



FAIRFAX COUNTY

APPLICATIONS FILED: April 12, 2001
PLANNING COMMISSION: October 10, 2001
BOARD OF SUPERVISORS: not scheduled

V I R G I N I A

September 26, 2001

STAFF REPORT

APPLICATION PCA 95-Y-016-2
(Concurrent with RZ 2001-SU-015, RZ 2001-SU-016 and SEA 95-Y-024)

SULLY DISTRICT

APPLICANT: Starwood Ceruzzi II, L.L.C.

ZONING: C-8, HC, WS

PARCEL(S): 34-3 ((1)) 7B pt, 7C, 7D pt, 19 pt, 26, 33, 33A

ACREAGE: 55.38 acres

FAR: 0.14

OPEN SPACE: 35.6% overall

PLAN: Mixed Use/ Dulles Suburban Center

PROPOSAL: PCA 95-Y-016-2 is a PCA request on a portion of land subject to RZ 95-Y-016 (which was approved on 75.59 acres located south of Route 50, between Route 28 and Lee Road, north of Penrose Place). The area subject to the PCA application is located within, and south of, the Environmental Quality Corridor (EQC) crossing the original rezoning area. The application seeks to delete 1.38 acres of land (Tax Map 34-3 ((1)) 33 pt) from the original rezoning to permit the 1.38 acres to be rezoned from the C-8 District to the I-5 District, subject to application RZ 2001-SU-016. Additionally, the applicant proposes to amend the development plan to provide a revised shopping center site layout and minor modifications to approved uses, and requests a waiver of the service drive requirement along the Route 28 frontage.

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 95-Y-016-2 subject to the execution of proffers consistent with those found in Appendix 1.

Staff further recommends approval of a waiver of the service drive requirement along the Route 28 frontage of the site.

Staff recommends approval of RZ 2001-SU-015 subject to the execution of proffers consistent with those found in Appendix 1.

Staff further recommends approval of a waiver of the minimum open space requirement and approval of an increase in FAR from 0.50 to 0.70.

Staff recommends approval of RZ 2001-SU-016 subject to the execution of proffers consistent with those found in Appendix 2.

Staff further recommends approval of a waiver of the transitional screening requirement and a modification of the barrier requirement to the east in favor of the treatment depicted on the GDP.

Staff recommends approval of SEA 95-Y-024 subject to the development conditions found in Appendix 3.

Staff further recommends approval of a waiver of the service drive requirement along the Route 28 frontage of the site

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 recommendation of staff; it does not reflect the position of the Board of Supervisors.

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



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



FAIRFAX COUNTY

APPLICATIONS FILED: April 12, 2001
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BOARD OF SUPERVISORS: Not Scheduled

V I R G I N I A

September 26, 2001

STAFF REPORT

**APPLICATIONS RZ 2001-SU-015 and RZ 2001-SU-016
(Concurrent with PCA 95-Y-016 and SEA 95-Y-024)**

SULLY DISTRICT

APPLICANT: Starwood Ceruzzi II, L.L.C.

PRESENT ZONING: *RZ 2001-SU-015:* I-3 (Parcels 27 and 28);
I-5 (Parcel 29), WS
RZ 2001-SU-016: C-8, WS

REQUESTED ZONING: *RZ 2001-SU-015:* C-8, WS
RZ 2001-SU-016: I-5, WS

PARCELS: *RZ 2001-SU-015:* 34-3 ((1)) 27, 28 and 29
RZ 2001-SU-016: 34-3 ((1)) 33 pt and 33A pt

ACREAGE: *RZ 2001-SU-015:* 2.26 acres
RZ 2001-SU-016: 1.38 acres

FAR: *RZ 2001-SU-015:* 0.70
RZ 2001-SU-016: 0.09

OPEN SPACE: *RZ 2001-SU-015:* 0%
RZ 2001-SU-016: 15%

PLAN MAP: Mixed Use/Dulles Suburban Center

PROPOSAL: *RZ 2001-SU-015* is a request to rezone three parcels of land, containing a total of 2.26 acres, from the I-3 and I-5 Districts to the C-8 District, in order to incorporate these parcels into the proposed shopping center (subject to PCA 95-Y-016-2). The applicant is also requesting a waiver of the minimum open space requirement and an increase in the FAR on these parcels from 0.50 to 0.70.

RZ 2001-SU-016 is a request to rezone 1.38 acres of land to be deleted from the area subject to PCA 95-Y-016-2, from the C-8 District to the I-5 District. This rezoning will permit the relocation of the existing motor vehicle impoundment facility, currently located on Parcel 29, to this undeveloped property. The applicant is also requesting a waiver of the transitional screening and a modification of the barrier requirements to the east in favor of the treatment depicted on the GDP.

STAFF RECOMMENDATIONS:

Staff recommends that RZ 2001-SU-015 be approved, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff further recommends approval of a waiver of the minimum open space requirement and an increase in FAR from 0.50 to 0.70.

Staff recommends that RZ 2001-SU-016 be approved, subject to the execution of proffers consistent with those contained in Appendix 2.

Staff further recommends approval of a waiver of the transitional screening and a modification of the barrier requirements to the east in favor of the treatment depicted on the GDP.

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 recommendation of staff; it does not reflect the position of the Board of Supervisors.

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FAIRFAX COUNTY

APPLICATION FILED: April 12, 2001
PLANNING COMMISSION: October 10, 2001
BOARD OF SUPERVISORS: Not Scheduled

V I R G I N I A

September 26, 2001

STAFF REPORT

APPLICATION SEA 95-Y-024
(PCA 95-Y-016-2, RZ 2001-SU-015 and RZ 2001-SU-016)

SULLY DISTRICT

APPLICANT: Starwood Ceruzzi II, L.L.C.

ZONING: C-8, HC, WS

PARCEL(S): 34-3 ((1)) 7B pt, 7C, 7D pt, 19 pt, 26-29, 33 pt, 33A pt

ACREAGE: 56.29 acres

FAR: 0.16

OPEN SPACE: 35.53% (20 acres)

PLAN MAP: Mixed Use/Dulles Suburban Center

SE CATEGORY: Category 5 (Automobile-Oriented Uses; Car Wash; Fast Food Restaurants; Quick-Service Food Store; Service Station)
Category 6 (Increase in Building Heights; Waiver of Certain Sign Regulations)

PROPOSAL: SEA 95-Y-024 is a request to amend a 56.29 acre portion of SE 95-Y-024, which was previously approved for an increase in building heights and waiver of certain sign regulations on a 75.59 acre site. Specifically, the current request seeks to maintain the current special exception uses as previously approved, and: 1) delete 1.38 acres from the special exception (area to be rezoned to I-5 per RZ 2001-SU-016); 2) add 2.26 acres to the special exception (area rezoned to C-8 per RZ 2001-SU-015); 3) redesign the service station/quick service food store located in the southwest corner of the application site to include a car wash; 4) add an in-line drive-through bank

within the western portion of the proposed shopping center; and 5) locate a fast food restaurant with drive-through on a pad site in the northeastern portion of the application site (alternatively, this pad could be developed with a drive-through bank facility).

STAFF RECOMMENDATIONS:

Staff recommends that SEA 95-Y-024 be approved, subject to the development conditions contained in Appendix 3.

Staff further recommends approval of a waiver of the service drive requirement along the Route 28 frontage of the site.

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 recommendation of staff; it does not reflect the position of the Board of Supervisors.

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



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

PROFFERED CONDITION AMENDMENT

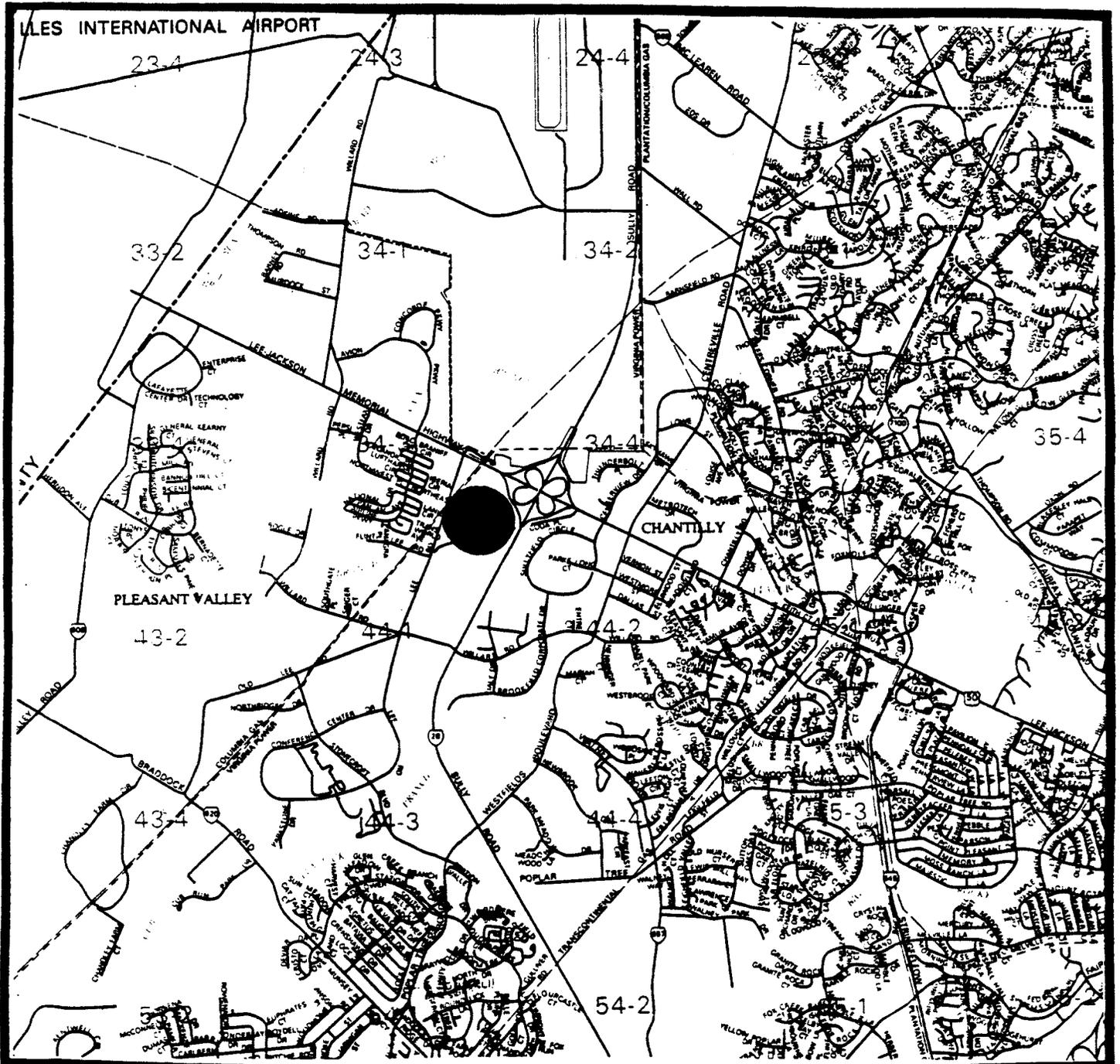
PCA 95-Y-016-02

PCA 95-Y-016 -02
FILED 04/12/01

STARWOOD CERUZZI II, L.L.C.
PROFFERED CONDITION AMENDMENT
PROPOSED: SHOPPING CENTER
APPROX. 55.38 ACRES OF LAND; DISTRICT - SULLY
LOCATED: NORTHEAST QUADRANT OF THE INTERSECTION
OF LEE ROAD AND PENROSE PLACE
ZONING: C- 8
OVERLAY DISTRICT(S): HC WS

