



County of Fairfax, Virginia

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

December 17, 2009

Jonathan B. Halle
2900 Linden Lane, Suite 300
Silver Spring, MD 20910

RE: Rezoning Application RZ 2009-LE-008
(Concurrent with Rezoning Application RZ 2009-LE-009 and Proffered Condition Amendment Application PCA-C-448-32)

Dear Mr. Halle:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on December 7, 2009, granting Rezoning Application RZ 2009-LE-008 in the name of Kingstowne Gas Station LP. The Board's action rezones certain property in the Lee District from the PDC and PDH-4 Districts to the PDC District and permits commercial development with no change in overall Floor Area Ratio. The subject property is located in the northwest quadrant of the intersection of S. Van Dorn Street and King Center Drive on approximately 4.51 acres of land, [Tax Map 91-2 ((1)) 26F pt.], and is subject to the proffers dated November 23, 2009, and the associated Conceptual Development Plan.

(NOTE: On November 5, 2009, the Planning Commission approved Final Development Plan Amendment Application FDPA C-448-10-03, and Final Development Plan Applications FDP 2009-LE-008 and FDP 2009-LE-009, subject to the development conditions dated November 2, 2009.)

Office of the Clerk to the Board of Supervisors

12000 Government Center Parkway, Suite 533

Fairfax, Virginia 22035

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Email: clerktothebos@fairfaxcounty.gov

<http://www.fairfaxcounty.gov/bosclerk>

The Board also:

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

Waived of the barrier requirement along the northeastern property line.

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors
NV/ph
Enclosure

Cc: Chairman Sharon Bulova
Supervisor Jeffrey McKay, Lee District
Janet Coldsmith, Director, Real Estate Division, Dept. of Tax Administration
Regina Coyle, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Thomas Conry, Dept. Manager. – GIS - Mapping/Overlay
Angela K. Rodeheaver, Section Chief, Transportation, Planning Division
Ellen Gallagher, Capital Projects and Operations Div., Dept. of Transportation
Ken Williams, Plans & Document Control, ESRD, DPWES
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
District Planning Commissioner
Denise James, Office of Capital Facilities/Fairfax County Public Schools
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 7th day of December, 2009, the following ordinance was adopted:

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROPOSAL NUMBER RZ 2009-LE-008
(Concurrent with Rezoning Application RZ 2009-LE-009 and Proffered Condition
Amendment Application PCA-C-448-32)**

WHEREAS, Kingstowne Gas Station LP, filed in the proper form an application requesting the zoning of a certain parcel of land herein after described, from the PDC and PDH-4 Districts to the PDC District, and

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

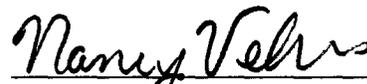
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

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

Be, and hereby is, zoned to the PDC District, and said property is subject to the use regulations of said PDC District, and further restricted by the conditions proffered and accepted pursuant to Va. Code Ann., 15.2-2303(a), which conditions are in addition to the Zoning Ordinance regulations applicable to said parcel, and

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

GIVEN under my hand this 7th day of December, 2009.



Nancy Vehrs

Clerk to the Board of Supervisors

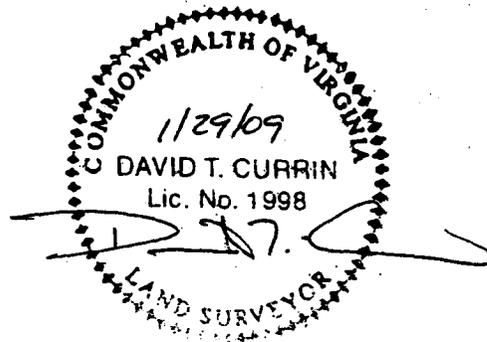


Metes and Bounds Description
A Portion of Parcel 26F
Currently zoned PDC
to be rezoned PDH-4
Kingstowne Gas Station LP
Deed Book 19943; Page 1836
Lee District
Fairfax County, Virginia
(PARID: 091-2-01-0026F)

Beginning at a point on the existing PDH-4 and PDC zone line on the south east portion of Parcel 26F, said point lying N 60°32'14"W – 82.96 feet from the point of reverse curvature of the westerly line of King Centre Drive.

Thence departing the existing zone line, running through Parcel 26F as follows: 1) N 22°29'38"W – 102.86 feet to a point, and 2) S 52°31'26"W – 26.59 feet to a point on the existing zone line.

Thence running with the existing zone line S 37°28'34"E – 99.36 feet to the point of beginning, containing 1,321 square feet or 0.0303 acres of land.



