



APPLICATION ACCEPTED: November 4, 2009
PLANNING COMMISSION: June 2, 2010
BOARD OF SUPERVISORS: Not Yet Scheduled

County of Fairfax, Virginia

May 19, 2010

STAFF REPORT

SPECIAL EXCEPTION APPLICATION SE 2009-MA-023

MASON DISTRICT

APPLICANT: CVS 2003 VA, LLC

ZONING: C-5

PARCEL(S): 59-3 ((7)) 11 and 11B

ACREAGE: 1.85 acres

FAR: .16

OPEN SPACE: 25%

PLAN MAP: Retail and other

SE CATEGORY: Category 5, Drive-through pharmacy

PROPOSAL: The applicant proposes to develop a new drive-through pharmacy with two (2) drive-through aisles on the site.

STAFF RECOMMENDATION:

Staff recommends approval of SE 2009-MA-023, subject to the proposed development conditions contained in Appendix 1.

Staff recommends a modification of the trail requirement along Little River Turnpike (Route 236), in favor of that shown on the SE Plat.

Brenda J Cho

Staff recommends approval of a modification of the transitional screening requirement along the northern, eastern and southern property lines, in favor of that shown on the SE Plat.

Staff recommends approval of a modification of the peripheral parking lot landscaping requirement along the western property line, in favor of that shown on the SE Plat.

Staff recommends approval of a modification of the barrier requirements along the eastern and southern property lines, in favor of that shown on the SE Plat.

Staff recommends that the Board of Supervisors direct the Director of DPWES to permit a deviation from the tree preservation target percentage in favor of the proposed landscaping shown on the SE Plat.

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

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

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

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

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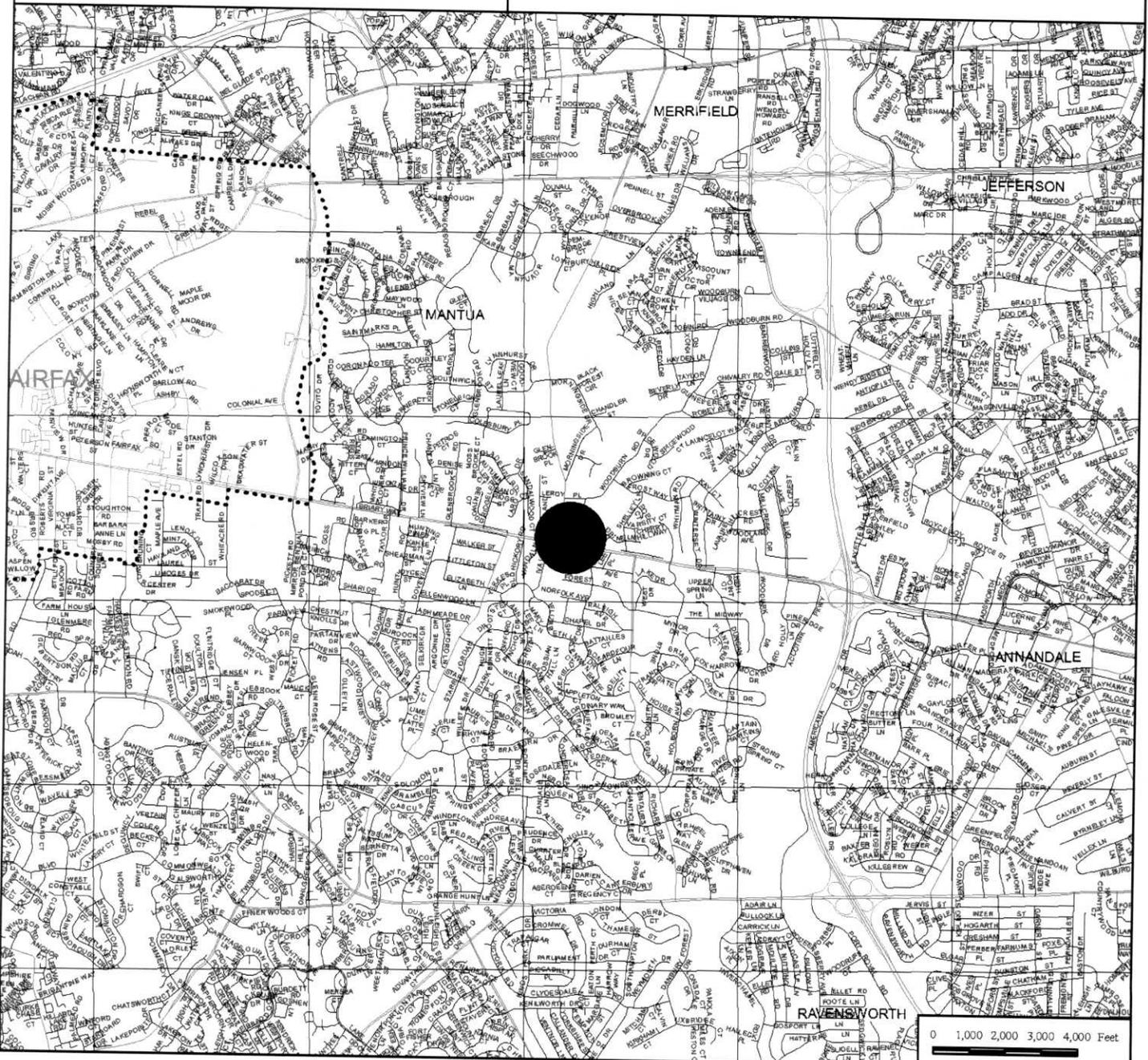
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Exception

SE 2009-MA-023



Applicant: CVS 2003 VA, L.L.C.
Accepted: 10/30/2009
Proposed: DRIVE THROUGH PHARMACY
Area: 1.85 AC OF LAND; DISTRICT - MASON
Zoning Dist Sect: 04-0504
Art 9 Group and Use: 5-36
Located: 8630 AND 8700 LITTLE RIVER TURNPIKE
Zoning: C- 5
Plan Area: 2,
Overlay Dist:
Map Ref Num: 059-3- /07/ /0011 /07/ /0011B

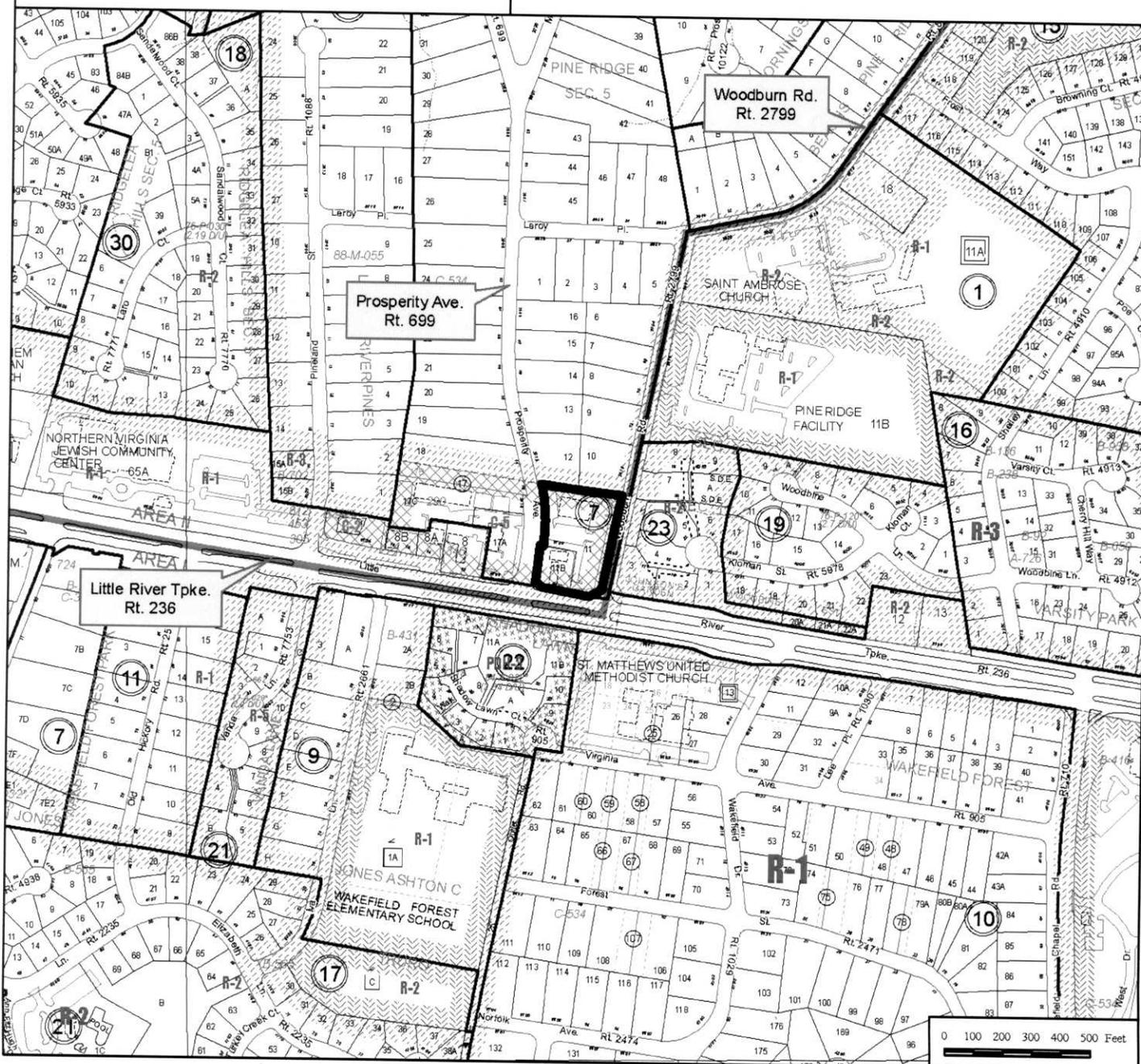


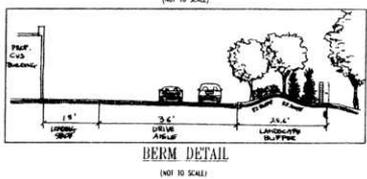
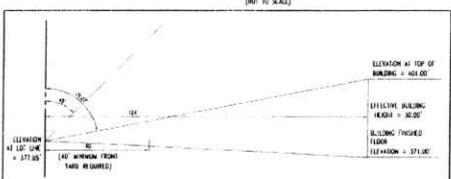
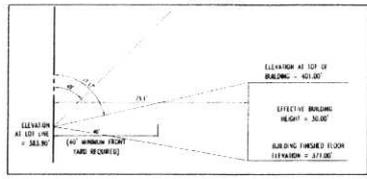
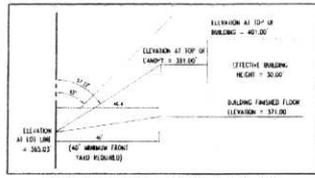
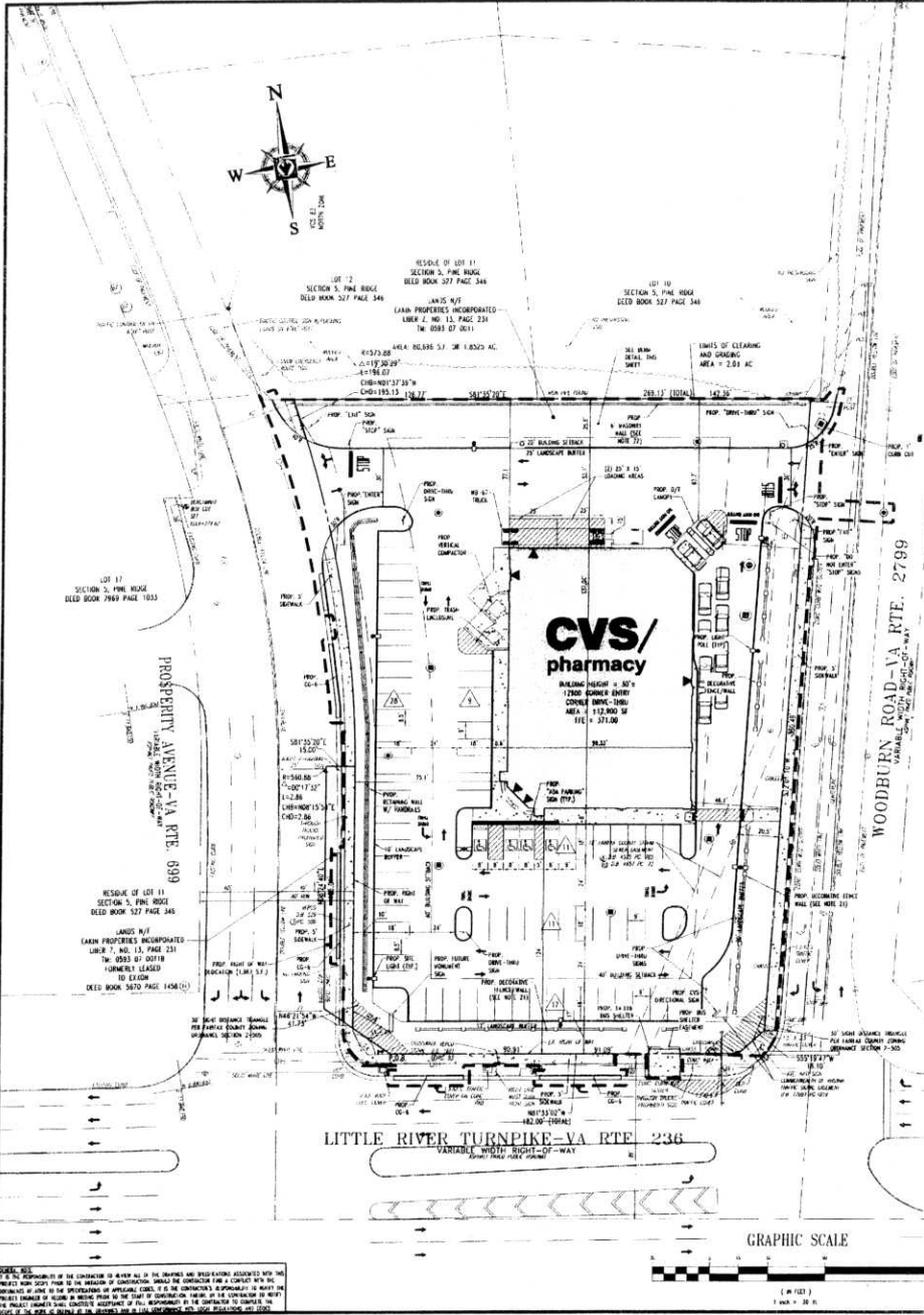
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Zoning: C- 5
Plan Area: 2,
Overlay Dist:
Map Ref Num: 059-3- /07/ /0011 /07/ /0011B





SITE PLAN GENERAL NOTES

1. ALL UTILITIES SHOWN ARE BASED ON THE SURVEYOR'S RECORDS AS SHOWN IN THE SURVEY, AND SHOULD BE VERIFIED BY THE CLIENT PRIOR TO CONSTRUCTION.

2. ALL UTILITIES SHOWN ARE BASED ON THE SURVEYOR'S RECORDS AS SHOWN IN THE SURVEY, AND SHOULD BE VERIFIED BY THE CLIENT PRIOR TO CONSTRUCTION.

3. ALL UTILITIES SHOWN ARE BASED ON THE SURVEYOR'S RECORDS AS SHOWN IN THE SURVEY, AND SHOULD BE VERIFIED BY THE CLIENT PRIOR TO CONSTRUCTION.