MAP REF

034-3- /01/ /0007-B P,0007-C ,0007-D P,0019- P,0026
034-3- /01/ /0033- ,0033-A

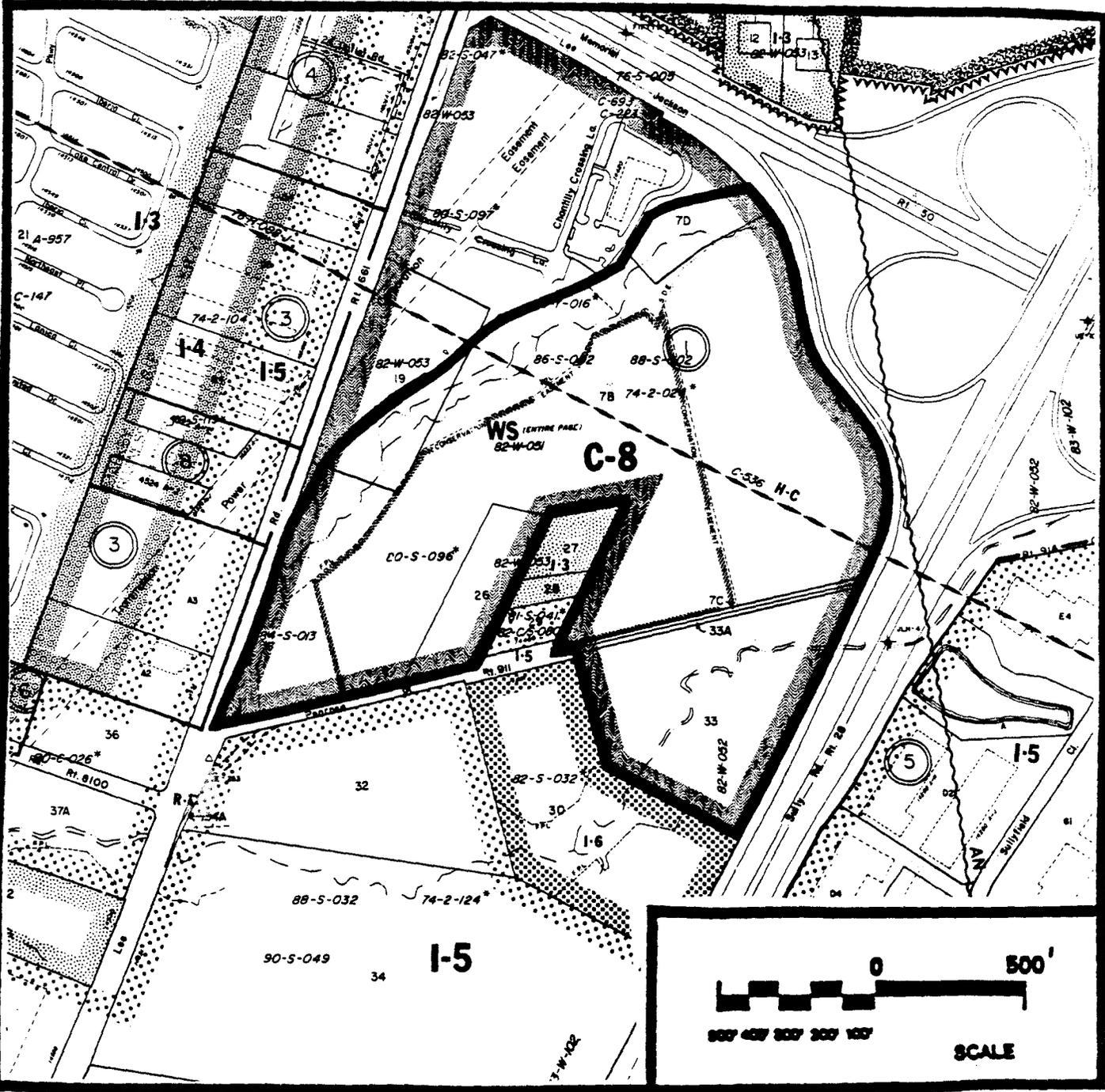


PROFFERED CONDITION AMENDMENT

PCA 95-Y-016-02

PCA 95-Y-016 -02
FILED 04/12/01

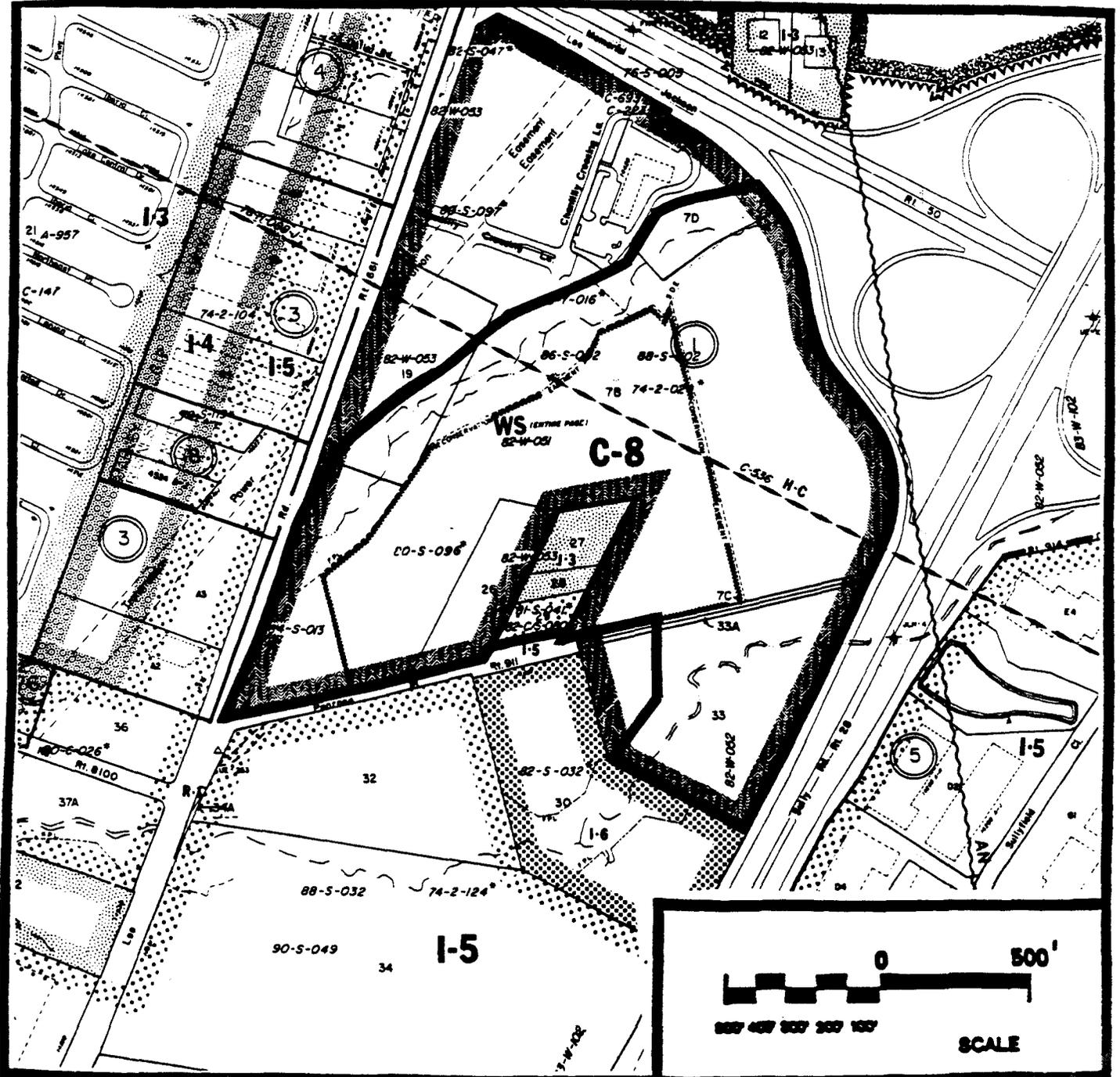
STARWOOD CERUZZI II, L.L.C.
PROFFERED CONDITION AMENDMENT
PROPOSED: SHOPPING CENTER
APPROX. 55.38 ACRES OF LAND; DISTRICT - SULLY
LOCATED: NORTHEAST QUADRANT OF THE INTERSECTION
OF LEE ROAD AND PENROSE PLACE
ZONING: C-8
OVERLAY DISTRICT(S): HC WS
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034-3- /01/ /0033- ,0033-A

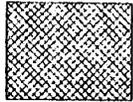


SEA 95-Y-024 SPECIAL EXCEPTION AMENDMENT APPLICATION

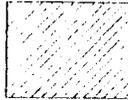
SEA 95-Y-024
FILED 04/12/01

STARWOOD CERUZZI II, L.L.C.
 AMEND SE 95-Y-024 PREVIOUSLY APPROVED FOR
 INCREASE IN BUILDING HEIGHT & WAIVER OF CERTAIN
 SIGN REGS TO PERMIT AUTOMOBILE-ORIENTED USES,
 SERVICE STATION, QUICK SERVICE FOOD STORE,
 CAR WASH, FAST FOOD RESTAURANTS, EATING ESTABLISHMENTS
 ZONING DIST SECTION: 09-0607 09-0620 04-0804 04-0804
 04-0804 04-0804 04-0804
 ART 9 CATEGORY/USE: 06-03 06-17 05-02 05-21
 05-20 05-03 05-11
 56.29 ACRES OF LAND; DISTRICT - SULLY
 LOCATED: NORTHEAST QUADRANT OF THE INTERSECTION OF
 LEE ROAD AND PENROSE PLACE
 ZONED C-8 PLAN AREA 3
 OVERLAY DISTRICT(S): WS HC
 TAX MAP 034-3- /01/ /0007-B P,0007-C ,0007-D P,0019- P,0026
 034-3- /01/ /0027- ,0028- ,0029- ,0033-A P,0033 P

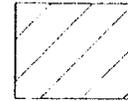




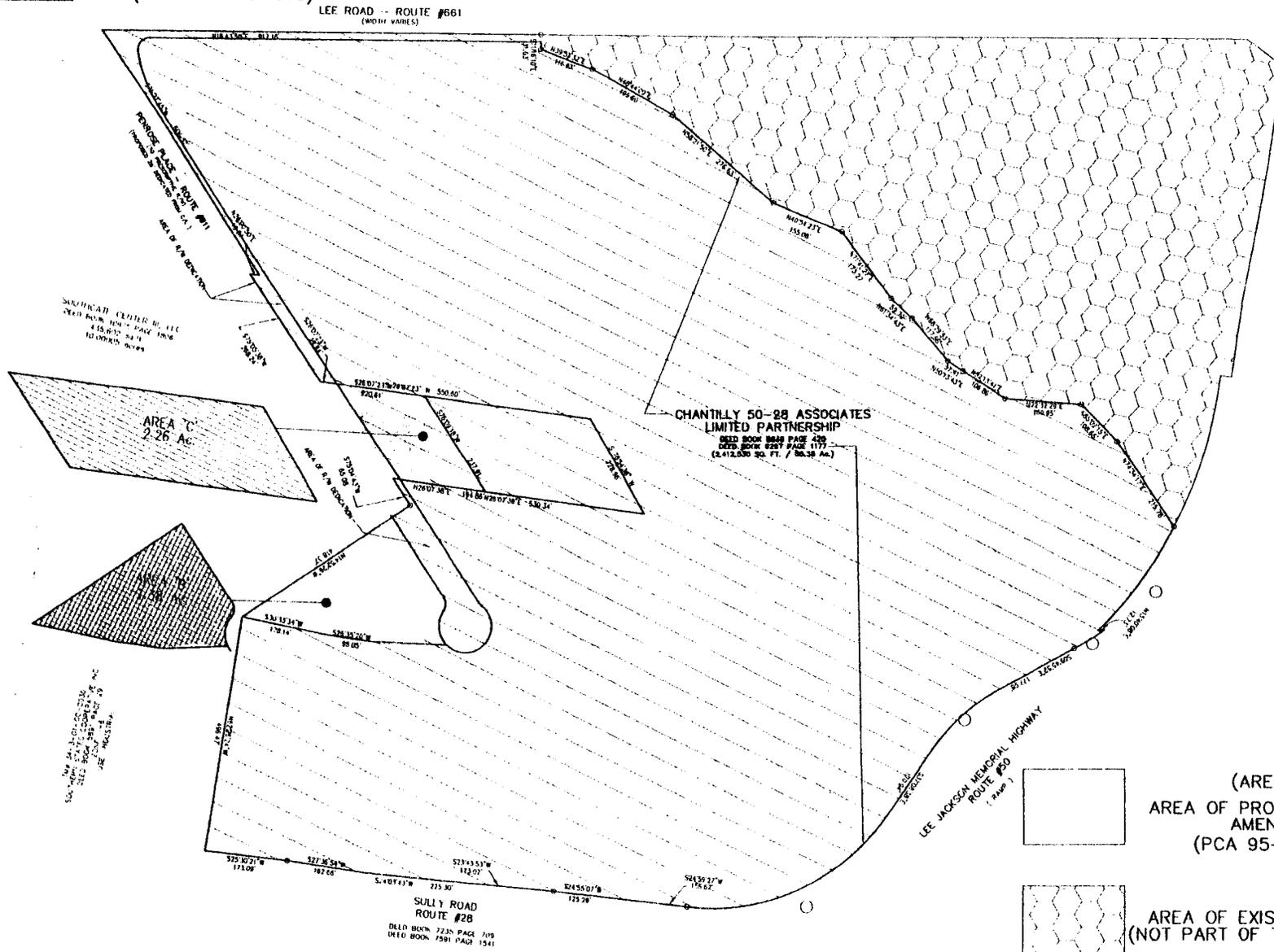
(AREA 'B')
AREA TO BE REZONED FROM
C-8 TO I-5
(RZ-2001-SU-016)



(AREA 'C')
AREA TO BE REZONED FROM
I-3 & I-5 TO C-8
(RZ-2001-SU-015)



(AREA '1')
AREA OF SPECIAL EXCEPTION
AMENDMENT
(SEA 95-Y-024)



(AREA 'A')
AREA OF PROFFER CONDITION
AMENDMENT
(PCA 95-Y-016-2)



AREA OF EXISTING G.D.P./S.E.
(NOT PART OF THIS APPLICATION)

VIVA

CHANTILLY CROSS
SULLY DISTRICT

REZONING EXHIBIT

VIVA REVISION

DATE: SEPT. 15, 2001
 SEPTEMBER 7, 20
 AUGUST 17, 20
 JULY 31, 20
 JUNE 02, 20
 DATE: FEB. 20, 20
 DES. MT
 DWN. MT
 SCALE: 1"=100'
 PROJECT FILE NO. 6333
 SHEET NO. 2 OF 16