Proffer Statement
Kingstowne Section 36A
PCA C-448-32
RZ 2009-LE-008
RZ 2009-LE-009
November 23, 2009

Pursuant to Section 15.2-2303(A) of the Code of Virginia, 1950, as amended, and Section 18-203 of the Zoning Ordinance of Fairfax County (1978, as amended), Kingstowne Gas Station L.P., (the "Applicant") in this Proffer Condition Amendment ("PCA") proffers that the development of the parcel under consideration and shown on the Fairfax County Tax Maps as Tax Map Reference No. 91-2((1)), pt. 26F (hereinafter referred to as the "Property"), shall be in accordance with the following conditions if said applications are approved. In the event said application requests are denied, this proffer statement shall be rendered null and void. The proffered conditions are as follows:

1. **Proffered Development Conditions.** Except as modified herein, the subject property is governed by the Proffer Development Conditions of June 17, 1985 in RZ 84-L-020 and Proffered Development Conditions of July 18, 2000 in RZ 1999-LE-073 and PCA C-448-23. The following proffers shall supersede the proffers dated July 18, 2000 approved with RZ 1999-LE-073 and PCA C-448-23.
2. **Plans.** Subject to the provisions of Section 18-204 of the Zoning Ordinance, under which minor modifications to an approved Conceptual/Final Development Plan are permitted, the Property shall be developed in substantial conformance with the plan entitled Kingstowne Section 36A, prepared by Tri-Tek Engineering, consisting of 10 sheets and dated 10/30/08 and revised through 11/23/09 (the "Plans").
3. **Lighting.** Light poles on the Office Building portion of the Property shall be limited to a maximum height of sixteen (16) feet in the parking areas between the building and Kingstowne Boulevard and a maximum height of twenty-five (25) feet in the parking areas in front of the building. Any parking lot lighting, security lighting or other lighting shall be fully shielded and directed downward if they directly face residential neighborhoods. Off site glare to adjacent residential uses shall be minimized. All lighting shall be in conformance with Article 12 of the Zoning Ordinance.
4. **Architectural Renderings.** The architectural design of the Office Building shall be in general conformance with the Office Building rendering on page 6 of the PCA/FDPA/FDP/RZ.
5. **Storage of Vehicles.** There shall be no storage of vehicles on any portion of the property.
6. **Irrigation.** The Applicant shall install an irrigation system in the areas of landscaping as shown on the Plans. Irrigation does not need to be installed in the areas designated to return to a "natural state". The irrigation shall be used to maintain the health of the landscaping.
7. **Architectural Review.** The Applicant shall submit architectural plans for the Office Building for review and approval by the Board of Trustees for the Kingstowne

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

8. **Maximum Size of Service Station/Quick Service Food Store.** The maximum area of the service station/quick-service food store/fast food restaurant building on the Property shall be 3,500 square feet. This building and the car wash shall be constructed as one building. The uses within said building shall be limited to service station/quick service food store and fast food. The fast food component of said building shall not exceed 1,100 square feet without the approval of a special exception. The car wash shall not exceed 3,840 square feet in area.
9. **Erosion Control.** During construction, within 24 hours of a major storm event (i.e. storm event greater than a two year storm), the Property shall be inspected for damage and/or problems with the erosion and sedimentation control measures on the site. An engineer familiar with erosion and sedimentation control shall perform the inspection (the inspector). If problems or damage involving erosion and sedimentation control exist on the site, the Inspector shall make recommendations to address the problem or damage. These recommendations shall be implemented immediately. Within three (3) days of any major storm event, as defined herein, a report shall be filed with the Department of Public Works and Environmental Service, Public Utilities Department. This report shall be filed whether or not there are problems or damage and shall detail the findings of the inspection (damage and/or problems, remediation recommendations, and actions taken to respond.)
10. **Pervious Pavement or Alternatives.** Applicant shall incorporate the use of pervious pavement in a portion of the parking area for the office building. The amount of pervious pavement required to be installed by the applicant shall not exceed the difference between the required county parking requirement for the office building and that being provided by the applicant for the office building. As an alternative to pervious pavement, Applicant may choose to alternatives such as a cistern to hold water for irrigation, or Filterras for improved SWM BMPs, as determined by DPWES.
11. **Landscaping on the steep hill east of the Office Building.** The hill to the East of the Office Building is to be planted with additional trees in substantial conformance with the landscape exhibit shown in the Plan. This area shall be allowed to return to a natural state after planting. A landscaped grass buffer of up to 25' shall be allowed at the perimeter of this natural state area.
12. **Bus Shelter.** Applicant shall provide and maintain a bus shelter adjacent to the property prior to the issuance of a Non Residential Use Permit (Non-RUP) for the office building. The best location for the bus shelter shall be worked out with the Fairfax County Dept. of Transportation during the site plan approval process. Applicant shall be allowed to use a portion of the bus shelter for advertising.
13. **Participation in a Bus circulator.** Applicant agrees to participate in a bus circulator, if the Fairfax County Connector or other County bus service stops serving the area within a ¼ mile walking distance adjacent to the property, and there is an actual need from the building's tenants and their customers. Applicant's participation in a bus circulator shall be on a pro-rata contribution basis, based on the site plan approved building square footage for the area served by the circulator.
14. **Athletic Turf Field Contribution for Edison High School.** Applicant shall contribute \$10,000 towards the construction of a synthetic athletic turf field for Edison High School.

The contribution shall be paid by the applicant when construction begins on the synthetic athletic turf field at Edison High School.