TABLE 1: SUMMARY OF REQUIREMENTS

NO.	REQUIREMENT	UNITS/REQUIREMENTS	PROVIDED
1.	MIN. LOT AREA	40,000 SQ FT	114,000 SQ FT
2.	MIN. BUILDING SETBACK	15 FT	15 FT
3.	MIN. FRONT SETBACK	15 FT	15 FT
4.	MIN. SIDE SETBACK	15 FT	15 FT
5.	MIN. REAR SETBACK	15 FT	15 FT
6.	MIN. BUILDING HEIGHT	35 FT	35 FT
7.	MIN. OPEN SPACE	10%	10%
8.	MIN. OPEN SPACE	10%	10%
9.	MIN. OPEN SPACE	10%	10%
10.	MIN. OPEN SPACE	10%	10%
11.	MIN. OPEN SPACE	10%	10%
12.	MIN. OPEN SPACE	10%	10%
13.	MIN. OPEN SPACE	10%	10%
14.	MIN. OPEN SPACE	10%	10%
15.	MIN. OPEN SPACE	10%	10%
16.	MIN. OPEN SPACE	10%	10%
17.	MIN. OPEN SPACE	10%	10%
18.	MIN. OPEN SPACE	10%	10%
19.	MIN. OPEN SPACE	10%	10%
20.	MIN. OPEN SPACE	10%	10%
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TABLE 2: SUMMARY OF REQUIREMENTS

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5.	MIN. REAR SETBACK	15 FT	15 FT
6.	MIN. BUILDING HEIGHT	35 FT	35 FT
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1. THE PROJECT IS LOCATED IN ZONE R (RESIDENTIAL MEDIUM DENSITY) AND IS SUBJECT TO THE ZONING ORDINANCES OF THE CITY OF FAIRFAX COUNTY, VIRGINIA.
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TABLE 5: SUMMARY OF REQUIREMENTS

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BOHLER ENGINEERING

PROJECT MANAGER: BOHLER ENGINEERING

NOT APPROVED FOR CONSTRUCTION

VELMERE COMPANIES

CVS/pharmacy

BOHLER

MISS UTILITY

SPECIAL EXCEPTION PLAT

SHEET NUMBER: 3 OF 7



OUTFALL NARRATIVE

STORMWATER DISCHARGES THE SITE AT THE NORTH-EAST CORNER OF THE PROPERTY AND IS CONVEYED UNDER WOODBURN ROAD THROUGH TWO (2) 21" TOP STORM DRAIN PIPES. THE TWO (2) 21" TOP STORM DRAIN PIPES CONNECT TO A STORM DRAIN SYSTEM CONSISTING OF RCP PIPING THAT INCREASES IN SIZE FROM 18" TO 48" AS STORMWATER IS CONVEYED TO THE EAST THROUGH THE JOHNSON'S CAREER, WOODBURN ESTATES AND HANSTY PARK WOODSHEDS. ON THE EASTERN SIDE OF THE HANSTY PARK WOODSHEDS, STORMWATER IS CONVEYED THROUGH A 60" RCP PIPE TO TWO (2) 42" RCP PIPES THAT DISCHARGE TO A CHANNEL THAT FLOWS EASTWARD THROUGH THE PLEASANT VALLEY CREEK. RUNOFF FROM THE CHANNEL THEN DISCHARGES THROUGH A 60" CHANNEL THAT CROSSES BENCH A PRIVATE DRIVEWAY TO THE LITTLE RIVER UNDER CROSSING OF CROSSING TO ANOTHER OPEN CHANNEL AND 60" x 54" ELLIPTICAL CHANNEL THAT CROSSES BENCH AND BENCH ROAD. TO THE EAST OF BENCH ROAD, RUNOFF IS CONVEYED THROUGH ANOTHER CHANNEL, THAT DISCHARGES TO A 64" RCP PIPE THAT ULTIMATELY DISCHARGES TO A 100 YEAR FLOOD PLAIN SURROUNDING AN UNNAMED TRIBUTARY OF ACCOON CREEK. A MAP SHOWING THE OUTFALL PATH IS SHOWN ON SHEET B.

STORMWATER MANAGEMENT FACILITIES WILL BE PROVIDED ON SITE TO OBTAIN POST-DEVELOPMENT RUN OFF TO BELOW PRE-DEVELOPMENT RATES. BASED ON THE DETENTION PROVIDED, WE FEEL THE 2-1/2 YEAR AND 10-YEAR STORMS WILL NOT EXCEED EXISTING BANDS OF STORM DRAINAGE CHANNELS OR EXCEED THE CAPACITY OF STORM DRAIN PIPES. IN ADDITION, OVERLAND FLOW WILL BE PROVIDED FOR THE ON-SITE DEVELOPMENT FOR THE 100-YEAR STORM. FURTHER DETAILED ANALYSES WILL BE PERFORMED TO VERIFY OUTFALL CONDITIONS AT THE TIME OF FINAL SITE PLAN. IF ANY CHANGES, VARIATIONS, OR DEVIATIONS TO THE STORMWATER MANAGEMENT FACILITY OR DRAINAGE OUTFALL ARE REQUIRED AS A RESULT OF FURTHER ANALYSES, THE WORKING DRAWINGS WILL BE COORDINATED WITH THE STORM WATER MANAGEMENT REVIEWER AT THE TIME OF SITE PLAN REVIEW.

SWM NARRATIVE

THE CURRENT SITE CONSISTS OF A GAS STATION AND HAZARD RESTAURANT WAREHOUSE WHICH IS COLLECTED THROUGH HANSTY VALETS WITHIN THE PARKING AREAS AND CONVEYED VIA STORM DRAIN PIPING TO THE NORTH-EAST CORNER OF THE SITE WHERE STORMWATER DISCHARGES THE SITE TO THE EAST. THE SITE WILL BE REDEVELOPED AS A PHARMACY WITH DRIVE-THRU. AFTER REDEVELOPMENT, STORMWATER FROM THE NORTHWEST AND WESTERN PORTIONS OF THE SITE WILL RUNOFF TO A GRAVE INLET AND CURB INLETS AND BE CONVEYED VIA STORM DRAIN PIPING TO A PROPOSED BMP FACILITY IN THE NORTH-EAST SECTION OF THE PROPERTY. THE PROPOSED BMP FACILITY WILL PROVIDE THE REQUIRED PHOSPHORUS REMOVAL PRIOR TO THE STORMWATER BEING DISCHARGED FROM THE SITE. OFF-SITE STORMWATER FROM THE LITTLE RIVER SURFACE RUNOFF MAY BE CONVEYED TO THE SITE VIA STORM DRAIN PIPING FROM THE EXISTING CATCH BASIN LOCATED ON THE NORTH SIDE OF LITTLE RIVER TURNPIKE. STORMWATER FROM THE SOUTHERN AND EASTERN PORTIONS OF THE SITE WILL RUNOFF TO DRIVE INLETS AND CURB INLETS. ALL BE COORDINATED WITH THE OFF-SITE STORMWATER IN STORM DRAIN PIPING THAT TRANSPORTS THE STORMWATER TO A PROPOSED UNDERGROUND DETENTION FACILITY IN THE NORTH-EAST SECTION OF THE PROPERTY. DISCHARGE FROM THE UNDERGROUND DETENTION FACILITY WILL THEN COMBINE WITH DISCHARGE FROM THE BMP FACILITY AND BE CONVEYED TO THE NORTH-EAST CORNER OF THE SITE WHERE IT IS DISCHARGED TO TWO (2) EXISTING 21" TOP STORM DRAIN PIPES THAT CONVEY STORMWATER OFFSITE, RUNOFF LEAVING THE SITE IN THE POST-DEVELOPMENT CONDITION WILL BE EQUAL OR LESS THAN THAT OF THE EXISTING STORMWATER.

PHOSPHORUS REMOVAL FOR REDEVELOPMENT

$$P_{\text{removed}} = 1 - 0.3 \left(\frac{P_{\text{in}}}{10} \right)^{0.87} \times 100 \quad \text{where } P_{\text{in}} = 0.15$$

$$= 1 - 0.3 \left(\frac{0.15}{10} \right)^{0.87} \times 100 \quad \text{where } P_{\text{in}} = 0.15$$

$$= 17.4\% \quad \text{where } P_{\text{out}} = 0.125$$

PHOSPHORUS REMOVAL - "OCOCQUAN METHOD"

STORMWATER REMOVAL EFFICIENCY (%) FACTOR FOR PH SW

(A) Area of the Site (acres)	(B)	(C)	(D)	(E)	(F)
0.81	1.81	0.00	0.00	0.00	0.00
0.81	0.45	0.287	0.287	0.287	0.287
0.81	0.45	0.287	0.287	0.287	0.287
0.81	0.45	0.287	0.287	0.287	0.287
(C) Weighted average "C" factor:	(D) Total P	(E) Total P	(F) Total P	(G) Factor	(H) Total P
0.287	0.287	0.287	0.287	0.287	0.287

Compute the Total Phosphorus Removed by the SW

Subarea	Designation	Area (Ac)	Runoff (In)	Phosphorus (Lb)	Removal (%)	Removed (Lb)	AVG. (Lb)	"C" Factor	Phosphorus (Lb)
(1)	STORMWATER (ON-SITE UNCONTROLLED)	0.81	0.45	0.287	17.4	0.050	0.237	1.81	0.050
(2)	PHOSPHORUS (ON-SITE UNCONTROLLED)	0.81	0.45	0.287	17.4	0.050	0.237	1.81	0.050
(3)	PHOSPHORUS (ON-SITE UNCONTROLLED)	0.81	0.45	0.287	17.4	0.050	0.237	1.81	0.050
(4) Total									0.15

UNDERGROUND DETENTION AND STORMWATER STORAGE REQUIREMENTS

(A) Storm Requirement	(B)	(C)	(D)	(E)	(F)
12.48	12.48	12.48	12.48	12.48	12.48
12.48	12.48	12.48	12.48	12.48	12.48
12.48	12.48	12.48	12.48	12.48	12.48
12.48	12.48	12.48	12.48	12.48	12.48

BMP NARRATIVE

REDEVELOPMENT IS PROPOSED AT THIS SITE THIS SITE IS NOT CURRENTLY BEING TREATED BY ONE OR MORE BMP'S. THE PERCENTAGE OF PHOSPHORUS REDUCTION REQUIRED FOR A SITE NOT CURRENTLY SERVED BY ONE OR MORE BMP'S IS GIVEN BY SECTION 6-401.9 OF THE VIRGINIA COUNTY PUBLIC FACILITIES MANUAL (PFM). BASED ON THE CALCULATIONS PRESENTED ABOVE, BMP'S ARE REQUIRED TO PROVIDE A PHOSPHORUS REDUCTION OF 17.4%. IN ORDER TO ACHIEVE THE REQUIRED PHOSPHORUS REDUCTION, ONE (1) 60" DIAMETER STORMWATER IS PROPOSED. THE PROPOSED STORMWATER WILL BE SIZED ACCORDING TO MANUFACTURER'S STANDARDS AND SPECIFICATIONS TO PROVIDE AT LEAST 90% REMOVAL EFFICIENCY. AS DETERMINED BY PHOSPHORUS REMOVAL CALCULATIONS ABOVE (OCOCQUAN METHOD), THE PROPOSED BMP SATISFIES THE REQUIRED PHOSPHORUS REDUCTION.

DISCHARGE SUMMARY TABLE

PRE-DEVELOPMENT	POST-DEVELOPMENT
C = 0.76	C = 0.76
Q = 5.43 CFS	Q = 5.43 CFS
A = 1.81 ACRES	A = 1.81 ACRES
Q ₁₀ = 7.48 CFS	Q ₁₀ = 7.48 CFS
Q ₂ = 9.87 CFS	Q ₂ = 9.87 CFS
Q ₁₀₀ = 10.00 CFS	Q ₁₀₀ = 10.00 CFS

* STORAGE VOLUME CALCULATED TO REQUIRED DETENTION IS ACHIEVED WHEN STORAGE CAPACITY IS 5% EXCESS

MINIMUM STORMWATER INFORMATION FOR REZONING, SPECIAL EXCEPTION, SPECIAL PERMIT AND DEVELOPMENT PLAN APPLICATIONS

THE FOLLOWING INFORMATION IS REQUIRED TO BE SHOWN OR PROVIDED IN ALL ZONING APPLICATIONS OF A REWATER REQUEST OR THE SUBMISSION REQUIREMENT WITH JUSTIFICATION SHALL BE ATTACHED. NOTES: REWATER WILL BE ACTED UPON SEPARATELY. FAILURE TO ACCURATELY ADDRESS THE REQUIRED SUBMISSION INFORMATION MAY RESULT IN A REJECT IN PROCESSING THIS APPLICATION.

THIS INFORMATION IS REQUIRED UNDER THE FOLLOWING ZONING ORDINANCE PARAGRAPHS:
 SPECIAL PERMITS (8-011 2) & 3) SPECIAL EXCEPTIONS (8-011 2) & 3) COMMERCIAL REDEVELOPMENT DISTRICTS (8-022 2A (1) & (2) & (3) & (4) DEVELOPMENT PLANS PER DISTRICTS (18-202 3 & 4) PFC PLAN (18-202 3 & 4) ZFP P DISTRICTS (SPECIAL PFC) (18-202 1 & 2) PLANS (18-202 1 & 2)

MF1. PLAN IS AT A MINIMUM SCALE OF 1"=50' (UNLESS IT IS SPECIFIED ON ONE SHEET WITH A MINIMUM SCALE OF 1"=100')

MF2. A GRAPHIC DETECTING THE STORMWATER MANAGEMENT FACILITIES AND LIMITS OF CLEARING AND GRADING ACCURATE TO THE STORMWATER MANAGEMENT FACILITIES, STORM DRAINAGE PIPE SYSTEMS AND OUTLET PROTECTION, POND SPILLWAYS, ACCESS ROADS, SITE OUTFALLS, ENERGY DISSIPATION DEVICES, AND STREAM STABILIZATION MEASURES AS SHOWN ON THIS SHEET.

MF3. PROPOSED:

FACILITY NAME	ON-SITE AREA (ACRES)	OFF-SITE AREA (ACRES)	DRAINAGE AREA (ACRES)	FOOTPRINT AREA (SQ FT)	STORAGE VOLUME (CF)	% POND, DAM HEIGHT (FT)
STORM FILTER	0.43	0.00	0.43	50	N/A	N/A
TOTAL (Quantity)	0.43	0.00	0.43	50	N/A	N/A
UNDERGROUND DETENTION	1.03	0.00	1.03	136 SQ FT AS SHOWN	750' CF	N/A
TOTAL (Quantity)	1.03	0.00	1.03	136 SQ FT AS SHOWN	750' CF	N/A

* UNDERGROUND DETENTION ACCOMPLISH 2% OF 6" DIAMETER PIPES.

MF4. EXISTING DRAINAGE CHANNELS, OUTFALLS AND PIPE SYSTEMS ARE SHOWN ON THIS SHEET. POND INLET AND OUTLET PIPE SYSTEMS ARE NOT APPLICABLE.

MF5. MAINTENANCE ACCESS (ROAD) TO STORMWATER MANAGEMENT FACILITIES IS VIA THE PROPOSED PARKING LOT. TYPE OF MAINTENANCE ACCESS ROAD SURFACE NOTED ON THIS PLAN'S ASPECT (NORMAL, GRAVEL, OR C).

MF6. LANDSCAPING AND TREE PRESERVATION SHOWN IN AND NEAR THE STORMWATER MANAGEMENT FACILITY IS SHOWN ON SHEET. * SITE LANDSCAPING IS SHOWN ON SHEET B.

MF7. A 'STORMWATER MANAGEMENT NARRATIVE' WHICH CONTAINS A DESCRIPTION OF HOW DETENTION AND BEST MANAGEMENT PRACTICES REQUIREMENTS WILL BE MET IS PROVIDED ON THIS SHEET.

