



County of Fairfax, Virginia

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

March 10, 2010

Jane Kelsey and Associates, Incorporated
4041 Autumn Court
Fairfax, VA 22030-5168

RE: Proffered Condition Amendment Application PCA 91-P-027
(Concurrent with Special Exception Application SE 2009-PR-021)

Dear Ms Kelsey:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on March 9, 2010, approving Proffered Condition Amendment Application PCA 91-P-027 in the name of JSH Enterprises, LLC. The Board's action amends the proffers for Rezoning Application RZ 91-P-027, previously approved for commercial development to permit construction of a vehicle light service establishment and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.27. The subject property is located at 7800 Lee Highway on approximately 20,901 square feet of land, zoned C-8 and HC [Tax Map 49-2 ((1)) 93], in the Providence District and is subject to the proffers dated March 3, 2010.

Sincerely,

Nancy Vehrs
Clerk to the Board of Supervisors
NV/ph

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

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

Cc: Chairman Sharon Bulova
Supervisor Linda Smyth, Providence 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
Angela K. Rodeheaver, Section Chief, Transportation, Planning Division
Eric Teitelman, 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 9th day of March, 2010, the following ordinance was adopted.

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROFFERED CONDITION AMENDMENT PCA 91-P-027
(Concurrent with Special Exception Application SE 2009-PR-021)**

WHEREAS, JSH Enterprises, LLC, filed in the proper form an application to amend the proffers for RZ 91-P-027 hereinafter described, by amending conditions proffered and accepted pursuant to Virginia Code Ann. 15.2-2303(a), and

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

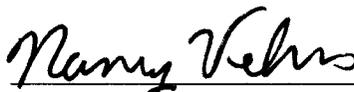
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

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

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

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

GIVEN under my hand this 9th day of March, 2010.



Nancy Veirs
Clerk to the Board of Supervisors

MAR 03 2010

Zoning Evaluation Division

PROFFER STATEMENT

PCA 91-P-027

March 3, 2010

Pursuant to Section 2-2301(a) Code of Virginia, 1950 as amended, and subject to the Board of Supervisors approval of the requested Proffer Condition Amendment (PCA), on property identified as Tax Map 49-2((1)) Lot 93, Applicants and Owners for themselves, their successors and assigns proffer that the development of the property shall be subject to proffers associated with RZ 91-P-027 dated May 4, 1991, which shall be superseded. In the event this application is denied, these proffers shall be null and void immediately, and of no further force and effect and the previous Proffers shall remain in effect.

1. Proffer Condition Amendment plan and Special Exception plat. Lot 93 shall be developed in conformance with the General Development Plan and Special Exception (SE) plat prepared by *christopher consultants, Ltd.* consisting of 8 sheets, dated June 29, 2009, revised through November 30, 2009.
2. Minor Modifications. Minor modifications from what is shown on the GDP/SE plan/plat and these proffers due to the final site design or engineering may be permitted pursuant to Section 16-403 (4) of the Zoning Ordinance. The building footprint may be adjusted within the proposed building envelope as shown on the GDP/SE plan/plat so long as the minimum open space identified on the GDP/SE plan/plat tabulations and the minimum dimensions to the lot lines are not diminished and access is provided as shown.
3. Maximum Intensity. The square footage and FAR shall not exceed a maximum 5,650 square feet with a maximum FAR of 0.27.
4. Architectural Compliance. The design of the building shall be in substantial conformance with the elevations shown on Sheet 8 of the GDP/SE plan and will be of a design complementary to the shopping center /plat. Modifications may be made to the final architectural designs if in substantial conformance with the elevations shown on the GDP/SE plans/plats and Exhibit A of these Proffers. The building materials shall consist of a brick façade along the front and sides of the building. The back of the proposed building along the eastern lot line shall be brick and shall consist of articulated vertical elements to break the solid brick mass and shall be generally consistent with Exhibit A attached to these Proffers. The building façade and/or roof may be modified from that shown on the elevations in the GDP/SE plans and Exhibit A attached to these Proffers if the applicant decides to incorporate a clerestory feature. Windows will be placed along the frontage of the building fronting Lee Highway. The service area's bay doors shall open on the side facing the shopping center.
5. Uses. The following uses are permitted: Offices, repair service establishments, retail sales establishments, telecommunication facilities, and vehicle light service establishment.

6. **Signs.** The sign identifying the use of Lot 93 will be a monument sign and/or building mounted sign with a complementary design to that of the shopping center. The sign(s) shall be in accordance with Article 12 of the Zoning Ordinance.
7. **Lighting.** Lighting shall meet the requirements of Part 9 of Article 14 of the Zoning Ordinance.
8. **Energy Conservation/Green Building.** The Applicant shall utilize green building practices including the following strategies but shall not limited to those listed:
 - (a) Consult a LEED accredited professional in the design of the BUILDING.
 - (b) Provide space for storage of recyclables, including but not limited to, fluorescent light bulbs, paper, cardboard, aluminum, plastic, and glass, and for collection of recyclables within each building.
 - (c) Prohibit smoking in the interior public areas of the building and provision of designated smoking areas away from entries and operable windows; or, prohibit all smoking on the property.
 - (d) Use insulated low e glass, or equivalent functioning glass on the windows facing the service drive.
 - (e) Utilize Energy Star (or equivalent) appliances, such as soft drink machines, to the extent possible.
 - (f) Provide the Environmental Development Review Branch (EDRB) of the Department of Planning and Zoning evidence of satisfaction of the above five requirement(s) prior to issuance of building permits for the proposed building.
 - (g) Use thermoplastic polyolefin membrane (TPO) roofing material with a Solar Reflectance Index (SRI) of greater than 0.50 which is the Energy Star Standard.
 - (h) Low Impact Development (LID) features shall be incorporated into the site design. Examples include, but are not limited to the use of pervious pavers, pervious asphalt, pervious concrete, Filterras.
9. **Tree Preservation Plan - Comprehensive -** The Applicant shall take the following steps to preserve two trees located on Lot 92A as shown on the GDP/SE plans/plats. In addition, the Applicant and Merrifalls Shopping Center shall enter into an Agreement wherein Merrifalls Shopping Center agrees to maintain these two trees that are proposed to be saved.
 - a. The Applicant shall submit a Tree Preservation Plan and Narrative as part of the first and all subsequent site plan submissions. The preservation plan shall be prepared by a Certified Arborist or Registered Consulting Arborist and shall be subject to the review and approval of Urban Forest Management Division, DPWES.

The tree preservation plan shall consist of a tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees 10 inches in diameter and greater, and 25 feet to either side of the limits of clearing and grading shown on the SE/PCA plat for the entire site. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the SE/PCA and those additional areas in which trees can be preserved as a result of final engineering. The condition analysis ratings shall be prepared using methods outlined

in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan."

b. The use of motorized equipment in tree preservation areas will be limited to hand-operated equipment such as chainsaws, wheel barrows, rakes, and shovels. Except as stated in No. 4 below, any work that requires the use of motorized equipment, such as tree transplanting spades, skid loaders, tractors, trucks, stump-grinders, etc., or any accessory or attachment connected to this type of equipment shall not occur unless pre-approved by Urban Forest Management Division, DPWES.

c. Root Pruning and Mulching. The Applicants shall 1) root prune and 2) mulch. as needed to comply with the tree preservation requirements of these proffers. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets and demolition plan sheets of the site plan submission. The details for these treatments shall be reviewed and approved by Urban Forest Management, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

(1) Prior to root pruning operations and installation of tree protection fence, an UFM representative shall meet with the contractor performing these operations to ensure that root pruning and tree protection fence installation are understood and implemented in conformance with specifications.