15. **Maximum Size of Retail Use in the Office.** The maximum amount of retail in the office building shall be 5,000 square feet. This retail shall be limited to the ground level of the office building. Alternatively, this space may also be used for approved office uses. The potential retail uses and their maximum square footages shall comply with the restrictions as outlined in proffer 16.
16. **VDOT 527 Requirement.** The additional trips generated by the potential retail with office use did not meet the trip generation thresholds set forth in the Chapter 527 regulations (250 peak hour trips or 2,500 daily trips). The applicant agrees to limit the potential retail uses and corresponding retail square footage to maintain a trip generation below the Chapter 527 threshold.
17. **Entrance off of Kingstowne Boulevard into the Site.** Applicant shall construct an entrance into the site off of Kingstowne Boulevard subject to approval by VDOT and Fairfax County and subject to obtaining all necessary offsite dedication and associated easements. If the construction of the entrance will include offsite construction, such construction will be limited to the construction of a new curb line on the easterly side of Kingstowne Boulevard from the Northerly entrance of the Kohl's property to establish a 63 ft curb to curb section with a 100 ft taper to the right in only entrance into the site. The dedication of right-of-way offsite on the Kohl's property shall not exceed 72 ft from the Centerline of Kingstowne Boulevard. If the applicant is unable to obtain the appropriate approvals and or the offsite dedication/easements, the applicant shall not construct the entrance. If it is determined by VDOT and the Fairfax County Office of Transportation that a tapered deceleration lane for said entrance is not required, then applicant shall build the entrance accordingly.
18. **Storage of Vehicles.** There shall be no storage of vehicles on any portion of the Property.

19. GREEN BUILDING PRACTICES.

- a. The Applicant shall include a U.S. Green Building Council Leadership in Energy and Environmental Design ("LEED") accredited professional as a member of the design team. The LEED accredited professional shall work with the team to incorporate LEED design elements into this project. At time of site plan submission, the Applicant shall provide documentation to the Environment and Development Review Branch of DPZ demonstrating compliance with the commitment to engage such a professional.
- b. LEED Certification:
 - (1) Prior to the issuance of a building permit for the building, the Applicant shall provide a LEED Scorecard (the "Scorecard") that lists the anticipated credits within version 2.0 of the U.S. Green Building Council's Leadership in Energy and Environmental Design. The Scorecard shall meet, at least, the minimum number of credits necessary to attain LEED Core and Shell Certification of the Submitted Building.

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

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

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

(5) Within one (1) year of the issuance of a Non-RUP for the Submitted Building, the Applicant shall provide to the Environment and Development Review Branch of DPZ a letter from a LEED-accredited professional stating that:

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

(a) A narrative description of LEED components, including a description of the environmental benefits of that component and information regarding the importance of maintenance and operation in retaining the attributes of the Submitted Building;

(b) Product manufacturer's manuals or other instructions, where applicable, regarding operations and maintenance needs for applicable LEED components, including operational practices that can enhance energy and water conservation;

(c) A maintenance staff notification process for improperly functioning equipment and/or a list of local service providers that offer regularly scheduled service and maintenance contracts to assure proper performance of LEED building-related equipment and the Submitted Building, to include, where applicable, the HVAC system, water heating equipment, water conservation features, sealants, and caulks; and,

(d) Contact information that the Submitted Building's occupants can use to obtain further guidance on each LEED component that is applicable to the Submitted Building.

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

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

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

20. **Enclosed Garage Option.** Applicant shall have the option of enclosing the open portions of the parking with glass, similar to that of the office building and lowest level of the garage. This change will allow the building to have a more uniform appearance and also reduce light glare from the garage.

Kingstowne Gas Station L.P.