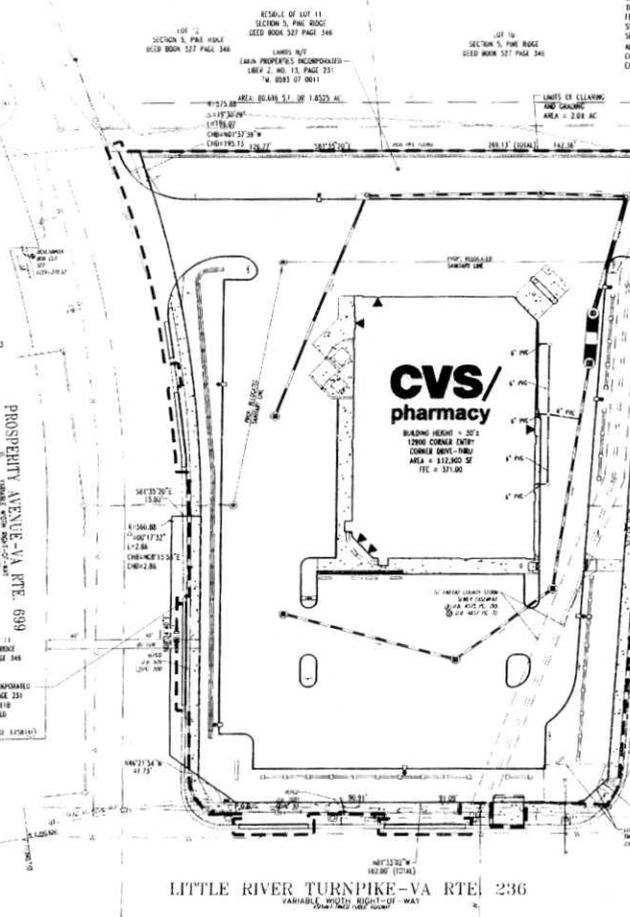
MF8. A DESCRIPTION OF THE EXISTING CONDITIONS OF EACH NUMBERED 1/4-ODD EXTENDED DOWNSTREAM FROM THE SITE TO A POINT WHICH IS AT LEAST 100 FEET THE SITE AREA OR WHICH HAS A DRAINAGE AREA OF AT LEAST ONE SQUARE MILE (240 ACRES) IS PROVIDED ON THIS SHEET.

MF9. A DESCRIPTION OF HOW THE OUTFALL REQUIREMENTS, INCLUDING CONTROLLING DRAINAGE AREAS OF THE PUBLIC FACILITIES MANUAL, WILL BE SATISFIED IS PROVIDED ON THIS SHEET AND SHEET B.

MF10. EXISTING TOPOGRAPHY WITH BENCHMARK INTERVALS OF 100 (2) FEET AND A NOTE AS TO WHETHER IT IS AN AIR SURVEY OR LEAS RUN IS PROVIDED ON SHEET B.

MF11. A SUBMISSION WAIVER IS REQUESTED FOR: N/A

MF12. STORMWATER MANAGEMENT IS NOT REQUIRED BECAUSE: N/A



LIMITS OF CLEARING AND GRADING AREA = 2.08 AC

WOODBURN ROAD - VA RTE. 2789
 VARIABLE WIDTH RIGHT-OF-WAY

LITTLE RIVER TURNPIKE - VA RTE. 236
 VARIABLE WIDTH RIGHT-OF-WAY

GRAPHIC SCALE



NOTICE: THE INFORMATION ON THIS PLAN IS THE PROPERTY OF THE ENGINEER AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER.

BOHLER ENGINEERING

REGISTERED PROFESSIONAL ENGINEER
 CIVIL & CONSTRUCTION ENGINEERING

PROJECT MANAGERS
 SURVEYORS
 ENVIRONMENTAL CONSULTANTS
 GEOTECHNICAL CONSULTANTS
 TRAFFIC ENGINEERS
 PLANNING ENGINEERS
 ELECTRICAL ENGINEERS
 MECHANICAL ENGINEERS
 CHEMICAL ENGINEERS
 METALLURGICAL ENGINEERS
 AERONAUTICAL ENGINEERS
 AGRICULTURAL ENGINEERS
 INDUSTRIAL ENGINEERS
 MARINE ENGINEERS
 MINING ENGINEERS
 NUCLEAR ENGINEERS
 PETROLEUM ENGINEERS
 SAFETY ENGINEERS
 TRANSPORTATION ENGINEERS
 WATER RESOURCES ENGINEERS

REVISIONS

NO.	DATE	DESCRIPTION	BY
1	01/21/20	REVISED PER CIVIL ENGINEER	ALL
2	01/21/20	REVISED PER CIVIL ENGINEER	ALL
3	01/21/20	REVISED PER CIVIL ENGINEER	ALL
4	01/21/20	REVISED PER CIVIL ENGINEER	ALL

NOT APPROVED FOR CONSTRUCTION

PROJECT NO. 2280
 DRAWN BY: J. BOHLER
 CHECKED BY: J. BOHLER
 DATE: 01/21/20
 SCALE: AS SHOWN
 SHEET NO. 5 OF 7

SPECIAL EXCEPTION PLAT

VELMEIR COMPANIES
 PARTNERS IN DEVELOPMENT

CVS/pharmacy
 LITTLE RIVER TURNPIKE AND PROSPERITY AVENUE ANNANDALE, VIRGINIA
 FAIRFAX COUNTY, VIRGINIA

BOHLER ENGINEERING

2280 SHAYS DRIVE
 SUITE 200
 STERLING, VIRGINIA 20164
 PH: (703) 709-5000
 FX: (703) 709-5001
 MAILING ADDRESS: 2280 SHAYS DRIVE



MISS UTILITY

NO WORK TO BE DONE IN THIS AREA

STORMWATER MANAGEMENT PLAN

SHEET NO. 5 OF 7

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

DESCRIPTION OF THE APPLICATION

Proposal:

The applicant seeks approval of a Special Exception to redevelop the application site with a drive-through pharmacy (CVS) on the site, which is zoned C-5 (Neighborhood Retail Commercial) District. A drive-through pharmacy is a permitted use in the C-5 District, but the application site requires a Special Exception since it does not satisfy all of the provisions of Sect. 4-505 of the Zoning Ordinance. A restaurant and service station were previously on the site. Both have since been demolished and the site is currently vacant. The new building will measure approximately 12,900 square feet and approximately 30 feet in height, and there will be two drive-through aisles (one each for pick-up and drop off only). Seventy-six (76) parking spaces will be provided on site. The hours of operation for the drive-through lanes will be 8:00 a.m. to 10:00 p.m., Monday through Friday and 9:00 a.m. – 6:00 p.m., Saturday and Sunday. The store will be open 8:00 a.m. – 10:00 p.m., 7 days a week. Approximately 24 employees will work on site.

Waivers and Modifications:

The applicant seeks the following waivers and modifications:

- Modification of major paved trail requirement along Little River Turnpike (Route 236) to that shown on SE Plat;
- Modification of transitional screening requirements along the northern, eastern and southern property lines to that shown on SE Plat;
- Modification of the peripheral parking lot landscaping requirement along the western property line to that shown on SE Plat;
- Modification of the barrier requirements along the eastern and southern property lines to that shown on SE Plat; and
- Deviation of the Tree Preservation Target percentage.

LOCATION AND CHARACTER

Site Description:

The site is located at 8630 and 8700 Little River Turnpike between Woodburn Road and Prosperity Avenue. The subject property measures approximately 80,696 square feet (1.85 acres) and is zoned C-5. The site was previously developed with a two (2)

story restaurant measuring 7,220 square feet and a service station measuring 2,045 square feet with three (3) pump islands and canopy. Both structures have since been removed. There are a total of five (5) access points to the site from all frontages. There are several mature trees on site around the periphery of the site.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Single-Family Detached Residential	R -1	1 – 2 DU/AC
South	Single-Family Detached Residential	PDH-2 / R-1	2 – 3 DU/AC
East	Single-Family Detached Residential	R -2	2 – 3 DU/AC
West	Commercial (Pizza Hut)	C-5	Retail and Other

BACKGROUND

Site History:

On November 1, 1982, the Board of Supervisors (BOS) approved SE 82-M-060 to permit a service station on Tax Map 59-3 ((7)) 11B. A copy of the approved development conditions is attached in Appendix 4.

On July 11, 1983, the BOS approved SEA 82-M-060-1 to amend SE 82-M-060. A copy of the approved development conditions is attached in Appendix 5.

COMPREHENSIVE PLAN PROVISIONS

Plan Area: Area II

Planning District: Fairfax Planning District

Planning Sector: F2 Mantua Community Planning Sector

Plan Map: Retail and other

Within the 2007 Edition of the FAIRFAX COUNTY COMPREHENSIVE PLAN, AREA II, Fairfax Planning District (as amended through 1-26-2009) in the F2-Mantua Community Planning Sector on pages 34 – 38:

The Mantua sector is largely developed as stable residential neighborhoods. Infill development in these neighborhoods should be compatible with existing development in the vicinity in terms of use, type and intensity, in accordance with the guidance provided by the Policy Plan in Land Use Objectives 8 and 14.

Where substantial parcel consolidation is specified, it is intended that such consolidations will provide for projects that function in a well-designed, efficient manner and provide for the development of unconsolidated parcels in conformance with the Area Plan.

8. *The existing small, commercial retail and office area between Pineland Street and Woodburn Road primarily fronting on either Little River Turnpike (Route 236) or Prosperity Avenue, should not be expanded. Extensive buffering is required along the northern, eastern, and western boundaries of the tract to maintain the adjacent stable residential area.*

ANALYSIS

Special Exception (SE) Plat (Copy at front of staff report)

Title of SE Plat: CVS/pharmacy

Prepared By: Bohler Engineering

Original and Revision Dates: December 18, 2008, as amended through May 4, 2010

The SE Plat consists of seven (7) sheets.

CVS/pharmacy, SE Plat	
Sheet #	Contents
1	Cover Sheet
2	Existing Conditions Plan/Existing Vegetation Map
3	Special Exception Plat
4	Landscape Plan
5	Stormwater Management Plan
6	Stormwater Management Plan
7	Exterior Elevations

Site Layout: The subject property, which measures approximately 1.85 acres, is located on Little River Turnpike between Woodburn Road and Prosperity Avenue. The applicant proposes to redevelop the entire site to build a new drive-through pharmacy with two (2) drive-through aisles. The applicant proposes to eliminate the existing access points along Little River Turnpike and consolidate the access points along Woodburn Road and Prosperity Avenue to one (1) access point along each street. The proposed building will measure approximately 12,900 square feet and 30 feet in height. The new building will be set approximately 62.7 feet from the rear (northern) property line, and the main building entrance will be at the southwest corner of the building, facing the intersection of Little River Turnpike and Prosperity Avenue. Two (2) drive-through aisles will be built along the east side of the building, and the

pick-up and drop-off window will be located at the northeast corner of the building. Queuing space for at least five (5) cars will be provided for each aisle. Other pharmacy traffic will be able to bypass the drive-through lanes through a one-way drive aisle. Seventy-six (76) parking spaces will be provided on site. A new five (5) foot wide sidewalk will be built around the site's frontages with new landscape buffers, including trees and other plantings. A pedestrian connection between the building and the sidewalk along Woodburn Road is proposed. A proposed dumpster enclosure and vertical compactor will be located on the west side of the building, and two loading spaces measuring 25 feet by 15 feet will be provided in the rear of the building. A monument sign is proposed near the corner of Little River Turnpike and Prosperity Avenue. Along Little River Turnpike, a bus shelter measuring 14 feet by 16 feet, as well as a bus shelter easement, is proposed. Site lighting is also proposed around the periphery of the parking lot.

Right-of-Way Dedication: The SE Plat shows right-of-way (ROW) dedication along Prosperity Avenue. The applicant proposes to dedicate a total of 40 feet of ROW from centerline (approximately 1,967 square feet of ROW). Currently, the site area measures 80,696 square feet, and after the proposed ROW is dedicated, the site area will measure 78,729 square feet.

Access: Along Little River Turnpike and Prosperity Avenue, there are two (2) existing points of access, and there is one (1) point of access along Woodburn Road. Under this proposal, the access points along Little River Turnpike will be eliminated, and the two (2) access points along Prosperity Avenue will be consolidated into one (1) entry near the northern boundary of the site. This new access point will align with the site's existing single access point along Woodburn Road, which will not change.

Under the proposed circulation pattern, the two (2) main access points to the site will be two-way. Direction signage (pylon and painted) will be located near the northeastern corner of the site to help direct traffic, and additional directional signage will be posted near the main access points. The drive aisle along the western side of the building will accommodate two-way traffic, and drive-through painted and posted directional signage for vehicles entering from the Prosperity Avenue access is proposed within the parking lot.

Landscaping and Streetscape: The applicant proposes to remove the existing landscape strips and islands and reconfigure the landscaping on site. To the north, a landscape buffer measuring approximately 25 feet in width will be built containing a berm with evergreen and deciduous trees and shrubs. A six (6) foot tall masonry wall will be placed north of the berm along the property line. The applicant proposes a ten (10) foot wide landscape buffer, which will be planted with trees and shrubs, along Prosperity Avenue. The site's topography slopes higher towards the east, so a retaining wall with handrails is proposed within the landscape buffer. The height of this wall is not specified. Along Little River Turnpike, a 17-foot wide landscape buffer is proposed, and a decorative wall/fence will also be placed within the buffer for additional screening. Various trees and shrubs will be planted within the landscape

buffer in front of the decorative wall/fence. A 20-foot wide landscape buffer with grass, trees and shrubs planted in front of a decorative wall/fence is proposed along Woodburn Road. Most of the trees in this landscape buffer will be planted along the southern half of the landscape buffer due to a storm sewer easement that runs through the buffer area. A fifteen (15) foot wide strip of evergreen shrubs will be planted along the northern half of the landscape buffer to the east.

Stormwater Management: The applicant proposes to provide stormwater management (SWM) facilities and best management practices (BMP) on site. One (1) stormfilter for BMP is proposed in the northeast corner of the site, and storm drain piping within the parking lot will carry runoff to the BMP facility. There is also a proposed underground detention facility in the northeast portion of the site.

Land Use Analysis (Appendix 6)

The applicant's request to redevelop the existing site, which previously contained a service station and eating establishment, with a new drive-through pharmacy is generally consistent with the land use recommendations of the Comprehensive Plan. The property is zoned C-5, and the Comprehensive Plan notes that this area is developed with small, commercial retail and office uses that should not be expanded. The proposed drive-through pharmacy will measure .16 FAR, which is below the recommended maximum FAR of .30 for the site. However, the proposed 12,900 square foot drive-through pharmacy represents a 39% increase in gross floor area over the previous restaurant and service station uses (9,265 square feet).

The initial design of the site raised concerns regarding compatibility, landscaping and screening since there are existing single-family residences directly across Woodburn Road. The vacant properties to the north are also zoned R-1, where additional residences could be developed in the future, and there are single-family detached residences approximately 180 feet to the north. The applicant has amended the latest proposed site layout to address these concerns through enhanced landscaping and screening. Specifically, the applicant added a six (6) foot high masonry wall and landscaped berm along the northern boundary of the site. Also, along Woodburn Road to the east, the applicant proposes a twenty (20) foot wide landscape buffer with a decorative wall/fence and plantings. Though the drive-through lanes were not relocated to the Prosperity Avenue side of the building as recommended by staff, the applicant revised the location of the drive-through windows to a truncated northeast corner of the building in order to move them further from the adjacent residences. Staff finds that these design changes address the previously listed concerns.

Environmental Analysis (Appendix 6)

Issue: Green Building Practices

The Comprehensive Plan encourages the application of energy conservation, water conservation, and other green building practices in the design and construction of new development and redevelopment projects. The proposed application presents an

opportunity for the applicant to commit to a third-party certified green building rating system. The applicant has been strongly encouraged to seek U.S. Green Building Council Leadership in Energy and Environmental Design (LEED) certification for the proposed drive-through pharmacy.

Resolution:

The applicant has not committed to third-party certification, but notes that they are committed to incorporating sustainable design and construction elements. As such, the applicant is currently evaluating implementation possibilities on site. Staff would continue to encourage the applicant to consider applying these design elements to future certification.

Transportation Analysis (Appendix 8)

The Fairfax County Department of Transportation (FCDOT) reviewed the applicant's original submission and shared several comments related to this proposal. The applicant has addressed most of the comments, including the provision of a bus shelter and easement along Little River Turnpike, a reconfigured loading space, and proposed five (5) foot wide sidewalks. FCDOT also recommended that the applicant demonstrate adequate sight distances at both entrances and also include the entire sidewalk along Prosperity Avenue within the right-of-way (ROW). The applicant will provide sight distance profiles at the time of site plan. The applicant also has included the entire length of the sidewalk along Prosperity Avenue in the ROW.

The Virginia Department of Transportation (VDOT) recommended that the applicant dedicate right-of-way along Little River Turnpike (Route 236) in accordance with the Comprehensive Plan, and design and construct entrances in accordance with VDOT's *Minimum Standards of Entrances to State Highways*. Along Little River Turnpike, the Comprehensive Plan notes that it is planned for a six-lane expansion, which would require 58 feet from centerline. Currently, the existing ROW along Little River Turnpike is 86 feet from centerline to the application's property line, and as such, additional ROW is not needed. The applicant has also designed the entrances in accordance with VDOT's standards, and the entrance curb radii are shown on the SE Plat. Staff believes that these issues are resolved.