ENTRANCE D

ENTRANCE C

ENTRANCE B

ENTRANCE A

SECTION H SEE SHEET A

SECTION G SEE SHEET A

ROUTE 661

LEE ROAD

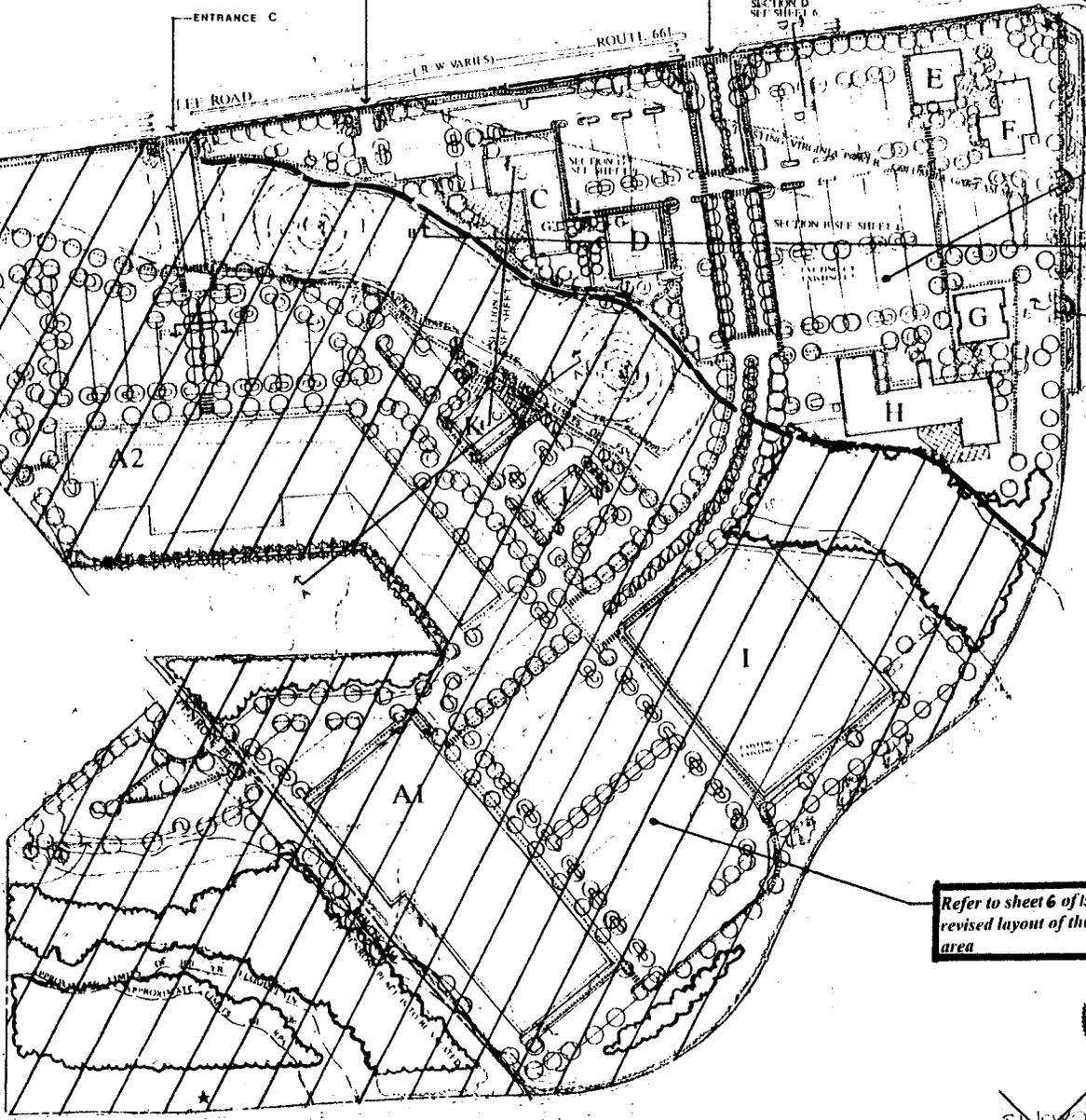
(R.W. VARIES)

AREA OF RESERVATION
This area is not part of this Amendment application.

LEGEND

- LARGE DECIDUOUS TREE
- ORNAMENTAL TREE
- EVERGREEN TREE
- LARGE DECIDUOUS SHRUB
- EVERGREEN AND/OR DECIDUOUS SHRUBS
- GROUND COVERS
- PEDESTRIAN CIRCULATION
- CROSSWALKS
- POSSIBLE OUTDOOR PATIOS
- APPROXIMATE LOCATION OF TREES/STANDING SIGN
- AREA OF RESERVATION

POSSIBLE SWALE/DRY POND (SEE SHEET 1)



SULLY ROAD

(R.W. VARIES)

ROUTE 28

LEE JACKSON MEMORIAL HIGHWAY (R.W. VARIES)

Refer to sheet 6 of 15 for revised layout of this G.D.P.A. area

VISA
 LANDSCAPE ARCHITECTURE ARCHITECTS & SURVEYORS & CIVIL SERVICES
 4100 DECKWOOD DRIVE, SUITE 200, W. FALLS CHURCH, VIRGINIA 22091
 (703) 261-1100
 WWW.VISALANDSCAPE.COM



9/1/04
Mad



4490
6796

AS APPROVED BY THE BOARD OF SUPERVISORS ON AUGUST 5, 1996

LANDSCAPE PLAN / SECTION LOCATION PLAN

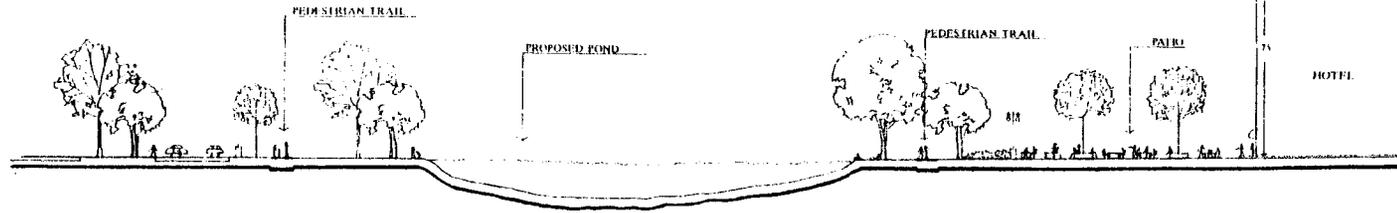
CHAN SULLY CROSSING

SULLY DIST.

FAIRFAX COUNTY, VIRGINIA

Dewberry & Davis
8401 Arlington Blvd., Fairfax, VA 22031
703 849-0100

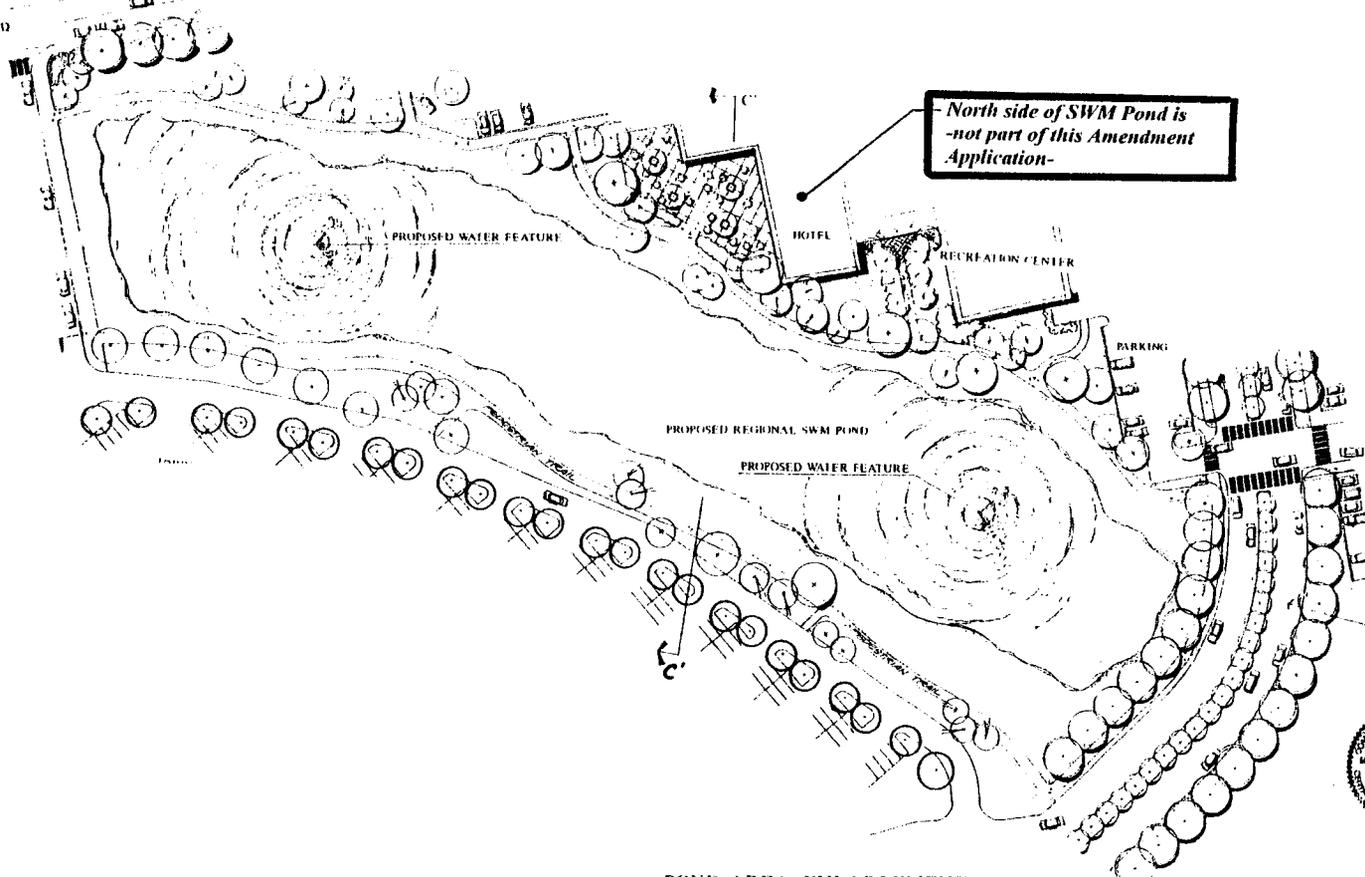
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REV 11-01-95	Checked By: TIMC
REV 11-14-95	Scale: 1" = 100'
REV 4-4-96	Project Number: 98-0000
REV 4-22-96	Client: CHAN SULLY CROSSING
REV 6-7-96	Contract: 98-0000
REV 6-21-96	Project: 98-0000
REV 7-10-96	Rev: 7/10/01
REV 8-01-96	Rev: 8/01/01
REV 8-07-96	Rev: 8/07/01
REV 8-07-96	Rev: 8/07/01



SECTION THROUGH PROPOSED POND

SCALE 1" = 30'

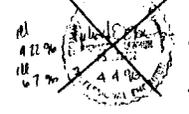
LEE ROAD



POND AREA ENLARGEMENT SCALE 1" = 30'

North side of SWM Pond is not part of this Amendment Application

JKK
 ARCHITECTS & ENGINEERS
 8401 ARLINGTON BLVD., FAIRFAX, VA 22031
 TEL: 703 948-0100 FAX: 703 948-0100



AS APPROVED BY THE BOARD OF SUPERVISORS ON AUGUST 5, 1996
 LAKE AND LAKE EDGE TREATMENTS

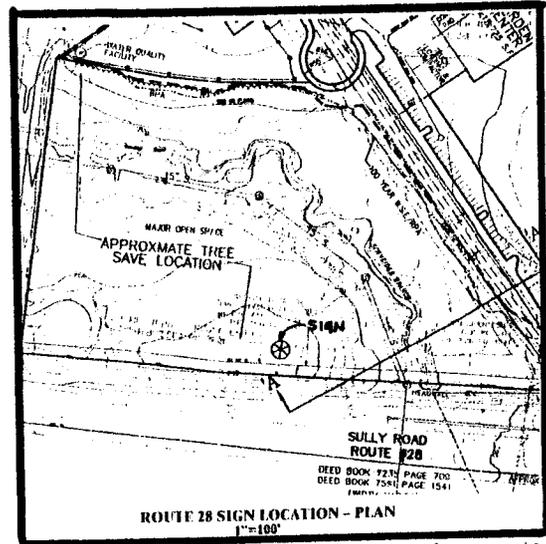
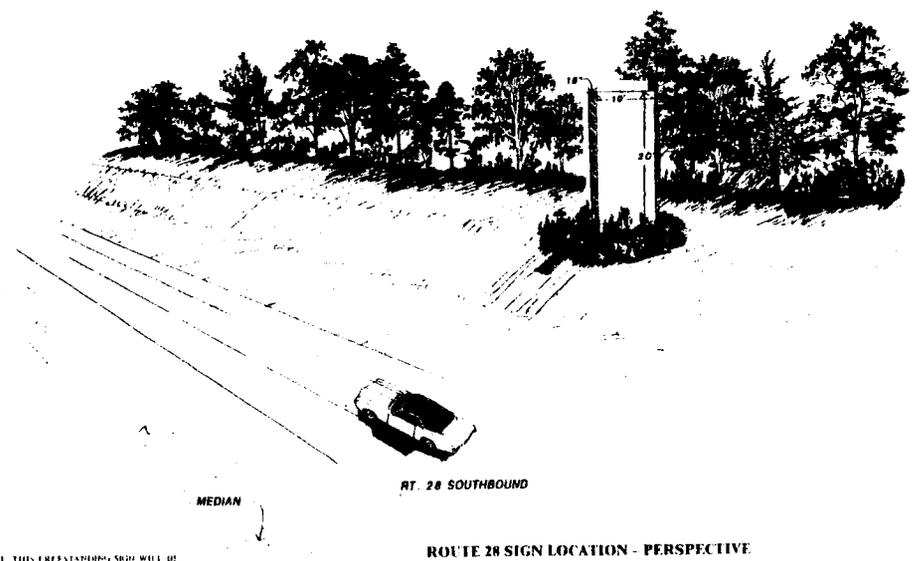
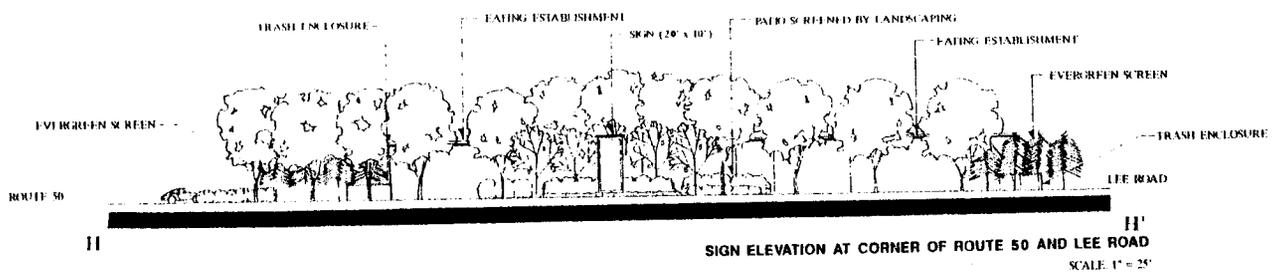
Revision Date	Drawn By
REV. 10-5-95	111T
REV. 11-1-95	DMC
REV. 11-14-95	11AM
REV. 4-4-96	11AM
REV. 4-22-96	11AM
REV. 6-7-96	11AM
REV. 6-21-96	11AM
REV. 7-21-96	11AM
REV. 8-17-96	11AM
REV. 8-24-96	11AM