By: Halle & Halle, Inc., its
General Partner

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

By: Jonathan B. Halle
Jonathan B. Halle, Vice President, Secretary

Final Development Plan Conditions

FDPA C-448-10-03

FDP 2009-LE-008

FDP 2009-LE-009

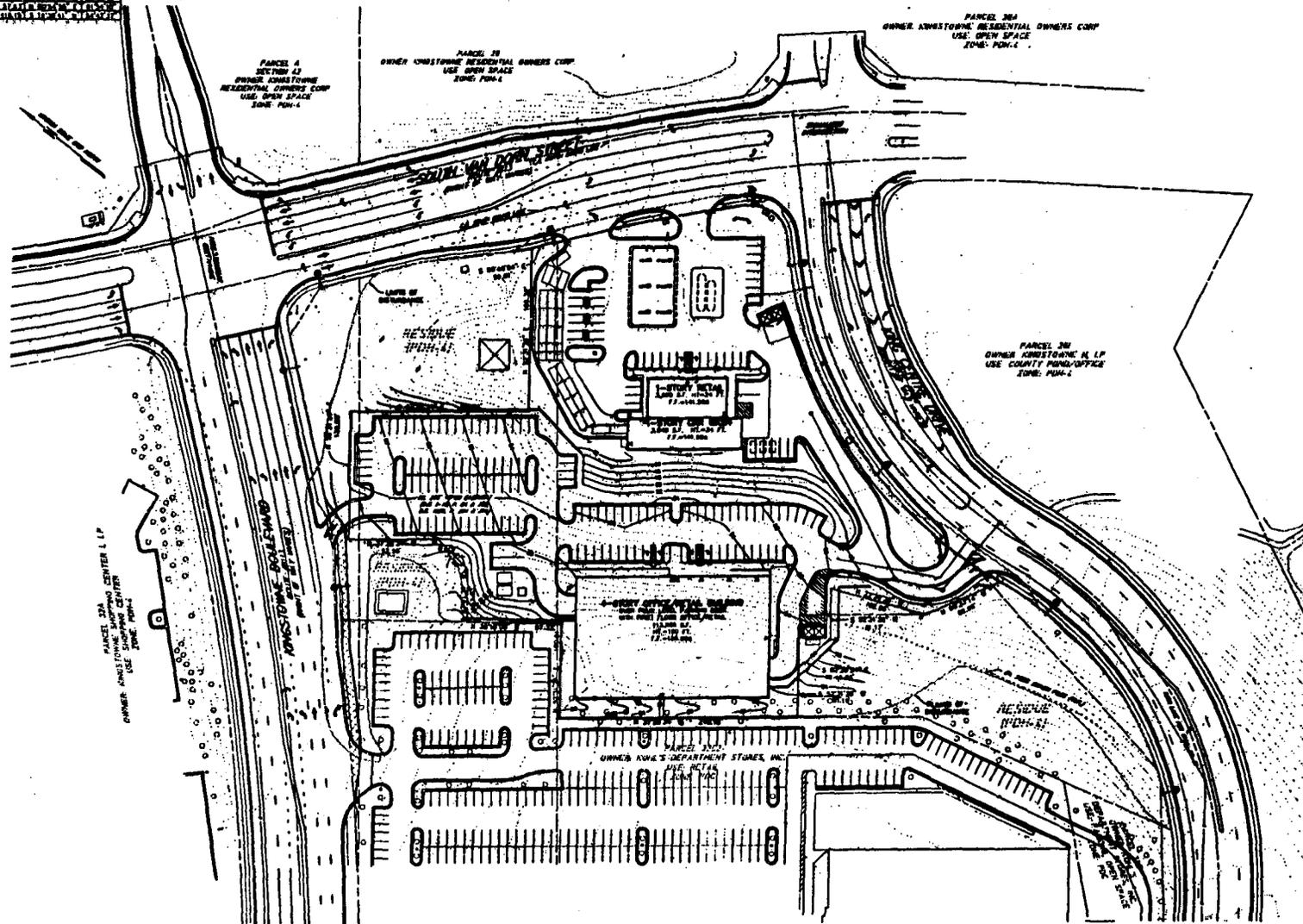
November 2, 2009

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

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

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

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



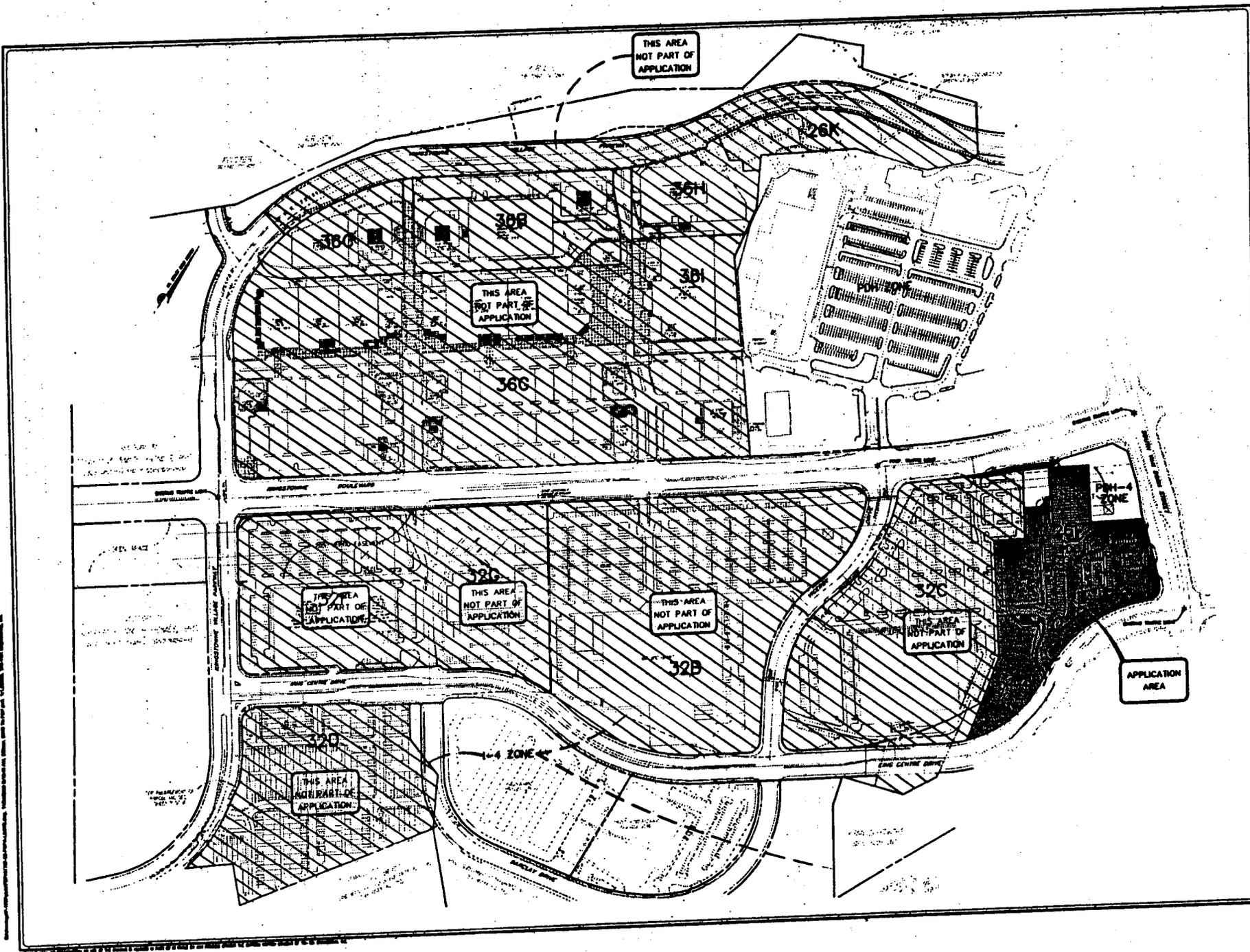
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KINGSTOWNE SECTION 36A
 LEE COUNTY, VIRGINIA
 LEE COUNTY

