tree Preservation**

The subject site is characterized by extensive mature tree cover. The development plan does not depict any "tree save" areas on the property. The applicant indicated a willingness to include some replacement landscaping on the property. Staff suggested that a stronger landscape component, including areas where existing vegetation would be preserved, would enhance the proposal and contribute to water quality protection.

#### **Resolution:**

A note on the plan indicates that the entire property will be cleared and graded. Given the extent of the proposed right-of-way dedication, the configuration of the remainder of the site limits the amount of tree save possible on the property. The applicant has not made any commitments to try to preserve trees on the site; however, the landscape plan has been revised to increase the amount of trees to be planted around the perimeter of the property. In addition, a proposed development condition requires the deletion of one of the drive-thru lanes with a corresponding shift of the pharmacy building to the west which will allow for

additional landscaping and buffering along Pickwick Road. Another condition requires the installation of a row of shrubs within the landscape strips along Pickwick Road and Route 29 and along the northern boundary.

**Land Use Analysis** (Appendix 6)

The Comprehensive Plan indicates that the property is planned for retail and other commercial use with a maximum FAR of 0.25. The applicant proposes to develop the property with a drive-thru pharmacy at an FAR of 0.15. The proposed use and intensity conform with the Plan recommendations.

**Issue:** Screening of the property from adjacent residential areas

In order to protect existing and potential residential development opposite the property on the eastern side of Pickwick Road, the screening along Pickwick Road should be augmented. On-site parking areas should be screened from adjacent uses.

**Resolution:**

The applicant has proposed a 10 foot wide landscape strip along Pickwick Road to be planted with medium and large trees. No additional information as to type or size has been provided at this time. In staff's opinion, additional screening and buffering is appropriate in this area. Because the applicant has not provided sufficient justification for the second drive-thru lane based on the volume of cars anticipated to use the drive-thru service (approximately 3-6 cars per hour), a proposed development condition requires the deletion of one of the drive-thru lanes with a corresponding shift of the pharmacy building to the west. This change in building location will allow for additional landscaping and buffering along Pickwick Road. Another condition requires the installation of a row of shrubs within the landscape strips along Pickwick Road and Route 29 to screen the parking areas from vehicular traffic. With the imposition of these development conditions, staff believes these issues will be resolved.

**Issue:** Outdoor lighting

Outdoor lighting should be designed so there is as little impact on the eastern side of Pickwick Road and north of the property as possible during night hours.

**Resolution:**

A proposed development condition requires that the height of any freestanding parking lot light to the top of the fixture shall be not exceed sixteen (16) feet from grade. The draft proffers state that parking lot lighting and exterior building

lighting shall be directed downward and inward to prevent light spill-over onto adjacent properties. Staff believes that with the imposition of the proposed development conditions, this issue will be resolved.

**Issue: Signage**

Signs should be building and/or ground mounted.

**Resolution:**

The GDP/SE plat depicts locations for three on-site signs, one ground mounted sign at each of the entrances and a freestanding sign located at the intersection of Pickwick Road and Route 29. The freestanding sign is proposed to be 20 feet tall and measure 80 square feet. No further details have been submitted regarding the design of the signs. A proposed development condition prohibits pole signs on the property. Staff believes this issue has been resolved.

**ZONING ORDINANCE PROVISIONS (Appendix 9)**

<b>Bulk Standards (C-8)</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Lot Size	40,000 square feet	1.68 acres
Lot Width	200 feet	210 feet - Route 29* 265 feet - Pickwick Road
Building Height	40 feet	30 feet
Front Yard	45° ABP, but not less than 40 feet	78 feet - Pickwick Road 65 feet - Route 29
FAR	0.50	0.15
Open Space	15%	20%
<b>Parking</b>		
Parking Spaces	53 spaces	56 spaces
Loading Spaces	1 spaces	1 spaces
Stacking Spaces	5 spaces per lane	7 spaces per lane

\* Per Sect. 2-420 of the Zoning Ordinance, dedication of land to the Virginia Department of Transportation shall not affect the applicable minimum yard requirements. The minimum required yard shall be established from the lot line as it existed prior to dedication.

### **Waivers/Modifications**

Transitional Screening Type III and Barrier E, F or G are required between the proposed automobile-oriented use and single family residential uses located to the north and east of the application property. Type III Transitional Screening requires the provision of a landscape screen with a width of 50 feet and Barrier E, F or G (a fence or wall with a height of 6 feet). The applicant has requested a modification of the transitional screening yard pursuant to Par. 5 of Sect. 13-304 of the Zoning Ordinance, which states that transitional screening and barriers may be waived or modified where the adjoining land is designated in the adopted comprehensive plan for a use which would not require the provision of transitional screening between the land under site plan and the adjoining property. The property north of the subject property is designated on the Comprehensive Plan for retail uses but currently developed with a single family detached house. The GDP/SE plat shows a landscape screen with a width of 25 feet, to be planted with large trees, along the northern property boundary. A proposed development condition requires shrubs to be planted within the 25 foot yard to better screen the proposed commercial use from the existing residential use. With imposition of the proposed development condition, staff supports a modification of the transitional screening yard and waiver of the barrier requirement along the northern boundary.

The property east of the subject property consists of several vacant lots and some older single family detached houses. This area is designated on the Comprehensive Plan map for alternative uses including retail use not to exceed 0.25 FAR, or residential use at a density of 8-12 dwelling units per acre. The GDP/SE plat depicts a 10 foot wide landscape strip planted with medium and large trees along the eastern property line adjacent to Pickwick Road. In staff's opinion, the provision of a 10 foot wide yard is insufficient to adequately screen the existing and potential residential development east of the subject property and additional screening and buffering is appropriate in this area. Therefore, a proposed development condition requires the deletion of one of the drive-thru lanes with a corresponding shift of the pharmacy building to the west which will allow for additional landscaping and buffering along Pickwick Road. Another condition requires the installation of a row of shrubs within the landscape strip along Pickwick Road to screen the parking areas from view. With imposition of the proposed development conditions, staff supports a modification of the required transitional screening yard and waiver of the barrier requirements along the eastern property boundary.

### **Special Exception Requirements (Appendix 9)**

General Special Exception Standards (Sect. 9-006)  
Category 5 Standards (Sect. 9-503)

### Additional Standards for Automobile-Oriented Uses (Sect. 9-505)

All applicable standards have been satisfied with the draft proffers contained in Appendix 1 and imposition of the proposed development conditions contained in Appendix 2.

## CONCLUSIONS AND RECOMMENDATIONS

### Staff Conclusions

The applicant requests approval to rezone the subject property from R-1 and C-8 to C-8 and approval of a Special Exception to permit development of a pharmacy with a drive-thru window at an FAR of 0.15 on the subject property. In staff's analysis, the proposed use is consistent with plan language recommending retail uses with a maximum FAR of 0.25 on the site. In staff's evaluation, with incorporation of the draft proffers and proposed development conditions, the application is in harmony with the Comprehensive Plan and conforms with the applicable Zoning Ordinance provisions.

### Recommendation

Staff recommends approval of RZ 1998-SU-024 subject to the execution of proffers consistent with those in Appendix 1.

Staff recommends approval of SE 98-Y-025 subject to the proposed development conditions in Appendix 2.

Staff recommends approval of a modification of the transitional screening requirement and waiver of the barrier requirement along the north property boundary, in favor of that shown on the GDP/SE Plat and as conditioned.

Staff recommends approval of a modification of the transitional screening requirement and waiver of the barrier requirement along the east property boundary, as conditioned.

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.

**APPENDICES**

1. Draft Proffers
2. Proposed Development Conditions
3. Affidavit
4. Statement of Justification
5. Accepted proffers, development conditions and GDP/SE plat for RZ 86-S-048 and SE 90-S-017
6. Plan Citations and Land Use Analysis
7. Transportation Analysis
8. Environmental Analysis
9. Applicable Zoning Ordinance Provisions
10. Glossary of Terms

**PROFFER STATEMENT  
FOR A REZONING BY  
S & S DEVELOPMENT, L.L.C.**

**APPLICATION NUMBER RZ 98-SU-024  
(CONCURRENT WITH SE 98-Y-028)**

**September 23, 1998**

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 rezoning application proffer that the development of the parcels under consideration and shown on the Fairfax County Tax Maps as Tax Map References No. 54-4((1)) 129 and B and 54-4((2)), a portion of Parcel A and a portion of Parcel 127 (hereinafter, collectively, referred to as the "Property") will be in accordance with the following conditions if, and only if, said Rezoning request for the relevant parcels from R-1 to C-8 is granted. In the event said rezoning application request is denied, these proffers shall be null and void. The Applicant, for itself, its successors and assigns, agrees that these proffers 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 /General Development Plan Amendment and Special Exception Plat (collectively, the "GDP"), prepared by Dewberry & Davis and dated January 8, 1998, revised through September 15, 1998.

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 rezoning application to the date of site plan approval

3. The ~~Applicants~~ 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. Applicant commissioned a traffic analysis for the Property entitled, "Traffic Impact and Queue Analysis" which reflects that approximately 4.8% of the P.M. peak hour trips generated at this intersection are due to the Applicant's proposed use of the Property.

4. The following road improvements involving Lee Highway (Route 29) will be provided by Applicants 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 Applicants Applicant to Fairfax County at the time of site plan approval.
- b. A service drive will be constructed by Applicants 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 Applicants 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 Applicants 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 Applicants Applicant to Fairfax County at the time of the site plan approval.

- 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 Applicants 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. All dedications will be made to the Fairfax County Board of Supervisors and will be conveyed in fee simple.

7. Stormwater management and erosion and sedimentation controls will be provided on the Property in accordance with applicable County ordinances, including, but not limited to, the BMP provisions of the Water Supply Protection Overlay District.

8. If required by the Department of Public Works and Environmental Services, a geotechnical study will be submitted by the Applicants 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.

9. 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.

10. All lighting for the property shall conform to the lighting plan depicted on the GDP. The height, to the top of the fixture, of any freestanding parking lot lights shall not exceed sixteen feet (16') 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.

S & S DEVELOPMENT, L.L.C.

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

~~11/19/98~~  
~~11/19/98~~

**PROPOSED DEVELOPMENT CONDITIONS****SE 98-Y-025****September 23, 1998**

If it is the intent of the Board of Supervisors to approve SE 98-Y-025 located at Tax Map 54-4 ((2)) A pt., B, 127 pt., and 129 (5652 Pickwick Road) for a pharmacy with a drive-thru window pursuant to Sect. 4-504 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions which supercede all previous conditions for the subject property:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Department of Public Works and Environmental Services (DPW&ES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled "Generalized Development Plan Amendment/Special Exception Plat - Rite Aid / Centreville" and prepared by Dewberry & Davis which is dated January 8, 1998 as revised through July 6, 1998 and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. Hours of operation of the pharmacy and the drive-thru window shall be limited to 7:00 am to 12:00 am, Monday through Sunday.
5. The drive-through window shall be used only for the drop-off of prescriptions and pick-up of pharmaceuticals. No general retail sales shall be permitted from the window.
6. In order to provide additional screening of the residential properties east of Pickwick Road, irrespective of that shown on the SE Plat, the drive-thru window shall be served by only one drive-thru lane. The pharmacy building shall be shifted ten (10) feet to the west and the landscape buffer along the eastern boundary widened to twenty (20) feet. Signs shall be posted in the vicinity of the stacking area and at the drive-through window to advise drivers that the window service is for prescription use only.
7. A speaker box may be allowed to facilitate prescription pick up/drop off. It shall be located directly on the drive-through window itself. The volume of the speaker box shall be maintained at a reasonable level so as not to disturb adjacent property owners.