(2) Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches;

(3) Root pruning shall take place prior to any clearing and grading.

(4) Root pruning shall be conducted with the supervision of a certified arborist;

d. Tree Preservation Walk-Through.

The Applicant shall retain the services of a Certified Arborist or Registered Consulting Arborist or Registered Consulting Arborist, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree-preservation walk-through meeting, the Applicant's Certified Arborist or Registered Consulting Arborist shall walk the limits of clearing and grading with an UFMD, DPWES, representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump grinding machine in a manner causing as little disturbance as possible to the adjacent trees and associated understory vegetation and soil conditions.

The Applicants shall conform strictly to the limits of clearing and grading as shown on the GDP.

(e) Tree Protection Fencing

All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing using four foot high, 14-gauge welded wire attached to six 6-foot steel posts driven 18 inches into the ground and placed no further than ten (10) feet apart or super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees, shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets, as may be modified by these Proffers.

All tree protection fencing shall be installed after the tree preservation walk-through meeting and prior to any clearing and grading activities. The installation of tree protection fence shall be performed under the supervision of a Certified Arborist or Registered Consulting Arborist and accomplished in a manner that does not harm existing vegetation that is to be preserved. At least ten (10) days prior to the commencement of any clearing, grading, or demolition activities adjacent to the tree preservation areas, but subsequent to the installation of the tree protection devices, UFM, DPWES, and the Providence District Supervisor shall be notified and given the opportunity to inspect the site to assure that all tree protection devices have been correctly installed and no grading or construction activities shall occur until the fencing is installed correctly, as determined by Urban Forest Management, DPWES.

Tree protection fence shall be installed immediately after root pruning, and shall be positioned directly in the root pruning trench and backfilled for stability, or just outside the trench within the disturbed area, as determined by UFM.

During any clearing or tree/vegetation/structure removal in the tree preservation area a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by UFMD. The Applicant shall retain the services of a Certified Arborist or Registered Consulting Arborist to monitor all construction work and demolition and tree preservation efforts in order to ensure conformance with all tree preservation proffers and UFMD approvals. The monitoring schedule shall be described and detailed in the landscaping and/or tree preservation plan and reviewed and approved by Urban Forest Management, DPWES. The Providence District Supervisor shall be notified of the name and contact information of the Applicant's representative responsible for site monitoring at the tree preservation walk-through meeting described above.

f. Bonding

The Applicant shall retain a professional arborist with experience in plant appraisal, to determine the replacement value of all trees that are 8 inches in diameter or greater located on the Application Property and or on the adjacent parcel 92 A (subject to the permission of the off-site owner being granted at no cost to the Applicant) that are located up to 25 feet from the limits of clearing and grading shown on the GDP/SE plan that are shown to be saved on the Tree Preservation Plan. These trees and their value shall be identified on the

Tree Preservation Plan at the time of the first submission of the respective site plan(s). The replacement value shall take into consideration the age, size and condition of these trees and shall be determined by the so-called "Trunk Formula Method" contained in the latest edition of the Guide for Plan Appraisal published by the International Society of Arboriculture, subject to review and approval by UFMD.

At the time of the respective site plan approvals, the Applicant shall post a cash bond or a letter of credit payable to the County of Fairfax to ensure preservation and/or replacement of the trees for which a tree value has been determined that die or are dying due to unauthorized construction activities. The letter of credit or cash deposit shall be equal to 50% of the replacement value of the Bonded Trees. At any time prior to final bond release for the improvements on the Application Property constructed adjacent to the respective tree save areas, should any Bonded Trees die, be removed, or are determined to be dying by UFMD due to unauthorized construction activities, the Applicant shall replace such trees at its expense. The replacement trees shall be of equivalent size (at full growth), species and/or canopy cover as approved by UFMD. In addition to this replacement obligation, the Applicant shall also make a payment equal to the value of any Bonded Tree that is dead or dying or improperly removed due to unauthorized construction activity. This payment shall be made to a fund established by the County for furtherance of tree preservation objectives in the Providence District. Upon release of the bond for the improvements on the Application Property constructed adjacent to the respective tree save areas, any amount remaining in the tree bonds required by this proffer shall be returned/released to the Applicant.

10. Streetscape and Landscaping. Site Plan submissions shall include streetscape/landscape plans in substantial conformance with the GDP/SE plans/plats, Sheet 6.

11. Pedestrian Crosswalk. A pedestrian crosswalk shall be provided as shown on the GDP/SE plans/plats, Sheet 5.

12. Interparcel Connection. A stub access driveway shall be constructed up to the property line as shown on the GDP/SE plat and an access easement shall be provided that allows the Merrifield Plaza shopping center to connect and access at such time as the Plaza redevelops.

Pedestrian Interparcel Access. The Applicant/Owner of Lot 93 shall construct pedestrian access from Lot 93 to Lot 92A in substantial conformance with the location as shown on the GDP/SE plan/plat.

13. Limits of Clearing and Grading shall be adhered to as shown on the GDP/SE plans/plats to protect the off-site trees with minor modifications should the County determine necessary at the time of the in-the-field inspection as outlined under the Proffer Tree Preservation.

14. Stormwater Management/Water Quality Low Impact Development. The storm water management system shall be reviewed for compliance with the Public Facilities Manual by DPWES at the time of site plan review; if any inadequacies are identified, appropriate corrective measures shall be employed to the satisfaction of DPWES prior to site plan approval. Bioretention facilities shall be designed to treat runoff from the roof of the

building and shall meet PFM requirements or a waiver approved by the Director, DPWES. The SWM and BMP facilities shall be maintained by the owner of Lot 93.

The Applicant of Lot 93 shall provide hydrocarbon removal measures for the parking areas in order to reduce hydrocarbon concentrations in runoff from the site. Possible hydrocarbon removal methods include the use of vegetated filter strips, infiltration trenches and other methods that promote infiltration, and oil/grit separators. Where oil grit separators are provided, they shall be designed in conformance with the methods recommended in Chapter 8 of the Metropolitan Washington Council of Governments (COG) document entitled Controlling Urban Runoff or with other methods approved by the Department of Public Works & Environmental Services (DPWES). The oil grit separator(s) shall be cleaned via vacuum pumping at least four times per year. The qualifications of the maintenance operator shall be reviewed and approved by the appropriate Fairfax County agency as determined by DPWES. Oil grit separator maintenance records shall be kept on-site and shall be made available to County officials upon request.

15. Transportation Demand Management Program (TDM).

The applicant shall implement the following methods to encourage the use of transit, high occupant vehicle commuting modes, walking, and biking to reduce auto trips generated by the employees and customers of the property.