CONCEPTUAL GRADING PLAN

NO.	DATE	DESCRIPTION
1	10/1/01	PRELIMINARY
2	10/1/01	FOR COUNTY REVIEW
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KINGSTOWNE SECTION 36A
 FARMILY COUNTY, VIRGINIA
 L.S. 10/20/20

PCA/FDPA/FDP/RZ LIMITS AND PARCEL IDENTIFICATION MAP

NO.	DATE	BY	DESCRIPTION

SCALE: AS SHOWN
 DATE: 10/20/20
 SHEET 1 OF 1

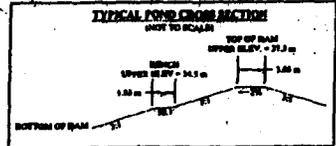
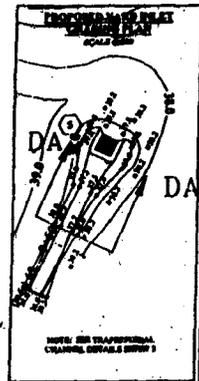
THIS SHEET FOR INFORMATION PURPOSES ONLY

PL. SANITARY M.B. #13
 TOP - 21.700 to 21.900 IN 0.20'
 20' DIA. - 20.200 to 21.100 IN 0.10'
 20' DIA. - 20.100 to 21.100 IN 0.10'



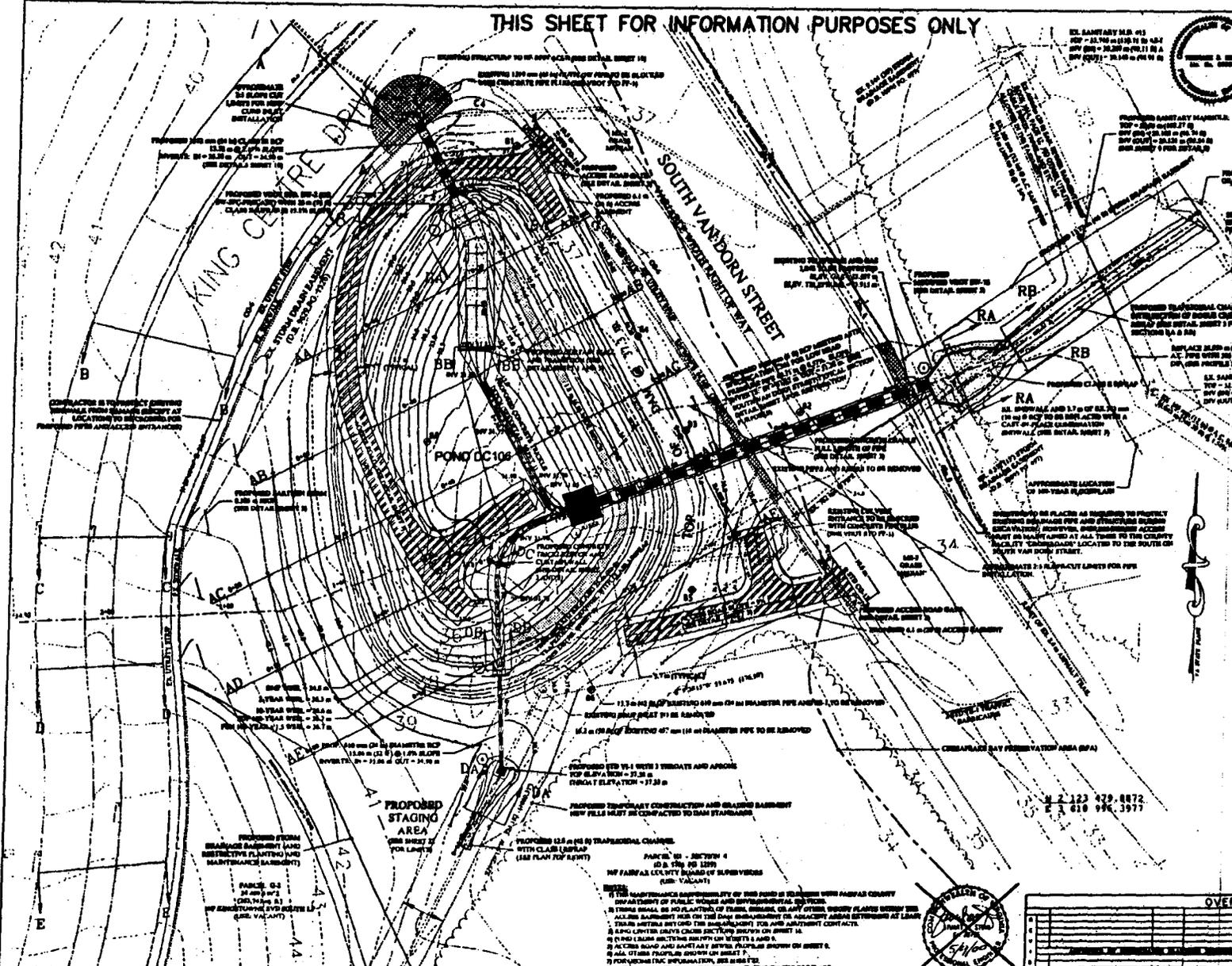
TRI-TEK ENGINEERING
 2000 S. 10th Street, Suite 200
 Phoenix, Arizona 85004-1000
 Phone: (602) 998-1100 FAX: (602) 998-1101