8. The building shall be constructed with similar building materials and architectural treatments on all four sides.
9. Vegetation consistent with a Type 1 Transitional Screening Yard shall be installed within the landscape buffer along the north and east property lines as determined by the Urban Forestry Branch of DPW&ES. In order to screen the parking lot from view along Route 29, a row of shrubs shall be installed within the landscape strip along the southern property line, as determined by DPW&ES.
10. All freestanding and building mounted signs shall comply with the provisions of Article 12. The identification sign proposed at the intersection of Pickwick Road and Route 29 shall be in general conformance with the sign depicted in Attachment 1 of these conditions, as determined by DPW&ES. No pole mounted signs shall be permitted.
11. All outdoor pole lighting shall be focused downward and shielded to minimize glare and shall meet the Performance Standards set forth in Article 14 of the Zoning Ordinance.

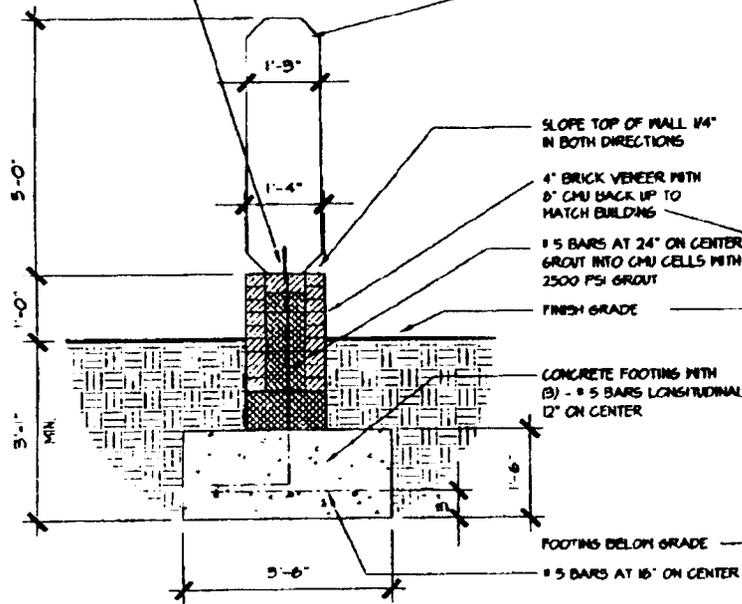
The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

(3) 1/2" DIA. 16" LONG ANCHOR BOLTS COORDINATE WITH SIGN MFG

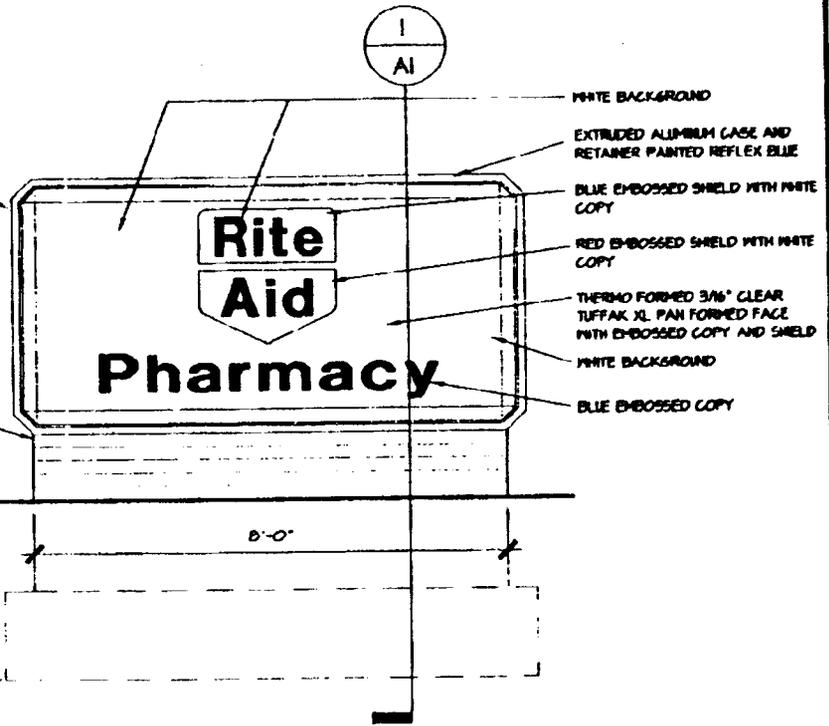
SIGN DRAWINGS BY PHILADELPHIA SIGN COMPANY



**SECTION**

SCALE: 1/2" = 1'-0"

NOTE:  
SIGN AND BRICK FACE EQUALS 41 SQ. FT.



**ELEVATION**

SCALE: 1/2" = 1'-0"

SIGN FOR  
**RITE AID PHARMACY**

10521 LEE HIGH WAY  
FAIRFAX, VIRGINIA 22030

**ROBERT B. LOVELESS, AIA**  
ARCHITECTS

8885 CENTER STREET • MANASSAS, VA. 20110 • (703) 388-1600

SHEET TITLE  
**SIGN**

DATE: 8-3-91  
REVISIONS:

**A-1**  
OF 1

**REZONING AFFIDAVIT**

APPENDIX 3

DATE: 9/23/98  
(enter date affidavit is notarized)

I, Christopher D. Bell, Esquire, Agent for Applicant, 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

in Application No(s): RZ 1998-SU-025 RZ 1998-SU-024  
(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 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.)

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
S & S Development, L.L.C. Agent: Philip E. Sanders	5265 Providence Rd., Ste. 403 Virginia Beach, VA 23464	<b>Applicant/Contract Purchaser</b>
McGuire, Woods, Battle & Boothe LLP Agents: Michael J. Giguere, Esquire Gregory A. Riegler, Planner Jill Gottdiener, Planner David S. Houston, Esquire Christopher D. Bell, Esquire	8280 Greensboro Drive Suite 900 McLean, VA 22102	<b>Attorneys/Agent</b>
Star Enterprise Agent: James Wagner	12700 Northborough Drive Houston, TX 77067	<b>Title Owner</b> TM 54-4-((2))-129, B
Dewberry & Davis Agent: Lawrence A. McDermott Robert C. Crawford	8401 Arlington Blvd. Fairfax, VA 22031 5636 Pickwick Road Centreville, VA 20120	<b>Engineers</b>  <b>Title Owner</b> TM 54-4-((2))-127 pt.

(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.

\* List as follows: (name of trustee), Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

REZONING AFFIDAVIT

DATE: 9/23/98  
(enter date affidavit is notarized)

for Application No(s): R2 1998-SU-025  
(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 herein.)

CORPORATION INFORMATION

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

S & S Development, L.L.C. 5265 Providence Road, Ste. 403  
Virginia Beach, VA 23464

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 & last name)

Philip E. Sanders, Managing Member

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

Philip E. Sanders, Managing Member

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

\*\* All listings which include partnerships or corporations 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 the stock. 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 AFFIDAVIT

DATE: 9/23/98  
(enter date affidavit is notarized)

for Application No(s): RZ 1998-SU-025  
(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 & zip code)

McGuire, Woods, Battle & Boothe, L L P  
8280 Greensboro Drive, Ste. 900  
McLean, VA 22102

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

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

General Partners of McGuire, Woods, Battle & Boothe LLP

Aaronson, Russell T., III  
Adams, Robert T.  
Adams, William H.  
Allen, George F.  
Ames, W. Allen, Jr.  
Anderson, Arthur E., II  
Anderson, Donald D.  
Appler, Thomas L.  
Armstrong, C. Torrence  
Atkinson, Frank B.  
Aucutt, Ronald D.  
Bagley, Terrence M.  
Baril, Mary Dalton  
Barr, John S.  
Bates, John W., III  
Battle, John S., Jr.  
Belcher, Dennis I.  
Bergan, Ann R  
Berry, James I. Vance, Jr.

Berkley, Waverly Lee, III  
Blaine, Steven W.  
Boland, J. William  
Bowie, C. Keating  
Bracey, Lucius H., Jr.  
Bradshaw, Michael T.  
Bridgeman, James D.  
Brittin, Jocelyn W.  
Broaddus, William G.  
Brown, Brickford Y.  
Brown, Thomas C., Jr.  
Buell, Robert M.  
Burke, John W., III  
Burkholder, Evan A  
Burnett, Jason B..  
Burrus, Robert L., Jr.  
Busch, Stephen D.  
Cabaniss, Thomas E.  
Cairns, Scott S.

(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 or corporations 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 the stock. 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 AFFIDAVIT

DATE: 9/23/98  
(enter date affidavit is notarized)

for Application No(s): R2 1998-GI-025  
(enter County-assigned application number(s))

2. That no member of the Fairfax County Board of Supervisors or 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 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.

3. That within the twelve-month period prior to the filing of this application, no member of the Fairfax County Board of Supervisors or 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 \$200 or more, with any of those listed in Par. 1 above.

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

None

(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 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) Christopher D. Bell  
[ ] Applicant [X] Applicant's Authorized Agent

Christopher D. Bell, Agent for Applicant  
(type or print first name, middle initial, last name & title of signer)

Subscribed and sworn to before me this 23rd day of September, 1998, in the state of Virginia.

My commission expires: 11-30-01 Juan L. Miller  
Notary Public

DATE: 9/23/98  
(enter date affidavit is notarized)

for Application No(s): R2 1998-SU-025  
(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.)

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD in Par. 1(a))
--	---	---

Darrell H. Hildreth

13404 Keating Drive  
Woodbridge, VA 22193

Title Owner  
TM 54-4-((2))-A

(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.

DATE: 9/23/98  
(enter date affidavit is notarized)

for Application No(s): RZ 1998-SU-025  
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)  
Star Enterprise  
12700 Northborough Drive  
Houston, TX 77067

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 & last name)

Texaco Refining & Marketing (East) Inc., General Partner  
Saudi Refining, Inc., General Partner

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

Seth L. Sharr, President & CEO  
William J. Mathe, VP & CFO  
Reidar O. Fauli, VP, Manufacturing

John F. Boles, COO  
Joseph W. Bernitt, VP, Marketing

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

DATE: 9/23/98  
(enter date affidavit is notarized)

for Application No(s): R2 1998-SU-025  
(enter County-assigned application number(s))

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

Texaco Refining & Marketing (East) Inc. 1111 Bagby  
Houston, TX 77002

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 & last name)

Wholly owned subsidiary of Texaco Refining & Marketing Inc.

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

Clarence P. Cazalot, Jr., Pres/Director  
 Glenn F. Tilton, COB  
 Robert C. Oelkers, Comptr.  
 F. J. Attermeir, Asst.Sec.  
 William L. Soula, Asst.Sec.  
 Ronald S. Sockloff, Asst.Treas.

D.D. Murrell, VP/Director  
 James F. Link, VP/Treas.  
 L. N. Port, Gen. Coun.  
 Robert E. Koch, Asst.Sec.  
 Beverly C. Walton, Asst.Sec.  
 Peter M. Wissell, Asst.Treas.

Glenn F. Tilton, Director  
 Carl B. Davidson, Sec.  
 Michael N. Ambler, Tax Coun.  
 A. J. Nammour, Asst.Sec.  
 Brian R. Ashley, Asst.Treas.  
 Thomas P. Dougherty, Asst.Comptr.

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

DATE: 9/23/98  
 (enter date affidavit is notarized)

for Application No(s): R2 1998-SU-025  
 (enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)  
 Saudi Refining, Inc. 9009 West Loop South  
 Houston, TX 77096

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 & last name)

Wholly owned subsidiary of Aramco Services Company, Inc.