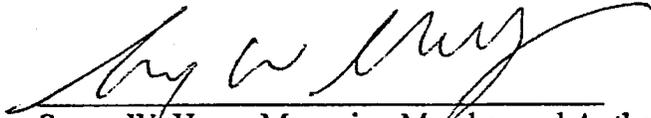
- a. Appoint an individual Program Manager (PM) to be responsible for the TDM strategies. These duties may be part of other duties assigned to the individual(s).
- b. The PM shall coordinate with FCPD employer service program.
- c. Make Metrorail and bus maps, schedules and forms, and other relevant transit option information available to employees and customers.
- d. The Applicant may provide Shuttle Service to and from the Metro Station.
- e. One "inverted style" bicycle rack (or the equivalent, as determined by FCDOT) shall be installed in a location and manner to be coordinated with and approved by FCDOT at the time of site plan review.

16. Fence between Lot 92A and Jefferson Park Townhouse Subdivision

If permission is granted from the Jefferson Park Homeowners Association, the Applicant shall provide a 6' high, black vinyl chain link fence along the Merrifalls Plaza Shopping Center's northern lot line shared with the Jefferson Park Subdivision. This fence shall connect to the brick wall behind the townhouses on Coors Park Court and run approximately 402 linear feet connecting with the existing fence along the eastern lot line. If the fence along the eastern lot line is not on the shared lot line with Lot 92A and 93, then the fence shall continue along the eastern lot line of Lot 92A and 93 connecting with the proposed building on Lot 93. The exact location of the fence shall be determined by the Urban Forest Management Division during a walk-through with the goal of providing a fence in a location which will require the removal of the least number of trees. The goal of the fence is to deter cut-through pedestrian traffic between the shopping center property and Jefferson Park Townhouse Subdivision. In addition, *berberis thunbergii* or approved equivalent as determined by the Urban Forester shall be planted in the areas along the northern lot line between the easternmost corner of the building and the eastern lot line in the areas to be

determined by the Urban Forester to further deter pedestrian cut-through traffic from persons who might climb over the proposed fence referenced above.

JSH Enterprise, LLC

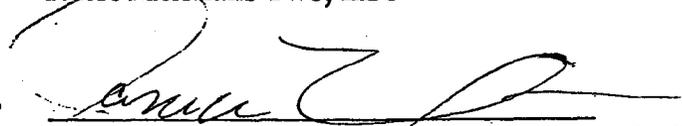


Seung W. Hong, Managing Member and Authorized Agent and Signatory for JSH Enterprise, LLC, Contract Purchaser, TM Ref. 49-2 ((1)) 93



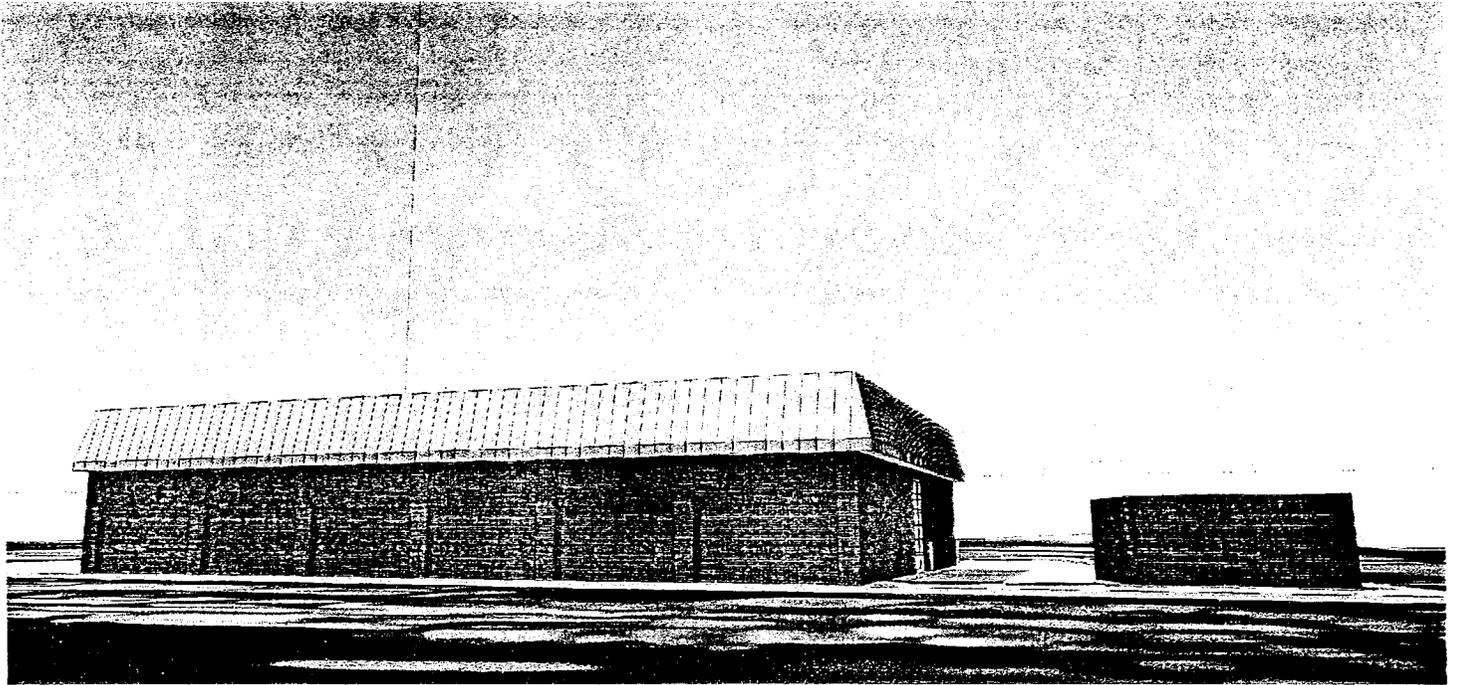
Jeong A. Hong, Managing Member and Authorized Agent and Signatory for JSH Enterprise, LLC, Contract Purchaser, TM Ref. 49-2((1)) 93

Reese Merrifalls Two, LLC



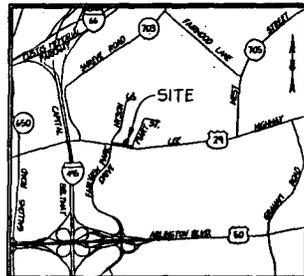
Janice Yun, Member, and Authorized Agent for Reese Merrifalls
Two, LLC, Property Owner,
TM Ref. 49-2 ((1)) 93

EXHIBIT A



DATE	REVISION

SPECIAL EXCEPTION PLAT/
 PROFFER CONDITION AMENDMENT PLAT
**MERRIFALLS AUTO
 CARE SERVICE**
 PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA



VICINITY MAP
SCALE: 1" = 200'

SHEET INDEX

1. COVER SHEET
2. NOTES & TABULATIONS
3. EXISTING CONDITIONS PLAN
4. EXISTING VEGETATION MAP AND TREE CONSERVATION PLAN
5. SPECIAL EXCEPTION PLAT/
PROFFER CONDITION AMENDMENT PLAT
6. LANDSCAPE PLAN
7. BMP & SWMP COMPUTATIONS
8. CONCEPTUAL ELEVATIONS

DATE OF FIRST SUBMISSION: June 29, 2009
 DATE OF SECOND SUBMISSION: November 4, 2009
 DATE OF THIRD SUBMISSION: November 30, 2009
 (Revisions to Pages 1, 2, 4, 5, 6 and 7 based on Fairfax County
 comments received at Review Meeting on November 16, 2009)