Urban Forest Management Division (UFMD) Analysis (Appendix 8)**Issue: Transitional Screening along Woodburn Road**

On the application site, a ten (10) foot wide storm sewer easement runs along the eastern side of the site and into the landscape buffer along Woodburn Road. The applicant proposes a decorative wall/fence along the eastern and southern property lines for additional screening, but no detail on the decorative wall/fence has been provided on SE Plat. UFMD staff requested additional information on the decorative

wall/fence with a suggested height of seven (7) feet to provide added buffering for the adjacent residences. UFMD staff also recommended moving the wall to the edge of the curb and planting evergreen trees in front of the wall for improved transitional screening since landscaping cannot be planted within the utility easement.

Resolution:

The latest SE Plat submission notes that the decorative wall/fence will be constructed of wrought iron with brick piers or an equivalent as determined at site plan. Though the final design of the decorative wall/fence is important, staff is also concerned about the possible height. Though UFMD staff recommended seven (7) feet for the height of the fence, Par. 3 of Sect. 10-104 in the Zoning Ordinance only permits a maximum height of four (4) feet for fences or walls in the front yard. However, up to six (6) feet is permitted with the approval of a Special Permit. Due to potential sight distance issues, staff has included a development condition to limit the height of the decorative wall/fence to four (4) feet and to include the final design of any walls or fences as elevations in the site plan for review by DPWES.

In response to the storm sewer easement concern, the applicant relocated the proposed wall/fence closer to the building to permit additional plantings within the buffer. Within the 20-foot wide landscape buffer, the applicant will provide 15 feet of plantings, including shrubs within the utility easement. Since the full width of plantings cannot be provided within the transitional screening landscape buffers, the applicant has requested a modification of the transitional screening requirements along the eastern, southern and western boundaries of the site to that shown on the SE Plat. Staff proposes a development condition to require a landscape plan to be submitted for concurrent review with the site plan, so that DPWES can review the final plantings and design of the wall/fence. Staff believes that these issues are resolved.

Stormwater Management (SWM) Analysis (Appendix 9)

Water quality controls and stormwater detention is required for the site, but the BMP and underground detention facilities were previously not shown on the SE Plat. In the latest submission, the BMP and underground detention facility is depicted on the SE Plat. However, it is not clear that the outfall narrative has been expanded to include a description of the adequacy and stability of the outfall, as recommended by staff. Therefore, a development condition is proposed to require SWM/BMPs on site and to provide adequate outfall. Staff believes that these issues are addressed.

Fairfax County Park Authority Analysis (Appendix 10)

No issues were identified with this application.

ZONING ORDINANCE PROVISIONS

Bulk Standards for C-5 District		
Standard	Required	Provided
Lot Area	40,000 SF	80,696 square feet
Lot Width	200 feet	182 feet along Little River Turnpike and 269.13 feet along the north
Max. Building Height	40 feet	30 feet
Front Yards	45° angle of bulk plane, but not less than 40 feet	124 feet (south), 75.1 feet (west) and 40.4 feet (east)
Rear Yard	20 feet	62.7 feet
Maximum FAR	.30	.16
Open Space	20%	25%
Parking Spaces	1 space per 200 square feet of net floor area for the first 1000 square feet, plus 6 spaces per each additional 1000 square feet = 74 spaces	76 parking spaces
Stacking Spaces	5 stacking spaces in front of each drive-thru window	5 spaces
Interior Parking Lot Landscaping	5% for parking lot with 20 or more spaces	5%
Peripheral Parking Lot Landscaping (West)	10 foot wide landscape strip (not including a sidewalk or trail) shall be located between the parking lot and the property line	10 feet wide landscape strip with retaining wall (modification requested)
Transitional Screening		
North (SFD)	TS 3 – 50 feet	25.6 foot wide landscape buffer (modification requested)
East (SFD)	TS 3 – 50 feet	20 foot wide landscape buffer (modification requested)
South (SFD)	TS 3 – 50 feet	17 foot wide landscape buffer (modification requested)
West (Commercial)	None	10 foot wide landscape buffer with retaining wall (see above)
Barrier		
North (SFD)	E, F, G (6 foot wall, brick or architectural block; 6 foot high solid wood or otherwise architecturally solid fence; 6 foot chain link fence)	6 foot high masonry wall
East (SFD)	E, F, G	Decorative fencing as depicted on the SE Plat (modification requested)
South (SFD)	E, F, G	Decorative fencing as depicted on the SE Plat (modification requested)
West (Commercial)	None	None

Waivers and Modifications

- Waiver of major paved trail requirement along Little River Turnpike (Route 236)

According to the Fairfax County Trails Plan Map, a major paved trail (eight foot wide asphalt or concrete trail) is recommended for Little River Turnpike. The applicant proposes a five (5) foot wide sidewalk, 17 foot wide landscape buffer and a 14 foot by 16 foot bus shelter and easement along Little River Turnpike. Because there are no direct sidewalk connections on either side of the application site, staff finds that this proposed sidewalk is sufficient for the application site and immediate area. Staff supports the requested modification.

- Modification of the peripheral parking lot landscaping requirement along the western property line

If transitional screening is not required and if there are over 20 spaces in the parking lot, Sect. 13-203 of the Zoning Ordinance requires peripheral parking lot landscaping. Where the property lines abut the right-of-way along Prosperity Avenue, a ten (10) foot wide landscaping strip containing one (1) tree every 40 feet with no sidewalk or trail is required between the parking lot and property line. The adjoining property is zoned C-5 and developed with commercial uses. The applicant proposes a ten (10) foot wide landscape buffer with a retaining wall with trees and shrubs planted along the entirety of the buffer. Though the landscaping strip measures ten (10) feet, the full width of plantings is not provided due to the presence of the retaining wall. However, because the length of the strip is planned for plantings, staff supports the requested modification.

- Modification of transitional screening requirement along the northern, eastern and southern property lines, in favor of that shown on the SE Plat

Transitional Screening 3 is required between the application site and the adjoining properties to the north, east and south. According to Par. 3 of Sect. 13-303, a 50-foot wide unbroken strip of space with a mixture of trees and shrubs is required. To the north, a landscape buffer measuring approximately 25.6 feet in width will be built with a berm and planted with evergreen and deciduous trees and shrubs. Along Little River Turnpike, a 17-foot wide landscape buffer is proposed with a decorative wall/fence. Various trees and shrubs will be planted within the landscape buffer in front of the decorative wall/fence. A 20-foot wide landscape buffer with trees and shrubs is proposed along Woodburn Road, though the proposed plantings will mainly be planted in the 15-foot wide space in front of the proposed four (4) foot high wall/fence. Par. 3 of Section 13-305 allows the transitional screening requirement to be modified if the barrier and/or land between the building and property line have been designed to minimize adverse impact through architectural and landscaping techniques. Staff believes that the proposed landscaping and decorative wall/fence coupled with the proposed building's location and architecture will mitigate any adverse impact on the adjacent residences. Therefore, staff supports this modification.

- Modification of the barrier requirements along the eastern and southern property lines, in favor of that shown on the SE Plat

A six (6) foot high barrier wall made of brick, architectural block, solid wood, chain link or otherwise architecturally solid fence is required along the eastern (Woodburn Road) and southern (Little River Turnpike) property lines. The applicant proposes a decorative wall/fence made of wrought iron and brick piers along both these property lines to promote additional screening. However, since the eastern and southern frontages are considered front yards, no fence or wall higher than four (4) feet is permitted in a front yard, according to Par. 3 of Sect. 10-104 of the Zoning Ordinance. Also, Par. 3 of Section 13-305 allows the transitional screening requirement to be modified if the barrier and/or land between the building and property line have been designed to minimize adverse impact through architectural and landscaping techniques. Staff believes that a 4-foot high wall, coupled with the proposed landscaping, will minimize any adverse impact on the adjacent residences; therefore, staff supports this request.

- Deviation of the Tree Preservation Target percentage in favor of the proposed landscaping shown on the SE Plat

Since all of the existing vegetation will be removed for the redevelopment of the site, the applicant is unable to meet the required Tree Preservation Target for the development site. The applicant has therefore requested a deviation from the Tree Preservation Target. The applicant notes that meeting the tree preservation target would preclude the development of the drive-through pharmacy otherwise allowed by the Zoning Ordinance. Furthermore, the applicant believes that construction activities could impact existing trees to an extent that survival may not be possible for a minimum of ten (10) years, as allowed by the Public Facilities Manual. As such, the applicant will be able to meet the 10-year Tree Canopy requirement with the plantings of the new trees. Therefore, staff recommends that the Board of Supervisors direct the Director of DPWES to permit a deviation from the tree preservation target percentage in favor of the proposed landscaping shown on the SE Plat.

Zoning Ordinance Requirements (Appendix 11)

General Special Exception Standards (Sect. 9-006)

General Standards 1 and 2 require that the proposed use be in harmony with the adopted Comprehensive Plan and with the general purpose and intent of the applicable zoning district regulations. The proposed redevelopment to replace an existing service station and restaurant with a drive-through pharmacy with two (2) drive-through aisles generally complies with the Comprehensive Plan.

The redevelopment of the existing use will not affect the use or development of neighboring properties, as recommended by General Standard 3. The overall site circulation will be improved with the closure of three (3) existing access points, and traffic on site will be managed through appropriate signage. The proposed drive-through pharmacy complements neighboring commercial and residential uses and replaces two (2) commercial uses, including a restaurant and service station. With the provision of the proposed landscape buffers with trees and shrubs, staff believes that Standard 3 is satisfied.

Landscaping and open space recommendations for General Standards 5 and 6 are generally addressed by the applicant. As discussed earlier in this report, the applicant has requested a modification of the transitional screening and barrier requirements to that shown on the SE Plat. Staff believes that the proposed screening and fences will help buffer the use from surrounding residential uses and provide more green space on site.

Adequate utility, drainage, and parking will be provided for the proposed drive-through pharmacy, as required by General Standard 7. SWM/BMPs are proposed for the site, and the applicant will provide the required minimum number of parking spaces on site. However, staff notes that there are two (2) additional parking spaces provided on site above the required parking which otherwise could be used for additional interior parking lot landscaping. The applicant currently meets at just the required minimum of 5%.

Any signage provided on site will be required to meet the signage regulations of the Zoning Ordinance, as required by General Standard 8. There is a proposed monument sign along Little River Turnpike, and proposed building signage is shown on the building side elevations. All signage on the site will be subject to a condition that requires conformance with the Zoning Ordinance.

Standards for All Category 5 Uses (Sect. 9-503)

Standard 1 states that all uses shall comply with the lot size and bulk regulations of the applicable zoning district. Generally, the subject property complies with the lot size and bulk regulations, except for the minimum lot width along Little River Turnpike. The application lot has existed since 1947 and met the Zoning Ordinance requirements at the time it was built.

Standard 2 notes that all uses shall comply with the performance standards for the specified zoning district, including the submission of a photometric plan. The redevelopment of the proposed drive-through pharmacy is generally in compliance with the performance standards, except the applicant has not submitted a photometric or outdoor lighting plan. The applicant will be required to show compliance with the lighting standards at the time of site plan.

Standard 3 states that, before establishment, all uses including modification or alterations to existing uses shall be subject to the provisions of Article 17, Site Plans. A development condition that requires meeting the provisions of Article 17 will be included by staff, which satisfies the requirement.

Additional Standards for ...Drive-Through Pharmacies... (Sect. 9-505)

Generally, the proposed new drive-through pharmacy will be architecturally compatible with surrounding commercial and residential buildings and will not impact existing pedestrian or vehicular circulation. Parking spaces will be provided in front and on the west side of the new building, which will be developed near the northern portion of the site. Consolidated access points on the site will also help improve traffic direction from the existing configuration, and traffic signage is proposed around the site to aid

vehicular circulation. A pedestrian crosswalk from Woodburn Road will be striped, and a new five (5) foot wide sidewalk is proposed around the site. The lot area and width will not adversely affect any nearby existing or planned residential structures. With adoption of the proposed development conditions, these standards will be fully met.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

In staff's opinion, the redevelopment proposal to replace a service station and restaurant (which totaled 9,265 square feet) with a new, 12,900 square foot drive-through pharmacy with two (2) drive-through aisles is generally consistent with the land use recommendations of the Comprehensive Plan. With the adoption of the proposed development conditions, this Special Exception is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions.

Recommendation

Staff recommends approval of SE 2009-MA-023, subject to the proposed development conditions contained in Appendix 1.

Staff recommends a modification of the trail requirement along Little River Turnpike, in favor of that shown on the SE Plat.

Staff recommends approval of a modification of the transitional screening requirement along the northern, eastern and southern property lines, in favor of that shown on the SE Plat.

Staff recommends approval of a modification of the peripheral parking lot landscaping requirement along the western property line, in favor of that shown on the SE Plat.

Staff recommends approval of a modification of the barrier requirements along the eastern and southern property lines, in favor of that shown on the SE Plat.

Staff recommends that the Board of Supervisors direct the Director of DPWES to permit a deviation from the tree preservation target percentage in favor of the proposed landscaping shown on the SE Plat.

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

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

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

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. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Approved Development Conditions for SE 82-M-060
5. Approved Development Conditions for SEA 82-M-060-1
6. Land Use and Environmental Analyses
7. Transportation Analysis
8. Urban Forest Management (UFM) Analysis
9. Stormwater Management (SWM) Analysis
10. Fairfax County Park Authority Analysis
11. Applicable Zoning Ordinance Provisions
12. Glossary

PROPOSED DEVELOPMENT CONDITIONS

SE 2009-MA-023

May 19, 2010

If it is the intent of the Board of Supervisors to approve SE 2009-MA-023 located at 8630 and 8700 Little River Turnpike [Tax Map 59-3 ((7)) 11 and 11B] for a drive-through pharmacy, 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:

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. A copy of this Special Exception and the Non-Residential Use Permit (Non-RUP) shall be posted in a conspicuous place on the property of the use and be made available to all departments of Fairfax County during the hours of operation on the permitted site.
4. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled "CVS/pharmacy", prepared by Bohler Engineering, consisting of 7 sheets dated December 18, 2008, as revised through May 4, 2010, 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.
5. Architecture shall be provided in general conformance with the elevations contained in the SE Plat.
6. A landscape plan shall be submitted concurrent with site plan review and shall provide for the number and sizes of trees and plantings consistent with that shown on the SE Plat and shall be subject to the review and approval of Urban Forest Management Division (UFMD), DPWES.
7. All signs shall be in conformance with Article 12 of the Zoning Ordinance. Pole mounted and pylon signs shall be prohibited, with the exception of those signs permitted by Section 12-103 of the Zoning Ordinance. No building mounted signage shall directly face Woodburn Road or adjacent property to the north except the drive-through canopy signage as depicted on the SE Plat.
8. Painted stop bars, pedestrian crosswalk, and related directional signage for traffic entering, circulating and exiting the site shall be provided on site, pursuant to that depicted on the SE Plat.

9. Temporary promotional banners, balloons, flags, or rooftop displays shall not be permitted on the site.
10. There shall be no outdoor storage or display of goods offered for sale on-site.
11. All lighting, including streetlights, security lighting, signage lighting and pedestrian or other incidental lighting shall be in accordance with the Performance Standards contained in Par. 9 of Article 14 of the Zoning Ordinance. Any freestanding outdoor lighting fixtures shall be limited to a height of 26 feet.
12. Unless waived or modified by DPWES, Stormwater Management (SWM)/Best Management Practices (BMPs) shall be provided on site in accordance with Public Facilities Manual (PFM) requirements. Adequate outfall shall be provided for the site in substantial conformance with the SE Plat and the PFM.
13. Right-of-way up to 40 feet from the centerline along Prosperity Avenue, as shown on the SE Plat, shall be dedicated to the Board of Supervisors in fee simple at no cost, at the time of site plan approval or upon demand (whichever occurs first).
14. A maximum of two (2) drive-through lanes shall be allowed to serve the pharmacy use. The drive-through lanes shall be used only for the drop-off and pick-up of prescriptions and pharmaceuticals. No general retail sales shall be permitted from the drive-through. The hours of operation of the drive-through lanes shall be limited to Monday through Friday from 8:00 a.m. to 10:00 p.m. and Saturday and Sunday from 9:00 a.m. to 6:00 p.m.
15. Any proposed wall or fence along Woodburn Road and Little River Turnpike shall be limited to four (4) feet in height, in accordance with Par. 3 of Sect. 10-104 of the Zoning Ordinance. The final design of any wall(s) or fence(s) proposed within the landscape buffer(s) shall be included as an elevation(s) in the site plan for review and approval by DPWES.
16. Sight distance profiles shall be provided with the site plan for the review and approval by Fairfax County Department of Transportation.