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

Mustafa A. Jalali, COB/Director  
 S. R. Shairfan, Director  
 James C. Sgarlat, Compt.  
 L.G. Lewis, Asst.Sec.

W. M. Kparich, Director  
 F. R. Woelfel, Pres.Director  
 S. E. McGinley, Sec/Gen.Couns  
 M. L. Omer, Asst.Sec.

A. A. Saleh, Director  
 Robert J. Malley, Treas.  
 D. B. Kultgen, Asst

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

DATE: 9/23/98  
(enter date affidavit is notarized)

for Application No(s): RZ 1998-SU-025  
(enter County-assigned application number(s))

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

Texaco Refining & Marketing Inc. 1111 Bagby  
Houston, TX 77002

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 & last name)

Wholly owned subsidiary of TRMI Holdings Inc.

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

- |                                |                                |                               |
|--------------------------------|--------------------------------|-------------------------------|
| L. Wilson Berry, Pres/Director | Robert C. Oelkers, VP/Director | Glenn F. Tilton, COB/Director |
| C. M. Bandy, VP                | James J. Bartell, VP           | Thomas P. Dougherty, VP       |
| C.R. Holland, VP               | James F. Link, VP/Treas.       | J.W. McHale, VP               |
| P.L. Myers, VP                 | J.A. Price, VP                 | C.T. Walz, VP                 |
| S.S. Yosufzai, VP              | Carl. B. Davidson, Sec.        | L.N. Port, Gen.Couns.         |

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

DATE: 9/23/98  
(enter date affidavit is notarized)

for Application No(s): RZ 1998-SU-025  
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)  
TRMI Holdings Inc.  
1111 Bagby  
Houston, TX 77002

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 & last name)

Wholly owned subsidiary of Texaco Inc.

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

- |                              |                               |                                     |
|------------------------------|-------------------------------|-------------------------------------|
| C. Robert Black, VP/Director | G. E. Tilton, Pres./Director  | Robert A. Solberg, VP/Director      |
| L.W. Berry, Jr., VP          | J.W. McHale, VP               | Thomas P. Dougherty, VP/Asst.Compt. |
| Arthur A. Nicoletti, VP      | Robert C. Oelkers, VP/Comptr. | Carl B. Davidson, Sec.              |
| James F. Link, Treas.        | L.N. Port, Gen. Couns.        |                                     |

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

DATE: 9/23/98  
(enter date affidavit is notarized)

for Application No(s): R2 1998-SU-025  
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)  
Texaco Inc.  
2000 Westchester Avenue  
White Plains, NY 10650

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 & last name)

This entity is publicly traded.

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

- |                                 |                               |                                  |
|---------------------------------|-------------------------------|----------------------------------|
| Peter I. Bijur, Chair/CEO/Dir.  | John Brademas, Director       | Mary K. Bush, Director           |
| Willard C. Butcher, Director    | Edmund M. Carpenter, Director | Michael C. Hawley, Director      |
| Franklyn G. Jenifer, Director   | Thomas S. Murphy, Director    | Samuel Nunn, Director            |
| Charles H. Price, II, Director  | Robin B. Smith, Director      | William C. Steere, Jr., Director |
| Thomas A. Vanderslice, Director | William Wrigley, Director     | Allen J. Krowe, VP               |
| C. Robert Black, Sr. VP         | Patrick J. Lynch, Sr. VP, CFP | Stephen M. Turner, Sr. VP/GC     |
| Clarence P. Cazalot, Jr., VP    | Eugene G. Calentano, VP       | David C. Crikelair, VP           |
| John J. O'Connor, Sr. VP        | Glenn F. Tilton, Sr. VP       | Carl B. Davidson, VP/Sec.        |
| Claire S. Farley, VP            | William M. Wicker, Sr. VP     | Robert C. Oelkers, VP/Comptrol   |
| Robert A. Solberg, VP           | Janet L. Stoner, VP           | J. R. Metzger, VP                |
| Elizabeth P. Smith, VP          | J. F. Link, Treas.            | Michael M. Ambler, Gen. Couns.   |

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

DATE: 9/23/98  
(enter date affidavit is notarized)

for Application No(s): RZ 1998-SU-025  
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)  
Aramco Services Company, Inc. 9009 West Loop South  
Houston, TX 77096

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 & last name)

Wholly owned by the Saudi Arabian Oil Company

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

Mustafa A. Jalali, Pres./CEO/Director	W. M. Kaporich, VP/Director	I.S. Mishari, Director
A.A. Al-Muhareb, Director	F.R. Woelfel, Director	Robert J. Malley, Sec./Treas.
James C. Sgarlat, Comptr.	S.E. McGinley, Gen. Couns.	L.G. Lewis, Assoc.GC
Jonathan L. Sultan, Asst.Treas.	M.L. Omer, Asst.Sec.	

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

Saudi Arabian Oil Company P. O. Box 5000, Dhahran 31311  
Saudi, Arabia

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 & last name)

Wholly owned by Saudi Arabian Government

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

Ali I. Naimi, CEO	N.I. Al Bassam, Exec. VP	A.M. Al Hokail, Exec. VP
S. I. Hussein, Exec.VP	A. S. Jumah, Exec.VP	S. A. Al Ashgar, Sr. VP
A. G. Al Ghanim, Sr. VP	A. S. Humaid, Sr. VP	S. E. McGinley, Gen. Coun.
A. S. Al Saif, Sr. VP		

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

DATE: 9/23/98  
(enter date affidavit is notarized)

for Application No(s): R2 1998-SU-025  
(enter County-assigned application number(s))

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

Dewberry & Davis

8401 Arlington Blvd.  
Fairfax, VA 22031

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

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

Sidney O. Dewberry, Managing Gen. Ptn.

Barry K. Dewberry, Gen. Ptn.

KMT Limited Partnership, Gen. Ptn.

Special General Partners:

John P. Fowler, II  
Dennis M. Couture  
Carl C. Gutschow

Dan M. Pleasant  
Larry J. Keller

Richard L. Ford, Jr.  
Edward J. Riley

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

DATE: 9/23/98  
(enter date affidavit is notarized)

for Application No(s): R2 1998-SU-0.25  
(enter County-assigned application number(s))

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

KMT Limited Partnership  
c/o K.S. Grand Pre  
10707 Miller Road  
Oakton, VA 22124

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

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

Karen S. Grand Pre, General Partner

Michael S. Dewberry Trust, Limited Partner  
Reva A. Dewberry, Trustee  
Michael S. Dewberry, Sole Beneficiary

Thomas L. Dewberry Trust, Limited Partner  
Reva A. Dewberry, Trustee  
Thomas L. Dewberry, Sole Beneficiary

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

DATE: 9/23/98  
 (enter date affidavit is notarized)

for Application No(s): RZ 1998-SU-025  
 (enter County-assigned application number(s))

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

McGuire, Woods, Battle & Boothe LLP  
 8280 Greensboro Drive, Ste. 900  
 McLean, VA 22102

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

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

- |                           |                          |
|---------------------------|--------------------------|
| Calabrese, Antonio J.     | Edwards, Elizabeth F.    |
| Capwell, Jeffrey R.       | Etheridge, David Kent    |
| Carter, Joseph C., III    | Evans, David E.          |
| Cason, Alan C.            | Feller, Howard           |
| Chastain, Karen M.        | Fifer, Carson Lee, Jr.   |
| Cherry, Ronald M.         | Finger, William L.       |
| Christophoroff, Alexander | Flemming, Michael D.     |
| Clancy, Michael           | Florence, Gary F.        |
| Cogbill, John V., III     | France, Bonnie M.        |
| Colangelo, Stephen M.     | Franklin, Stanley M.     |
| Comey, James B.           | Freye, Gloria L.         |
| Corson, J. Jay, IV        | Frias, Jaime A.          |
| Courson, Gardner G.       | Garrett, Sam Y., Jr.     |
| Coward, Curtis M.         | Getchell, E. Duncan, Jr. |
| Cranfill, William T., Jr. | Gieg, William F.         |
| Cranford, Page D.         | Giguere, Michael J.      |
| Criser, Marshall M.       | Gillece, James P., Jr.   |
| Cromwell, Richard J.      | Glassman, M. Melissa     |
| Cullen, Richard           | Goldman, Nathan D.       |
| Dabney, H. Slayton, Jr.   | Good, Dennis W., Jr.     |
| Daniel, John W., II       | Goodall, Larry M.        |
| Daugherty, Patrick D.     | Gordon, Thomas C., Jr.   |
| Dawes, Michael F.         | Grandis, Leslie A.       |
| Deem, William W.          | Grytdahl, Jay L.         |
| Den Hartog, Grace R.      | Guth, Cheryl O'Donnell   |
| Donnelly, William E.      | Hampton, Glenn W.        |
| Douglass, W. Birch, III   | Harmon, T. Craig         |
| Dowd, Michael G.          | Harwood, Steven J.       |
| Dudley, Waller T.         | Hayden, Patrick L.       |
| Dyke, James Webster, Jr.  | Hobson, Richard R. G.    |
| Earl, Marshall H., Jr.    | Houston, David S.        |

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

DATE: 9/23/98  
(enter date affidavit is notarized)

for Application No(s): R2 1998-SU-025  
(enter County-assigned application number(s))

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

McGuire, Woods, Battle & Boothe LLP  
8280 Greensboro Drive, Ste. 900  
McLean, VA 22102

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

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

Hughes, Catherine V.  
Jennings, Michael L.  
Jett, R. Arthur, Jr.  
Kane, Richard F.  
Katsantonis, Joanne  
Keefe, Kenneth M., Jr.  
Keefer, Christopher L.  
King, Donald E.  
King, William H., Jr.  
Kittrell, Steven D.  
Krueger, Kurt J.  
La Frata, Mark J.  
Landess, Fred S.  
Lefcoe, Vann H.  
Levenson, David J.  
Levin, Michael H.  
Lew, Darryl S.  
Lewis, James M.  
Lindquist, Kurt E., II  
Little, Nancy R.  
Lucas, Thomas M.  
Maguire, Robert T.  
Margulies, Richard N.  
Marshall, Gary S.  
Martel Charles F.  
Martin, George K.  
McArver, R. Dennis  
McCallum, Steve C.  
McCann, John E.  
McCormick, John  
McElligott, James P., Jr.

McElroy, Robert G.  
McFarland, Robert W.  
McGee, Gary C.  
McGonigle, Thomas J.  
McIntyre, Charles W., Jr.  
McMenamin, Joseph P.  
McRill, Emery B.  
McVey, Henry H., III  
Melson, David E.  
Menges, Charles L.  
Michels, John J.  
Middleditch, Leigh B., Jr.  
Milton, Christine R.  
Moran, Kenneth J.  
Morgan, O. Forrest  
Murphy, Brian D.  
Murphy, Sean F.  
Murray, John V.  
Newton, Thomas L., Jr.  
Ney, R. Terrence  
O'Grady, Clive R. G.  
O'Grady, John B.  
Oakey, David N.  
Oakey, John M., Jr.  
Oostdyk, Scott C.  
Padgett, John D.  
Page, Rosewell, III  
Pankey, David H.  
Partridge, Charles E., Jr.  
Patterson, Robert H., Jr.  
Payne, Maria L.