APPLICANT/DEVELOPER
JSH ENTERPRISE, LLC
 8138 RIDGE CREEK WAY
 SPRINGFIELD, VA
 22153

PREPARED BY:
christopher consultants
 engineering • surveying • land planning
8000 MAIN STREET (SHILOH ROAD) SUITE 2000, VA 22031-2007
 TEL: 571-590-0000 • FAX: 703-575-7000



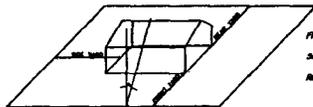
GENERAL NOTES

1. THE SUBJECT PROPERTY IS IDENTIFIED ON THE FAIRFAX COUNTY ASSESSMENT MAP AS 41-3 (11) PARCEL 9E.
2. FOR THE PURPOSES OF THIS APPLICATION, THE TOTAL SITE AREA OF THE PROPERTY IS 26,989 SQUARE FEET OR 0.619 ACRES, BASED ON A BOUNDARY SURVEY COMPLETED BY *Christopher Consultants Inc.*, DATED JULY 2006. THE REAL ESTATE DIVISION OF THE FAIRFAX COUNTY DEPARTMENT OF TAX ADMINISTRATION LISTS THE AREA OF THIS PROPERTY WITHIN THEIR TAX RECORDS AS 26,989 SQUARE FEET.
3. THE OWNER OF THE PROPERTY IS REESE HERRINGS LTD LLC, 616 PACIFIC LANE, ANNANDALE, VA 22003, DEED BOOK 8846, PAGE 708. THE APPLICANT/DEVELOPER OF THE PROPERTY IS JEM ENTERPRISE, LLC, 100 RIDGE CREEK WAY, SPRINGFIELD, VA 22151.
4. THE EXISTING AND PROPOSED ZONING OF THE SUBJECT PROPERTY IS C-8 (HIGHWAY COMMERCIAL), HIGHWAY CORRIDOR OVERLAY DISTRICT (HCOO).
5. THIS SUBMISSION IS AN APPLICATION FOR A CATEGORICAL & SPECIAL EXCEPTION AND A PROFFER CONDITION AMENDMENT TO PERMIT A VEHICLE LIGHT SERVICE ESTABLISHMENT. THE TOTAL PROPOSED GROSS FLOOR AREA IS +/- 5,190 SF AND THE PROPOSED PAR IS +/- 8.1:1.
6. THE BOUNDARY SURVEY IS BASED ON A CURRENT FIELD SURVEY COMPLETED BY *Christopher Consultants Inc.*, DATED JULY 2006.
7. TOPOGRAPHIC INFORMATION IS FROM A FIELD RUN TOPOGRAPHIC SURVEY BY *Christopher Consultants Inc.*, DATED JUNE 14, 2004. THE CONTOUR INTERVAL IS ONE (1) FOOT.
8. THE PROPERTY SHOWN HEREON IS LOCATED ON FEMA FIRM COMMUNITY PANEL NUMBER 6608 0791 D, DATED MARCH 8, 1999, ZONE XE. AREAS DETERMINED TO BE OUTSIDE 100-YEAR FLOODPLAIN.
9. NO TITLE REPORT IS FURNISHED.
10. THE SUBJECT PROPERTY IS LOCATED IN THE PRINCEDON DISTRICT AND THE CAMDEN BURN DISTRICT OF FAIRFAX COUNTY. YOU REFER TO SHEET 1 FOR ADDITIONAL AND NARRATIVES FOR STORM WATER MANAGEMENT (SWM), BEST MANAGEMENT PRACTICES (BMP) AND SITE OUTFALL.
11. THE SUBJECT PROPERTY IS CURRENTLY SERVED BY PUBLIC WATER PROVIDED BY THE CITY OF FALLS CHURCH AND PUBLIC SEWER PROVIDED BY FAIRFAX COUNTY.
12. TO THE BEST KNOWLEDGE OF THE ENGINEER AND DEVELOPER, THERE ARE NO EXISTING GRAVES OR BURIAL SITES LOCATED ON THE PROPERTY.
13. NO ADVERSE EFFECTS TO NEIGHBORING PROPERTIES ARE ANTICIPATED WITH THIS PROJECT.
14. THERE ARE NO SCENIC ASSETS OR NATURAL FEATURES DESERVING OF PROTECTION OR PRESERVATION ON THE SUBJECT PROPERTY.
15. TO THE BEST KNOWLEDGE OF THE ENGINEER AND DEVELOPER, THIS SPECIAL EXCEPTION PLAT AND PROFFER CONDITION AMENDMENT WILL COMPLY TO ALL APPLICABLE ORDINANCES, REGULATIONS AND ADOPTED STANDARDS, INCLUDING THE ADOPTED COMPREHENSIVE PLAN FOR THE COUNTY, UNLESS OTHERWISE SPECIFICALLY NOTED.
16. NOTWITHSTANDING THE APPROVISIONS AND TABULATIONS SHOWN ON THIS PLAN, THE APPLICANT RESERVES THE RIGHT TO MAKE MODIFICATIONS TO THE FINAL DESIGN TO COMPLY WITH FINAL ENGINEERING AND NON-CRITERIA AND REGULATIONS WHICH MAY BE ADOPTED BY FAIRFAX COUNTY SUBSEQUENT TO THE SUBMISSION OF THIS APPLICATION, PROVIDED THAT SUCH MODIFICATIONS ARE CONSISTENT WITH THE APPROVED SPECIAL EXCEPTION PLAT/PROFFER CONDITION AMENDMENT PLAT.
17. SITE FURNISHMENTS SUCH AS SIGNAGE AND FURNISHMENTS. FINAL SITE FURNISHMENTS WILL BE CONFIGURED AT THE TIME OF SITE PLAN APPROVAL, SUBJECT TO MARKET CONDITIONS, BUT CONSISTENT WITH THE APPROVED SPECIAL EXCEPTION AMENDMENT PLAT/PROFFER CONDITION AMENDMENT PLAT.
18. THERE ARE NO EXISTING UTILITY EASEMENTS HAVING A WIDTH OF GREATER THAN 25 FEET ON THE PROPERTY. ALL UNDERGROUND UTILITY EASEMENTS, REGARDLESS OF WIDTH, ARE SHOWN ON THE EXISTING CONDITIONS PLAN.
19. A BIKE RACK WILL BE PROPOSED ON THE PROPERTY, AS SHOWN ON THE PLAN.
20. SOME ADDITIONAL TREE PLANTINGS, INCLUDING A PLANT TABLE AND/OR BENCH, WILL BE PROPOSED OFFSITE ALONG THE WESTERN PROPERTY LINE, AS SHOWN ON THE PLAN.
21. OFFSITE EASEMENT WILL BE REQUIRED FOR GRADING, TREE PLANTING, TREE REMOVAL AND FOR SANITARY SEWER LATERAL CONNECTION.