1 : 300



LEGEND

- 01 SOL. BORING LOCATION
- ELEVATED 2 m CONTOURS
- ELEVATED HYDROLOGICAL CONTOURS
- PROPOSED 1 m CONTOURS
- PROPOSED HYDROLOGICAL CONTOURS
- ◆ 21.2 PROPOSED GROUND ELEVATION
- EXISTING PROPERTY LINE
- EXISTING STORM DRAIN BARRIEMENT
- PROPOSED STORM DRAIN BARRIEMENT
- PROPOSED PERIMETER MANAGEMENT BARRIEMENT
- PROPOSED TRAFFIC CONTROL/STAGING BARRIEMENT
- PROPOSED WELL
- PROPOSED CLEARING AND GRABBING LIMIT
- EXISTING TELEPHONE LINE
- EXISTING GAS LINE
- PROPOSED CONSTRUCTION CENTERLINE
- PROPOSED STRUCTURE
- EXISTING PIPE
- PROPOSED PIPE
- PROPOSED SWAMP
- PROPOSED ACCESS ROAD
- PROPOSED DITCH
- EXISTING DISTURBANCE BARRIEMENT & REPLACEMENT



THIS SHEET FOR INFORMATION PURPOSES ONLY

ASSOCIATES
 5410 N. CENTRAL AVENUE
 PHOENIX, ARIZONA 85018
 PHONE: (602) 998-1100
 FAX: (602) 998-1101

OVERALL PLAN

NO.	DESCRIPTION	DATE	BY	CHK.

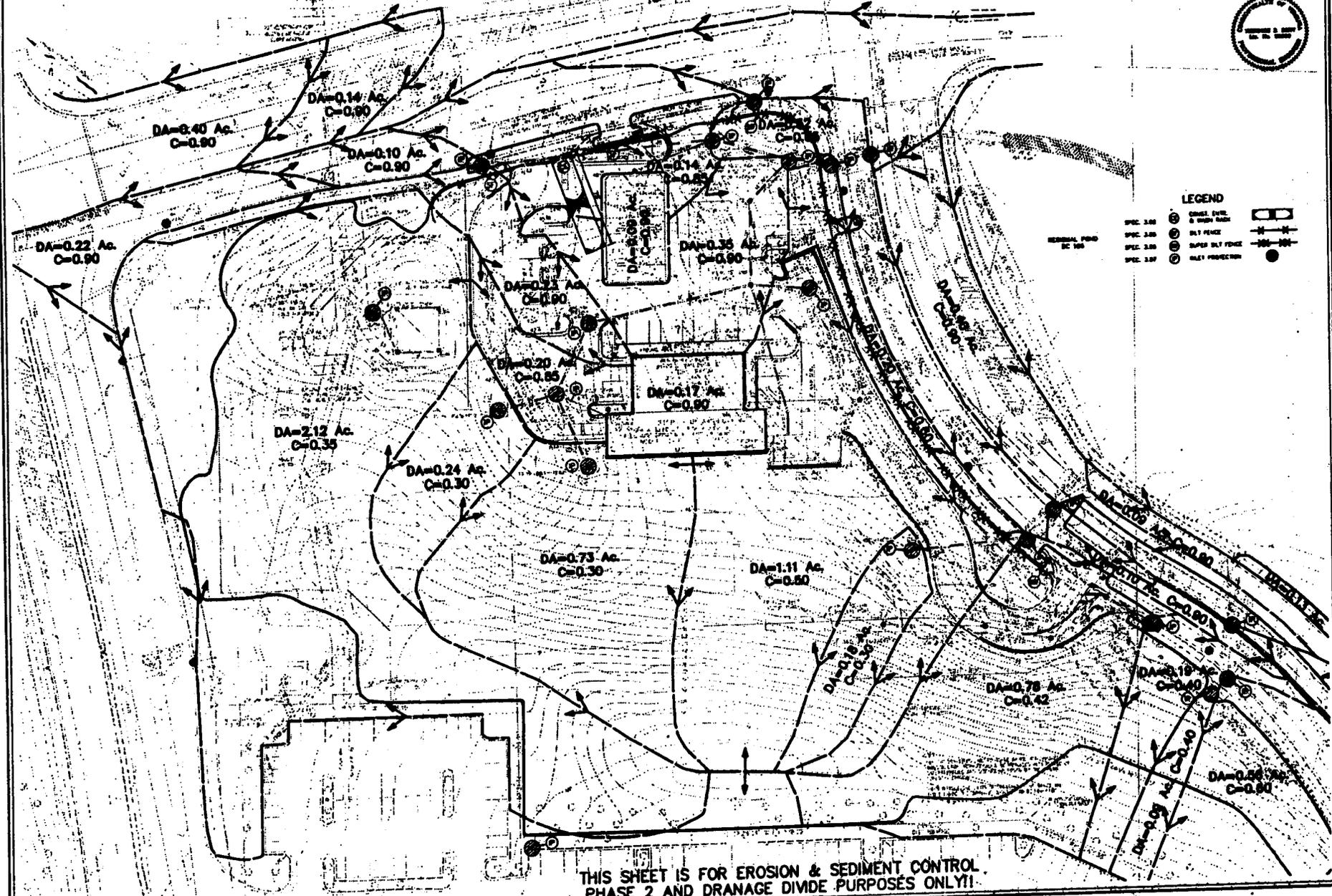
FAIRFAX COUNTY, VIRGINIA
 DEPARTMENT OF PUBLIC WORKS & ENVIRONMENTAL SERVICES
 DIVISION OF WATER RESOURCES