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.



County of Fairfax, Virginia

MEMORANDUM

Office of the County Attorney
Suite 549, 12000 Government Center Parkway
Fairfax, Virginia 22035-0064
Phone: (703) 324-2421; Fax: (703) 324-2665
www.fairfaxcounty.gov

DATE: April 1, 2010

TO: ✓ Brenda Cho, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Bette R. Crane, Paralegal ✓
Office of the County Attorney

SUBJECT: Revised Affidavit
SE 2009-MA-023
Applicant: CVS 2003 VA, L.L.C.
PC Hearing Date: 5/5/10
BOS Hearing Date: Not yet scheduled

REF.: 106634

Attached is an affidavit which has been approved by the Office of the County Attorney for the above-referenced case. Please include this affidavit dated 3/31/10, which bears my initials and is numbered 106634b, when you prepare the staff report.

Thank you for your cooperation.

Attachment

cc: (w/attach) Meredith Amonson, Planning Technician
Zoning Evaluation Division
Department of Planning and Zoning

SPECIAL EXCEPTION AFFIDAVIT

DATE: March 31, 2010
 (enter date affidavit is notarized)

I, Michelle A. Rosati, Esq., Applicant's Agent/Attorney-in-Fact, do hereby state that I am an
 (enter name of applicant or authorized agent) for CVS 2003 VA, L.L.C.

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

106634e

in Application No.(s): SE 2009-MA-023
 (enter County-assigned application number(s), e.g. SE 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(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
CVS 2003 VA, L.L.C.	One CVS Drive, Woonsocket, RI 02895	Applicant/Lessee
Eakin Properties, Inc.	106 S. Roosevelt Street, Falls Church, VA 22046	Title Owner of TM 059-3((7)) parcels 11 and 11B
Velmeir Construction Services, L.L.C.	5757 W. Maple Rd., Ste 700, West Bloomfield, MI 48355	Agent for Applicant/Lessee
Pat Scarantino	Velmeir Construction Services, L.L.C. 5757 W. Maple Rd., Ste 700, West Bloomfield, MI 48355	Agent for Applicant/Lessee
Holland & Knight LLP	1600 Tysons Boulevard, Ste., 700, McLean, VA 22102	Attorney/Applicant's Authorized Agent
Michelle A. Rosati	Holland & Knight LLP, 1600 Tysons Boulevard Ste., 700, McLean, VA 22102	Agent/Attorney-in-Fact for Title Owner

(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.

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

Special Exception Attachment to Par. 1(a)DATE: March 31, 2010
(enter date affidavit is notarized)

1066344

for Application No. (s): SE 2009-MA-023
(enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Stuart Mendelsohn, Esq.	Holland & Knight LLP, 1600 Tysons Boulevard Ste., 700, McLean, VA 22102	Attorney/Applicant's Authorized Agent
Alice G. Haase, Esq.	Holland & Knight LLP, 1600 Tysons Boulevard Ste., 700, McLean, VA 22102	Attorney/Applicant's Authorized Agent
Bohler Engineering VA, LLC	35 Technology Drive Warren, NJ 07059	Agent/Engineer
Lance K. Kilby	Bohler Engineering VA, LLC 22630 Davis Drive, Suite 200 Sterling, VA 20164	Agent/Engineer
Aaron Bodenschatz	Bohler Engineering VA, LLC 22630 Davis Drive, Suite 200 Sterling, VA 20164	Agent/Engineer
Gorove/Slade Associates, Inc.	3914 Centreville Road Suite 330 Chantilly, VA 20151	Agent/Engineer
Cheryl L. Sharp	Gorove/Slade Associates, Inc. 3914 Centreville Road Suite 330 Chantilly, VA 20151	Agent/Engineer

(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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: March 31, 2010
(enter date affidavit is notarized)

1066346

for Application No. (s): SE 2009-MA-023
(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, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code)
CVS 2003 VA, L.L.C.
One CVS Drive
Woonsocket, RI 02895

DESCRIPTION OF CORPORATION: (check one statement)

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

NAMES OF SHAREHOLDERS: (enter first name, middle initial and last name)
Fairfax Main Street CVS, Inc.

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

Special Exception Attachment to Par. 1(b)

DATE: March 31, 2010
(enter date affidavit is notarized)

1066346

for Application No. (s): SE 2009-MA-023
(enter County-assigned application number (s))

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

Fairfax Main Street CVS, Inc. a Virginia Corporation
One CVS Drive
Woonsocket, RI 02895

✓

DESCRIPTION OF CORPORATION: (check one statement)

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

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

CVS Pharmacy, Inc., a RI Corporation

✓

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

CVS Pharmacy, Inc.
One CVS Drive
Woonsocket, RI 02895

✓

DESCRIPTION OF CORPORATION: (check one statement)

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

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

CVS Caremark Corporation, a DE Corporation

✓

(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.

Special Exception Attachment to Par. 1(b)

DATE: March 31, 2010
(enter date affidavit is notarized)

1066340

for Application No. (s): SE 2009-MA-023
(enter County-assigned application number (s))

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

CVS Caremark Corporation, a DE Corporation
One CVS Drive
Woonsocket, RI 02895

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

Eakin Properties, Inc., a Delaware Corporation
106 S. Roosevelt Street
Falls Church, VA 22046

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Richard P. Eakin
LeRoy Eakin, III
Carol Eakin-Burdette
John R. Eakin

(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.

Special Exception Attachment to Par. 1(b)

DATE: March 31, 2010
(enter date affidavit is notarized)

1066346

for Application No. (s): SE 2009-MA-023
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Velmeir Construction Services, L.L.C.
5757 West Maple Road, Suite 700
West Bloomfield, MI 48355

DESCRIPTION OF CORPORATION: (check one statement)
 There are 10 or less shareholders, and all of the shareholders are listed below.
 There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
 There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)
Velmeir Co., L.L.C.

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Velmeir Co., L.L.C.
5757 West Maple Road, Suite 700
West Bloomfield, MI 48355

DESCRIPTION OF CORPORATION: (check one statement)
 There are 10 or less shareholders, and all of the shareholders are listed below.
 There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
 There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)
Steven Silk, Trustee of the Steven Silk Trust
for the benefit of:
Donna Denise Silk, Ethan Meir Silk,
Elliott Steven Silk, Ayala Jedwab and
Ariel Cooper

(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.

Special Exception Attachment to Par. 1(b)

DATE: March 31, 2010
(enter date affidavit is notarized)

1066246

for Application No. (s): SE 2009-MA-023
(enter County-assigned application number (s))

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

Bohler Engineering VA, LLC
35 Technology Drive
Warren, NJ 07059

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Ludwig H. Bohler
Adam J. Volanth
Daniel M. Duke
Mark R. Joyce

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

Gorove/Slade Associates, Inc.
3914 Centreville Road, Suite 330
Chantilly, VA 20151

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Christopher M. Tacinelli
Chad A. Baird
Daniel B. VanPelt
Erwin N. Andres

(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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: March 31, 2010
(enter date affidavit is notarized)

106634

for Application No. (s): SE 2009-MA-023
(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, and number, street, city, state, and zip code)

Holland & Knight LLP
1600 Tysons Boulevard, Suite 700
McLean, Virginia 22102

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

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

- Abel, Michael Equity Partner
Adams, Alfred B III Equity Partner
Adams, Barbara A. Equity Partner
Adams, Glenn Equity Partner
Alexander, Mark G Equity Partner
Alexander, Martin J Equity Partner
Anderson, Rod Equity Partner
Angius, Christopher Equity Partner
Arden, Thomas P Equity Partner
Aronson, Mark I Equity Partner
Arouh, Jeffrey A. Equity Partner
Atcity, Shenan Rae Equity Partner
Bacheller, Chester E Equity Partner
Baker-Shenk, Philip M Equity Partner
Baldwin, Gregory Equity Partner
Baldy, Anderson L. Equity Partner
Ball, Stephen Equity Partner

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

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

Special Exception Attachment to Par. 1(c)DATE: March 31, 2010
(enter date affidavit is notarized)

1066346

for Application No. (s): SE 2009-MA-023
(enter County-assigned application number (s))**PARTNERSHIP NAME & ADDRESS:** (enter complete name & number, street, city, state & zip code)Holland & Knight LLP
1600 Tysons Boulevard, Suite 700
McLean, Virginia 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, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)

Barnard, Deborah E.	Equity Partner
Barnett, Martha	Former Equity Partner now Senior Partner Retired as of 7/1/2009
Barton, Bernard	Equity Partner
Basha, Leigh-Alexandra	Equity Partner
Bean, Daniel K.	Equity Partner
Beaton, Neal Nathan	Equity Partner
Beers, Meredith	Equity Partner
Bell, Rodney H	Equity Partner
Bevington, Elizabeth L	Equity Partner
Blank, Stacy D	Equity Partner
Bloom, William R	Equity Partner
Boeke, Noel Robert	Equity Partner
Bogorad, Stephen A	Equity Partner
Bohrer, Sanford L	Equity Partner
Boland, Michael J	Equity Partner
Booth, Susan Jennifer	Equity Partner
Boothe, Jeffrey F	Equity Partner
Boyett, Christopher	Equity Partner
Bradner, Robert	Equity Partner
Braid, Frederick	Equity Partner
Brockman, Christopher C	Equity Partner
Brooks, Malcolm	Equity Partner
Brothers, Henry J II	Equity Partner
Bucholtz, Harold	Equity Partner
Burkland, Mark E.	Equity Partner
Byrne, William P	Equity Partner
Cadwalader, Lynn K	Equity Partner
Calkins, Lynn E.	Equity Partner
Camarra, Christopher L	Equity Partner
Cannon, L. Kinder III	Equity Partner
Cartwright, Kelly-Ann	Equity Partner
Casal, Jose A	Equity Partner
Cavanaugh, J. Michael	Equity Partner
Chapman, Michael	Equity Partner
Chasnow, Robert M	Equity Partner
Clapp, Douglas W	Equity Partner
Colan, Bruce Jay	Former Equity Partner now Senior Partner Retired as of January 1, 2010
Colao, Ivan	Equity Partner
Coleman, Charles L. III	Equity Partner

(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.

Special Exception Attachment to Par. 1(c)

DATE: March 31, 2010
(enter date affidavit is notarized)

1066346

for Application No. (s): SE 2009-MA-023
(enter County-assigned application number (s))

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

Holland & Knight LLP
1600 Tysons Boulevard, Suite 700
McLean, Virginia 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, and title, e.g., **General Partner, Limited Partner, or General and Limited Partner**)

Collins, Christopher H	Equity Partner
Compagno, John	Equity Partner
Conner, Timothy J	Equity Partner
Connolly, Peter M	Equity Partner
Conti, Louis T. M.	Equity Partner
Cooper, Scott E.	Equity Partner
Cosio, J. Raul	Equity Partner
Costello, Francis W	Equity Partner
Coventon, Kevin E	Equity Partner
Craft, Randal Robert Jr.	Equity Partner
Craig, Sharon Nelson	Equity Partner
Crowley, Richard A	Equity Partner
Currier, Maria T	Equity Partner
Curtin, Lawrence	Equity Partner
Daniel, Harold T	Equity Partner
Daniel, Laurie Webb	Equity Partner
Dannenberg, Harry S	Equity Partner
Darbut, Douglas F	Equity Partner
DeKuiper, Kristin A	Equity Partner
deMeza, William B Jr.	Equity Partner
Dempsey, David	Equity Partner
Diaz, Edward	Equity Partner
Digel, Gregory J	Equity Partner
Dufoe, William	Equity Partner
Durkin, Martin	Equity Partner
Duvall, Homer III	Former Equity Partner
Duvall, Richard O.	Equity Partner
Dye, Stuart S.	Former Equity Partner now Senior Partner as of 1/1/2008
Eckhard, Richard D	Equity Partner
Edwards, Oliver	Equity Partner
Elrod, Steven M	Equity Partner
Ervin, James M	Equity Partner
Evans, Philip Tucker	Equity Partner
Fayne, Irwin J	Equity Partner
Fendrick, William K	Equity Partner
Ferris, Richard Jay Jr.	Equity Partner
Filippini, Victor P	Equity Partner
Freedman, Anthony S.	Equity Partner
Frevola, Michael J	Equity Partner
Friedman, Peter	Equity Partner

(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.

Special Exception Attachment to Par. 1(c)

DATE: March 31, 2010
(enter date affidavit is notarized)

1066346

for Application No. (s): SE 2009-MA-023
(enter County-assigned application number (s))

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

Holland & Knight LLP
1600 Tysons Boulevard, Suite 700
McLean, Virginia 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, and title, e.g., **General Partner, Limited Partner, or General and Limited Partner**)

Friedman, Robert	Equity Partner
Frink, Anthony Lewis	Equity Partner
Gaba, Michael M.	Equity Partner
Gabel, George D Jr	Equity Partner
Gelman, Andrew R.	Equity Partner
Gilbert, Suzanne E	Equity Partner
Gillman, Steven L.	Equity Partner
Glasgow, Norman M Jr.	Equity Partner
Gold, Rich	Equity Partner
Goldstein, Joseph Gary	Equity Partner
Gonzalez, Alex	Equity Partner
Gordon, Steven	Equity Partner
Gorham, Robert L	Equity Partner
Grady, Frederick J	Equity Partner
Grammig, Robert J	Equity Partner
Gravenhorst, Paul	Equity Partner
Gregores, George J	Equity Partner
Groh, James S	Equity Partner
Guay, Joseph	Equity Partner
Hadlow, Richard B.	Equity Partner
Haire, Dirk	Former Equity Partner
Halula, John F	Equity Partner
Hamilton, Lawrence J II	Equity Partner
Hamilton, William F	Equity Partner
Hanback, Christopher B	Equity Partner
Hanselman, Theodore F	Equity Partner
Hargitai, Peter P	Equity Partner
Harris, Robert	Equity Partner
Hayes, G. Calvin	Former Equity Partner
Henderson, Victor P.	Equity Partner
Hengen, Nancy L	Equity Partner
Hernandez, Alberto M	Equity Partner
Hernandez, Jennifer	Equity Partner
Hernandez-Toraño, Jorge	Equity Partner
Herr, Mitchell E.	Equity Partner
Hickey, Edward R	Equity Partner
Highsmith, Robert S Jr.	Equity Partner
Hindlian, Richard J	Equity Partner
Hoffman, Jerome	Equity Partner
Hoffman, Kenneth B	Equity Partner
Hole, Brian K	Equity Partner

(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.