Dewberry & Davis
 Architects
 Engineers
 Planners
 Surveyors
 8401 Arlington Blvd., Fairfax VA 22031
 ☎ 703 948-0100

FAIRFAX COUNTY, VIRGINIA

LY CROSSING
 SULLY DISTRICT

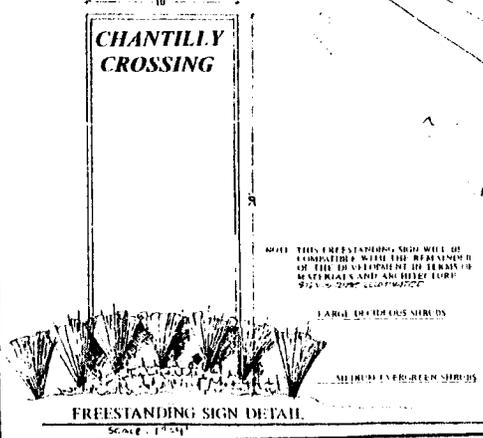
7 of 16
 File Number: M-9112



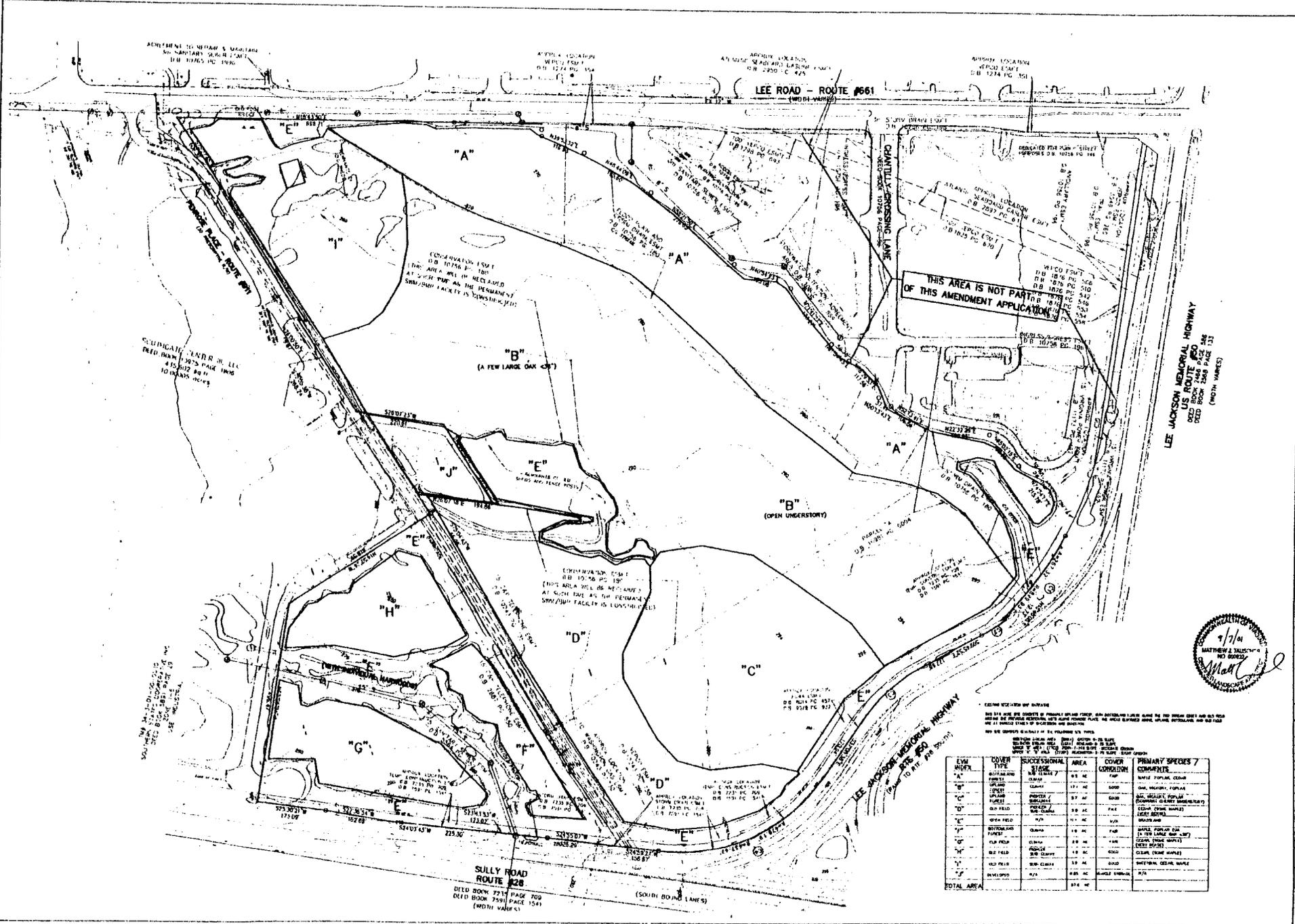
AS APPROVED BY THE BOARD OF SUPERVISORS ON AUGUST 5, 1996
SIGN LOCATION SKETCHES

11/11/96
11/14/96
4/4/96
4/22/96
6/7/96
6/21/96
7/1/96
7/1/96
8/17/96
8/21/96

Revision Date	Drawn by	MI/LL
REV 11-14-96	Checked by	NWT
REV 4-4-96	Checked by	LAM
REV 4-22-96	Scale	10:5.95
REV 6-7-96	Scale	NOT TO SCALE
REV 6-21-96	File Number	
REV 7-1-96	Sheet	8 of 16
REV 7-1-96	File Number	M-9112
REV 8-17-96		
REV 8-21-96		



NOTE: THIS SKETCH IS FOR ILLUSTRATIVE PURPOSES ONLY!



ENV. INFER.	COVER TYPE	SUCCESIONAL STAGE	AREA AC.	COVER	CONDITION	PRIMARY SPECIES 7
"A"	WETLAND FOREST	WETLAND 7	63 AC	FAR	WETLAND	SWAMP SPURGE, CEDAR
"B"	WOODLAND	WOODLAND	171 AC	MOD	WOODLAND	DOGWOOD, POPALAR
"C"	OPEN FIELD	OPEN FIELD	57 AC	MOD	WOODLAND	DOGWOOD, POPALAR
"D"	WOODLAND	WOODLAND	39 AC	FAR	WOODLAND	DOGWOOD, POPALAR
"E"	OPEN FIELD	OPEN FIELD	11 AC	MOD	WOODLAND	DOGWOOD, POPALAR
"F"	WOODLAND	WOODLAND	18 AC	FAR	WOODLAND	DOGWOOD, POPALAR
"G"	WOODLAND	WOODLAND	28 AC	FAR	WOODLAND	DOGWOOD, POPALAR
"H"	WOODLAND	WOODLAND	18 AC	MOD	WOODLAND	DOGWOOD, POPALAR
"I"	WOODLAND	WOODLAND	18 AC	MOD	WOODLAND	DOGWOOD, POPALAR
"J"	WOODLAND	WOODLAND	18 AC	MOD	WOODLAND	DOGWOOD, POPALAR
TOTAL AREA			674 AC			

EXISTING VEGETATION MAP

CHANTILLY CROSSING

SULLY DISTRICT
FAIRFAX COUNTY, VIRGINIA

WKA REVISIONS

7/7/01
MATTHEW J. TALBOT
NO. 00002

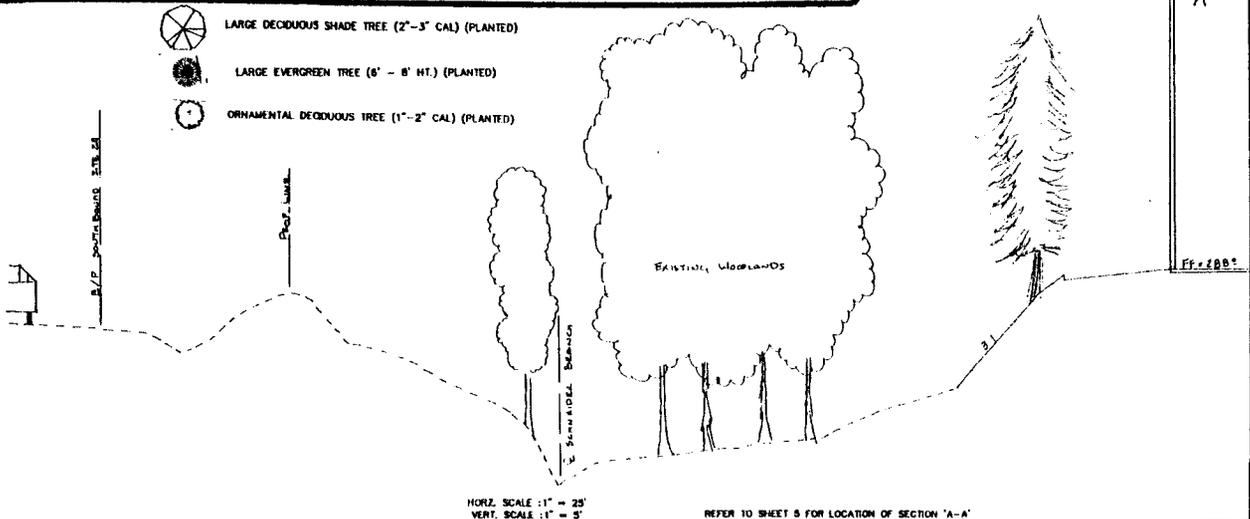
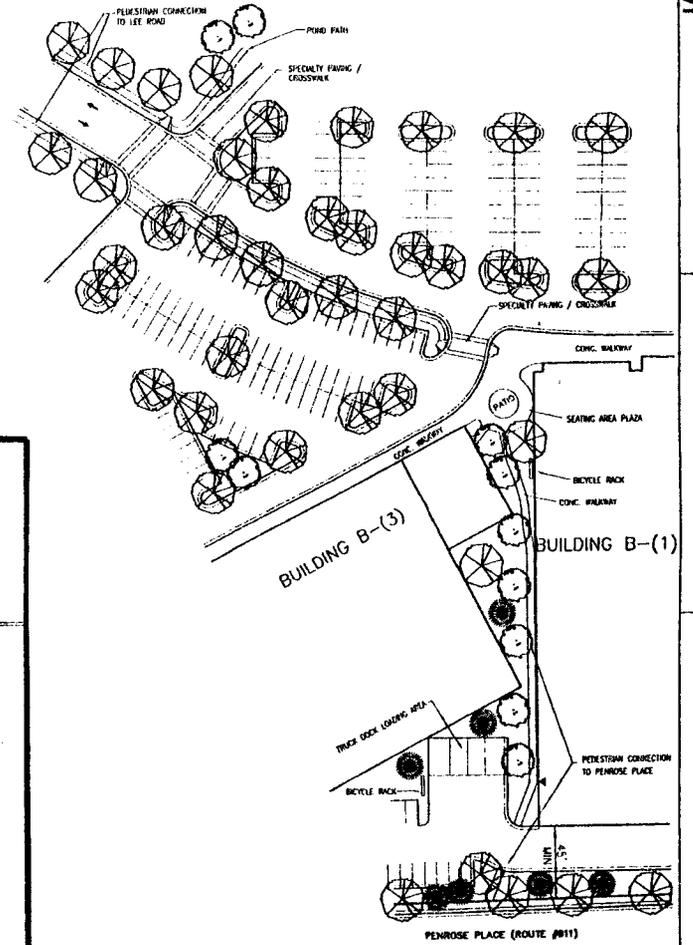
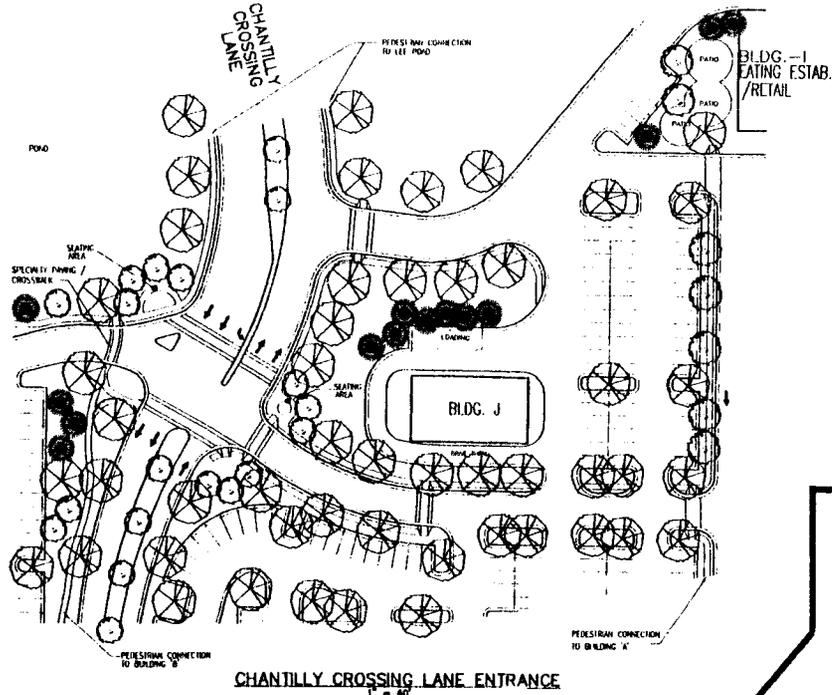
7/6/01 25, 2001
SEPTEMBER 7, 2001
AUGUST 17, 2001
JULY 31, 2001
AUGUST 27, 2001
DATE: FEB. 26, 2001

DES. MT. DM. MT.