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

DATE: 9/23/98  
 (enter date affidavit is notarized)

for Application No(s): R2 1998-SU-025  
 (enter County-assigned application number(s))

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

McGuire, Woods, Battle & Boothe LLP  
 8280 Greensboro Drive, Ste. 900  
 McLean, VA 22102

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

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

- Pollard, John O.
- Price, James H., III
- Rice, C. Daniel
- Richardson, David L., II
- Richardson, Lloyd M.
- Rifken, Lawrence E.
- Riopelle, Brian C.
- Robertson, David W.
- Robinson, Stephen W.
- Rohman, Thomas P.
- Rosen, Charlotte R.
- Russell, Deborah M.
- Russell, Frederick L.
- Rust, Dana L.
- Sacks, Morton A.
- Sanderlin, James L.
- Scannell, Raymond F.
- Schewel, Michael J.
- Schill, Gilbert E., Jr.
- Scott, R. Carter, III
- Scruggs, George L., Jr.
- Sharp, Larry D.
- Shelley, Patrick M.
- Skinner, Halcyon E.
- Slaughter, Alexander H.
- Slaughter, D. French, III
- Slingluff, Robert L.
- Slone, Daniel K.
- Smith, John M.
- Smith, R. Gordon
- Sooy, Kathleen Taylor

- Spahn, Thomas E.
- Spencer, Christopher C.
- Stallings, Thomas J.
- Steen, Bruce M.
- Stillman, F. Bradford
- Stone, Jacquelyn E.
- Stoneburner, Gresham R.
- Story, J. Cameron, III
- Strickland, William J.
- Stroud, Robert E.
- Stump, John S.
- Swartz, Charles R.
- Swett, Jay T.
- Tashjian-Brown, Eva S.
- Terry, David L.
- Terwilliger, George J., III
- Thornhill, James A.
- Tierney, Philip
- Topolski, Douglas M.
- Toole, John H.
- Traver, Courtland L.
- Tucker, Sharon K.
- Twomey, William E., Jr.
- Urech, Dan
- Van der Mersch, Xavier
- Vieth, Robert R.
- Waddell, William R.
- Walsh, James H.
- Walter, Laura H.
- Watts, Stephen H., II
- Weisner, John M.

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

DATE: 9/23/98  
(enter date affidavit is notarized)

for Application No(s): RZ 1998-SU-025  
(enter County-assigned application number(s))

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

McGuire, Woods, Battle & Boothe LLP  
8280 Greensboro Drive, Ste. 900  
McLean, VA 22102

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

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

- Wells,, David M.
- Whitt-Sellers, Jane R.
- Whitemore, Anne M.
- Wickersham, Ralph R.
- Williams, Steven R.
- Williamson, Mark D.
- Wilson, Ernest
- Wintriss, Lynn
- Wood, R. Craig
- Woloszyn, John J.
- Word, Thomas S., Jr.
- Worrell, David H., Jr.
- Younger, W. Carter
- Zhigachov, Igor
- Zirkle, Warren E.

WTYS\5410  
U:\AFFIDAVIT\FIRMIC.WPD

These are the only partners in the above-referenced firm.

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: 9/23/98  
(enter date affidavit is notarized)

I, Christopher D. Bell, Agent for Applicant, 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

in Application No(s): SE 98-Y-028 SE 98-Y-025  
(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 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.)

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
S & S Development, L.L.C. Agent: Philip E. Sanders	5265 Providence Road, Ste. 403 Virginia Beach, VA 23464	Applicant/Contract Purchaser
McGuire, Woods, Battle & Boothe LLP Agents: Michael J. Giguere, Esquire Christopher D. Bell, Esquire David S. Houston, Esquire Gregory A. Riegler, Planner Jill R. Gottdiener, Planner	8280 Greensboro Drive Suite 900 McLean, VA 22102	Attorneys/Agent
Darrell H. Hildreth	13404 Keating Drive Woodbridge, VA 22193	Title Owner TM 54-4-((2))-A
Robert C. Crawford	5636 Pickwick Road Centreville, VA 20120	Title Owner TM 54-4-((2))-127 pt.

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

\* List as follows: (name of trustee), Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

SPECIAL EXCEPTION AFFIDAVIT

DATE: 9/23/98  
(enter date affidavit is notarized)

for Application No(s): SE 98-Y-028  
(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:

(NOTE: Include sole proprietorships herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)  
S & S Development, L.L.C. 5265 Providence Road, Ste. 403  
Virginia Beach, VA 23464

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, last name & title)

Philip E. Sanders, Managing Member

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

\*\* All listings which include partnerships or corporations 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 the stock. 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.

DATE: 9/23/98  
 (enter date affidavit is notarized)

for Application No(s): SE 98-Y-028  
 (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 & zip code)

McGuire, Woods, Battle & Boothe L L P  
 8280 Greensboro Drive, Ste. 900  
 McLean, VA 22102

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

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

General Partners of McGuire, Woods, Battle & Boothe LLP

Aaronson, Russell T., III  
 Adams, Robert T.  
 Adams, William H.  
 Allen, George F.  
 Ames, W. Allen, Jr.  
 Anderson, Arthur E., II  
 Anderson, Donald D.  
 Appler, Thomas L.  
 Armstrong, C. Torrence  
 Atkinson, Frank B.  
 Aucutt, Ronald D.  
 Bagley, Terrence M.  
 Baril, Mary Dalton  
 Barr, John S.  
 Bates, John W., III  
 Battle, John S., Jr.  
 Belcher, Dennis I.  
 Bergan, Ann R.  
 Berry, James I. Vance, Jr.

Berkley, Waverly Lee, III  
 Blaine, Steven W.  
 Boland, J. William  
 Bowie, C. Keating  
 Bracey, Lucius H., Jr.  
 Bradshaw, Michael T.  
 Bridgeman, James D.  
 Brittin, Jocelyn W.  
 Broadus, William G.  
 Brown, Brickford Y.  
 Brown, Thomas C., Jr.  
 Buell, Robert M.  
 Burke, John W., III  
 Burkholder, Evan A.  
 Burnett, Jason B..  
 Burrus, Robert L., Jr.  
 Busch, Stephen D.  
 Cabaniss, Thomas E.  
 Cairns, Scott S.

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

\*\* All listings which include partnerships or corporations 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 the stock. 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.

DATE: 9/23/98  
(enter date affidavit is notarized)

for Application No(s): SE 98-Y-028  
(enter County-assigned application number(s))

2. That no member of the Fairfax County Board of Supervisors or 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 line below.)

None

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

3. That within the twelve-month period prior to the filing of this application, no member of the Fairfax County Board of Supervisors or 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 \$200 or more, with any of those listed in Par. 1 above.

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

None

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

4. That the information contained in this affidavit is complete 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:

Christopher D Bell  
(check one) [ ] Applicant [X] Applicant's Authorized Agent

Christopher D. Bell, Agent for Applicant

(type or print first name, middle initial, last name & title of signee)

Subscribed and sworn to before me this 23<sup>rd</sup> day of September, 19 98, in the state of Virginia.

My commission expires: 11-30-01. John L. Allen  
Notary Public

DATE: 9/23/98  
(enter date affidavit is notarized)

for Application No(s): SE 98-Y-028  
(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.)

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD in Par. 1(a))
Star Enterprise	12700 Northborough Drive Houston, TX 77067	Title Owner TM 54-4-((2))-129, B James Wagner, Agent
Dewberry & Davis	8401 Arlington Blvd. Fairfax, VA 22031	Engineers Lawrence A. McDermott, Agent

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

DATE: 9/23/98  
(enter date affidavit is notarized)

for Application No(s): SE 98-Y-028  
(enter County-assigned application number(s))

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

Star Enterprise 12700 Northborough Drive  
Houston, TX 77067

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 & last name)

Texaco Refining & Marketing (East) Inc., General Partner  
Saudi Refining, Inc., General Partner

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

Texaco Refining & Marketing (East) Inc. 1111 Bagby  
Houston, TX 77002

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 & last name)

Wholly owned subsidiary of Texaco Refining & Marketing Inc.

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

DATE: 9/23/98  
(enter date affidavit is notarized)

for Application No(s): SE 98-4-028  
(enter County-assigned application number(s))

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

Saudi Refining, Inc. 9009 West Loop South  
Houston, TX 77096

**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 & last name)

Wholly owned subsidiary of Aramco Services Company, Inc.

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

Texaco Refining & Marketing Inc. 1111 Bagby  
Houston, TX 77002

**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 & last name)

Wholly owned subsidiary of TRMI Holdings Inc.

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

DATE: 9/23/98  
(enter date affidavit is notarized)

for Application No(s): SE 98-Y-028  
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)  
TRMI Holdings Inc. 1111 Bagby  
Houston, TX 77002

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 & last name)  
Wholly owned subsidiary of Texaco Inc.

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)  
Texaco Inc. 2000 Westchester Avenue  
White Plains, NY 10650

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 & last name)

This entity is publicly traded.

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

DATE: 9/23/98  
(enter date affidavit is notarized)

for Application No(s): SE 98-Y-028  
(enter County-assigned application number(s))

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

Aramco Services Company, Inc. 9009 West Loop South  
Houston, TX 77096

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 & last name)

Wholly owned by the Saudi Arabian Oil Company

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

Saudi Arabian Oil Company P. O. Box 5000, Dhahran 31311  
Saudi, Arabia

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 & last name)

Wholly owned by Saudi Arabian Government

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

DATE: 9/23/98  
(enter date affidavit is notarized)

for Application No(s): SE 98-Y-028  
(enter county-assigned application number(s))

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

Dewberry & Davis  
8401 Arlington Blvd.  
Fairfax, VA 22031

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

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

Sidney O. Dewberry, Managing Gen. Ptn.  
KMT Limited Partnership, Gen. Ptn.      Barry K. Dewberry, Gen. Ptn.

Special General Partners:  
John P. Fowler, II      Dan M. Pleasant      Richard L. Ford, Jr.  
Dennis M. Couture      Larry K. Keller      Carl C. Gutschow

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



DATE: 9/23/98  
(enter date affidavit is notarized)

for Application No(s): SE 98-Y-028  
(enter County-assigned application number(s))

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

McGuire, Woods, Battle & Boothe L L P  
8280 Greensboro Drive, Ste. 900  
McLean, VA 22102

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

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

- |                           |                          |
|---------------------------|--------------------------|
| Calabrese, Antonio J.     | Edwards, Elizabeth F.    |
| Capwell, Jeffrey R.       | Etheridge, David Kent    |
| Carter, Joseph C., III    | Evans, David E.          |
| Cason, Alan C.            | Feller, Howard           |
| Chastain, Karen M.        | Fifer, Carson Lee, Jr.   |
| Cherry, Ronald M.         | Finger, William L.       |
| Christophoroff, Alexander | Flemming, Michael D.     |
| Clancy, Michael           | Florence, Gary F.        |
| Cogbill, John V., III     | France, Bonnie M.        |
| Colangelo, Stephen M.     | Franklin, Stanley M.     |
| Comey, James B.           | Freye, Gloria L.         |
| Corson, J. Jay, IV        | Frias, Jaime A.          |
| Courson, Gardner G.       | Garrett, Sam Y., Jr.     |
| Coward, Curtis M.         | Getchell, E. Duncan, Jr. |
| Cranfill, William T., Jr. | Gieg, William F.         |
| Cranford, Page D.         | Giguere, Michael J.      |
| Criser, Marshall M.       | Gillece, James P., Jr.   |
| Cromwell, Richard J.      | Glassman, M. Melissa     |
| Cullen, Richard           | Goldman, Nathan D.       |
| Dabney, H. Slayton, Jr.   | Good, Dennis W., Jr.     |
| Daniel, John W., II       | Goodall, Larry M.        |
| Daugherty, Patrick D.     | Gordon, Thomas C., Jr.   |
| Dawes, Michael F.         | Grandis, Leslie A.       |
| Deem, William W.          | Grytdahl, Jay L.         |
| Den Hartog, Grace R.      | Guth, Cheryl O'Donnell   |
| Donnelly, William E.      | Hampton, Glenn W.        |
| Douglass, W. Birch, III   | Harmon, T. Craig         |
| Dowd, Michael G.          | Harwood, Steven J.       |
| Dudley, Waller T.         | Hayden, Patrick L.       |
| Dyke, James Webster, Jr.  | Hobson, Richard R. G.    |
| Earl, Marshall H., Jr.    | Houston, David S.        |

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

DATE: 9/23/98  
(enter date affidavit is notarized)

for Application No(s): SE 98-4028  
(enter County-assigned application number(s))

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

McGuire, Woods, Battle & Boothe L L P  
8280 Greensboro Drive, Ste. 900  
McLean, VA 22102

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

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

Hughes, Catherine V.  
Jennings, Michael L.  
Jett, R. Arthur, Jr.  
Kane, Richard F.  
Katsantonis, Joanne  
Keefe, Kenneth M., Jr.  
Keefer, Christopher L.  
King, Donald E.  
King, William H., Jr.  
Kittrell, Steven D.  
Krueger, Kurt J.  
La Frata, Mark J.  
Landess, Fred S.  
Lefcoe, Vann H.  
Levenson, David J.  
Levin, Michael H.  
Lew, Darryl S.  
Lewis, James M.  
Lindquist, Kurt E., II  
Little, Nancy R.  
Lucas, Thomas M.  
Maguire, Robert T.  
Margulies, Richard N.  
Marshall, Gary S.  
Martel Charles F.  
Martin, George K.  
McArver, R. Dennis  
McCallum, Steve C.  
McCann, John E.  
McCormick, John  
McElligott, James P., Jr.