REGIONAL DRY POND DC100
 SOUTH VAN DORN STREET, PHASE III
 STORMWATER MANAGEMENT IMPROVEMENT

CONTRACT NO. CH20000111 PROJECT NO. 020121
 SCALE: 1 : 300
 DRAWN BY: [Name]
 CHECKED BY: [Name]

SHEET 8 OF 10
 PLAN 301
 1-1787

FOR INFORMATION ONLY!



LEGEND

- GREAT FENCE
- ⊙ SILENT FENCE
- ⊙ SUPER SILENT FENCE
- ⊙ SILENT PROTECTION
- ▭ GENERAL FENCE
- DC 100



TRI-TEK ENGINEERING
INC. 10000 W. 100TH AVENUE
LITTLETON, COLORADO 80120
TEL: 303.440.1100
FAX: 303.440.1101

KINGSTOWNE
SECTION 36
TOWN OF KINGSTOWNE, MINNAPOLIS
LEE DISTRICT

EROSION & SEDIMENT CONTROL
PHASE 2 AND DRAINAGE DIVIDES

SCALE: 1"=40'
DATE: 10/20/08
BY: J.S.P.
C.D. M.E.L.L.
SHEET NUMBER: 10 OF 11

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

ZAPS USER GENERATED REPORTS
 ZONING APPLICATION SUMMARY REPORT
 APPLICATION NUMBER: RZ 2009-LE-008

DECISION DATE: 12-7-2009

HEARING BODY: BOS

CRD: NO

MAGISTERIAL DISTRICT: LEE

APPLICANT NAME KINGSTOWNE GAS STATION LP

STAFF COORDINATOR: SWILLI

ACTION: APPROVE

DECISION SUMMARY:

ON DECEMBER 7, 2009, THE BOARD OF SUPERVISORS APPROVED
 RZ 2009-LE-008 ON A MOTION BY SUPERVISOR MCKAY, SUBJECT
 TO PROFFERS DATED NOVEMBER 23, 2009.

ZONING INFORMATION**EXISTING ZONING****PROPOSED ZONING****APPROVED ZONING**

<u>DISTRICT</u>	<u>AREA</u>	<u>DISTRICT</u>	<u>AREA</u>	<u>DISTRICT</u>	<u>AREA</u>
PDC	4.47 ACRES	PDC	4.51 ACRES	PDC	4.51 ACRES
PDH-4	0.04 ACRES	PDC	4.51 ACRES	PDC	4.51 ACRES
TOTAL	4.51 ACRES	TOTAL	4.51 ACRES	TOTAL	4.51 ACRES

TAX MAP NUMBERS

091-2- /01/ /0026-F

APPROVED ZONING DISTRICT DATA

ZONING DISTRICT: PDC

APPROVED RESIDENTIAL DEVELOPMENT**APPROVED NON-RESIDENTIAL DEVELOPMENT**

<u>LAND USE</u>	<u>DWELLING</u>	<u>LAND</u>	<u>UNIT OF</u>	<u>NO.</u>	<u>FLOOR AREA</u>	<u>UNIT OF</u>	<u>LAND</u>	<u>UNIT OF</u>	<u>FAR</u>
	<u>UNITS</u>	<u>AREA</u>	<u>MEASURE</u>	<u>OF</u>		<u>MEASURE</u>	<u>AREA</u>	<u>MEASURE</u>	
OFFC/GENRL					108,500.00	SQ FEET	4.51	ACRES	0.55
RETAIL/EST					5,000.00	SQ FEET			0.03
TOTAL					113,500.00	SQ FEET	4.51	ACRES	0.58