SCALE: 1"=100'

PROJECT/SHEET NO. 8333

SHEET NO. 10 OF 18



- LARGE DECIDUOUS SHADE TREE (2"-3" CAL) (PLANTED)
- LARGE EVERGREEN TREE (6' - 8' HT.) (PLANTED)
- ORNAMENTAL DECIDUOUS TREE (1"-2" CAL) (PLANTED)

- LARGE DECIDUOUS SHADE TREE (2"-3" CAL) (PLANTED)
- LARGE EVERGREEN TREE (6'-8' HT.) (PLANTED)
- ORNAMENTAL DECIDUOUS TREE (1"-2" CAL) (PLANTED)

VKA

CHANTILLY CROSSING
SULLY DISTRICT
FAIRFAX COUNTY, VIRGINIA

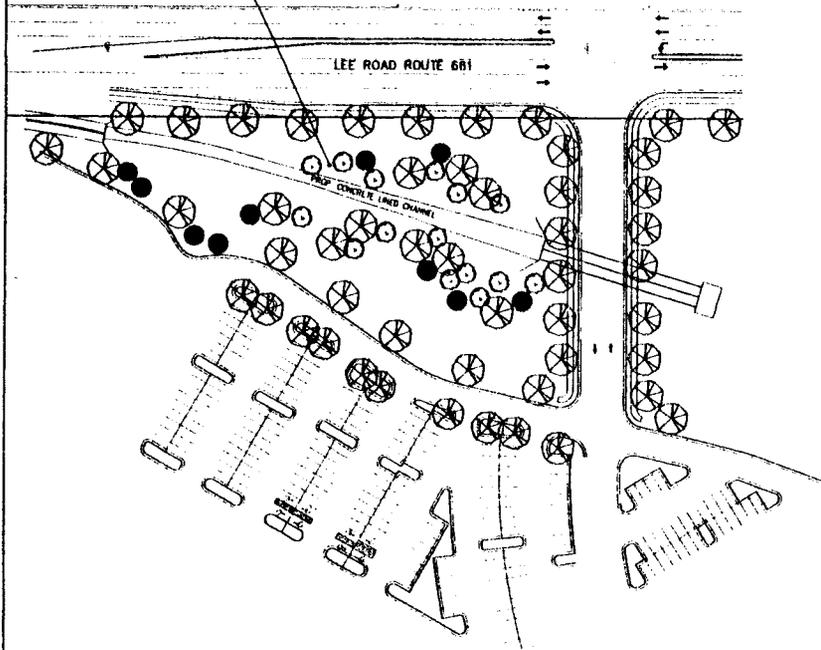
PROPERTY / STREETSCAPE
STRATIVE DETAILS

RE-2001-SU-015

VKA REVISIONS

SEPT 15, 2001			
SEPT 07, 2001			
AUGUST 17, 2001			
DATE: JUL 31, 2001			
DES: MT	DWG: KY		
SCALE: AS SHOWN			
PROJECT/PRJ. NO. 8333			
SHEET NO. 11 OF 18			

NATIVE SPECIES OF WILDLIFE HABITAT PLANTINGS SHALL BE PROVIDED IN THIS AREA OF REVEGETATION PER THE URBAN FORESTRY BRANCH & J.P.W.E.S.
 TREES SHALL BE RANDOMLY SPACED AND OF SUFFICIENT QUANTITY TO REFOREST THIS AREA PER THE U.F.B.

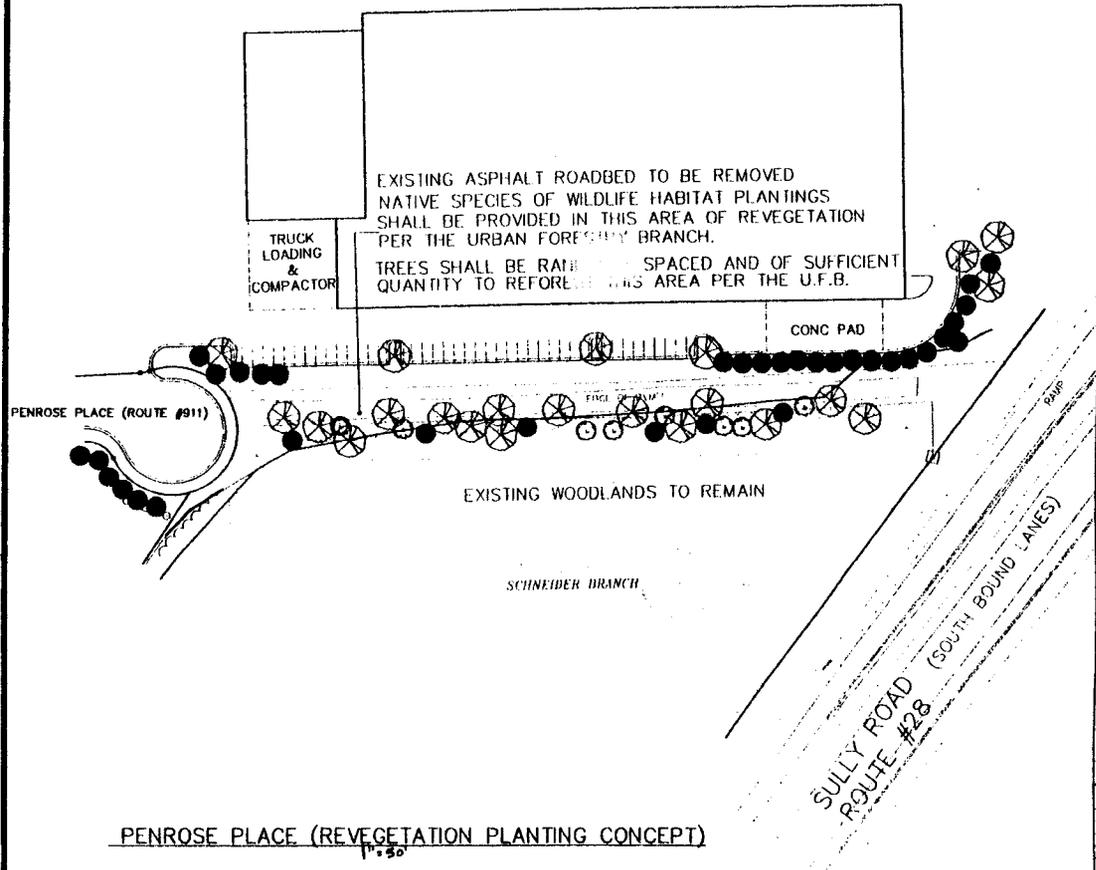


ENTRANCE 'C' (POND PLANTING CONCEPT)

1" = 50'

-  LARGE DECIDUOUS SHADE TREE (2"-3" CAL) (PLANTED)
-  ORNAMENTAL DECIDUOUS TREE (1"-2" CAL) (PLANTED)
-  LARGE EVERGREEN TREE (6' - 8' HT.) (PLANTED)

EXISTING ASPHALT ROADBED TO BE REMOVED
 NATIVE SPECIES OF WILDLIFE HABITAT PLANTINGS SHALL BE PROVIDED IN THIS AREA OF REVEGETATION PER THE URBAN FORESTRY BRANCH.
 TREES SHALL BE RANDOMLY SPACED AND OF SUFFICIENT QUANTITY TO REFOREST THIS AREA PER THE U.F.B.



PENROSE PLACE (REVEGETATION PLANTING CONCEPT)

1" = 50'

-  LARGE DECIDUOUS SHADE TREE (2"-3" CAL) (PLANTED)
-  ORNAMENTAL DECIDUOUS TREE (1"-2" CAL) (PLANTED)
-  LARGE EVERGREEN TREE (6' - 8' HT.) (PLANTED)



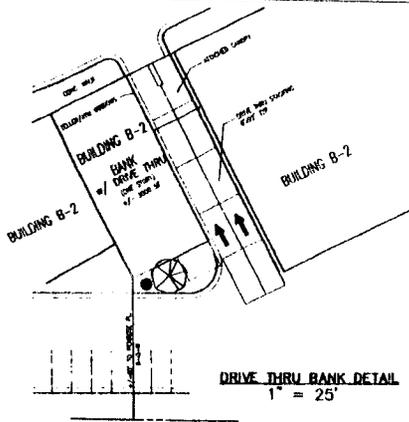
V.I.K.A. REVISIONS

DES.	MT	DHW	KV
SCALE:	N/A		
PROJECT/FILE NO.	8333		
SHEET NO.	12 OF 16		

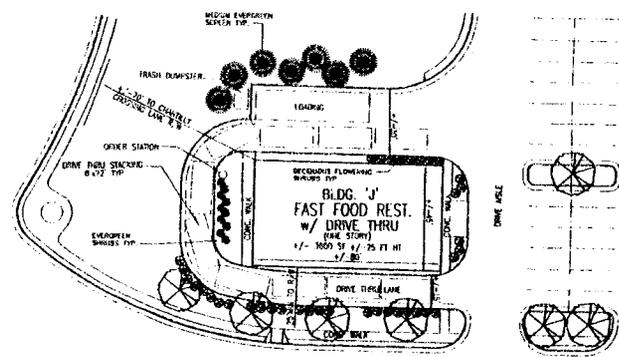
V.I.K.A.
 VIKI A. KROGER, INC.
 1000 W. BROADWAY
 SUITE 200
 FARMINGTON, CT 06030
 PHONE: 860.634.3333
 FAX: 860.634.3334
 WWW: VIKI-KROGER.COM

CHANTILLY CROSSING
 SULLY DISTRICT
 FAIRFAX COUNTY, VIRGINIA

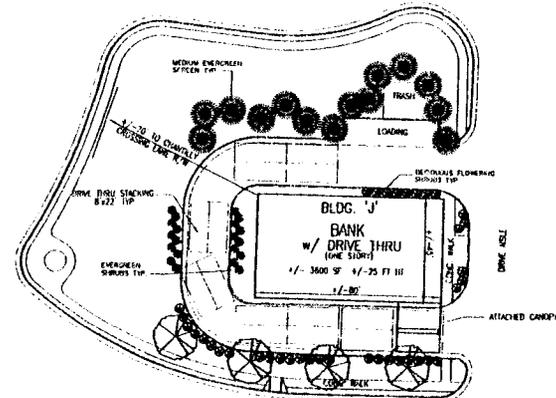
STRATIVE DETAILS



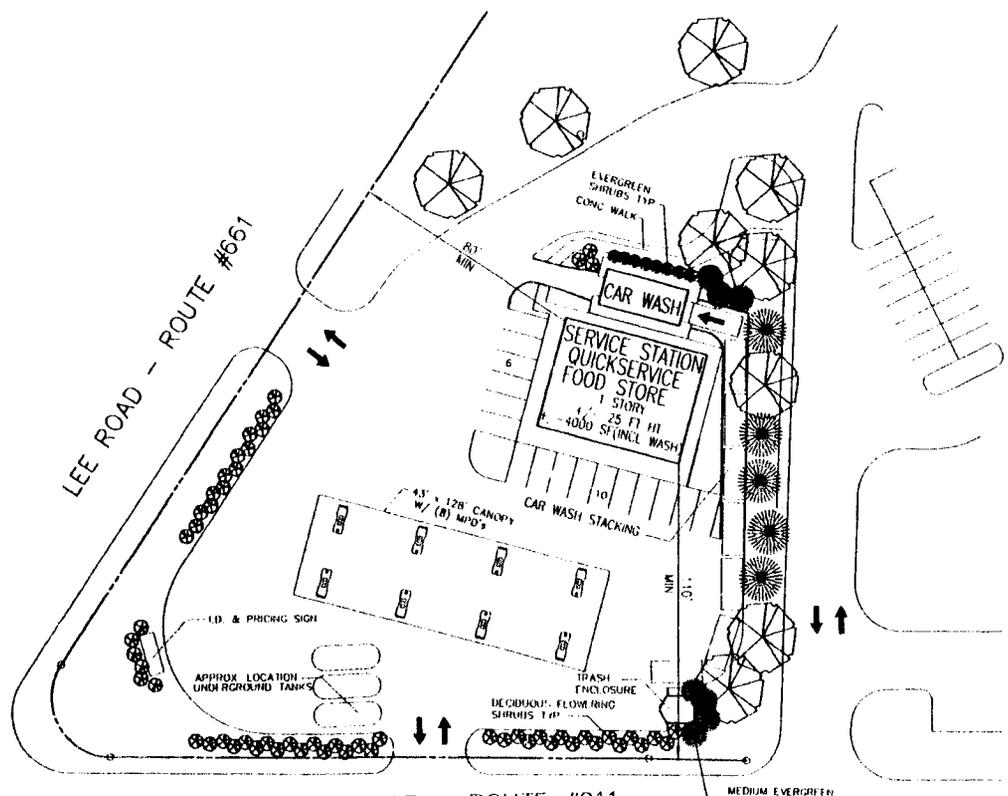
DRIVE THRU BANK DETAIL
1" = 25'