McElroy, Robert G.  
McFarland, Robert W.  
McGee, Gary C.  
McGonigle, Thomas J.  
McIntyre, Charles W., Jr.  
McMenamin, Joseph P.  
McRill, Emery B.  
McVey, Henry H., III  
Melson, David E.  
Menges, Charles L.  
Michels, John J.  
Middleditch, Leigh B., Jr.  
Milton, Christine R.  
Moran, Kenneth J.  
Morgan, O. Forrest  
Murphy, Brian D.  
Murphy, Sean F.  
Murray, John V.  
Newton, Thomas L., Jr.  
Ney, R. Terrence  
O'Grady, Clive R. G.  
O'Grady, John B.  
Oakey, David N.  
Oakey, John M., Jr.  
Oostdyk, Scott C.  
Padgett, John D.  
Page, Rosewell, III  
Pankey, David H.  
Partridge, Charles E., Jr.  
Patterson, Robert H., Jr.  
Payne, Maria L.

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

DATE: 9/23/98  
(enter date affidavit is notarized)

for Application No(s): SE 98-4-028  
(enter County-assigned application number(s))

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

McGuire, Woods, Battle & Boothe L L P  
8280 Greensboro Drive, Ste. 900  
McLean, VA 22102

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

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

Pollard, John O.  
Price, James H., III  
Rice, C. Daniel  
Richardson, David L., II  
Richardson, Lloyd M.  
Rifken, Lawrence E.  
Riopelle, Brian C.  
Robertson, David W.  
Robinson, Stephen W.  
Rohman, Thomas P.  
Rosen, Charlotte R.  
Russell, Deborah M.  
Russell, Frederick L.  
Rust, Dana L.  
Sacks, Morton A.  
Sanderlin, James L.  
Scannell, Raymond F.  
Schewel, Michael J.  
Schill, Gilbert E., Jr.  
Scott, R. Carter, III  
Scruggs, George L., Jr.  
Sharp, Larry D.  
Shelley, Patrick M.  
Skinner, Halcyon E.  
Slaughter, Alexander H.  
Slaughter, D. French, III  
Slingluff, Robert L.  
Slone, Daniel K.  
Smith, John M.  
Smith, R. Gordon  
Sooy, Kathleen Taylor

Spahn, Thomas E.  
Spencer, Christopher C.  
Stallings, Thomas J.  
Steen, Bruce M.  
Stillman, F. Bradford  
Stone, Jacquelyn E.  
Stoneburner, Gresham R.  
Story, J. Cameron, III  
Strickland, William J.  
Stroud, Robert E.  
Stump, John S.  
Swartz, Charles R.  
Swett, Jay T.  
Tashjian-Brown, Eva S.  
Terry, David L.  
Terwilliger, George J., III  
Thornhill, James A.  
Tierney, Philip  
Topolski, Douglas M.  
Toole, John H.  
Traver, Courtland L.  
Tucker, Sharon K.  
Twomey, William E., Jr.  
Urech, Dan  
Van der Mersch, Xavier  
Vieth, Robert R.  
Waddell, William R.  
Walsh, James H.  
Walter, Laura H.  
Watts, Stephen H., II  
Weisner, John M.

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

DATE: 9/23/98

(enter date affidavit is notarized)

for Application No(s): 5E 98-4-028  
(enter County-assigned application number(s))

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

McGuire, Woods, Battle & Boothe L L P  
8280 Greensboro Drive, Ste. 900  
McLean, VA 22102

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

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

- Wells,, David M.
- Whitt-Sellers, Jane R.
- Whittemore, Anne M.
- Wickersham, Ralph R.
- Williams, Steven R.
- Williamson, Mark D.
- Wilson, Ernest
- Wintriss, Lynn
- Wood, R. Craig
- Woloszyn, John J.
- Word, Thomas S., Jr.
- Worrell, David H., Jr.
- Younger, W. Carter
- Zhigachov, Igor
- Zirkle, Warren E.

\\TYS\5410  
U:\AFFIDAV\FIRMIC.WPD

These are the only partners in the above-referenced firm.

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

STATEMENT OF JUSTIFICATION  
REZONING APPLICATION

February 9, 1998

This application is a request for approval of a rezoning of 1.68 acres of property from R-1, C-8, HC, SC to C-8, HC, SC in order to permit the site to be developed with a retail pharmacy with a drive-through window. The area to be rezoned is located on Fairfax County Tax Map 54-4 ((1)) 129, B and 54-4 ((2)) Pt. 127, Pt. A. The southern portion of the property is presently approved for service station uses.

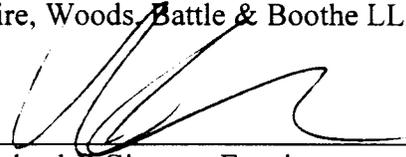
The property is located in the Centreville Suburban Center of the Fairfax County Comprehensive Plan and is planned for retail and other commercial uses. The requested rezoning is in conformance with the Comprehensive Plan. The parcels will be developed under an architecturally integrated plan that will include appropriate landscaping, buffering, and screening.

In comparison to the governing approval for a service station on the southern portion of the property, the proposal will provide a more meaningful consolidation of undeveloped commercially planned land, result in less development intensity, lower trip generation, improved architectural compatibility and will provide a service not currently available to the residents of the Centreville community.

For all of the aforementioned reasons, the Applicant respectfully requests that the Planning Staff and Planning Commission support and that the Board of Supervisors approve the proposed rezoning.

Respectfully submitted,

McGuire, Woods, Battle &amp; Boothe LLP

By: 

Michael J. Giguere, Esquire

**RECEIVED**  
OFFICE OF COMPREHENSIVE PLANNING  
FEB 25 1998  
ZONING EVALUATION DIVISION

STATEMENT OF JUSTIFICATION  
SPECIAL EXCEPTION APPLICATION

January 8, 1998

This application is a request for approval of a Special Exception that would allow a drive-through window on a proposed retail drug store. The property is currently zoned R-1, C-8, HC, and SC. Through a concurrently filed Rezoning the entire property will be zoned C-8. A pharmacy is permitted as a by right use in the C-8 District. The drive-through facility, however, is considered a Category 5 automobile-oriented use requiring a special exception in the C-8 District.

The pharmacy development will be located on Fairfax County Tax Maps 54-4 ((1)) 129, B and 54-4 ((2)) Pt. A, Pt. 127. The total area of the SE is approximately 1.68 acres. The parcels will be developed under an architecturally-integrated plan that will include appropriate landscaping, buffering, and screening.

The following information is provided pursuant to the provisions set forth in Section 9-011 of the Fairfax County Zoning Ordinance.

- A. Type of Operation. Drive-through pharmacy window.
- B. Hours of Operation. The hours of operation of the drive-through window will be Monday through Sunday 7am to 12 am. The Applicant reserves the right to adjust these hours subject to market conditions.
- C. Estimated Number of Patrons. Traffic studies conducted for the Rite Aid Corporation suggest that approximately 3 vehicles per hour would use the drive-through facility during a 2-hour A.M. and P.M. peak period.
- D. Proposed Number of Employees. Ordinarily, there will be one to two employees servicing the drive-through window. The number of employees is subject to change as dictated by seasonal demand and changes in market conditions.
- E. Traffic Impact. Research at existing drug stores suggests that such windows have neither the same peak travel demand requirements nor customer car trips associated with drive-through banks and drive-through fast food restaurants. As stated above, approximately 3 vehicles per hour would use the drive-through facility during a 2-hour peak A.M. and P.M. period.
- F. Area Served. The drive-through window primarily will serve western Fairfax County.

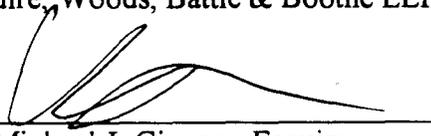
- G. Architectural Compatibility. The drive-through will be built in a manner that is architecturally and structurally similar to the larger pharmacy facility.
- H. Hazardous or Toxic Substances. To the best of the Applicant's knowledge, no hazardous or toxic substances are known to exist on the property. Furthermore, no hazardous or toxic substances will be generated, utilized, stored or otherwise located on the property as a result of the proposed use.
- I. Statement of Conformance. The proposed use will conform to the provisions and all applicable ordinances, regulations, adopted standards and any applicable conditions.

For all of the aforementioned reasons, the Applicant respectfully requests that the Planning Staff and Planning Commission support and that the Board of Supervisors approve the proposed Special Exception.

Respectfully submitted,

McGuire, Woods, Battle & Boothe LLP

By:

  
Michael J. Giguere, Esquire



COMMONWEALTH OF VIRGINIA  
COUNTY OF FAIRFAX

4100 Chain Bridge Road  
Fairfax, Virginia 22030



August 7, 1991

Melanie M. Reilly, Esquire  
McGuire, Woods, Battle and Boothe  
8380 Greensboro Drive - Suite 900  
Post Office Box 9346  
McLean, Virginia 22102

Re: Rezoning Application  
Number RZ 86-S-048  
Concurrent with SE 90-S-017

Dear Ms. Reilly:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on July 22, 1991, granting, as proffered, Rezoning Application RZ 86-S-048 in the name of Richard L. Labbe, Trustee and Star Enterprise, to rezone certain property in the Springfield District from the R-1 and C-8 Districts; Sign Control, Water Supply Protection Overlay and Highway Corridor Districts, to the C-8 District; Sign Control, Water Supply Protection Overlay, and Highway Corridor Districts, subject to the proffers dated June 25, 1991, on subject parcels 54-4 ((2)) 129 and B consisting of approximately 1.16 acres.

The Board also waived the minimum lot area and lot width requirements.