WAIVERS AND MODIFICATIONS

1. A WAIVER IS BEING REQUESTED FOR THE REQUIREMENT TO PROVIDE A "TRAILER PAVED TRAIL" (ASPHALT OR CONCRETE THAT IS 8' OR MORE IN WIDTH) AS SHOWN ON THE FAIRFAX COUNTY COMPREHENSIVE PLAN COMMUNITY TRAILS PLAN (L-1102) ALONG THE WESTERN SIDE OF THE RESERVE TRUCK HIGHWAY SERVICE DRIVE. THE APPLICANT HAS INSTEAD AGREED WITH FAIRFAX COUNTY TO PROVIDE A 3 FOOT RESERVATION OF RIGHT-OF-WAY ALONG THE SOUTHERN PROPERTY LINE/NEARBY SIDE OF THE RESERVE TRUCK HIGHWAY SERVICE DRIVE. THERE IS ALSO AN EXISTING SIDEWALK ALONG THE SERVICE DRIVE.
2. A WAIVER IS BEING REQUESTED FOR THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENT (S-10-20) BETWEEN THE PROPOSED USE AND THE PROPERTY ACROSS LEE HIGHWAY. NOT ONLY IS THE PROPOSED USE SEPARATED BY A 4-LANE DIVIDED HIGHWAY, BUT AN 8 TO 10 FOOT SOLID WALL EXISTS BETWEEN THE HIGHWAY AND THE RESERVATION WALKING ACROSS THE STREET.
3. MODIFICATIONS ARE BEING REQUESTED FOR THE MINIMUM LOT AREA REQUIREMENT OF 40,000 SF, (4-20-1) AND MINIMUM LOT WIDTH REQUIREMENT OF 200 FEET (4-20-2) WITHIN THE C-8 ZONING DISTRICT. WHILE THIS PROJECT (PARCEL 9E) DOES NOT MEET THESE STANDARDS AND REQUIRED TO C-8 (RE-8-P-017) AND APPROVED ON 8.4.02, FAIRFAX COUNTY HAS AGREED THAT THE APPLICATION FOR THIS SPECIAL EXCEPTION / PROFFER CONDITION AMENDMENT WILL ONLY HAVE TO INCLUDE PARCEL 9E, WHICH DOES NOT MEET THESE STANDARDS.

ANGLE OF BULK PLANE DETAIL



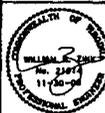
DATE	REVISION
8/24/07	Revisions to Special Exception Plat/Proffer Condition Amendment
	Issued to Fairfax County Pre-Staffing Comments October 26, 2007
8/28/07	Revisions to Special Exception Plat/Proffer Condition Amendment
	Issued to Fairfax County comments received at Review Meeting on November 6, 2007

ZONING TABULATION C-8 HIGHWAY COMMERCIAL DISTRICT, HCOO CATEGORY 5 SPECIAL EXCEPTION		
SUBJECT PROPERTY IDENTIFIED AS: PARCEL ADDRESS 41-3 (11)-9	EXISTING ZONING C-8 (HCOO)	ACREAGE 0.619 AC
ZONING REGULATIONS:		
C-8 HIGHWAY COMMERCIAL DISTRICT, HCOO		
MINIMUM LOT AREA	40,000 SF	
MINIMUM LOT WIDTH	200 FEET	
MINIMUM BUILDING HEIGHT	40 FEET	
MINIMUM YARD REQUIREMENTS:		
FRONT YARD	45° ANGLE OF BULK PLANE, BUT NOT LESS THAN 40°	
SIDE YARD	NO REQUIREMENT	
REAR YARD	30 FEET	
MINIMUM FLOOR AREA RATIO	0.50	
OPEN SPACE	8% REQUIRED	
TREE COVER	8% REQUIRED	
INTERIOR PARKING LOT LANDSCAPING	NO REQUIREMENT (SINCE PARKING LOT HAS LESS THAN 30 TOTAL SPACES)	
PERIPHERAL PARKING LOT LANDSCAPING	NO REQUIREMENT (SINCE PARKING LOT HAS LESS THAN 30 TOTAL SPACES)	

PROPOSED DEVELOPMENT TABULATIONS	
DEVELOPMENT STANDARDS	DEVELOPMENT TABULATIONS
TOTAL GROSS FLOOR AREA	+/- 5,190 SF
FLOOR AREA RATIO	+/- 0.27
MINIMUM BUILDING HEIGHT	+/- 30'
OPEN SPACE	+/- 30.8 % +/- 4,300 SF
TREE COVER	+/- 8.1 % +/- 2,200 SF
* AN ADDITIONAL TEN OFFSITE TREES (+/- 1,000 SF) ARE PROPOSED ALONG THE NORTH AND NORTHEAST PROPERTY BOUNDARY	

PARKING TABULATION FOR PROPERTY	
PARKING SPACES REQUIRED:	• 2 SPACES PER SERVICE BAY • 1 SPACE PER EMPLOYEE • 1 SPACE PER 200 SQUARE FEET OF NET FLOOR AREA
PARKING SPACES PROVIDED:	• 8 SPACES (INCLUDES 3 HANDICAP SPACES, 1 IS VAN ACCESSIBLE, AND INCLUDES 3 EMPLOYEE DESIGNATED SPACES)
LOADING SPACES REQUIRED:	• 1 SPACE PER FIRST 4,000 SF OF GROSS FLOOR AREA
LOADING SPACES PROVIDED:	• 1 SPACE
* THERE WILL BE A MAXIMUM OF 5 SERVICE BAYS	
** THERE WILL BE A MAXIMUM OF 4 EMPLOYEES	
*** AFTER SUBTRACTING OUT THE AREAS FOR THE SERVICE BAYS, THERE WILL BE A MAXIMUM OF 200 SQUARE FEET REMAINING OF NET FLOOR AREA	

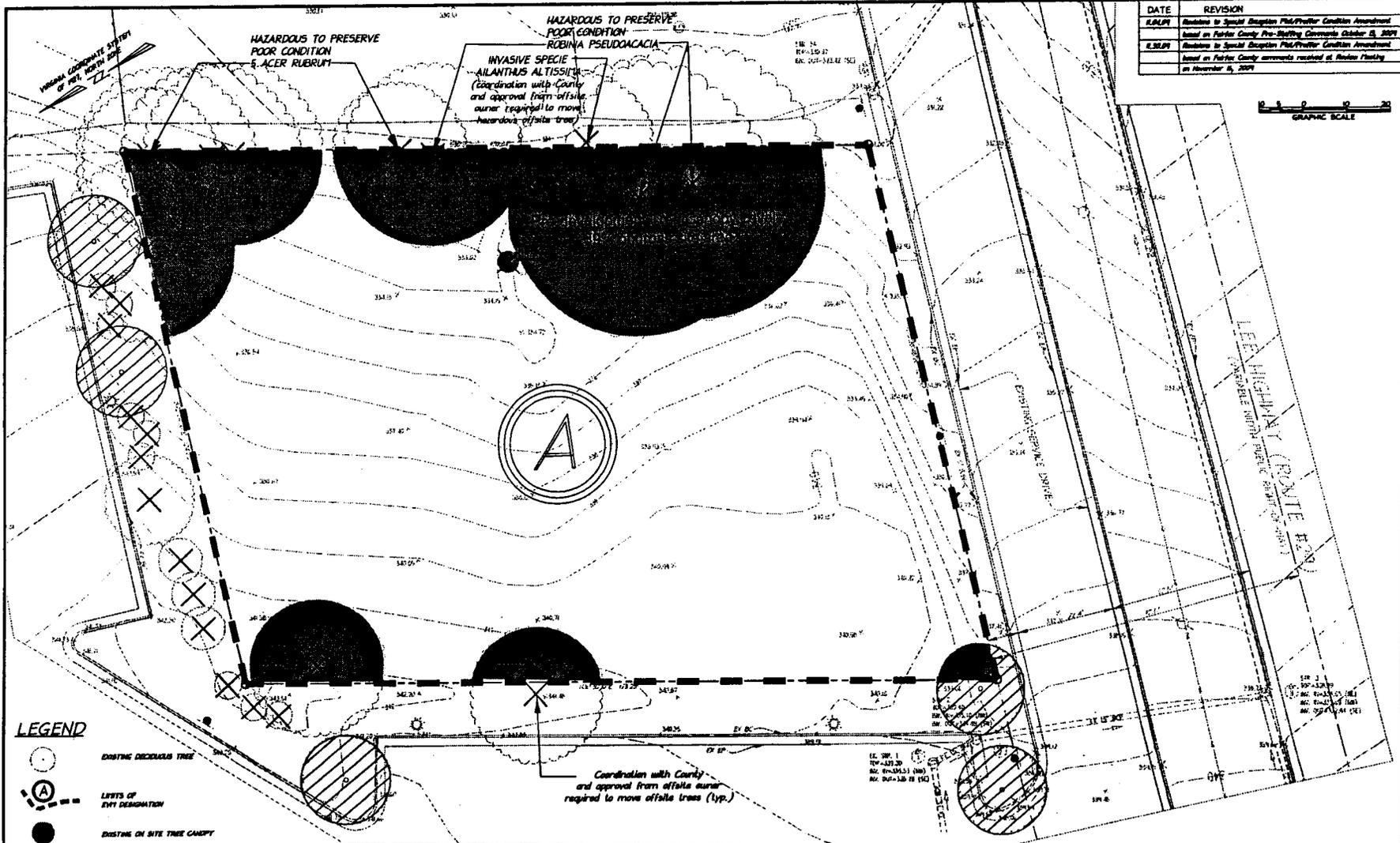
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engineering • surveying • land planning