BLDG. 'J'-FAST FOOD REST. DETAIL OPTION 'A'
1" = 25'



BLDG. 'J'-BANK DETAIL OPTION 'B'
1" = 25'



BLDG. 'B-3'-SERVICE STATION DETAIL
1" = 25'

-  LARGE DECIDUOUS SHADE TREE (2"-3" CAL) (PLANTED)
-  LARGE EVERGREEN TREE (6'-8' HT.) (PLANTED)
-  MEDIUM EVERGREEN TREE (4'-6' HT.) (PLANTED)
-  EVERGREEN SHRUB (24"-30" HT.) (PLANTED)
-  DECIDUOUS FLOWERING SHRUB (24"-30" HT.) (PLANTED)

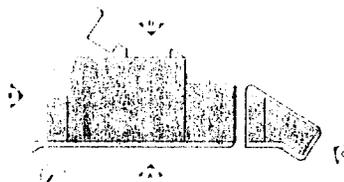
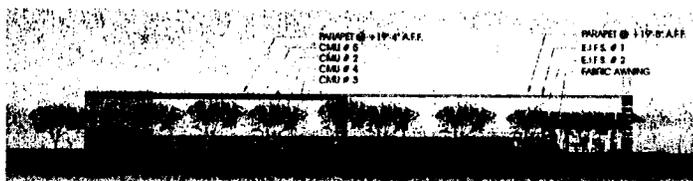
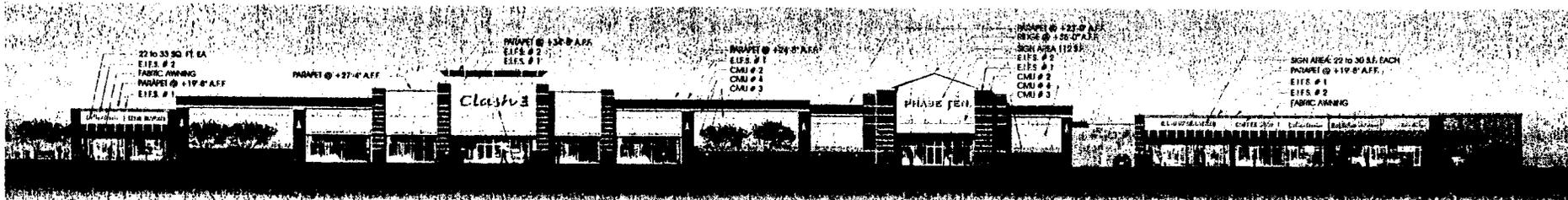
CHANTILLY CROSSING
SULLY DISTRICT
FAIRFAX COUNTY, VIRGINIA

INDIVIDUAL EXCEPTION USE
ENLARGEMENTS
#7-2001-50-01S

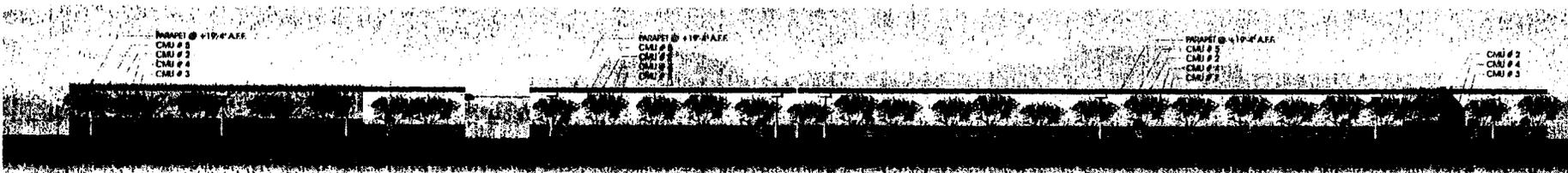
VKA REVISIONS

NO.	DATE	BY	REVISION

SEPT. 25, 2001
 SEPT. 07, 2001
 AUGUST 17, 2001
 DATE: JULY 31, 2001
 DES: MT DMN RT
 SCALE: 1"=25'
 PROJECT/PAE NO.: 8332
 SHEET NO.: 14 OF 16



Note:
 Tenant signs are to be submitted for approval in the future. Sign size and configuration may vary. Colors will be variable and



SEPT 25, 2001



VIA YOUR BEST CONNECTION
 800 GREENHARBOR DRIVE
 SUITE 100
 MCLEAN, VIRGINIA 22102 703.442.7800
 ENGINEERS • PLANNERS • LANDSCAPE ARCHITECTS • SURVEYORS
 MCLEAN VA (GARDENSBURY, MD)

CHANTILLY CROSSING, VIRGINIA

August 1 2001

ILLUSTRATIVE ARCHITECTURAL ELEVATION
 BUILDING B-2

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

DESCRIPTION OF THE APPLICATIONS

The property that is the subject of the concurrent applications is located in the southwest quadrant of the intersection of Route 50 and Route 28, north of Penrose Place and east of Lee Road, in Chantilly. The development currently approved for this site (RZ 95-Y-016) includes a mixed use commercial center consisting of two hotels; four eating establishments; a fast food restaurant or drive-through bank; a furniture store; a service station with quick service food store; and, a retail center located on 75.59 acres of property (see background section below for further details). Special Exceptions were also approved for two freestanding signs for the center and an increase in building height for the hotels (SE 95-Y-024), and for a service station/quick service food store on a pad site in the southwest corner of the property (SE 98-Y-001). Since the time of the original approvals, a hotel has been constructed on a portion of the 17.95 acre property located north of the Environmental Quality Corridor (EQC), and the remainder of the property (located south of the EQC) has remained undeveloped. The current applicant (Starwood-Ceruzzi II, L.L.C.) is the contract purchaser of the 56.29 acre portion of the property located south of, and including, the EQC. Current applications do not include the 17.95 acre portion of the original rezoning located north of the EQC. Copies of the applicant's proposed proffers; proposed development conditions; affidavits; and the applicant's statement of justification are attached as Appendices 1-5.

The current proposal, consisting of four concurrent applications (PCA 95-Y-016-2, RZ 2001-SU-015, RZ 2001-SU-016, and SEA 95-Y-024), will impact only the 55.38 acres of the original property located south of, and including the EQC. The proposals will incorporate 2.26 acres of land located in the central area of the property; will delete 1.38 acres from the southeast portion of the property to allow it to be rezoned to the I-5 District to permit the relocation of the motor vehicle impoundment facility; will allow for the redesign of the retail center and service station located south of the EQC, and permit development of a fast food drive-through restaurant, drive-through bank(s), and car wash on the property. Details of each application are as follows:

PCA 95-Y-016-2 is a PCA request on a 55.38 acre portion of land subject to RZ 95-Y-016. The application seeks to delete 1.38 acres of land (Tax Map 34-3 ((1)) 33 pt and 33A pt) from the original rezoning to permit that property to be rezoned from the C-8 District to the I-5 District (under application RZ 2001-SU-016). Additionally, the applicant proposes to amend the

development plan to provide a revised shopping center site layout and minor modifications to the approved uses. This application also includes a request for a waiver of the service drive requirement along the Route 28 frontage of the site.

RZ 2001-SU-015 is a request to rezone three parcels (Parcels 34-3 ((1)) 27, 28, 29), containing a total of 2.26 acres, from the I-3 District (Parcels 27 and 28) and the I-5 District (Parcel 29) to the C-8 District. These parcels will be incorporated into the proposed shopping center design and proffers for the property subject to the concurrent PCA application. This application also includes a request for a waiver of the minimum open space requirement from the 15% minimum requirement to 0% and an increase in the FAR from 0.50 to 0.70 on these parcels. The applicant is proposing to incorporate the RZ area into the development governed by the PCA and SEA; this will allow the overall development to achieve both open space and FAR as required by the Ordinance; however, this application requires the waivers in order to stand on its own.

RZ 2001-SU-016 is a request to rezone the 1.38 acres of land (34-3 ((1)) 33 pt and 33A pt.) deleted from RZ 95-Y-016 (under application PCA 95-Y-016-2) from the C-8 District to the I-5 District. The rezoning is to permit the relocation of an existing motor vehicle impoundment facility, currently located on Tax Map Parcel 34-4 ((1)) 29, to this undeveloped property. This application also includes a request to waive the transitional screening requirement and modify the barrier requirement along the eastern boundary of this site; (the adjacent property to the east is proposed to be dedicated to the Park Authority).

SEA 95-Y-024 is a request to amend a 56.29 acre portion of SE 95-Y-024 (which was previously approved for an increase in building heights and waiver of certain sign regulations). The SEA is applicable only to the 56.29 acre property south of, and including the EQC; SE 95-Y-024 will remain in force for the remainder of the property located north of the EQC. Specifically, the current request seeks to maintain the special exception uses as previously approved. The increase in building heights pertained only to the hotel buildings located north of the EQC; only one of the two approved freestanding signs is located on the property subject to this request (in the southeastern portion of the site, adjacent to Route 28), and it is proposed to remain exactly as previously approved). Additionally, the applicant seeks to: 1) delete 1.38 acres from the area of the special exception; 2) add 2.26 acres to the special exception area; 3) redesign the service station/quick service food store located in the southwest corner of the application site to include a car wash; 4) add an in-line drive-through bank within the western portion of the proposed shopping center; and 5) locate either a fast food restaurant with drive-through or a drive-through bank on a pad site in the northeastern portion of the application site. It should be noted that the SEA will

replace and supercede the previously approved SE 98-Y-001, granted for the service station/quick service food store.

SUMMARY OF PROPOSED ADDITIONAL SPECIAL EXCEPTION USES			
	Service Station/Quick Service Food Store/Car Wash	Drive-through Bank	Fast Food Drive-Through Restaurant (Alternative Plan depicts Drive-through bank with two windows)
Type of Operation	Service station with 6 multi-purpose pumps, quick service food store & separate car wash	Full service bank with 2 drive-through lanes	Fast food restaurant with 100 seats
Floor Area	± 4,000 gsf	± 3,000 gsf	± 3,600 gsf (both alternatives)
Hours of Operation	24 hours/7 days	Mon – Fri 7:00 a.m. – 7:00 p.m. Saturday 8:00 a.m. – 5:00 p.m.	S – Th 5:30 a.m. – 12:00 a.m. Fr-Sat 5:30 a.m. – 1:00 a.m.
Employees	Maximum of 2 for any shift	Maximum of 8 for any shift	Maximum of 18 for any shift

LOCATION AND CHARACTER

The application property is located in the southwest quadrant of the intersection of Sully Road (Route 28) and Lee Jackson Memorial Highway (Route 50); west of Lee Road and north of Penrose Place, in Chantilly. With the exception of a motor vehicle impoundment yard located on Parcel 29, the property is vacant and is covered by treed areas or old field vegetation. An unnamed tributary of Schneider’s Branch flows across the north boundary of the property, and an Environmental Quality Corridor (EQC) is associated with the tributary. A portion of Schneider’s Branch flows through the southeast corner of the site, and a Resource Protection Area (RPA) is associated with this stream.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Route 50 Right-of-Way Hotel on portion of site; Remainder of site undeveloped; approved for mixed use commercial development under RZ 95-Y-016/SE 95-Y-024	C-8	Industrial, with Option for Mixed Use
South	Vacant, approved for commercial development (Southgate Center) Petroleum Distribution Center (Southern States)	I-5 I-6	Industrial
East	Route 28/Route 50 interchange; Sullyfield Business Center	I-5	Industrial
West	Markey Business Center West Fairfax Commerce Center	I-4, I-5	Industrial

BACKGROUND

All, or portions of the application property have been the subject of numerous rezoning and/or special exception applications; the following is an abbreviated history:

On March 22, 1976, the Board of Supervisors approved RZ 74-2-024, subject to proffers, which rezoned 34 acres (portion of Parcel 7B) from the RE-1 District to the I-L District. The rezoning permitted development of a motel, service station, and several sites for industrial development. With the implementation of the 1978 Zoning Ordinance, the property was reclassified to the C-8 and I-5 Districts.

On November 2, 1981, the Board of Supervisors approved RZ 80-S-096, subject to proffers, which rezoned 5 acres located on Penrose Place (portion of Parcel 7B) from the R-1 district to the I-5 District. The rezoning permitted the development of two office buildings.

On November 16, 1981, the Board of Supervisors approved RZ 80-S-097, subject to proffers, which rezoned 6.3 acres from the R-1 District to the I-5 District for industrial development.

On January 25, 1982, the Board of Supervisors approved RZ 81-S-041, subject to proffers, which changed the zoning of Parcel 29 from the R-1 District to the I-5 District. The rezoning permitted the establishment of a motor vehicle impoundment yard on the site. On July 26, 1982, the zoning of this parcel was inadvertently changed from I-5 to I-3 with RZ 82-W-053. On November 22, 1982, the Board of Supervisors approved RZ 82-S-080 to change the zoning of the parcel back to I-5, and reaffirmed previous proffers for the impoundment yard. A copy of the proffers is attached as Appendix 6.