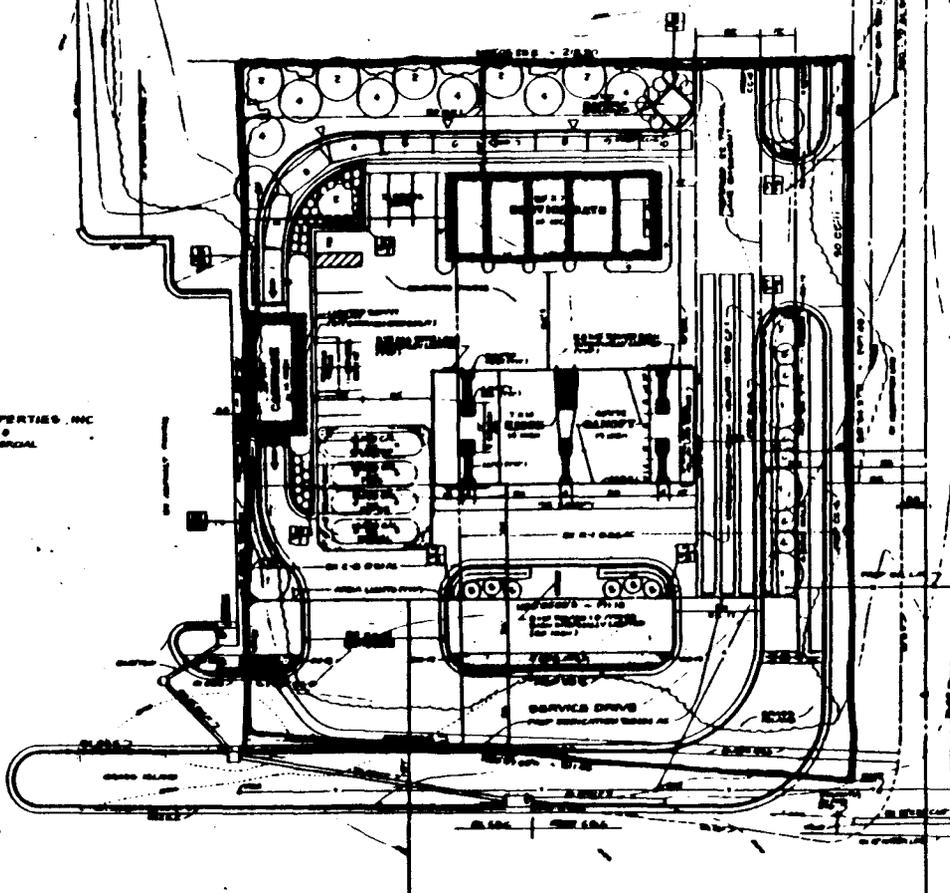
Sincerely,

Nancy Vehrs  
Clerk to the Board of Supervisors

NV/ns

cc: Dena M. Siri, Real Estate Dvsn., Assessments  
Melinda M. Artman, Deputy Zoning Administrator  
Barbara A. Byron, Director, Zoning Evaluation Dvsn., OCP  
Fred R. Beales, Supervisor, Base Prop. Mapping/Overlay  
Robert Moore, Trnsprt'n. Planning Dvsn., Office of Transportation  
Kathy Ichter, Trnsprt'n. Road Bond Dvsn., Office of Transportation  
Department of Environmental Management  
A. V. Bailey, Resident Engineer, VDOT  
Land Acq. & Planning Dvsn., Park Authority

RICHARD LABBE TRUSTEE  
 10000 R-1  
 600 RESIDENTIAL



L. H. PROPERTIES, INC.  
 10000 R-1  
 600 COMMERCIAL

PICKWICK ROAD (ROUTE 102, 50 R/W)

LOT 14  
 60000 RESIDENTIAL

HATCHERS SUBDIVISION  
 10000 R-1

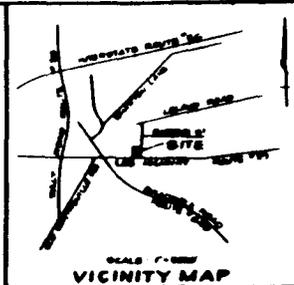
LOT 1  
 10000 R-1

LEE HIGHWAY (ROUTE 27, VARIABLE WIDTH)

NO.	DESCRIPTION	AREA	REMARKS
1	...	...	...
2	...	...	...
3	...	...	...
4	...	...	...
5	...	...	...
6	...	...	...
7	...	...	...
8	...	...	...
9	...	...	...
10	...	...	...

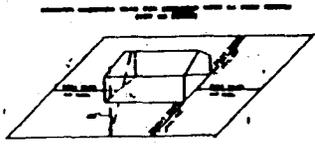
PICKWICK ROAD ADJAC LTD PARTNERSHIP  
 10000 R-1, USE RESIDENTIAL / RETAIL

1. THE PROPOSED DEVELOPMENT IS A COMMERCIAL CENTER...  
 2. THE PROPOSED DEVELOPMENT IS A COMMERCIAL CENTER...  
 3. THE PROPOSED DEVELOPMENT IS A COMMERCIAL CENTER...  
 4. THE PROPOSED DEVELOPMENT IS A COMMERCIAL CENTER...  
 5. THE PROPOSED DEVELOPMENT IS A COMMERCIAL CENTER...  
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NO.	DESCRIPTION	AREA	REMARKS
1	...	...	...
2	...	...	...
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NO.	DESCRIPTION	AREA	REMARKS
1	...	...	...
2	...	...	...
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**GENERAL DEVELOPMENT PLAN  
 AND SPECIAL EXCEPTION PLAN  
 CENTREVILLE EAST**  
 SPRINGFIELD DISTRICT, FAIRFAX COUNTY, VIRGINIA  
 SCALE: 1" = 50'  
 AUGUST, 1970  
 MENACD AND STRICKHOUSER, P.C.  
 ENGINEERING - SURVEYING - PLANNING  
 FAIRFAX, VIRGINIA  
 JOB 871-6000

JUL 2 1991

## PROFFER STATEMENT

FOR A REZONING BY

ZONING EVALUATION DIVISION

RICHARD L. LABBE, TRUSTEE AND STAR ENTERPRISE

(RZ 86-S-048)

Revised June 25, 1991

Pursuant to §15.1-491(a) of the Code of Virginia (1950, as amended) and §18-203 of the Zoning Ordinance of Fairfax County (1978, as amended), the Property Owner, Richard L. Labbe, Trustee and the Contract Purchaser, Star Enterprise, for themselves, their successors or assigns, (hereinafter collectively referred to as "Applicants"), proffer that the development of the parcels under consideration and shown on Fairfax County Tax Maps as Tax Map References 54-4-((2))-129 and B, hereinafter referred to as the "Property", will be in accordance with the following conditions, if and only if the Rezoning Application, as requested and amended, and the Special Exception Application heard concurrently with the rezoning (SE 90-S-017) are granted. These proffered conditions, if accepted, supersede all proffers existing on the Property. The headings of the proffers set forth below have been prepared for convenience of reference only, and shall not control or affect the meaning, or be taken as an interpretation, of any provisions of the proffers. In the event said rezoning and special exception requests are denied or not granted, this proffer statement shall immediately become null and void and of no further force and effect. The proffered conditions are as follows:

Generalized Development Plan

1. The Property, including landscaping, screening and barriers, will be developed as a modified Texaco System 2000, in conformance with the Generalized Development Plan/Special Exception Plat ("GDP"), dated July, 1990, last revised on June 25, 1991, prepared by Monaco and Strickhouser, P.C.; as set forth in §18-204(4)(5) of the Fairfax County Zoning Ordinance, with conformance with the GDP leaving the Applicants a reasonable margin for adjustment due to final engineering data. Such adjustment shall conform with the general nature of the development, the specific uses, and the general layout depicted by the plans, profiles, elevations, and other demonstrative materials presented by the Applicants.

Transportation

2. A contribution of \$4.19 per gross square foot of building structure to the Centreville Area Road Fund shall be

made at the time of site plan approval in accordance with the policy adopted by the Board of Supervisors. Using the approval date of the rezoning application as the base date, this cash contribution will be adjusted according to the Construction Cost Index as published in the Engineering News Record by McGraw-Hill.

3. At the option of the Applicants, the Applicants shall either relocate the existing traffic signal at the northwest corner of the intersection of Lee Highway (Route 29) and Pickwick Road (Route 1021) or make a monetary contribution to the DEM for the cost to relocate said signal. Should the Applicants elect to perform the relocation, it shall be performed at such time as the road improvements shown on the GDP are performed. Should the Applicants elect to contribute in lieu of relocating the traffic signal themselves, this contribution will be based upon a written invoice provided by the Virginia Department of Transportation ("VDOT") and/or DEM detailing the costs incurred for the relocation of the traffic signal, and such contribution will be made within thirty (30) days of the completion of the relocation of the traffic signal and receipt of the invoice.

4. All of the following public roadway improvements will be implemented in accordance with VDOT and Fairfax County standards, and all rights-of-way, up to one hundred and seven feet (107') from the existing centerline of Lee Highway and up to forty-five feet (45') from the existing centerline of Pickwick Road, to accomplish said road improvements will be dedicated upon final approval of applicable site plans, or earlier at the request of the County or VDOT, whichever comes first. All dedications will be made to the Fairfax County Board of Supervisors and will be conveyed in fee simple. Further, no later than the issuance of the first non-residential use permit, the Applicants will commence construction of the following improvements, as shown on the GDP and set forth in Proffers 5 and 6 below.

5. The following road improvements or dedications involving Lee Highway (Route 29) will be provided by Applicants:

a. Right-of-way along the Property frontage on Lee Highway as further shown on the GDP, measuring one hundred and seven feet (107') from the existing centerline of Lee Highway will be dedicated in fee simple by Applicants to the Board of Supervisors at the time of site plan approval or earlier at the

request of the County or VDOT, whichever comes first.

b. Lee Highway will be constructed by Applicants along the Property frontage, as further shown on the GDP, to match the existing section of Lee Highway immediately west of the Property. The Applicants further agree to construct the service drive as shown on the GDP.

c. Curb and gutter with sidewalk will be constructed by Applicants along the Property's Lee Highway frontage, as further shown on the GDP.

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

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 in fee simple by Applicants to the Board of Supervisors at the time of site plan approval or earlier at the request of the County or VDOT, whichever comes first.

b. Pickwick Road will be constructed by Applicants 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 Applicants along the Property's Pickwick Road frontage, as further shown on the GDP.

#### Environmental

7. Hydrocarbon removal measures shall be provided to the satisfaction of DEM. Such hydrocarbon removal methods may include, depending upon the circumstances, the use of vegetated filter strips, infiltration trenches and other methods that promote infiltration, created artificial wetland best management practices (BMPs), wet stormwater detention BMPs, extended dry BMPs and oil/grit separators to protect surface and groundwater resources from the runoff of oil, petroleum and grease from the

Property. Where oil/grit separators are provided, they shall be designed in accordance with the criteria set forth in the Metropolitan Washington Council of Governments 1987 publication entitled Controlling Urban Runoff: A Practical Manual for Planning and Designing Urban BMP's or with other methods approved by DEM.

8. The Applicants agree to install an oil recovery facility on the Property for the collection of used motor oil. Collection at said facility shall be limited to used motor oil. The facility shall be locked at all times with disposal of used motor oil occurring only when supervised by the Applicants' representative, franchisee's representative or the Applicants' successors or assigns representative. A fee will not be charged the public for use of said disposal facility.

Geotechnical Study

9. If required by DEM, a geotechnical study will be submitted by the Applicants for approval by DEM as required by DEM under Public Facilities Manual standards at the time of site plan approval, and the Applicants will adhere to the recommendations of the study.