WAIVERS/MODIFICATIONS

APPROVED WAIVERS/MODIFICATIONS

SUPPLEMENTAL MOTIONS

SUPPLEMENTAL MOTIONS APPROVED

PROFFER INFORMATION

PROFFER STATEMENT DATE: 11-23-2009

<u>ITEM</u>	<u>DUE DATE</u>	<u>TRIGGER NO.</u>	<u>TRIGGER EVENT</u>	<u>CONTRIB AMT</u>	<u>EXPIRATION DATE</u>
ACQUISITION OF OFF-SITE EASEMENTS	01-01-0001	0	SITE PLAN	\$	01-01-0001
ARCHITECTURE / BUILDING MATERIALS	01-01-0001	0	BLDG PRMT APRV	\$	01-01-0001
ARCHITECTURE / GREEN BUILDING / LEE	01-01-0001	0	BLDG PRMT APRV	\$	01-01-0001
BUS STOP / SHELTER / MAINTENANCE	01-01-0001	0	NON-RUP	\$	01-01-0001
COMMUNITY COORDINATION / LIAISON	01-01-0001	0	N/A	\$	01-01-0001
CONTRIBUTION - FCPA / RECREATION	01-01-0001	0	N/A	\$	01-01-0001
CONTRIBUTION / OTHER TRANSPORTAT	01-01-0001	0	SITE PLAN	\$	01-01-0001
ENERGY EFFICIENCY	01-01-0001	0	BLDG PRMT APRV	\$	01-01-0001
EROSION AND SEDIMENT CONTROL	01-01-0001	0	N/A	\$	01-01-0001
LANDSCAPING - ENVIRONMENT	01-01-0001	0	N/A	\$	01-01-0001
LIGHTING / GLARE	01-01-0001	0	N/A	\$	01-01-0001
MINOR MODIFICATION	01-01-0001	0	N/A	\$	01-01-0001
OPTIONAL / ALTERNATIVE PLANS	01-01-0001	0	N/A	\$	01-01-0001
OTHER - ENVIRONMENT	01-01-0001	0	N/A	\$	01-01-0001
OTHER - TRANSPORTATION	01-01-0001	0	N/A	\$	01-01-0001
PREVIOUS PROFFERS REMAIN IN EFFEC	01-01-0001	0	N/A	\$	01-01-0001
PROFFERED PLANS	01-01-0001	0	N/A	\$	01-01-0001
RIGHT OF WAY - DEDICATION	01-01-0001	0	SITE PLAN	\$	01-01-0001
TURN LANE(S) (INCLUDES ACCEL AND D	01-01-0001	0	SITE PLAN	\$	01-01-0001
USE RESTRICTIONS	01-01-0001	0	N/A	\$	01-01-0001
ACCESS RESTRICTIONS	01-01-0001	0	SITE PLAN	\$	01-01-0001

**ZAPS USER GENERATED REPORTS
ZONING APPLICATION SUMMARY REPORT
APPLICATION NUMBER: FDP 2009-LE-008**

DECISION DATE: 11-5-2009

HEARING BODY: PC

CRD: NO

MAGISTERIAL DISTRICT: LEE

APPLICANT NAME KINGSTOWNE GAS STATION LP

STAFF COORDINATOR: SWILLI

ACTION: APPROVE

DECISION SUMMARY:

ON NOVEMBER 25, 2009, THE PLANNING COMMISSION UNANIMOUSLY APPROVED FDP 2009-LE-008, ON A MOTION BY COMMISSIONER R LUSK, SUBJECT TO THE FDP DEVELOPMENT CONDITIONS DATED NOVEMBER 2, 2009 AND TO THE BOARD'S APPROVAL OF THE RE ZONING RZ 2009-LE-008.

TAX MAP NUMBERS

091-2- /01/ /0026-F

APPROVED ZONING DISTRICT DATA

ZONING DISTRICT: PDC

APPROVED RESIDENTIAL DEVELOPMENT

APPROVED NON-RESIDENTIAL DEVELOPMENT

LAND USE	<u>DWELLING</u>	<u>LAND</u>	<u>UNIT OF</u>	<u>NO.</u>	<u>FLOOR AREA</u>	<u>UNIT OF</u>	<u>LAND</u>	<u>UNIT OF</u>	<u>FAR</u>
	<u>UNITS</u>	<u>AREA</u>	<u>MEASURE</u>	<u>OF</u>		<u>MEASURE</u>	<u>AREA</u>	<u>MEASURE</u>	
OFFC/GENRL				<u>ACRES</u>	108,500.00	SQ FEET	4.51	ACRES	0.55
RETAIL/EST					5,000.00	SQ FEET			
TOTAL					113,500.00	SQ FEET	4.51	ACRES	0.58

WAIVERS/MODIFICATIONS

APPROVED WAIVERS/MODIFICATIONS

SUPPLEMENTAL MOTIONS

SUPPLEMENTAL MOTIONS APPROVED

DEVELOPMENT CONDITION INFORMATION

DEVELOPMENT CONDITION STATEMENT DATE: 11-02-2009

<u>ITEM</u>	<u>DUE DATE</u>	<u>TRIGGER NO.</u>	<u>TRIGGER EVENT</u>	<u>CONTRIB AMT</u>	<u>EXPIRATION DATE</u>
BUS STOP / SHELTER / MAINTENANCE	01-01-0001	0	SITE PLAN	\$	01-01-0001
COMMUNITY COORDINATION / LIAISON	01-01-0001	0	BLDG PRMT APRV	\$	01-01-0001
LIGHTING/GLARE	01-01-0001	0	N/A	\$	01-01-0001

DEVELOPMENT CONDITION INFORMATION

DEVELOPMENT CONDITION STATEMENT DATE: 11-02-2009

<u>ITEM</u>	<u>DUE DATE</u>	<u>TRIGGER NO.</u>	<u>TRIGGER EVENT</u>	<u>CONTRIB AMT</u>	<u>EXPIRATION DATE</u>
URBAN FORESTRY REVIEW	01-01-0001	0	SITE PLAN	\$	01-01-0001
ARCHITECTURE BUILDING MATERIALS /	01-01-0001	0	N/A	\$	01-01-0001