On July 26, 1982, the Board of Supervisors approved RZ 82-W-051, which rezoned over 63,000 acres of land in the western part of the county (including the subject parcels) to the Water Supply Protection Overlay District (WS).

On July 26, 1982, the Board of Supervisors approved RZ 82-W-053, which rezoned approximately 1600 acres (including a portion of Parcel 7B and Parcels 19, 26, 27 and 28) to the I-3 District. The rezoning was adopted in part to facilitate non-residential development within the Dulles Noise Impact Area.

On February 7, 1983, the Board of Supervisors approved RZ 82-S-047, subject to proffers, which rezoned 1.2 acres from the R-1 District to the I-5 District for industrial development.

On February 3, 1984, Viola Smith filed RZ 84-S-013 on 5.09 acres, requesting that the property be rezoned from the I-3 District to the I-5 District; the application was subsequently dismissed on February 7, 1991 for failure to prosecute.

On January 14, 1986, Penrose Place, L.P. filed RZ 86-S-002 on 72.34 acres (Tax Map Parcels 34-3 ((1)) 7A, 17, 33) requesting that the property be rezoned from the C-8, I-3 and I-5 Districts to the C-7 District to permit commercial development. The application was withdrawn on September 3, 1986.

On January 7, 1988, Phillip G. Norton, filed RZ 88-S-002 on 72.56 acres (Tax Map Parcels 34-3 ((1)) 7A, 17, 19, 26 and 33), requesting that the property be rezoned from the C-8, I-3 and I-5 Districts to the C-8 District to permit a mixed office, retail and commercial development; the application was subsequently withdrawn prior to public hearing.

On August 5, 1996, the Board of Supervisors approved RZ 95-Y-016, subject to proffers dated August 5, 1996, and concurrently approved SE 95-Y-024 (both applications consisting of Tax Map Parcels 34-3 ((1)) 7B, 19, 26 and 33), subject to certain development conditions. RZ 95-Y-016 rezoned approximately 75 acres from the I-5, I-3, and C-8 Districts to the C-8 District. The rezoning permitted development of a mixed use commercial development which included two hotels, four eating establishments, a fast food restaurant or drive-through bank, a furniture store and a retail center with a maximum overall FAR of 0.23. SE 95-Y-024 permitted an increase in area and height

for two freestanding signs for the property and permitted an increase in building height for the proposed hotel buildings. Copies of the rezoning proffers and SE development conditions are attached as Appendices 7 and 8, respectively.

On June 29, 1998, the Board of Supervisors approved PCA 95-Y-016 subject to proffers dated June 22, 1998, and concurrently approved SE 98-Y-001 subject to certain development conditions. The approvals permitted development of a service station/quick service food store at the corner of Lee Road and Penrose Place. No other changes were proposed for the property. Copies of the proffers and development conditions are attached as Appendices 9 and 10, respectively.

COMPREHENSIVE PLAN PROVISIONS (Appendix 13)

Plan Area: Area III; Dulles Suburban Center; Land Unit I
Plan Map: Industrial with Mixed Uses as an Option
Plan Text:

On page 204 in the 1991 Area III Plan, as amended through June 26, 1995, in the LAND UNIT RECOMMENDATIONS section, Land Unit I, Land Use Recommendations section of the Dulles Suburban Center, the Comprehensive Plan states:

- "1. ...Subject to meeting the elements listed under "Performance Criteria for Optional Uses", tax map parcels 34-3((1)) 7B, 19, 26, 27, 28, 29 and 33 may be appropriate for a mixture of uses including retail, restaurant and/or recreational facilities with retail restricted to the area south of the EQC that traverses tax map parcels 34-3((1)) 7B and 19. Restaurant uses may be appropriate north of the EQC if the use is limited to high-quality eating establishments that incorporate excellence in design, siting, style and materials. Drive through and/or fast food restaurants are not appropriate. For retail, restaurant and/or recreational uses, the following conditions should also be met:
 - A maximum FAR of .25;
 - Preservation of the environmental quality corridors which may be augmented by open space to preserve a minimum of 33% of the site;
 - Access is limited to Lee Road and Penrose Place;
 - Any development of the site must demonstrate to the satisfaction of the Fairfax County Office of Transportation that it does not impede traffic flow on Route 50 or the Route 50/Route 28 interchange; and
 - No more than four freestanding pad sites on the site."

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

The GDP/SE Plat is a combined document, depicting all four applications.

Title of GDP/SE Plat: "Chantilly Crossing"
 Prepared By: VIKA Incorporated
 Original and Revision Dates: February 27, 1995
 Revised through September 25, 2001

The combined GDP/SE Plat for all four applications consists of sixteen sheets, as follows:

- Sheet 1 - Cover Sheet
- Sheet 2 - Site Rezoning Exhibit
- Sheet 3 - Previously Approved GDP/SE Plat
- Sheet 4 - Previously Approved Landscape Plan
- Sheet 5 - Proposed GDP/SE Plat (PCA 95-Y-016-2, RZ 2001-SU-015 and SEA 95-Y-024)
- Sheet 6 - Proposed Landscape Plan (PCA 95-Y-016-2, RZ 2001-SU-015 and SEA 95-Y-024)
- Sheet 7 - Lake and Lake Edge Treatments Detail (PCA 95-Y-016-2 and SEA 95-Y-024)
- Sheet 8 - Sign Location and Elevation Details (SEA 95-Y-024)
- Sheet 9 - Proposed Road Improvements (PCA 95-Y-016-2 and SEA 95-Y-024)
- Sheet 10 - Existing Vegetation Map
- Sheet 11 - Entrance and Streetscape Details (PCA 95-Y-016-2 and SEA 95-Y-024)
- Sheet 12 - Pond Planting and Revegetation Planting Concepts (PCA 95-Y-016-2 and SEA 95-Y-024)
- Sheet 13 - Landscaping Focal Points, Street Furniture and Lighting Details (PCA 95-Y-016-2 and SEA 95-Y-024)
- Sheet 14 - Special Exception Use Details (SEA 95-Y-024)
- Sheet 15 - GDP for Motor Vehicle Impoundment Lot (RZ 2001-SU-016)
- Sheet 16 - Illustrative Building Elevations – Primary Retail Structure (PCA 95-Y-016-2, RZ 2001-SU-015 and SEA 95-Y-024)

Sheet 1 consists of a vicinity map, sheet index, and notes and tabulations. (The applicant has proffered to develop the sites subject to PCA 95-Y-016-2 and RZ 2001 SU-015 in substantial conformance with Sheets 1, 5, 6 and 7).

Sheet 2 depicts the entire area of original RZ/SE applications (including the 17.95 acre portion which is located north of the EQC and is not a part of the current applications) and the area of the current PCA request. This sheet has been provided for informational/comparison purposes only, and is not proffered.

Sheet 3 depicts the previously approved plans (GDP and SE) with an overlay indicating the area of the current applications; this sheet is also provided for informational purposes and is not proffered.

Sheet 4 depicts the landscape plan previously approved with the RZ/SE applications, with an overlay indicating the area of the current applications. Again, this sheet is for informational purposes and is not proffered.

Sheet 5 depicts the combined GDP for PCA 95-Y-016-2, RZ 2001-SU-015 and RZ 2001-SU-016, and serves as the overall Special Exception Plat for SEA 95-Y-024. The proposed retail center depicts access to the site from three points; an indirect access point is provided from Chantilly Crossing Lane, which accesses through the northern portion of the original rezoning property which is not subject to the current applications. This is the primary access into the property and crosses the northeastern portion of the EQC, to the northeast of the proposed regional pond. A second point of access is located directly from Lee Road, central to the site. The southernmost entrance to the site is from Penrose Place (there are actually several minor entrances onto Penrose Place, including the terminus of Chantilly Crossing Lane, which forms a cul-de-sac in the southeast portion of the site. An additional access point from Lee Road is provided to serve the service station pad located at the southwestern corner of the application property. Parking is provided primarily to the north of the main retail structures, central to the development. An Environmental Quality Corridor (EQC) and regional stormwater management pond area, averaging approximately 200 feet in width, form the northern border of the application property. A secondary EQC area is located in the southeastern portion of the site. Two major tree save areas are shown at the northeastern end of the primary EQC area (measuring approximately 150 feet in width and 500 feet in length) and in the southeast corner of the site within the RPA area (measuring approximately 700 feet by 500 feet); this area will be dedicated to the Park Authority for inclusion into the stream valley park system. A proposed pedestrian trail with seating areas is depicted along the southeastern edge of the central portion of the primary EQC area.

Uses proposed for the site include Building I, a one-story, "L" shaped, combined

eating establishment/retail building consisting of a total of 32,000 sf located in the northeastern corner of the application property. Building J consists of a 3,600 sf, 25 foot tall building located as a pad site which may be developed either as a fast food drive-through restaurant, or alternatively, as a drive-through bank with two drive through windows. This pad site is located to the immediate southwest of Building I, adjacent to Chantilly Crossing Lane. The major retail center is proposed bordering the southern boundary of the property, adjacent to Penrose Place. Building A, which is located in the southeastern portion of the site consists of a 40 ft. tall building, containing a total of 118,100 sf, with a 18,725 sf garden center depicted at the northwestern corner of the building, adjacent to Chantilly Crossing Lane. On the western side of Chantilly Crossing Lane is a 40 ft. tall, 151,000 sf building (Building B-1), which is separated from the remainder of the in-line center by a small landscaped feature and seating area. Building B-2 is located west of the landscaped area and consists of a series of smaller retail spaces totaling 61,000 sf, with a height of 40 feet. (It should be noted that RZ 2001-SU-015 comprises a portion of Building B-1 and the adjacent travelways; because the area of RZ 2001-SU-015 is being incorporated with the PCA application to develop the retail center, a waiver of the minimum open space requirement from the 15% required to 0%, and an increase in FAR from 0.50 to 0.70 are required for the RZ application.) Within the western portion of Building B-2 is located an in-line drive-through bank, with two drive-through lanes. Building B-3 is located in the extreme southwestern portion of the site, at the intersection of Lee Road and Penrose Place. This building complex consists of a service station/quick service food store with a canopy over eight multi-purpose dispenser pumps and a detached car wash structure. The total square footage for this use is depicted to be 4,000 sf and the maximum height is shown to be 25 feet.

Building K (which is the subject of RZ 2001-SU-016) is located in the southeastern portion of the application property, west of the secondary EQC and south of Penrose Place. This area depicts a one story, 25 ft tall structure containing 5,200 sf and a temporary trailer central to the site. A small parking area is shown adjacent to Penrose Place and the remainder of the site is undelineated, with the exception of a water quality/quantity facility depicted in the extreme southern tip of the site. The existing motor vehicle impoundment yard, located on Parcel 29, will be relocated to this portion of the application property.

Summary of Proposed Uses:
 PCA 95-Y-016-2/RZ 2001-SU-015/SEA 95-Y-024:

Building	Use	GFA
A	Retail	118,100
A	Garden Center	18,725
B-(1)	Retail	151,000
B-(2)	Retail/Bank	61,000
B-(3)	Service Station/ Quick Service Food Store/ Car Wash	4,000
I	Eating Establishment/ Retail	32,000
J	Fast Food Drive-Through	3,600
Total		388,425

RZ 2001-SU-016:

K	Impoundment Yard Office	5,200
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Sheet 6 depicts the combined landscape plan for the proposed applications. The landscape plan includes planted islands throughout the parking areas and treed areas parallel to the development's internal accessways. Supplemental plantings are proposed for the eastern border of the EQC area, and within areas of the EQC which may be disturbed by grading activities relative to development of the regional stormwater management pond area. Additional plantings are shown paralleling Penrose Place and bordering the southeast corner of the site adjacent to Route 28. Plantings for screening purposes are proposed for the north and west sides of the proposed vehicle impoundment area.

Sheet 7 depicts a cross section of the proposed pond area, which includes landscaped areas, pedestrian seating areas, and a pedestrian trail on both sides of the pond. An enlargement of the central pond area is depicted, which includes supplemental landscaping along the borders of the pond, a pedestrian trail on the eastern, southern and western sides of the facility, and water features within the pond.

Sheet 8 depicts cross sections illustrating the freestanding signs, to be located in the southeastern corner of the application property, within the secondary EQC area proposed to be potentially dedicated to the Park Authority, as well as at the corner of Route 50 and Lee Road (which is not subject to the current applications. A detail of the proposed freestanding center identification signs

(approved under SE 95-Y-024) is shown as a monument style sign measuring 10 feet wide and 20 feet high. A note reads that "This freestanding sign will be compatible with the remainder of the development in terms of materials and architecture. Sign is to be illuminated." There are no changes to the location or design of this sign from that previously approved with SE 95-Y-024.

Sheet 9 depicts proposed transportation improvements for the site. Improvements include right-of-way dedication and frontage improvements (turn lanes for entrances and realignment for the Penrose Place intersection) on Lee Road. Additionally, improvements for Penrose Place include right-of-way dedication, construction of a cul-de-sac at the eastern terminus of Penrose Place, installation of sidewalk, and restoration/revegetation of the area south of the proposed cul-de-sac. These improvements are also addressed in the applicant's proffer statement.

Sheet 10 depicts existing vegetation, which includes upland forest, bottomland forest in wetland areas, and old field vegetation.

Sheet 11 depicts illustrative details of proposed focal points located throughout the retail center development; these include the primary entrance into the application property, at Chantilly Crossing Lane; the pedestrian plaza area between Buildings B-(1) and B-(2) and typical internal streetscape landscaping details.

Sheet 12 depicts enlargements of the two areas to be re-vegetated with native species of wildlife habitat plantings. These areas are located at the EQC crossing at the access point to Lee Road and at the eastern end of Penrose Place, adjacent to the secondary EQC.