NOTES & TABULATIONS

SPECIAL EXCEPTION PLAT/
PROFFER CONDITION AMENDMENT PLAT
**MERRIFALLS AUTO
CARE SERVICE**
FAIRFAX COUNTY, VIRGINIA

PROJECT NO. 030304
SCALE: AS SHOWN
DATE: 06-24-09
DRAWN BY: JCF/PM
CHECKED BY: TT
SHEET NO.



DATE	REVISION
8.04.01	Revisions to Special Exception Plat/Proffer Condition Amendment
8.30.01	Issued on Fairfax County Pre-Staffing Conference October 9, 2001
8.30.01	Revisions to Special Exception Plat/Proffer Condition Amendment
8.30.01	Issued on Fairfax County comments received at Public Meeting on November 6, 2001

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 10000 WOODBURN ROAD, SUITE 100
 FAIRFAX COUNTY, VIRGINIA 22030-1000
 TEL: 703.772.8800 FAX: 703.772.1500



EXISTING VEGETATION
 MAP AND TREE
 CONSERVATION PLAN

SPECIAL EXCEPTION PLAT/
 PROFFER CONDITION AMENDMENT PLAT
**MERRIFALLS AUTO
 CARE SERVICE**
 FAIRFAX COUNTY, VIRGINIA

- LEGEND**
- EXISTING DECIDUOUS TREE
 - LIMITS OF SITE DESIGNATION
 - EXISTING ON-SITE TREE CANOPY
 - EXISTING OFF-SITE TREES TO BE PRESERVED
 - EXISTING TREES TO BE REMOVED

Coordination with County
 and approval from off-site owner
 required to move off-site trees (typ.)

EVM DESIGNATION COVER TYPE SUMMARY TABLE

AREA	COVER TYPE	PRIMARY SPECIES	SUCCESSIONAL STAGE	ACREAGE	DESCRIPTION
A	MAINTAINED GRASSLAND	SHEETSODA, NORWAY MAPLE, RED MAPLE, PEAR, ZELKOVA, BLACK LOCUST, ALANTHUS, CEDAR	N/A	0.40	POURED GRASS PLOT ADJACENT TO A SHOPPING PLAZA WITH VARIETY OF TREES AT EDGES. AVERAGE TO POOR LEVELS OF HEALTH, VARIOUS LEVELS OF SUCCESSION