Special Exception Attachment to Par. 1(c)

DATE: March 31, 2010
(enter date affidavit is notarized)

1066348

for Application No. (s): SE 2009-MA-023
(enter County-assigned application number (s))

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

Holland & Knight LLP
1600 Tysons Boulevard, Suite 700
McLean, Virginia 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, and title, e.g., **General Partner, Limited Partner, or General and Limited Partner**)

Holifield, Marilyn J	Equity Partner
Honan, William J.	Equity Partner
Horn, Dennis	Equity Partner
Hornyak, Joseph	Equity Partner
Hutchison, Richard	Equity Partner
Ivy, Bob L.	Former Equity Partner
Jackson, Hank E.	Former Equity Partner
James, Paul M	Equity Partner
Jaron, Martin J Jr	Equity Partner
Jenero, Kenneth	Equity Partner
Jensen, Frode	Equity Partner
Jimenez, Adolfo E.	Equity Partner
Joern, Charles E.	Equity Partner
Johnson, Charles S. III	Equity Partner
Johnson, Scott J	Equity Partner
Jones, David A	Equity Partner
Kahn, David S	Equity Partner
Kastner, Samuel Paul	Equity Partner
Katz, Gordon P	Equity Partner
Kehoe, Kerry S	Equity Partner
Keldermans, Francis	Equity Partner
Kelly, Christopher G	Equity Partner
Kennicott, Donald	Equity Partner
Kiernan, Paul J	Equity Partner
Kilmer, Paul F	Equity Partner
Kimbrow, Bradford	Equity Partner
Kinasz, Thomas John	Equity Partner
Knight, Tammy	Equity Partner
Kolos, Chris	Equity Partner
Kominers, William	Equity Partner
Korchin, Judith	Equity Partner
Koren, Edward	Equity Partner
Krumholz, Joshua	Equity Partner
Lake, Elizabeth	Equity Partner
Lane, William R Jr.	Equity Partner
Lang, Robert "Rob"	Equity Partner
Lannon, Paul	Equity Partner
Lansner, Ruth L.	Equity Partner
Lapatin, Philip S	Equity Partner
Lawrence, Frank Ronald	Equity Partner
Lee, Sunwoo	Equity Partner

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Special Exception Attachment to Par. 1(c)

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Holland & Knight LLP
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McLean, VA 22102

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

Lee, Sunwoo	Equity Partner
Lefere, Marie	Equity Partner
Lepore, Ralph T. III	Equity Partner
Levine, Jack A	Equity Partner
Levine, Jerome L	Equity Partner
Levitan, Shari	Equity Partner
Liebesman, Lawrence R	Equity Partner
Long, Mary Chrysa	Equity Partner
Loring, Bruce	Equity Partner
Lotterhos, Fred J III	Equity Partner
MacCullough, Kara	Equity Partner
Machen, William F	Former Equity Partner now Senior Partner as of 1/1/2010
MacKenzie, Dominic C	Equity Partner
MacKichan, Robert C. Jr.	Equity Partner
MacLeod, Scott R	Equity Partner
Mahony, Ieuan	Equity Partner
Main, James L.	Equity Partner
Mannix, Michael	Equity Partner
Manthei, Michael R	Equity Partner
Marcus, Jonathan S	Equity Partner
Martin, Stanley A	Equity Partner
Matsakis, Elias	Equity Partner
May, D. Bruce Jr.	Equity Partner
Mayer, James	Equity Partner
Mayol, Juan J. Jr.	Equity Partner
Mays, C. Parkhill Jr.	Former Equity Partner now Senior Partner as of 1/1/2010
McAleavey, Tom	Equity Partner
McAlpin, Louise	Equity Partner
McCorkhill, C. Grant	Equity Partner
McDermott, James E.	Equity Partner
McDowell, Brian A	Equity Partner
McKendall, Miriam	Equity Partner
Meeder, Gregory R	Equity Partner
Melton, Howell W. Jr.	Former Equity Partner now Senior Partner as of 7/1/2009
Mencio, George	Equity Partner
Mendelsohn, Stuart	Equity Partner
Michalowski, Mark C	Equity Partner
Milano, Nicholas G	Equity Partner

(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.

Special Exception Attachment to Par. 1(c)DATE: March 31, 2010
(enter date affidavit is notarized)

1066346

for Application No. (s): SE 2009-MA-023
(enter County-assigned application number (s))**PARTNERSHIP NAME & ADDRESS:** (enter complete name & number, street, city, state & zip code)Holland & Knight LLP
1600 Tysons Boulevard, Suite 700
McLean, Virginia 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, and title, e.g., **General Partner, Limited Partner, or General and Limited Partner**)

Miller, Morris H.	Equity Partner
Miner, Martin P	Equity Partner
Mittleman, Jeffrey	Equity Partner
Moehling, James A.	Former Equity Partner
Monaghan, John J	Equity Partner
Monchamp, Amanda	Equity Partner
Mosner, Anita M	Equity Partner
Moss, Stephen B	Equity Partner
Murdoch, Christopher J	Equity Partner
Murphy, Anne M	Equity Partner
Mutryn, William	Equity Partner
Myers, Christopher	Equity Partner
Naftalin, Charles	Equity Partner
Neff, A. Guy	Equity Partner
Nesbitt, La Fonte	Equity Partner
Neumann, Carl A.	Former Equity Partner now Senior Partner as of 1/1/2010
Newman, Michael Brill	Equity Partner
Newman, Scott B	Equity Partner
Nichols, Tracy A	Equity Partner
Nilles, Kathleen	Equity Partner
Norman, James M	Equity Partner
Norton, Matthew E.	Equity Partner
Notopoulos, Philip J	Equity Partner
Oberto, Kathryn W	Equity Partner
Oleynik, Ronald	Equity Partner
Page, Frederick D	Equity Partner
Park, James A III	Equity Partner
Pearce, George	Equity Partner
Perry, David L	Equity Partner
Piels, William	Equity Partner
Plume, Tamsen	Equity Partner
Potter, Harold W	Former Equity Partner now Senior Partner as of 1/1/2010
Prieto, Peter	Former Equity Partner
Pritchard, John F	Equity Partner
Pupo, Roberto R	Equity Partner
Quin, Whayne	Equity Partner
Redmond, Richard	Equity Partner
Reitzfeld, Alan D	Equity Partner
Rohn, Frederick	Equity Partner

(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.

Special Exception Attachment to Par. 1(c)

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(enter County-assigned application number (s))

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Holland & Knight LLP
1600 Tysons Boulevard, Suite 700
McLean, Virginia 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, and title, e.g., **General Partner, Limited Partner, or General and Limited Partner**)

Rollins, James H	Equity Partner
Ross, Bruce S	Equity Partner
Rowley, John P. III	Equity Partner
Ruane, Michael	Equity Partner
Ryan, Rory C.	Former Equity Partner
Rubinger, Jeffrey	Equity Partner
Salaman, Alban	Equity Partner
Scanlon, Tara A	Equity Partner
Schiff, Janis Boyarsky	Equity Partner
Seay, James E. L.	Equity Partner
Sellers, Lawrence	Equity Partner
Shapiro, Mark	Equity Partner
Shapiro, Stephen	Equity Partner
Sheely, Sean C	Equity Partner
Sherman, William B	Equity Partner
Shimberg, James Jr.	Equity Partner
Sikorski, Gerry	Equity Partner
Silver, David C	Equity Partner
Singleton, David R	Equity Partner
Sirven, Jose	Equity Partner
Skallas, A Thomas	Equity Partner
Skelton, Patrick W	Equity Partner
Sloan, David Scott	Equity Partner
Small, Daniel I	Equity Partner
Smeallie, James D.	Equity Partner
Smith, Colin P.	Equity Partner
Smith, Lee S	Equity Partner
Smith, Robert H	Equity Partner
Snively, Stephen W	Equity Partner
Sonberg, Steven	Equity Partner
Sorondo, Rodolfo Jr.	Equity Partner
Spelliscy, M.J.	Equity Partner
Spitzer, Jr., M. James	Equity Partner
Stephens, Richard B	Equity Partner
Stephenson, Andrew	Equity Partner
Sterling, Scott Andrew	Equity Partner
Stern, Jeffrey Blake	Equity Partner
Stevens, William M	Equity Partner
Stutts, Charles L	Equity Partner
Subin, Ben	Equity Partner
Teichner, Lee Philip	Equity Partner

(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.

Special Exception Attachment to Par. 1(c)

DATE: March 31, 2010
(enter date affidavit is notarized)

106634

for Application No. (s): SE 2009-MA-023
(enter County-assigned application number (s))

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

Holland & Knight LLP
1600 Tysons Boulevard, Suite 700
McLean, Virginia 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, and title, e.g., **General Partner, Limited Partner, or General and Limited Partner**)

- | | |
|--------------------------|-----------------------|
| Tenev, Jovi | Equity Partner |
| Theberge, John | Equity Partner |
| Tiedemann, Charles Welch | Equity Partner |
| Tobin, Charles D. | Equity Partner |
| Toriello, John M | Equity Partner |
| Turra, Melissa S. | Equity Partner |
| Vafidis, Matthew | Equity Partner |
| Varick, Steven Bruce | Equity Partner |
| Varner, Joseph H III | Equity Partner |
| Vasios, H. Barry | Equity Partner |
| Vogel, Edward W III | Equity Partner |
| Volinski, Benjamin | Equity Partner |
| von Bergen, Mark A. | Equity Partner |
| Vyverberg, Robert W. | Equity Partner |
| Walker, Karen | Equity Partner |
| Warram, Robert Allan | Equity Partner |
| Weber, Steven John | Former Equity Partner |
| Wechselblatt, Eric | Equity Partner |
| Weinberger, Mel S | Equity Partner |
| Weiss, Alan M | Equity Partner |
| Weiss, Christopher J | Equity Partner |
| Wheeler, George | Equity Partner |
| Whitebread, Joseph B Jr. | Equity Partner |
| Whitestone, David | Equity Partner |
| Wiener, Keith M | Equity Partner |
| Williams, Richard | Equity Partner |
| Wilson, William B | Equity Partner |
| Wing, James | Equity Partner |
| Winter, Richard R | Equity Partner |
| Wolk, Lawrence J | Equity Partner |
| Woodrow, Thomas R. | Equity Partner |
| Wright, Douglas A | Equity Partner |
| Wright, Steven | Equity Partner |
| Yadley, Barbara M | Equity Partner |
| Yanofsky, Richard M | Equity Partner |
| Yates, Leighton D | Equity Partner |
| Zanger, Larry | Equity Partner |
| Zarin, Don | Equity Partner |
| Zdeb, Michael J | Equity Partner |
| Zhang, Hongjun Ph.D. | Equity Partner |
| Zimmer, Thomas | Equity Partner |

(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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: March 31, 2010
(enter date affidavit is notarized)

1066 34.8

for Application No. (s): SE 2009-MA-023
(enter County-assigned application number(s))

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

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

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

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

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

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: March 31, 2010
(enter date affidavit is notarized)

1066346

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

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

Richard O. Duvall, a partner in Holland & Knight LLP, made a contribution in excess of \$100 to Supervisor Pat Herrity within the twelve-month period prio to the public hearing
Mark E. Baker, a partner in Holland & Knight LLP, made a contribution in excess of \$100 to Supervisor Pat Herrity within the twelve-month period prio to the public hearing
John P. Rowley III, a partner in Holland & Knight LLP, made a contribution in excess of \$100 to Supervisor Pat Herrity within the twelve-month period prio to the public hearing

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

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

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

WITNESS the following signature:

(check one) Applicant Applicant's Authorized Agent
Michelle A. Rosati, Agent/Attorney-in-Fact for CVS 2003 VA, LLC

Michelle A. Rosati, Agent/Attorney-in-Fact for CVS 2003 VA, L.L.C.
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 31st day of March 20 10, in the State/Comm. of Virginia, County/City of Fairfax

Karen A. Sneed
Notary Public

My commission expires: 2/28/2013

Karen Ann Sneed
Notary Public
Commonwealth of Virginia
No. 185390
Commission Expires Feb. 28, 2013

Special Exception Attachment to Par. 3

DATE: March 31, 2010
(enter date affidavit is notarized)

1066348

for Application No. (s): SE 2009-MA-023
(enter County-assigned application number (s))

Holland & Knight Virginia Committee for Effective Government, Inc., made a contribution in excess of \$100 to Supervisor Gerald Hyland within the twelve-month period prior to public hearing

(check if applicable)

There are more disclosures to the listed for Par. 3, and Par. 3 is continued further on a "Special Exception Attachment to Par. 3" form.

1600 Tysons Boulevard, Suite 700 | McLean, VA 22102 | T 703.720.8600 | F 703.720.8610
Holland & Knight LLP | www.hklaw.com

June 30, 2009

RECEIVED
Department of Planning & Zoning

Michelle A. Rosati
703 720 8079
michelle.rosati@hklaw.com

JUN 30 2009

Zoning Evaluation Division

VIA HAND DELIVERY

Eileen McLane, Zoning Administrator
Fairfax County Department of Planning and Zoning
Zoning Administration Division
12055 Government Center Parkway
Suite 801
Fairfax, Virginia 22305

Re: Special Exception Application
The Velmeir Companies/ CVS ("Applicant")
Drive through Pharmacy
8630 and 8700 Little River Turnpike

Dear Ms. McLane:

The following is submitted in justification and support of the above referenced Special Exception application.

I. Property

The subject property is identified as Tax Map Number 59-3 ((7)) 11 and 11B, the entirety of which consists of 1.8525 acres (the Subject Parcel or the SE Property), as shown on the plat submitted herewith, entitled "CVS Pharmacy, Special Exception Plat, Little River Turnpike and Prosperity Avenue, Fairfax County, Annandale, Virginia", prepared by Bohler Engineering, and dated December 18, 2008 (the Plat). The SE Property is zoned C-5. The Property currently has a restaurant building on 8700 Little River Turnpike, and a service station at 8630 Little River Turnpike, neither of which are operating currently.

II. Statement of Proposed Use

A. Description of Use

The Applicant proposes to demolish the existing restaurant and service station and construct a drive-through pharmacy. The pharmacy building will be a single story structure with a height of approximately 30 feet, consisting of approximately 13,000 square feet of gross floor area. The two drive-through aisles will be located on the east side of the building to accommodate stacking of 5 cars each. Access to the site will be provided from driveway entrances on Woodburn Road and Prosperity Avenue. A parking lot with 85 spaces will be provided in the southern and western portions of the Property. An undulating landscaped buffer with a maximum width of 44 feet will be located along the northern property boundary. Landscaped buffers 10 feet in width will be provided on the remaining property boundaries adjacent to Prosperity Avenue, Little River Turnpike and Woodburn Road.

While the property is zoned C-5, a special exception is required for the drive-through element of the proposed pharmacy. Pursuant to Section 4-505 of the Zoning Ordinance, the drive-through is even permitted by right under certain circumstances; however, due to the adjacent residential property, a special exception is required. The applicant submits that the additional impacts of a drive-through window on a pharmacy which would be permitted by right are minimal, and any such impacts will be more than mitigated by the proposed improvements to the site as further described herein.

B. Hours of Operation

The maximum hours of operation for the drive-through facility are 8 am to 10 pm Monday through Friday, and 9 am to 6 pm Saturday and Sunday. Store hours are expected to be Monday through Sunday, 8 am to 10 pm.

C. Estimated Attendance

It is anticipated that approximately 130 to 150 patrons will use the pharmacy on a daily basis.

D. Proposed Number of Employees/Attendants

It is anticipated that approximately 24 employees will operate the pharmacy and drive-through.

E. Estimate of Traffic Impact of Proposed Use

Ingress and egress for the facility will be provided generally as shown on the Plat, with one entrance on Prosperity Avenue, and one entrance on Woodburn Road. A traffic analysis memo prepared by Gorove Slade dated October 21, 2008, and submitted with this application, showed that on average, traffic from the proposed pharmacy with drive-through would generate approximately 102 AM peak hour trips, 124 PM peak hour trips, and 1,146 daily (24 hour) trips. This trip generation is below the threshold of 250 vehicle trips per hour in the peak hour, and 2,500 daily trips specified by VDOT to warrant a full traffic analysis.

F. Vicinity or General Area of Proposed Use

The Property is bounded to the west by Prosperity Avenue, a carry-out restaurant and low rise offices, to the east Woodburn Road and a single family dwelling subdivision, to the north by

two vacant properties zoned R-1, and to the south by Little River Turnpike, single family dwellings, and the Saint Matthews United Methodist Church.

G. Description of Building Façade and Architecture of Proposed Building

The building will be 30 feet high and contain approximately 13,000 square feet.

Architecture of the store and drive-thru will respect the nature of the surrounding residential and commercial neighborhoods with a design style and features characteristic of newer CVS pharmacies with a drive-through facility, generally as shown in the Conceptual Elevations filed with this application.

H. Listing of Hazardous or Toxic Substances

There are no known hazardous or toxic substances generated, stored, treated and/or disposed of on the site.

I. Statement of Conforming Use and Construction

The proposed use conforms to all applicable ordinances, regulations, and adopted standards.

J. Statement of Ownership and Applicant Interest

The Subject Property is owned by Eakin Properties Inc. The Property will be under lease to CVS for the pharmacy use.

III. Compliance with Zoning Ordinance

The applicant respectfully submits that the approval of the proposed Special Exception is consistent with, and furthers the goals and intent of, the Fairfax County Zoning Ordinance.