Trash Dumpster

10. The Applicants agree that the trash dumpster will be serviced only during non-peak hours.

Public Amenity:

11. Air and water shall be available to customers at no charge.

RICHARD L. LABBE, TRUSTEE  
(Property Owner)

DATE:

July 1, 1991

BY:

Richard L. Labbe, Trustee  
Richard L. Labbe, Trustee

STAR ENTERPRISE  
(Contract Purchaser)

DATE: 6/26/91

BY:   
E. J. Goll  
Area Manager, Distribution  
Development

STROP11A.RLA



COMMONWEALTH OF VIRGINIA  
COUNTY OF FAIRFAX

4100 Chain Bridge Road  
Fairfax, Virginia 22030



August 7, 1991

Melanie M. Reilly, Esquire  
McGuire, Woods, Battle & Boothe  
8280 Greensboro Drive - Suite 900  
Post Office Box 9346  
McLean, Virginia 22102

Re: Special Exception  
Number SE 90-S-017  
Concurrent with RZ 86-S-048

Dear Ms. Reilly:

At a regular meeting of the Board of Supervisors held on July 22, 1991, the Board approved Special Exception Number SE 90-S-017, in the name of Richard L. Labbe, Trustee and Star Enterprise, located at Tax Map 54-4 ((2)) 129 and B for the construction of a service station with canopy and car wash pursuant to Section 4-804 and 7-607 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans. Any plan submitted pursuant to this Special Exception shall be in conformance with the approved Special Exception Plat entitled Centreville East and prepared by Monaco and Strickhouser, P.C., Inc. which is dated August, 1990 with a revision date of June 25, 1991 and these conditions.

RECEIVED  
OFFICE OF COMPREHENSIVE PLANNING

AUG 9 1991

ZONING EVALUATION DIVISION

4. The number of employees shall be limited to a maximum of six (6) per shift.
5. Landscaping along the northern border shall be provided in accordance with the approved Special Exception Plat/General Development Plan (GDP) subject to the review and approval of the County Arborist with supplemental plantings as recommended by the Arborist to provide effective screening between the proposed service station and existing residential neighborhood.
6. A transitional screening yard at least twelve (12) feet in width shall be provided along the eastern side of the property as depicted on the approved Special Exception Plat/GDP subject to the review and approval of the County Arborist with substitution and/or supplementation of plants as recommended by the Arborist to provide effective screening. In lieu of a barrier, an evergreen hedge shall be provided in this transitional screening yard that is a minimum of 36" in height at the time of planting and will achieve a height of six (6) feet within five (5) years and will be an acceptable substitute for a brick or architectural block wall as determined by the County Arborist.
7. All signs on the site shall conform with regulations contained in Article 12 of the Zoning Ordinance. Signage on Route 29 shall be limited to one monument sign no greater than eight (8) feet in height. Fuel prices and trade identification logo may be displayed on this signage. No pylon style signage shall be permitted on the property. This condition does not apply to any other types of signage allowable by the Fairfax County Zoning Ordinance.
8. The County Health Department's guidelines and standards for wastewater generated by the proposed carwash shall be followed. Eighty percent (80%) of all such wastewater shall be recycled.
9. Lighting on the northern and eastern portions of the building and canopy and any lighting associated with the car wash stacking lane shall be of such a design and so located and oriented as to not produce glare or cause illumination in excess of 0.5 foot candles on the adjacent existing residential uses as measured at the property line.
10. Lighting on the northern and eastern portions of the building canopy shall be dimmed from the hours of 12:00 midnight until 6:00 a.m.
11. The trash dumpster enclosure shall be constructed of brick, a brick facade or of other suitable material as determined by Department of Environmental Management (DEM) to fully screen the dumpster.

12. In order to facilitate left turns from the northbound lane of Pickwick Road, prior to the issuance of the non residential use permit for the site, a sign to request that vehicles southbound on Pickwick Road do not block the applicant's Pickwick Road entrance shall be posted. Stop lines shall be painted on the southbound lanes of Pickwick Road to further facilitate entry into the site from northbound Pickwick Road. These improvements shall be implemented in accordance with Virginia Department of Transportation (VDOT) and Fairfax County standards.
13. Proper methods shall be implemented to effectively screen the underground fuel storage tanks gas vents from view as determined by the applicant and DEM.
14. In order to prevent vehicles awaiting Virginia safety inspections from disrupting area traffic patterns, signage which meets VDOT and Fairfax County standards shall be posted at the service drive entrance(s) which states "Do Not Block Service Drive". The number of cars in line for inspections shall be monitored by the service station operator in order to prevent any impediments to traffic flow in the service drive.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Under Section 9-015 of the Zoning Ordinance, this Special Exception shall automatically expire, without notice, eighteen (18) months after the approval date of the Special Exception unless the activity authorized has been established, or unless construction has commenced and is diligently pursued, or unless additional time is approved by the Board of Supervisors because of the occurrence of conditions unforeseen at the time of the approval of this Special Exception. A request for additional time shall be justified in writing, and must be filed with the Zoning Administrator prior to the expiration date.

The Board also:

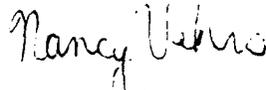
- Modified the transitional screening requirement and waived the barrier along the northern border of the property, as shown on the Special Exception Plat/General Development Plan; and
- Modified the transitional screening requirement and waived the barrier along the eastern side of the property, as specified in the proposed development conditions.

August 7, 1991

-4-

If you have any questions concerning this Special Exception, please give me a call.

Sincerely,



Nancy Vehrs  
Clerk to the Board of Supervisors

NV/ns

cc: Dena M. Siri, Real Estate Dvsn., Assessments  
Melinda M. Artman, Deputy Zoning Administrator  
Frank Jones, Assistant Chief, PPRB, OCP  
Audrey Clark, Chief, Inspection Svcs., BPRD, DEM  
Barbara A. Byron, Director, Zoning Evaluation Dvsn., OCP  
Robert Moore, Trnsprt'n. Planning Dvsn., Office of Transportation  
Kathy Ichter, Trnsprt'n. Road Bond Dvsn., Office of Transportation  
Department of Environmental Management  
A. V. Bailey, Resident Engineer, VDOT  
Land Acq. & Planning Dvsn., Park Authority

## FAIRFAX COUNTY, VIRGINIA

## MEMORANDUM

**TO:** Barbara A. Byron, Director  
Zoning Evaluation Division, OCP

**FROM:** *Bruce G. Douglas*  
Bruce G. Douglas, Chief  
Environment & Development Review Branch, OCP

**SUBJECT: LAND USE ANALYSIS: RZ 1998-SU-024**  
S&S Development SE 98-SU-025

**DATE:** 24 July 1998

**RECEIVED**  
DEPARTMENT OF PLANNING AND ZONING  
JUL 24 1998  
ZONING EVALUATION DIVISION

This memorandum includes citations from the Comprehensive Plan that provide guidance for the evaluation of this application. The proposed use, intensity and site design are evaluated in terms of the relevant Plan recommendations and policies.

**DESCRIPTION OF THE APPLICATION:**

*Date of Development Plan:* April 3, 1998  
*Request:* Drive-through window for a pharmacy and C-8 zoning.  
*FAR:* 0.15  
*Land Area:* 1.68 acres.

**CHARACTER OF THE SURROUNDING AREA:**

The subject property is located in the northwest quadrant of the intersection of Route 29 and Pickwick Road at the eastern end of Centreville. The land north and west of the property is planned for retail commercial and limited office use at a maximum intensity of 0.25. The land adjacent to the western boundary of the property is developed with a bowling alley. Other strip type commercial use is developed west of the bowling alley along the north side of Route 29. The land north of the site is also planned for retail use at the same intensity. Some of this land is vacant and some has older single-family detached dwellings under R-1 zoning. The land opposite the site on the north side of Route 29 east of Pickwick Road is planned for alternative uses, retail use not to exceed 0.25 FAR, or residential use at a density of 8-12 dwelling units per acre. At this time there is a scattered pattern of vacant lots and older single-family detached dwellings.

**COMPREHENSIVE PLAN CITATIONS AND ANALYSIS:**

The subject property is located in the Centreville Area and Suburban Center in the Bull Run Planning District in Area III.. The Comprehensive Plan text and map provide the following guidance on land use and intensity for the property:

**Plan Text:**

On page 40 in the 1991 Area III Plan, as amended through June 26, 1995, in the LAND USE RECOMMENDATIONS section, the Comprehensive Plan states:

“Land Unit B

...

While the western portion of this land unit is located in the core area of Centreville, its development potential is somewhat limited because of certain transportation constraints and the need for future development to be compatible with existing residential uses and historic resources. Land Unit B is appropriate for a moderate level of residential, commercial or office development.

...

B-5 (34 Acres) Suburban Center

Land Unit B-5 contains a number of automobile-oriented commercial uses along Route 28 and Route 29 each with separate access. A full interchange for the Route 28/Route 29 intersection is planned and this will have an impact on existing commercial uses and the access to these uses. However, neighborhood-serving retail commercial and limited office uses up to .25 FAR are planned and will remain appropriate in this land unit to serve local needs. A motel or bed and breakfast with proximity to the historic district may also be appropriate.

Development in this area should promote the efficient functioning of intersections in the land unit. Consolidation of parcels is encouraged to reduce direct access points to Route 29 and to improve traffic circulation in the vicinity.”

**Plan Map:**

The Comprehensive Plan map shows that the property is planned for retail and other commercial use.

**Analysis:**

The proposed use and intensity conform with the Plan recommendations.

The Comprehensive Plan also provides the following text that establishes guidelines for evaluating the development proposal:

**Plan Text:**

On page 35 in the LAND USE section of the 1990 Policy Plan, as amended through February 10, 1997, in the LAND USE COMPATIBILITY section, the Plan states:

“Objective 14: Fairfax County should seek to achieve a harmonious and attractive development pattern , which minimizes undesirable visual, auditory, environmental and other impacts created by potentially incompatible uses. ...

Policy c. Achieve compatible transitions between adjoining land uses through the control of height and the use of appropriate buffering and screening. ...

Policy e. Stabilize residential neighborhoods adjacent to commercial areas through the establishment of transitional land uses, vegetated buffers and/or architectural screens, and the control of vehicular access. ...

Policy l. Regulate the amount of noise and light produced by non-residential land uses to minimize impacts on nearby residential properties.”

**Analysis:**

In order to protect existing and potential residential development opposite the property on the eastern side of Pickwick Road, the screening along Pickwick Road should be augmented. There should be screening of the parking areas on the site.

Outdoor lighting should be designed so there is as little impact on the eastern side of Pickwick Road as possible during night hours.

Signs should be building and/or ground mounted.

**Plan Text:**

On page 35 in the LAND USE section of the 1990 Policy Plan, as amended through February 10, 1997, in Appendix 5 GUIDELINES FOR DRIVE-THRU WINDOWS AND OTHER DRIVE-THRU FACILITIES, the Plan states:

“Drive-thru windows for commercial establishments and other drive-thru facilities have the potential to cause serious on-site and off-site traffic circulation problems. To address these potential problems, drive-thru windows and other drive-thru facilities should be approved only if the size and configuration of the lot are adequate to achieve a safe drive-thru facility, parking circulation and pedestrian system. All activity generated by the use must be accommodated on the site. Noise, glare and other nuisance aspects related to drive-thru facilities must not adversely affect adjacent properties.”

**Analysis:**

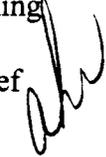
The proposed circulation related to the drive-thru window appears to be efficient and poses no on- or off-site problems. The Office of Transportation should provide an evaluation of this aspect of the proposal.