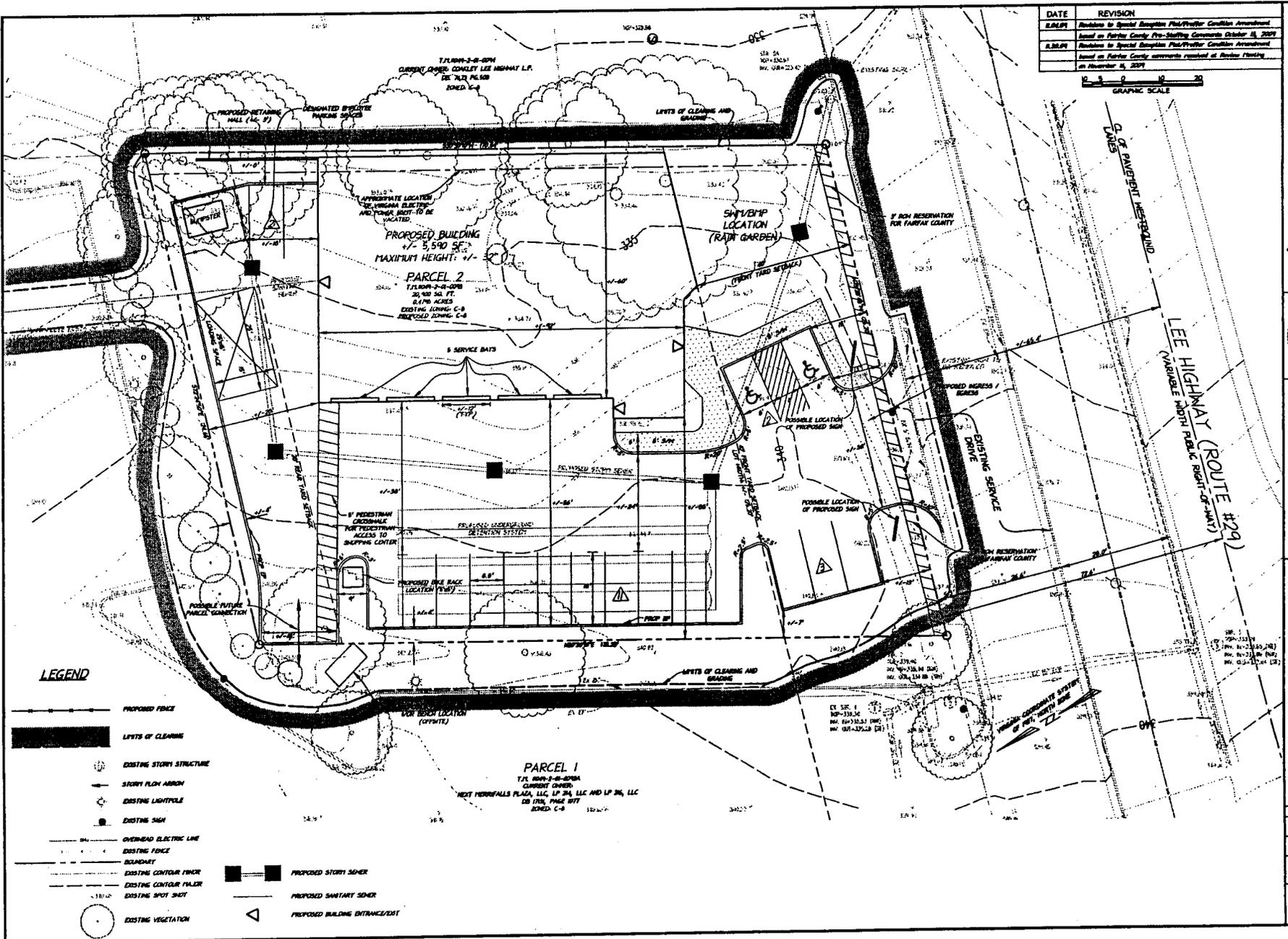
TOTAL SITE ACREAGE: 0.40 ACRES

TREE PRESERVATION

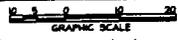
PRE-DEVELOPMENT AREA EXISTING TREE CANOPY: 5,365 SF (34%)
 REQUIRED 10-YEAR TREE CANOPY FOR C-8 ZONING: 2,040 SF (10%)
 TREE CANOPY THAT SHOULD BE MET THROUGH TREE PRESERVATION: 65 SF (3.9%)
 * PROPOSED TREE CANOPY THAT WILL BE MET THROUGH PRESERVATION: 0 SF (0%)
 EXISTING TREE CANOPY OFF-SITE THAT WILL BE PRESERVED: 1,750 SF

* DUE TO THE IMPACT OF CONSTRUCTION ACTIVITIES ON THIS SITE AND THE QUALITY OF TREES CONSIDERED FOR PRESERVATION, THE TREE PRESERVATION TARGET WILL NOT BE MET. THE BALANCE OF THE 10-YEAR CANOPY REQUIREMENTS SHALL BE MET THROUGH PROPOSED ON-SITE AND OFF-SITE PLANTINGS.

PROJECT NO	04004
SCALE	1"=50'
DATE	08-29-01
DESIGN	JUTTA
CHECKED	TEST
SHEET NO.	4 of 8



DATE	REVISION
8.28.21	Revisions to Special Exception Plat/Proffer Condition Amendment
8.28.21	Issued in Fairfax County Pro-Staffing Comments October 8, 2021
8.28.21	Revisions to Special Exception Plat/Proffer Condition Amendment
8.28.21	Issued in Fairfax County comments received at Public Hearing on November 4, 2021



LEGEND

- PROPOSED FENCE
- LIMITS OF CLEARING
- EXISTING STORY STRUCTURE
- STORY FLOOR ARROW
- EXISTING LIGHTPOLE
- EXISTING SIGN
- OVERHEAD ELECTRIC LINE
- EXISTING FENCE
- BOUNDARY
- EXISTING CONTOUR FINISH
- EXISTING CONTOUR MARKER
- EXISTING SPOT SHEET
- EXISTING VEGETATION
- PROPOSED STORY SEWER
- PROPOSED SANITARY SEWER
- PROPOSED BUILDING ENTRANCE/EXIT

PARCEL 1
 TYP. 1000-F-01-0000A
 CURRENT OWNED
 NEXT MERRIFALLS PLAZA, LLC, LP 204, LLC AND LP 204, LLC
 DB 1758, PAGE 077
 ZONED C-8

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 10000 FARM ROAD, SUITE 100, FAIRFAX COUNTY, VA 22031
 703.271.1000

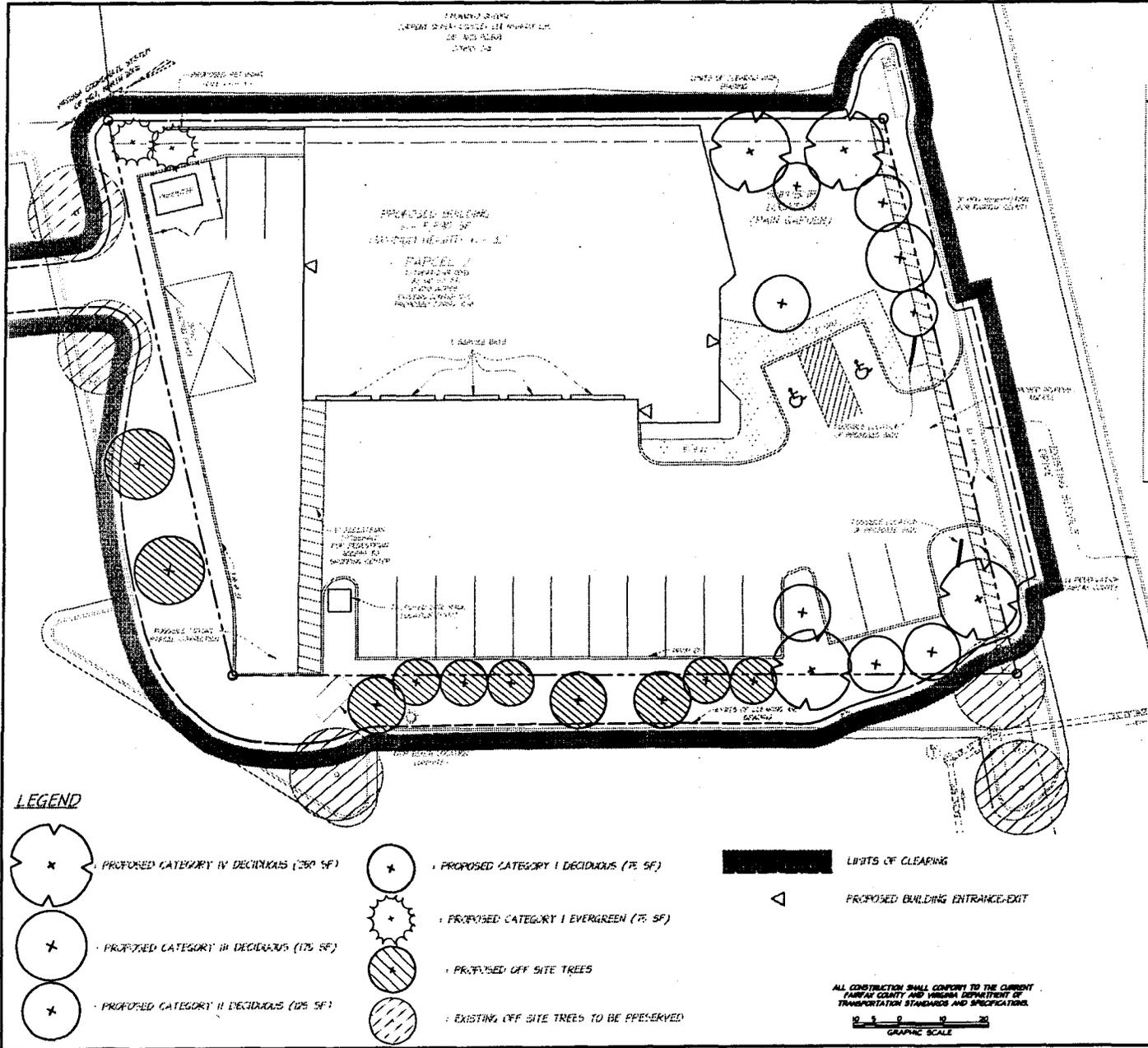



SPECIAL EXCEPTION PLAT / PROFFER CONDITION AMENDMENT PLAT

MERRIFALLS AUTO CARE SERVICE
 FAIRFAX COUNTY, VIRGINIA

PROJECT NO. 2021-001
 SCALE: 1"=40'
 DATE: 08-29-21
 DESIGN: JMT/TH
 DRAWING: TET
 CHECKED:
 SHEET #:

5 of 8



DATE	REVISION
8.04.09	Response to Special Exception Plat/Proffer Condition Amendment based on Fairfax County Pre-Staffing Comments October 15, 2009
8.26.09	Response to Special Exception Plat/Proffer Condition Amendment based on Fairfax County comments received at Public Hearing on November 18, 2009

Christopher Consultants Inc.
 1100 West Street, Suite 100
 Fairfax, VA 22034-5003
 Phone: 703.872.8800 Fax: 703.872.8807

November 12, 2009

Mr. Michael Perry
 Director of Land Services
 Department of Public Works and Environmental Services
 Fairfax County
 1000 Government Center Parkway
 Suite 400
 Fairfax, VA 22034-5003

RE: Merrifalls Auto Care Service
 Special Exception/Proffer Condition Amendment Plat
 (off Project #042004-01)

Dear Mr. Perry:

We are responding to conditions from the Tree Preservation Target, per the Section 12.000.2 of the Fairfax County Public Ordinance Manual (POM). As per Section 12.000.2(A), the existing vegetation does not meet standards for health and structural integrity, especially trees located within the development/development proposed here. These trees along with inventory and quality reports (where applicable) I have attached hereto in my e-mail and for your review and for posting of information, pending health and structural issue. As per Section 12.1 and 12.1.A, Chapter 12, Article 12 of the POM. As well, per Section 12.000.2(A), preservation conditions are also hereby to be met by the existing trees located along the property, hereinafter along the development boundary as well as the trees located along the development boundary.

In order not to prohibit the placement of a light vehicle use structure which is an allowed use under the zoning. Our intent is to meet the POM Section 12.000.2(A) of the 10-year Tree Canopy Requirement and to be met by means of proposal on site and off site tree planting. To meet these 12,100 square feet of canopy coverage we propose to preserve on site to add to 1,400 the 10% tree coverage requirement. In addition, we have 11,400 square feet of canopy coverage that is provided through off site tree planting.

Very truly yours,
 [Signature]
 [Name]
 [Title]

LEGEND

- PROPOSED CATEGORY IV DECIDUOUS (360 SF)
- PROPOSED CATEGORY I DECIDUOUS (75 SF)
- PROPOSED CATEGORY III DECIDUOUS (175 SF)
- PROPOSED CATEGORY II DECIDUOUS (125 SF)
- PROPOSED CATEGORY I EVERGREEN (75 SF)
- PROPOSED OFF SITE TREES
- EXISTING OFF SITE TREES TO BE PRESERVED

- LIMITS OF CLEARING
- PROPOSED BUILDING ENTRANCE-EXIT

ALL CONSTRUCTION SHALL CONFORM TO THE CURRENT
 FAIRFAX COUNTY AND VIRGINIA DEPARTMENT OF
 TRANSPORTATION STANDARDS AND SPECIFICATIONS.

0 10 20
 GRAPHIC SCALE

TREE COVER CALCULATIONS

GROUND SITE AREA	28,000 SF
TREE CANOPY REQUIREMENT (10-15% MIN)	4,200
TREE COVER REQUIRED	2,070 SF
TREE PRESERVATION	
TREE PRESERVATION TARGET AREA (FROM TABLE 8.2)	3,175
TOTAL EXISTING TREE PRESERVATION (REFER TO LETTER ON THIS PAGE)	0 SF
TOTAL 10-YEAR TREE CANOPY PROVIDED	
TOTAL TREE CANOPY AREA PROVIDED THROUGH ON-SITE TREE PLANTING	2,100 SF (10.0% OF GSA)
TOTAL TREE CANOPY AREA PROVIDED THROUGH OFF-SITE TREE PLANTING	1,400 SF (5.0% OF GSA)

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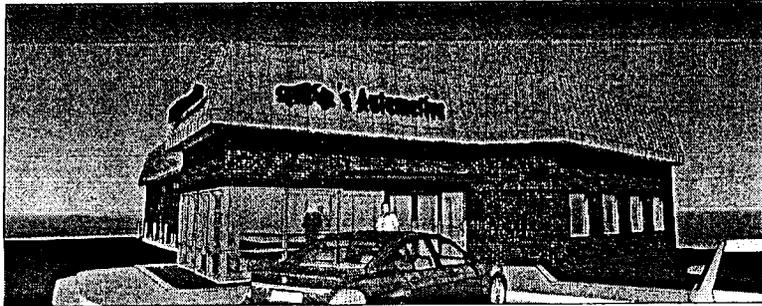


LANDSCAPE PLAN

SPECIAL EXCEPTION PLAT/
 PROFFER CONDITION AMENDMENT PLAT
**MERRIFALLS AUTO
 CARE SERVICE**
 FAIRFAX COUNTY, VIRGINIA

PROJECT NO	042004
SCALE	1"=10'
DATE	09-29-09
DESIGNER	JM/PJA
CHECKER	FTT
SHEET NO.	

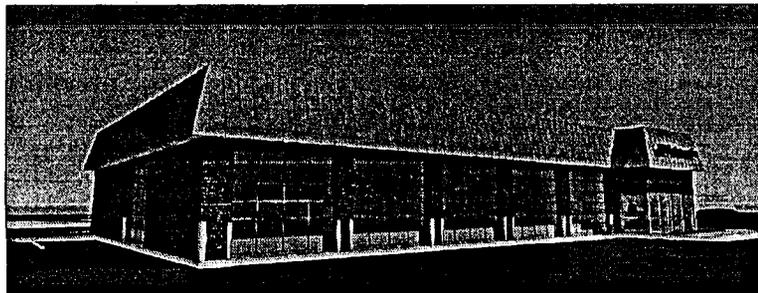
DATE	REVISION
8.24.09	Revisions to Special Exception Plat/Proffer Condition Amendments
	Issued on Fairfax County Pre-Staffing Comments October 15, 2009
8.30.09	Revisions to Special Exception Plat/Proffer Condition Amendments
	Issued on Fairfax County comments received at Review Meeting on November 6, 2009



FRONT VIEW OF PROPOSED BUILDING FROM SITE ENTRANCE
OFF SERVICE DRIVE ALONG LEE HIGHWAY



FRONT VIEW OF PROPOSED BUILDING ENTRANCE FROM PROPOSED PARKING AREA



SIDE VIEW OF PROPOSED BUILDING FROM ADJACENT SHOPPING CENTER

FOR ILLUSTRATIVE PURPOSES ONLY, WITHOUT LANDSCAPING. NOT FOR CONSTRUCTION PURPOSES.

THIS SHEET IS ONLY
CERTIFIED AS PART
OF OUR PLAN SET.

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CONCEPTUAL
ELEVATIONS

SPECIAL EXCEPTION PLAT/
PROFFER CONDITION AMENDMENT PLAT
**MERRIFALLS AUTO
CARE SERVICE**
FAIRFAX COUNTY, VIRGINIA

PROJECT NO	082004
SCALE	AS SHOWN
DATE	8-24-09
DESIGNER	TT
DRAWN BY	TT
CHECKED BY	
SHEET NO.	