Specifically, the proposed use meets the following criteria for the approval of special exceptions as set out in Section 9-006 of the Fairfax County Zoning Ordinance:

1. The proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan.

The Subject Property is located within the F-2 Mantua Community Planning Sector, Fairfax Planning District, of the Fairfax County Comprehensive Plan. Paragraph 8 of the Land Use Recommendations for the Mantua Sector Plan state:

" The existing small retail and office area between Pineland Street and Woodburn Road, primarily fronting on either Little River Turnpike or Prosperity Avenue should not be expanded. Extensive buffering is required along the northern, eastern and western boundaries of the tract to maintain the adjacent stable residential area."

The subject property is zoned for commercial use and has been developed and utilized for commercial purposes. Therefore, the special exception -- which is only required in order to permit a drive-through for the pharmacy -- does not represent an expansion of the existing retail area on Little River Turnpike. The proposed use as a drive-through pharmacy, is a commercial use, one-in fact, that would typically support nearby residential areas, and the new pharmacy use would replace two existing commercial uses within the planning sector. In addition, a proposed buffer with a maximum width of 44 feet is proposed along the northern property boundary, adjacent to two vacant residential properties, where no landscaped buffer exists today. The proposed use will be better geared towards the needs of the residential community, and will replace two commercial uses with one use, while increasing landscaped buffers adjacent to

existing residential neighborhoods. The approval of the proposed special exception, in fact, offers an opportunity to provide further buffering via the conditions of approval than could be required or than are likely to be provided by right.

2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.

The stated purpose of the C-5 Zoning District is to provide for convenience shopping facilities which have a neighborhood-oriented market, and which supply necessities that usually require frequent purchasing with a minimum of consumer travel. The proposed drive-through pharmacy is a retail use specifically contemplated by the C-5 Zoning District, and tailored to the convenience of the surrounding neighborhood. In fact, in some instances the pharmacy with drive-through is a by right use in the C-5 district, so it is clear that the use is expressly contemplated as in harmony with the general purpose and intent of the district.

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 the 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.

The use will not have any adverse impact upon the use or development of adjacent or nearby land, nor will it impair the value thereof. In fact, the use represents redevelopment of the site, employing current standards to provide updated architecture and increased buffers that will support the character of adjacent stable residential neighborhoods.

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.

Based on the traffic analysis submitted with this application, weekday peak hour trips generated by the use would range between 102 to 124 vehicles per hour (vph). As such, neither the pedestrian or vehicular traffic will conflict with the existing neighborhood traffic patterns.

5. In addition to the standards which may be set forth in this Article for a particular group or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.

Landscaping and screening of the Property will be provided in accordance with the provisions of Article 13 of the Zoning Ordinance.

6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.

Open space will be provided for the Property in accordance with the provisions of the C-5 Zoning District.

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.

Adequate utility and drainage will be provided to the subject property in order to serve the proposed use. As shown on the Plat, parking has been provided 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.

Signage shall be maintained as required by Article 12.

In addition to the general standards for approval of a special exception, the proposed drive-through pharmacy is consistent with the Standards set forth in Section 9-505 of the Zoning Ordinance for Automobile Oriented Uses, (which include drive-through pharmacies), as follows:

A. Such a Use shall have on all sides the same architectural features or shall be architecturally compatible with the building group or neighborhood in which it is associated

The proposed drive-through pharmacy will have the same materials and architectural features constructed on all sides of the building, in order to provide a better aesthetic presence with reference to the adjacent residential and commercial uses.

B. Such a use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties.

The proposed drive-through pharmacy will be the only use on the SE Property, and is located adjacent to two vacant residential lots. To protect the residential properties, no inter-parcel access is proposed. Vehicular and pedestrian access is oriented towards Prosperity Avenue and Woodburn Road, without interference with nearby commercial and residential uses.

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.

The site is designed with access from Prosperity Avenue and Woodburn Road, avoiding the potential for turning movement conflicts along Little River Turnpike. The drive-through pharmacy will also be provided with parking and stacking spaces that will provide smooth

vehicular operations through the site, and that avoid the potential for conflicts entering and exiting the site from Prosperity Avenue and Woodburn Road.

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.

The proposed drive-through pharmacy will be the only use on the Property, which is not the case today, with operations in accordance with current standards for noise and lighting. All lighting on the site will be shielded and directed downward to avoid glare. In addition, there are no loudspeakers or other noise generating devices proposed for the site.

E. For a drive-through pharmacy, signs shall be required to be posted in the vicinity of the stacking area stating the limitations on the use of the window service and/or drive-through lane. Such signs shall not exceed two (2) square feet in area or be located closer than five (5) feet to any lot line.

The drive-through pharmacy will comply with the sign regulations listed above, or as stated within development conditions imposed by the Board of Supervisors for the use.

The construction of a drive-through pharmacy on the Property will serve to provide retail support to adjacent neighborhoods at an appropriate scale indicated in the C-5 Zoning District. In addition, updated landscaping and buffers will be provided consistent with the recommendations of the Comprehensive Plan for this specific area within the Mantua Planning Sector.

In light of the foregoing, the applicant respectfully requests approval of this special exception. Please contact me if you have any questions, or require further information.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michelle Rosati". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michelle A. Rosati
Holland & Knight LLP

5916813_v1



COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX

4100 CHAIN BRIDGE ROAD
FAIRFAX, VIRGINIA 22030



November 7, 1982

Mr. William H. Hansbarger
10523 Main Street
Fairfax, Virginia 22030

Re: Special Exception
Number SE 82-M-060

Dear Mr. Hansbarger:

At a regular meeting of the Board of Supervisors held on November 1, 1982, the Board approved Special Exception Number SE 82-M-060, in the name of Exxon Corporation, located as Tax Map 59-3((7))11B for use as a service station pursuant to Sections 4-504 and 9-601 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This Special Exception is granted for the location indicated in the application and is not transferable to other land.
2. This Special Exception is granted for the building and uses indicated on the plats submitted with the application only.
3. A copy of this Special Exception SHALL BE POSTED in a conspicuous place along with the Non-Residential Use Permit on the property of the use and be made available to all Departments of the County of Fairfax during hours of operation of the permitted use.
4. A revised site plan generally in accordance with the preliminary site plan herein as modified by conditions following will be submitted for approval in accordance with the provisions of Article 17 and will satisfy Ordinance requirements for parking, landscaping and screening. The revised site plan shall also incorporate a landscaping plan which shall be subject to approval by the Director of the Department of Environmental Management.
5. The 4 foot strip on the south side of the lot will be landscaped to the satisfaction of Director, Department of Environmental Management.

November 7, 1982

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 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 9-014 of the Zoning Ordinance, this Special Exception shall automatically expire, without notice, eighteen (18) months after the effective date of the Special Exception unless the activity authorized has been established, or unless construction has commenced, or unless an extension is granted by the Board of Supervisors because of the occurrence of conditions unforeseen at the time of granting the Special Exception. A request for extension should be justified in writing, and should be filed with the Zoning Administrator not less than thirty (30) days prior to the expiration date.

When approved, this application supercedes Special Permit 8253.

The Board further modified the transitional screening requirements to the south to an existing four (4) foot strip to be landscaped to the satisfaction of the Director, Department of Environmental Management.

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

Very truly yours,



Ethel Wilcox Register, CMC
Clerk to the Board of Supervisors

EWR/vlt

cc: Mr. Patteson
~~Mr. Knowlton~~
Mr. Covington
Mr. Sandhu
Mr. Ted Austell, Assistant to the County Executive



COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX

4100 CHAIN BRIDGE ROAD
 FAIRFAX, VIRGINIA 22030



July 15, 1983

Mr. William H. Hansbarger
 10523 Main Street
 Fairfax, Virginia 22030

Re: Special Exception
 Number SEA 82-M-060-1

8630 CRTpk

Dear Mr. Hansbarger:

At a regular meeting of the Board of Supervisors held on July 11, 1983, the Board approved Special Exception Number SEA 82-M-060-1, in the name of Exxon Corporation, located as Tax Map 59-3((7))11B for use as a service station pursuant to Sections 4-504 & 9-601 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This Special Exception is granted for the location indicated in the application and is not transferable to other land.
2. This Special Exception is granted for the building and uses indicated on the plats submitted with the application only.
3. A copy of this Special Exception SHALL BE POSTED in a conspicuous place along with the Non-Residential Use Permit on the property of the use and be made available to all Departments of the County of Fairfax during hours of operation of the permitted use.
4. A revised site plan generally in conformance with the preliminary site plan herein as modified by conditions following will be submitted for approval in accordance with the provisions of Article 17 and will satisfy Ordinance requirements for parking and landscaping. The revised site plan shall also incorporate a landscaping plan which shall be subject to approval by the Director of the Department of Environmental Management.
5. The four (4) foot strip on the south side of the lot will be landscaped to the satisfaction of the Director of the Department of Environmental Management.
6. All lights on the site will be placed or oriented so as not to adversely affect the vision of passing motorists.

July 15, 1983

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 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 9-014 of the Zoning Ordinance, this Special Exception shall automatically expire, without notice, eighteen (18) months after the effective date of the Special Exception unless the activity authorized has been established, or unless construction has commenced, or unless an extension is granted by the Board of Supervisors because of the occurrence of conditions unforeseen at the time of granting the Special Exception. A request for extension should be justified in writing, and should be filed with the Zoning Administrator not less than thirty (30) days prior to the expiration date.

This application supersedes Special Exception SE 82-M-060.

The Board also modified the transitional screening requirements to the south to an existing four foot strip, to be landscaped to the satisfaction of the Director of the Department of Environmental Management.

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

Very truly yours,



Ethel Wilcox Register, CMC
Clerk to the Board of Supervisors

EWR/vlt

cc: Mr. Patteson
✓ Mr. Knowlton
Mr. Covington
Mr. Sandhu
Mr. Ted Austell, III
Executive Assistant to the County Executive





County of Fairfax, Virginia

MEMORANDUM

DATE: March 30, 2010

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: **Land Use Analysis & Environmental Assessment:** SE 2009-MA-023
CVS – Little River Turnpike

The memorandum, prepared by John Bell, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the special exception (SE) plat as revised through March 11, 2010. The extent to which the application conforms to the applicable guidance contained in the Comprehensive Plan is noted. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

DESCRIPTION OF THE APPLICATION

The applicant, CVS 2003 VA, L.L.C., is requesting special exception approval to permit the development of a drive through pharmacy. The subject property contains approximately 1.85 acres and is zoned C-5. A portion of the property was recently developed as a service station while the remainder was an eating establishment. The proposed drive through pharmacy would have 76 parking spaces where 74 are required under the Zoning Ordinance. The proposed building would have a gross floor area of 12,900 square feet. The overall floor area ratio (FAR) for the proposed pharmacy is noted as 0.16, where 0.30 is permitted. The proposed maximum building height would be approximately 30 feet. The proposed drive through use is shown in the form of a double drive through lane at the northeast corner of the building. There are two proposed points of access to the site. The first point of access is from Prosperity Avenue while the second is from Woodburn Road.

LOCATION AND CHARACTER OF THE AREA

The property is located on the north side of Little River Turnpike between Prosperity Avenue and Woodburn Road. The subject property is zoned C-5 with additional C-5 zoned properties

Department of Planning and Zoning
Planning Division
12055 Government Center Parkway, Suite 730
Fairfax, Virginia 22035-5509
Phone 703-324-1380
Fax 703-324-3056
www.fairfaxcounty.gov/dpz/



located on the west side of Prosperity Avenue at this location. Properties located immediately to the north are zoned R-1. Properties to the east are zoned R-2 with existing residential development. Properties located on the south side of Little River Turnpike at this location are zoned PDH-2 with residential development and R-1, which is developed as an existing place of worship.

COMPREHENSIVE PLAN CITATIONS:

Fairfax County Comprehensive Plan, 2007 Edition, Area II, Fairfax Planning District, F2 Mantua Community Planning Sector, as amended through January 26, 2009, page 37:

- “8. The existing small, commercial retail and office area between Pineland Street and Woodburn Road primarily fronting on either Little River Turnpike (Route 236) or Prosperity Avenue, should not be expanded. Extensive buffering is required along the northern, eastern, and western boundaries of the tract to maintain the adjacent stable residential area.”

Environment

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

“Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County.

- Policy a. Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment complies with the County’s best management practice (BMP) requirements. . . .
- Policy j. Regulate land use activities to protect surface and groundwater resources.
- Policy k. For new development and redevelopment, apply better site design and low impact development (LID) techniques. . . .”

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

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

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

Policy b: Require new tree plantings on developing sites which were not forested prior to development and on public rights of way.”

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through February 25, 2008, pages 17 and 18:

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

Policy a. Consistent with other Policy Plan objectives, encourage the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. These practices can include, but are not limited to:

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

emitting adhesives, sealants, paints/coatings, carpeting and other building materials.

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

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

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

COMPREHENSIVE PLAN MAP: Retail and Other

LAND USE ANALYSIS

The applicant's request to construct a drive through pharmacy is consistent with the basic land use recommendation for retail use for this site. However, the initial design of the proposed use raised some concerns regarding compatibility, landscaping and screening. The locations of the proposed drive through areas were originally opposite existing homes near Woodburn Road. The latest design places the double drive through at the rear corner of the building with enhanced screening and barriers for both the homes on Woodburn Road and potential future homes on the two undeveloped residential lots to the north. While the Urban Forestry Management Branch with the Department of Public Works and Environmental Services had raised some concerns regarding the detailed information regarding plant species, location and mix in these two areas, staff feels that these issues can be adequately resolved. As such, staff feels that the proposed development is consistent with the land use recommendations of the Comprehensive Plan.

ENVIRONMENTAL ANALYSIS

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed development. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Particular emphasis is given to opportunities provided by this application to conserve the county's remaining natural amenities.

Stormwater Management/Best Management Practices (SWM/BMP)

The applicant states that the SWM/BMP control requirements will be met through the construction of facilities on-site. Any proposed stormwater management/best management practice facility will be subject to review and approval by the Department of Public Works and Environmental Services.

Green Building

Issue:

Consistent with Policy Plan guidance, the applicant is strongly encouraged to incorporate energy conservation, water conservation and other green building practices in the design and construction of this new school. Specifically, the applicant is encouraged to seek U.S. Green Building Council Leadership in Energy and Environmental Design (LEED) certification for the proposed development.

Resolution:

The applicant has indicated a commitment to incorporating elements of sustainable design and construction and is actively evaluating opportunities for implementing such solutions on site. Staff continues to encourage the applicant to seek LEED certification for the proposed development.

PGN: JRB



County of Fairfax, Virginia

MEMORANDUM

DATE: February 12, 2010

TO: Regina Coyle
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Angela Kadar Rodeheaver *AKR by CAA*
Site Analysis Section
Department of Transportation

FILE: 3-5 (SE 2009-MA-023)

SUBJECT: Transportation Impact

REFERENCE: SE 2009-MA-023 CVS 2003 VA, LLC
Traffic Zone: 1520
Land Identification Map: 59-3 ((7)) 11, 11B

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on plats made available to this office dated December 28, 2008, and revised through January 16, 2009. The applicant wishes to demolish the existing restaurant and service station and construct a drive-through pharmacy with two drive-through lanes. Proposed are one entrance on Prosperity Avenue and one entrance on Woodburn Road. A traffic analysis by Gorove Slade dated October 21, 2008, showed that the proposed pharmacy with drive-through would generate approximately 102 a.m. peak hour trips, 124 p.m. peak hour trips, and 1,146 daily trips.

- Show the edge of pavement on Prosperity Avenue and at the corner with Route 236.
- Sidewalks should be five (5) feet wide and should connect at the corners.
- Provide pedestrian access into the site.
- Show sight distances at both entrances.
- The loading space is located in an awkward spot with potential for conflicts with other traffic to the site.
- Transit Services Division of FCDOT has requested provision of a concrete pad large enough to accommodate a bus shelter and bus stop facilities easements for the installation of a bus shelter by the county; or installation of a bus pad and bus shelter to be maintained by the applicant. Contact Paul Mounier at 703-877-5615 for details.

AKR/LAH/lah



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

GREGORY A. WHIRLEY
ACTING COMMISSIONER

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)
March 26, 2010

To: Ms. Regina Coyle
Director, Zoning Evaluation Division

From: Noreen H. Maloney
Virginia Department of Transportation – Land Development Section
703-383-2424

Subject: SE 2009-MA-023, CVS
Tax Map No.: 059-3 /07/ /0011 /07/ /0011B

All submittals subsequent to the first submittal shall provide a response letter to the previous VDOT comments. Submittals without comment response letters are considered incomplete and will be returned without review.