BGD:SEM

## FAIRFAX COUNTY, VIRGINIA

## MEMORANDUM

**TO:** Barbara Byron, Director  
Zoning Evaluation Division  
Office of Comprehensive Planning

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

**FILE:** 3-4 (RZ 1998-SU-024)  
3-5 (SE 98-Y-025)

**SUBJECT:** Transportation Impact

**REFERENCE:** RZ 1998-SU-024 and SE 98-Y-025; S & S Development LLC  
Traffic Zone: 1671  
Land Identification Map: 54-4 ((2)) 129 and B;  
54-4 ((2)) A (Part) and 127 (Part)

**DATE:** June 1, 1998

Transmitted herewith are the comments of the Office of Transportation with respect to the referenced application. These comments are based on information made available to this Office dated January 8, 1998.

The referenced application proposes to rezone approximately .41 acres of land from the R-1, C-8, to the C-8 commercial designation and allow a drive-through window on a proposed retail drug store. It is anticipated this use will generate 987 VPD/116 VPH based on Trip Generation, Sixth Edition: Institute of Transportation Engineers, 1997 (ITE land use code 881). This Office has reviewed the subject application and offers the following comments:

- Lee Highway (Route 29) is on the Comprehensive Plan to be widened to a six lane section with service drive. Dedication and frontage improvements for Lee Highway and Pickwick Road were proffered with RZ 86-S-048. The applicant's plat shows dedication in association with the approved proffers. If full frontage improvements are not provided then the applicant should escrow funds for the frontage improvements.
- The applicant should contribute to the Centreville Road Fund.
- All previous transportation commitment should be carried forward.

AKR/MGC:mgc

cc: Michelle Brickner, Deputy Director, Design Review, Department of Environmental Management

## FAIRFAX COUNTY, VIRGINIA

## MEMORANDUM

**TO:** Barbara A. Byron, Director  
Zoning Evaluation Division, OCP

**FROM:** *Bruce G. Douglas*  
Bruce G. Douglas, Chief  
Environment and Development Review Branch, OCP

**SUBJECT:** ENVIRONMENTAL ASSESSMENT for: RZ 1998-SU-024; SE 98-Y-025  
S & S Development

**DATE:** 14 July 1998

This memorandum, prepared by Mary Ann Welton, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. The citations are followed by a discussion of environmental concerns, including a description of potential impacts that may result from the proposed development as depicted on the revised development plan, dated January 8, 1998. Possible solutions to remedy identified environmental impacts are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

**COMPREHENSIVE PLAN CITATIONS:**

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

On pages 86 through 87 of the 1990 Policy Plan as amended on February 10, 1997, under the heading "Water Quality", the Comprehensive Plan states:

**"Objective 2: Prevent and reduce pollution of surface and groundwater resources.**

Policy a. Implement 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.

Development proposals should implement best management practices to reduce runoff pollution.

- Policy a. Implement a best management practices (BMP) program for Fairfax County.
  
- Policy c. In order to reduce stormwater runoff volumes and increase groundwater recharge, minimize the amount of impervious surface created as a result of development consistent with planned land uses.”

On page 87 of the 1990 Policy Plan as amended on February 10, 1997, under the heading “Water Quality” the Comprehensive Plan 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.”

On page 93 of the 1990 Policy Plan as amended on February 10, 1997, under the heading “Environmental Resources”, the Comprehensive Plan states:

“The retention of environmental amenities on developed and developing sites is also important. The most visible of these amenities is the County’s tree cover. It is possible to design new development in a manner that preserves some of the existing vegetation in landscape plans. It is also possible to restore lost vegetation through replanting. An aggressive urban forestry program could retain and restore meaningful amounts of the County’s tree cover.

**Objective 11: 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 sites consistent with planned land use and good silvicultural practices.”

**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.

### **Water Quality Best Management Practices**

#### **Issue:**

The subject property falls within the County's Cub Run Watershed, the County's Chesapeake Bay Preservation Area and the Water Supply Protection Overlay District (WSPOD). The development plan indicates that a significant amount of impervious surface is proposed for the site which is presently characterized by mature deciduous vegetation. The applicant has not indicated the percentage of impervious coverage which is proposed for the property, but it appears that the almost the entire site will be transformed into impervious surface. Note 5 of the development plan states that stormwater will be accommodated by an underground detention facility. The location of the stormwater facility is not depicted on the development plan.

Note 17 on the page 2 of the development plan states that the applicant reserves the right to provide more parking than that which is required by the Zoning Ordinance.

#### **Suggested Solution:**

Because this site falls within the County's WSPOD, it is requested that the applicant indicate where the proposed stormwater facility will be situated. Furthermore, it is requested that the applicant offer more details concerning the stormwater best management practices.

Finally, because excessive impervious surface degrades water quality, it is suggested that the applicant only provide the amount of parking which is required by the Zoning Ordinance.

### **Tree Preservation**

#### **Issue:**

As noted above, the subject site is characterized by extensive mature tree cover. Note 10 of the development proposal indicates that the entire site will be cleared and graded. The development plan does not depict any "tree save" areas whatsoever on the development proposal. Note 8 projects non-specific language concerning the implementation of a landscape plan.

#### **Suggested Solution:**

The applicant has indicated a willingness to include some landscaping on the property. It is recommended that the development proposal be more specific concerning the commitment to a comprehensive landscape plan which specifically identifies areas where existing vegetation will

Barbara A. Byron  
RZ98-SU-024  
Page 4

be preserved in conjunction with a more definitive restorative landscape element which proposes diverse native species, inclusive of groundcover, shrubs and trees. A stronger landscape component will enhance this development proposal while simultaneously contributing to water quality protection in the WSPOD.

**TRAILS:**

The Trails Plan Map indicates that a pedestrian trail is depicted along the south side of Lee Highway (Route 29). At the time of site plan review, the Director of the Department of Environmental Management will determine what specific trail requirements will apply to the subject property.

BGD:MAW

**9-006 General Standards**

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such uses shall satisfy the following general standards:

- 1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
- 2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
- 3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
- 4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
- 5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.
- 6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
- 7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
- 8. Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

**9-503 Standards for all Category 5 Uses**

In addition to the general standards set forth in Sect. 006 above, all Category 5 special exception uses shall satisfy the following standards:

- 1. Except as qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located.
- 2. All uses shall comply with the performance standards specified for the zoning district in which located.
- 3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

**9-505 Additional Standards for Automobile-Oriented Uses, Car Washes, Drive-In Banks, Fast Food Restaurants, Quick-Service Food Stores, Service Stations and Service Stations/Mini-Marts**

1. In all districts where permitted by special exception:

- A. Such a use shall have on all sides the same architectural features or shall be architecturally compatible with the building group or neighborhood with which it is associated.
- B. Such a use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties.
- C. The site shall be designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation. Parking and stacking spaces shall be provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the site.
- D. In reviewing such a use or combination of uses, it shall be determined that the lot is of sufficient area and width to accommodate the use and that any such use will not adversely affect any nearby existing or planned residential areas as a result of the hours of operation, noise generation, parking, glare or other operational factors.

**13-304 Transitional Screening and Barrier Waivers and Modifications**

Transitional screening and barriers may be waived or modified by the Director in any of the following circumstances. The Director may attach conditions to any waiver or modification which would assure that the results of the waiver or modification would be in accordance with the purpose and intent of this Part.

1. Transitional screening and barriers may be waived or modified between uses that are to be developed under a common development or site plan or series of development or site plans within a PRC District when compatibility between uses has been addressed through a combination of the location and arrangement of buildings or through architectural or landscaping treatments.
2. Where the strict provisions of this Part would reduce the usable area of a lot due to lot configuration or size to a point which would preclude a reasonable use of the lot, transitional screening and/or barriers may be waived or modified by the Director where the side of a building, a barrier and/or the land between that building and the property line has been specifically designed to minimize adverse impact through a combination of architectural and landscaping techniques.
3. Transitional screening may be modified where the building, a barrier and/or the land between that building and the property line has been specifically designed to minimize adverse impact through a combination of architectural and landscaping techniques.
4. The transitional screening yard width and planting requirements may be reduced as much as two-thirds (2/3) where the developer chooses to construct a seven (7) foot brick or

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architectural block wall instead of the lesser barrier indicated by the matrix. This wall may be reduced to a height of six (6) feet where the Director deems such a height will satisfy the purposes and intent of this Part.

5. Transitional screening and barriers may be waived or modified where the adjoining land is designated in the adopted comprehensive plan for a use which would not require the provision of transitional screening between the land under site plan and the adjoining property.
6. Transitional screening and barriers may be waived or modified where the adjacent property is zoned to allow a use similar to that of the parcel under site plan.
7. Transitional screening and barriers may be waived or modified where the adjoining property is used for any public purpose other than a school or hospital.
8. Transitional screening and barriers may be waived or modified when the adjoining land is used for a sawmilling operation or for a wayside stand.
9. Transitional screening and barriers may be waived or modified where adjacent residential property is used for any use permitted by the Board of Zoning Appeals or the Board of Supervisors as a special permit or special exception use except nursery schools, day care centers, schools of general and special education.
10. Transitional screening may be waived or modified when the adjoining land is an R district and is used for off-street parking as permitted by the provisions of Sect. 9-609.
11. Transitional screening and barriers may be waived or modified where the subject property abuts a railroad or interstate highway right-of-way, except the Dulles Airport Access Road.
12. The Director may waive or modify the barrier requirements where the topography of the lot providing the transitional screening and the lot being protected is such that a barrier would not be effective.
13. The Director may waive or modify the barrier requirements for single family attached dwelling units where a six (6) foot fence has been provided to enclose a privacy yard on all sides, and such fence is architecturally designed and coordinated with landscaping techniques to minimize adverse impact on adjacent properties.
14. Transitional screening and barriers may be waived or modified for any public use when such use has been specifically designed to minimize adverse impact on adjacent properties.
15. In affordable dwelling unit developments, where the strict application of the provisions of this Article would preclude compliance with the provisions of Part 8 of Article 2, transitional screening and/or barriers may be waived or modified.

## 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 in the zoning district if the site were developed as a conventional subdivision. See Sect. 9-615 of the Zoning Ordinance.

**COUNTY 456 REVIEW PROCESS:** A public hearing process pursuant to 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 area; 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 some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon 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.

**P 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. 15.1-491 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 Environmental Management.

**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 DEM 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 DEM 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.

**URBAN 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 function 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 by 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. 18-404 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	PDC	Planned Development Commercial
ADU	Affordable Dwelling Unit	PDH	Planned Development Housing
ARB	Architectural Review Board	PFM	Public Facilities Manual
BMP	Best Management Practices	PRC	Planned Residential Community
BOS	Board of Supervisors	RMA	Resource Management Area
BZA	Board of Zoning Appeals	RPA	Resource Protection Area
COG	Council of Governments	RUP	Residential Use Permit
CBC	Community Business Center	RZ	Rezoning
CDP	Conceptual Development Plan	SE	Special Exception
DPW&ES	Department of Public Works and Environmental Services	SP	Special Permit
OSDS	Office of Site Development Services, DPW&ES	TDM	Transportation Demand Management
DP	Development Plan	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, DPW&ES
FDP	Final Development Plan	UMTA	Urban Mass Transit Association
GDP	Generalized Development Plan	VC	Variance
GFA	Gross Floor Area	VDOT	Virginia Dept. of Transportation
HCD	Housing and Community Development	VPD	Vehicles Per Day
LOS	Level of Service	VPH	Vehicles per Hour
Non-RUP	Non-Residential Use Permit	WMATA	Washington Metropolitan Area Transit Authority
DPZ	Department of Planning and Zoning	ZAD	Zoning Administration Division, DPZ
DT	Department of Transportation	ZED	Zoning Evaluation Division, DPZ
PD	Planning Division	ZPRB	Zoning Permit Review Branch