The applicant should dedicate right of way along Route 236 in accordance with the Comprehensive Plan.

The entrances should be designed and constructed in accordance with VDOT's *Minimum Standards of Entrances to State Highways*.



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

DAVID S. EKERN, P.E.
COMMISSIONER

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

January 5, 2010

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

Re: SE 2009-MA-023, CVS
Tax Map No.: 059-3 /07/ /0011 /07/ 0011B

Dear Ms. Coyle,

This office has reviewed the special exception plat relative to special exception application 2009-MA-023 and offers the following comment.

The applicant should dedicate right of way along Route 236 in accordance with the Comprehensive Plan.

The entrances should be designed and constructed in accordance with VDOT's *Minimum Standards of Entrances to State Highways*.

For any additional information please contact this office.

Sincerely,

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

Noreen H. Maloney
Transportation Engineer

cc: Ms. A. Rodeheaver



County of Fairfax, Virginia

MEMORANDUM

March 22, 2010

TO: Brenda J. Cho, Planner II
Zoning Evaluation Division, Department of Planning and Zoning

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

SUBJECT: CVS/Pharmacy, SE 2009-MA-023, 17289-ZONA-001-1

The following comments are based on a review of the above referenced SE, stamped as received by the Department of Planning and Zoning, Zoning Evaluation Division on March 15, 2010 and a site visit on November 25, 2009.

- 1. Comment:** This submission asks for a modification to the transitional screening requirements along the northern, eastern and southern property boundary. The proposal is for 25 feet along the northern property boundary, 20 feet along the eastern property boundary and 17 feet along the southern property boundary. Furthermore decorative fences/masonry walls will be provided. No detail or height of the decorative fence/masonry wall has been provided. Furthermore the fence is located in the middle of the eastern and southern transitional screening yard and therefore cuts off 5 feet of plantable space.

Recommendation: Applicant should provide details for the decorative fence/masonry wall, which should at a minimum be 7 feet high. Furthermore applicant should move the fence/wall to the northern edge of the southern and western edge of the eastern transitional screening yard to provide for more planting space, and provide additional screening plantings.

- 2. Comment:** A ten foot storm sewer easement is shown on the eastern side of the project. This easement is located within the transitional screening yard. Easements shall not exist or be proposed within a transitional screening yard unless it is placed perpendicular to the screening yard. Although the applicant states that the transitional screening along the eastern property boundary is 20 feet, 10 feet is taken up by the easement, a decorative fence/masonry wall takes up about 1 foot, 5 feet west of the decorative fence (between the fence and the curb) is not planted, and 4 feet are left on the east side of the easement and will be planted with shrubs. This does **not** meet the intent of transitional screening.

Recommendation: Applicant should move the wall to the edge of the curb, and provide additional evergreen trees within the transitional screening yard along the eastern property



March 22, 2010

Page 2 of 2

boundary. A row of small upright evergreen trees should be planted in front of the wall (in between the wall and the easement.)

- 3. Comment:** Additional 10-year tree cover canopy credit has been taken for planting native species and therefore this SE provides 15,675 sf of tree cover canopy. Using the native species multiplier requires planting of all native species and also requires that a letter, certifying propagation from seed or non-genetically modified germoplasm be submitted at inspection time.

Recommendation: Since the native species multiplier is not needed to meet the tree cover on this site, applicant should remove the native species multiplier from the tree cover calculations in Table 12.12 of this SE unless they are sure that they will be able to obtain and plant all native species.

Please let me know if you have any questions.

AID/

UFMID #: 148060

cc: RA File
DPZ File





County of Fairfax, Virginia

MEMORANDUM

December 4, 2009

TO: Brenda J. Cho, Planner II
Zoning Evaluation Division, Department of Planning and Zoning,

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

SUBJECT: CVS/Pharmacy, SE 2009-MA-023, 17289-ZONA-001-1

The following comments are based on a review of the above referenced SE, stamped as received by the Department of Planning and Zoning, Zoning Evaluation Division on June 30, 2009 and a site visit on November 25, 2009.

General Comment:

The new Public Facilities Manual (PFM) requirements for tree conservation, Section 12, became effective on January 1, 2009. In general, proffered conditions, approved development plans, special exception plats, and special permit plats approved prior to January 1, 2009, have been grandfathered by the Board of Supervisors. However, any proffered conditions, development plans, special exception plats, and special permit plats submitted for a site after January 1, 2009, or any proffered conditions, development plans, special exception plats, and special permit plats submitted prior to January 1, 2009, but not approved prior to January 1, 2009, must meet the new Section 12 requirements. Since this SE was submitted after January 1, 2009 it is not grandfathered and is subject to the new PFM and Zoning Ordinance requirements. Additional comments are provided addressing the 10-year tree canopy requirements and landscaping requirements.

- 2. Comment:** An Existing Vegetation Map has been provided with this application however, it does not appear to be in conformance with the Zoning Ordinance, Chapter 112, Article 20 and PFM 12-0505.

Recommendation: Submit an Existing Vegetation Map in conformance with the Zoning Ordinance, Chapter 112, Article 20 and PFM 12-0505, that accurately depicts the location of the outer drip line of existing tree canopy and identifies the percentage of the site covered by tree canopy comprised of self supporting tree and woody plants that exceed 5 feet in height at time of plan submission.

- 3. Comment:** Preliminary tree cover calculations have been provided however, they are not in conformance with the new Zoning Ordinance and PFM requirements, and it is unclear



how the 10-year canopy requirements for this site will be met. The building footprint was subtracted from the total site area, which is no longer allowed under the new PFM.

Recommendation: Information included in the EVM should be utilized to provide a Tree Preservation Target level in accordance with PFM 12-0507. Tree Preservation Target Calculations and Statement should be provided as shown in PFM Table 12.3. In addition, preliminary 10-year tree canopy calculations in accordance with PFM 12-0510 and PFM Table 12.12 should be provided on the SE demonstrating how Article 13, 10-year tree canopy requirements will be met.

4. **Comment:** Transitional screening 3, a 50 foot landscaped yard and barrier E, F or G is required along the northern, eastern and southern property boundary and has not been provided. A waiver/modification of transitional requirements for the "rear" buffer has been requested, but it is not clear for which boundary.

Recommendation: Applicant should provide the required transitional screening yards and barriers along the northern, eastern and southern boundaries. Alternatively, a waiver/modification request based on any of the justifications of ZO 13-305 should be submitted to the Urban Forest Management Division for review and approval. If a modification/waiver is requested during the SE process, a motion should be submitted to the Board of Supervisors requesting a waiver/modification of the required transitional screening yards for the northern, eastern and southern boundaries.

5. **Comment:** A ten foot storm sewer easement is shown on the north side of the project on sheet 2. This easement is located within the transitional screening yard. No easement is shown on any of the other sheets and there is no indication that the easement will be vacated. Planting shall not take place within storm sewer easements and easements shall not exist or be proposed within a transitional screening yard unless it is placed perpendicular to the screening yard.

Recommendation: Applicant should show all easements on the landscaping plan. The landscaping plan should be in conformance with all the Public Facilities Manual requirements regarding planting in easements (PFM 12-0514.6) and transitional screening yards (PFM 12-0514.2)

6. **Comment:** Some landscape islands are shown with a striped pattern. It is not clear what this means and is easily confused with the striping used for other purposes on this plan.

Recommendation: Applicant should change the striping pattern of the landscaping islands and explain the purpose of this pattern in a legend.



7. **Comment:** Several large deciduous trees are proposed in the 10 foot landscaping strip on the west side of the project. However a retaining wall is also proposed within this landscaping island, which divides the landscaping strip into two planting areas that do not meet the minimum width requirements of the PFM, nor does this meet the requirements of the Zoning Ordinance for peripheral parking lot landscaping. Trees proposed within this strip are located 2 feet from a restrictive barrier such as the sidewalk or the retaining wall. Therefore none of these trees can be used to meet tree cover requirements.

Recommendation: Applicant should remove the retaining wall and use the entire required 10' wide landscaping island. Alternatively, remove 1,400 sf of tree cover from the tree cover calculations.

8. **Comment:** The 'large deciduous', 'large evergreen', 'medium evergreen', and 'ornamental tree' tree classifications identified in the landscape schedule are unclear.

Recommendation: Trees proposed to be planted should be identified as Category I, II, III, or IV evergreen trees and/or Category I, II, III, or IV deciduous trees.

9. **Comment:** A waiver/modification has been requested for interior parking lot landscaping as well as buffers/peripheral parking areas. A minimal amount of interior parking lot landscaping has been provided. No transitional screening has been provided along the eastern and southern boundaries and only a 10 foot peripheral parking lot landscaping yard has been provided in those locations, in lieu of the transitional screening. It appears as though a waiver has been requested for peripheral parking along the western boundary, but this is not entirely clear.

Recommendation: We strongly recommend that additional interior parking lot landscaping be provided as well as additional screening for the adjacent residential properties. If waivers/modifications are requested during the SE process we recommend the applicant clearly indicate for which boundaries modifications are requested and that motions be submitted to the Board of Supervisors that clearly identify said modifications.

Please let me know if you have any questions.

AID/

UFMID #: 148060

cc: RA File
DPZ File





County of Fairfax, Virginia

MEMORANDUM

DATE: April 12, 2010

TO: Brenda Cho, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

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

SUBJECT: Special Exception Application #SE 2009-MA-023, CVS 2003 VA, Special Exception Plat dated April 2, 2010, LDS Project #17289-ZONA-001-3, Tax Map #59-3-07-0011 & -0011B, Mason District

We have reviewed the subject application and offer the following stormwater management comments.

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on this site. Water quality controls are required for this redevelopment (PFM 6-0401.2B). A manufactured BMP is located on the plat, however, it's drainage area is not delineated (ZO 9-011.2.J(1)(b)). The BMP model shown on the plat will require pretreatment. A pretreatment system has not been not located on the plat.

Floodplain

There are no regulated floodplains on the property.

Downstream Drainage Complaints

There are no downstream drainage complaints on file.

Stormwater Detention

Stormwater detention is required. An in-line, underground storage is shown on the plat. Approximate drainage divides upstream of the facilities are to be shown on this submission (ZO 9-011.2J(1)(b)). In-line storage will not be allowed when runoff from off-site areas will enter the facility, however, the narrative states that off-site runoff will enter the facility. Since the drainage divides are not shown, it is not clear whether the runoff from off-site areas will flow into the proposed underground storage.

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



Brenda Cho, Staff Coordinator

Special Exception Application #SE 2009-MA-023, CVS 2003 VA

April 12, 2010

Page 2 of 2

The original site plan site plan for the Jolly Ox, #2106-SP-01, shows storage on both the building's roof (481 c.f.) and a 36" in-line facility parallel to the storm drain on the eastern side of the site. The roof storage has already been demolished. The existing in-line storage does not appear on plat so it is assumed that it will also be removed. The detention volume being removed must be replaced with the redevelopment. The plat does not seem to indicate any plans to replace the storage volume being taken out of service. The existing conditions narrative does not mention that these facilities exist(ed).

Site Outfall

An outfall narrative has been provided, however, the description of the condition (i.e., adequacy and stability) of the outfall is not a part of the statement (ZO 9-011.2.J(2)(c)).

Please contact me at 703-324-1720 if you require additional information.

BF/

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



County of Fairfax, Virginia

MEMORANDUM

DATE: March 19, 2010

TO: Brenda Cho, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

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

SUBJECT: Special Exception Application #SE 2009-MA-023, CVS 2003 VA, Special Exception Plat sealed March 11, 2010, LDS Project #17289-ZONA-001-2, Tax Map #59-3-07-0011 & -0011B, Mason District

We have reviewed the subject application and offer the following stormwater management comments.

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on this site. Water quality controls are required for this redevelopment (PFM 6-0401.2B). A manufactured BMP is used in the preliminary BMP calculations provided. Neither the location of the BMP or its drainage area is shown on the plat (ZO 9-011.2.J(1)(a) and (b)).

Floodplain

There are no regulated floodplains on the property.

Downstream Drainage Complaints

There are no downstream drainage complaints on file.

Stormwater Detention

Stormwater detention is required. An in-line, underground storage is shown on the plat. Approximate drainage divides upstream of the facilities are to be shown on this submission (ZO 9-011.2J(1)(b)). In-line storage will not be allowed when runoff from off-site areas will enter the facility. Since the drainage divides are not shown, it is not clear whether the runoff from off-site areas will flow into the proposed underground storage.

There is existing detention on the site. The site plan for the Jolly Ox, #2106-SP-01, shows both storage on the building's roof (481 c.f.) and a 36" in-line facility parallel to the storm

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



Brenda Cho, Staff Coordinator

Special Exception Application #SE 2009-MA-023, CVS 2003 VA

March 19, 2010

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drain on the eastern side of the site. The existing detention volume to be removed must be replaced with the redevelopment. The building with the rooftop storage is to be demolished so its storage volume must be replaced. There doesn't seem to be any plans to remove the existing in-line storage, however, it must not conflict with the proposed in-line storage or the proposed fence. The location of the storage, and the 15" CMP upstream of the storage, should be shown on the stormwater management plan, Sheet 5.

Site Outfall

An outfall narrative has been provided, however, the description of the adequacy and stability of the outfall is not a part of the statement (ZO 9-011.2.J(2)(c)).

Please contact me at 703-324-1720 if you require additional information.

BF/

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



County of Fairfax, Virginia

MEMORANDUM

DATE: December 4, 2009

TO: Brenda Cho, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

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

SUBJECT: Special Exception Application #SE 2009-MA-023, CVS 2003 VA, Special Exception Plat dated January 16, 2009, LDS Project #17289-ZONA-001-1, Tax Map #59-3-07-0011 & -0011B, Mason District

We have reviewed the subject application and offer the following stormwater management comments.

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on this site. Water quality controls are required for this redevelopment (PFM 6-0401.2B). A manufactured BMP is shown on the site plan; at site plan submission pretreatment will be required for the BMP model shown on the plat.

Floodplain

There are no regulated floodplains on the property.

Downstream Drainage Complaints

There are no downstream drainage complaints on file.

Stormwater Detention

Stormwater detention is required. An in-line, underground storage is shown on the plat; in-line storage will not be allowed when runoff from off-site will enter the facility. Approximate drainage divides upstream of the facilities are to be shown on this plat (ZO 9-011.2J(1)(b)).

Site Outfall

A description of the outfall has been provided.

Please contact me at 703-324-1720 if you require additional information.

BF/

cc: Craig Carinci, Director, Stormwater Planning Division
Jeremiah Stonefield, Chief, Stormwater & Geotechnical Section, ESRD, DPWES
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FAIRFAX COUNTY PARK AUTHORITY



M E M O R A N D U M

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

FROM: Sandy Stallman, Manager
Park Planning Branch, PDD 

DATE: January 8, 2010

SUBJECT: SE 2009-MA-023, CVS
Tax Map Number(s): 59-3((7)) 11 & 11B

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

FCPA Reviewer: Andy Galusha
DPZ Coordinator: Brenda Cho

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

Zoning Ordinance Requirements

General Special Exception Standards (Sect. 9-006)

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.

Standards for All Category 5 Uses (Sect. 9-503)

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, including the submission of a sports illumination plan or photometric plan as may be required by Part 9 of Article 14.
3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

Additional Standards for Additional Standards for Automobile-Oriented Uses, Car Washes, Drive-In Financial Institutions, Drive-Through Pharmacies, Fast Food Restaurants, Quick-Service Food Stores, Service Stations and Service Stations/Mini-Marts (Sect. 9-505)

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.

E. For a drive-through pharmacy, signs shall be required to be posted in the vicinity of the stacking area stating the limitations on the use of the window service and/or drive-through lane. Such signs shall not exceed two (2) square feet in area or be located closer than five (5) feet to any lot line.

3. In the C-5 and C-6 Districts, in addition to Par. 1 above:

A. There shall be no outdoor storage or display of goods offered for sale except for the outdoor storage or display of goods permitted at a service station or service station/mini-mart.

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land 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 be 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. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

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	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		