Sheet 13 depicts details of the proposed street furniture (trashcans, benches, bike racks and light fixtures) and details of three proposed pedestrian plaza areas (located adjacent to the proposed eating establishment, between Buildings B-1 and B-2 and adjacent to the proposed pond).

Sheet 14 depicts details of the three proposed special exception uses (drive-through bank; service station/quick service food store/car wash and a fast food restaurant with an alternative for a second drive-through bank).

The 3,000 sf drive through bank is proposed to be located in-line, within the delineation of Building B-2 of the retail center. It is depicted to be one story in height and shows one-way access from the south, entering the drive-through facility through two stacking lanes (10 spaces shown) to two windows located beneath an attached canopy; no "escape" lane is provided. The windows are specifically marked to be served either by a teller or an ATM machine. No

parking is shown specific to this use; it will be parked with the remainder of the retail center. No pedestrian entrance is shown to this facility.

The 3,600 square foot, one story (25 feet in height), drive-through restaurant is located within the northeast portion of the center's parking area, west of the eating establishment/retail building and east of, and roughly perpendicular to, Chantilly Crossing Lane. It is accessed from two driveways off the east side of Chantilly Crossing Lane. A drive through lane is depicted wrapping around the northern, western and southern facades of the structure. An order station is shown on the western façade, and ten stacking spaces are depicted. Although not depicted on this detail, additional details such as outdoor seating, landscaping and pedestrian connections/crossings from Chantilly Crossing Lane and internal driveways serving the facility are shown on Sheet 11 of the GDP/SE Plat.

An alternative detail which would permit this pad site to develop as a second drive-through bank facility is also depicted. This detail shows a 3,600 sf, one story (25 feet in height) bank facility with two drive through lanes. Sixteen stacking spaces are shown, entering from the north side of the structure and wrapping around the western and southern facades; two windows are shown under an attached canopy at the southeastern corner of the building. A trash container and loading space are depicted in the northeast corner of the pad site; no delineated parking is shown on the site detail for this use; it would be parked with the remainder of the retail center. No pedestrian entrance is depicted to this facility, although a concrete walk is depicted along the eastern façade. Minimal landscaping treatment is provided around the stacking lanes.

The 4,000 square foot service station complex is located in the southwest corner of the application property. A service station/quick service food store (no dimensions given, but depicted to be a maximum of one story or 25 feet in height) is located at roughly the center of the pad site. A detached car wash structure is shown to the north of the service station, with a single stacking lane, containing eight stacking spaces, wrapping around the eastern boundary of the pad site. Eight multi-purpose dispenser pumps are depicted under a 43 ft x 128 ft canopy (no height depicted), located to the south of the service station building. A total of sixteen parking spaces is provided; six along the west façade of the service station structure, ten along the south. The primary entrance is shown directly to Lee Road to the west; a secondary access is depicted from an internal drive leading to the main center and Penrose Place, to the north of the pad site. An identification/price sign is shown in the southwest corner of the property and a trash enclosure is depicted in the southeast corner. Peripheral landscaping, consisting of a combination of deciduous and evergreen trees and shrubs are provided surrounding the pad site.

Sheet 15 serves as the GDP for RZ 2001-SU-016; it depicts an enlargement of the motor vehicle impoundment facility, to be located on a portions of Parcels 33 and 33A, with access from two points off the south side of Penrose Place. The majority of the 1.38 acre site will be paved to accommodate vehicle storage, and the entire site will be curbed and guttered to assist with runoff containment. The applicant proposes a 5,200 square foot office building, one-story or 25 ft in height, oriented toward Penrose Place. A temporary trailer is also depicted to the south of the permanent building, to serve as an office while the use is being relocated and constructed. (Proffers limit the life of this structure to one year from the approval of the site plan.) Eight parking spaces (one accessible) are shown perpendicular to Penrose Place. Landscaped open space is provided primarily along the northern property boundary; a five foot wide planting strip planted with a combination of large and medium evergreen trees and large deciduous trees is depicted along the western boundary of the site. The applicant proposes a 6-foot chain link fence surrounding the facility, with slats inserted along the western edge of the storage yard. Stormwater quality and quantity facilities are depicted along the eastern boundary of the site.

Sheet 16 depicts elevations of the primary retail center structures; these elevations, although illustrative only, depict consistent architectural treatments along all facades of the primary structures, but do not commit to specific colors or materials, or to any specifics regarding signage.

Because of the inter-related nature and combined GDP/SE plat which governs the proposed development, the analyses for all applications has been combined. All comments should be assumed to pertain to all applications unless specifically noted otherwise.

Transportation Analysis (Appendix 11)

With the review of the initial submission of the applications, staff identified a number of transportation concerns, including the need to improve pedestrian circulation; improve Lee Road south of the site; construct a concrete sidewalk on the north side of Penrose Place; and modify the proposed improvements to Penrose Place. The applicant subsequently revised the plans and draft proffers to address these concerns. Consequently, there are no outstanding transportation issues.

Environmental Analysis (Appendix 12)

Issue: Environmental Site Assessment for Existing Motor Vehicle Impoundment

Site (RZ 2001-SU-015)

Staff identified the potential for contamination from car batteries and other motor vehicle parts observed at the existing vehicle impoundment area. Accordingly, a Phase 1 Environmental Site Assessment and, if needed, Phase II monitoring program with follow up remediation measures were recommended.

Resolution: The applicant has proffered to commit to both a Phase I Assessment and a Phase II monitoring program, including a remediation program to be coordinated with appropriate County staff.

Issue: Water Quality for Proposed Motor Vehicle Impoundment Facility
(RZ 2001-SU-016)

Initial plan submissions did not include BMP measures to control/insure adequate water quality for runoff leaving the proposed motor vehicle storage area.

Resolution: Plans and proffers were revised to provide BMP facilities as may be deemed necessary/desirable by DPWES.

Issue: Tree Preservation/Reforestation (PCA 95-Y-016-2, RZ 2001-SU-016 and
SEA 95-Y-024)

The initial plan submissions indicated unmitigated land disturbance with the development of the regional stormwater management facility. Additionally, the eastern portion of Penrose Place was proposed to be abandoned, but no measures were proposed to restore/revegetate the existing paved area. Staff recommended that these areas be reforested, and that commitments made to preserve tree save areas be shown on the plan.

Resolution: The applicant has revised plans and proffers to reflect plantings in the disturbed portions of the EQC area as suggested by the Urban Forestry Branch, and has committed in the draft proffers to scarify and remove the existing asphalt in the abandoned portion of Penrose Place, and restore this area to the satisfaction of the Urban Forester.

Issue: Energy Conservation (PCA 95-Y-016-2, RZ 2001-SU-015 and
SEA 95-Y-024)

Staff recommended installation of bicycle racks within the development.

Resolution: In response, the applicant has proposed installation of bike racks between Buildings B-(1) and B-(2), and near Building I. Proffers commit to the installation of a minimum of three such facilities for the site.

Issue: Lighting

Proposed proffers indicate parking lot light poles 35 feet in height; building mounted lighting is not addressed. Staff recommended that the applicant commit to providing poles no higher than 20 feet, with shielded, full cut-off fixtures that are directed downward. Additionally, staff recommended that a commitment should be provided to specify that building mounted lighting should be shielded, and utilize full cut-off fixtures with a maximum height of 12 feet.

Resolution: The applicant has added a proffer commitment that building and security lights will utilize full cut-off lighting fixtures a maximum of 20 feet in height. However, staff concerns regarding the maximum height of all fixtures remain outstanding.

Land Use Analysis (Appendix 13)

The property is located within the Dulles Suburban Center. The property is planned for industrial use, with an option for a mix of commercial uses provided specific performance criteria are met. Additionally, the Plan contains design guidelines for the Dulles Suburban Center. The criteria and guidelines include provisions for parcel consolidation, open space and tree preservation, coordinated access, prevention of light glare, unified retail centers, pedestrian linkages, landscaping for parking areas, pedestrian plazas, and unified architectural themes for multi-building complexes. Additional criteria specific to this land unit include a maximum FAR of 0.25, preservation of the EQC area, limiting access to Lee Road and/or Penrose Place, limiting pad sites to no more than four, and assurance that traffic flow for Route 50 and Route 28 is not adversely impacted.

PCA 95-Y-016-2; SEA 95-Y-024 and RZ 2001-SU-015:

Consolidation of parcels will be implemented with approval of PCA 95-Y-016-2, RZ 2001-SU-015 and SEA 95-Y-024. Required open space for the C-8 district is 15%, open space provided with the subject development (SEA) is approximately 35.6%. (A waiver of the minimum open space requirement is requested in conjunction with RZ 2001-SU-015; this area is a "cutout" which is being incorporated into the retail center through combined proffers and GDP/SE Plat, the overall development will exceed the minimum open space requirement of 15%; however, no appreciable open space is provided on the area of the rezoning, necessitating the waiver.) The applicant is proposing to preserve portions of the EQC area as tree save, and the RPA area associated with Schneider's Branch at the southeast corner of the site will be preserved as

undisturbed open space/tree save. Access among uses within the center and the adjacent development to the north is linked with a coordinated travelway system, and adequate entrances/exits (limited to Penrose Place and Lee Road) are proposed to serve the development. Prevention of light glare is addressed in the proffers, but Staff continues to recommend that the applicant commit to employ shorter poles for the parking area and provide a specific commitment for building mounted lighting.

Initial plan submissions proposed a site design with four drive-through restaurants and limited connection/coordination between these uses (located in the northeast portion of the site) and the remainder of the center. Revised plans reduced the number of drive-through restaurants and provided improved siting and access between the restaurants and retail areas. Pedestrian sidewalks are proposed connecting the adjacent development to the northeast, surrounding the pond area, and linking buildings within the center. Landscaping has been provided within islands in the parking areas and for screening along Penrose Place. The applicant has previously proffered a unified architectural theme for all buildings within the center; this commitment is being carried forward. In addition, the applicant has provided illustrative elevations of the primary retail structures (Sheet 16) which show a consistent design theme and architectural treatments on all facades of these structures. The FAR for the SEA application (which most accurately reflects the final development on this site) is 0.16. The EQC will be preserved as open space and/or tree save areas. Pad sites for the development have been limited to three (service station, one fast food restaurant or drive-through bank, and the retail/restaurant building). A traffic study was submitted and found to be adequate for the original rezoning for the center. Gross floor areas and general mix of uses for the overall area subject to RZ 95-Y-016 have not changed with this application, and Staff does not anticipate any adverse traffic impacts to Route 50 or Route 28. Therefore, with the exception of the noted lighting issue, Staff finds that the criteria and standards for the Dulles Suburban Center have been met pursuant to PCA 95-Y-016-2, RZ 2001-SU-015 and SEA 95-Y-024.

RZ 2001-SU-016:

Although RZ 2001-SU-016 is not proposed to be part of the retail center development, the applicants have attempted to condition the development in a manner which will ensure maximum compatibility in site design and materials. Sheet 15 is proffered as the GDP for this application; development will need to be in substantial conformance with the details depicted on this sheet, as previously described. The front façade of the permanent structure (the northern façade, facing Penrose Place) is proffered to be constructed of either face brick, architectural concrete block, architectural metal panels, architectural pre-cast concrete stone, exterior insulation and finish system (EIFS) or glass, consistent

with the retail center proffers. The temporary trailer use has been limited to a maximum of one year from the approval of the site plan. The applicant has proffered to buffer the proposed use from the surrounding properties by providing a six foot tall fence around the paved impoundment yard to the rear of the proposed structure; the portion of the fence along the site's western boundary is proffered to be chain link with inserts, solid wood or other solid fence materials, in order to provide a solid screen. This fence will be softened by a proposed five foot wide planting strip containing a combination of large and medium evergreen trees and deciduous trees along the entire western border. A heavily landscaped buffer is proposed along the northern property line, south of Penrose Place. Lighting on the site is proffered to utilize fully shielded fixtures and to be a maximum of thirty-five feet in height, consistent with the proffers for the retail center. (Staff believes a lower height for the light fixtures would be more in keeping with the intent of the Comprehensive Plan, as previously discussed.) The FAR proposed for the site is 0.09; the applicant has provided the minimum open space required (15%). The limits of clearing and grading extend to the boundaries of the site; however, the applicant has proposed to pave, curb and gutter the entire impoundment yard in order to better facilitate runoff containment and has proffered to provide both water quantity and quality facilities on-site to maximize protection of the adjacent EQC/RPA. The necessary improvements to Penrose Place are proposed, and staff does not anticipate any negative transportation impacts resulting from the relocation of the existing use to this property. Therefore, with the exception of the noted lighting issue, staff believes that the criteria and standards for the Dulles Suburban Center have been met pursuant to RZ 2001-SU-016.

Fairfax County Park Authority Analysis (Appendix 14)
(PCA 95-Y-016-2 and SEA 95-Y-024):

The Park Authority requested that the applicant consider dedicating the open space parcel in the southeast corner of the site for inclusion in the County's stream valley park system. The applicant has proffered to provide dedication in fee simple or an easement for this portion of the site; the applicant has reserved the right to maintain a sign easement/access easement for the previously approved free-standing sign which is located within this area.

Public Facilities Analyses

Water Service (Appendix 15) – Adequate service available; no issues cited.

Sewer Service (Appendix 16) – Adequate capacity available; no issues cited.

Fire and Rescue (Appendix 17) – Meets fire protection guidelines; no issues cited.

Stormwater Planning (Appendix 18) – No issued cited.

ZONING ORDINANCE PROVISIONS (Appendix 19)

The following table reflects how PCA 95-Y-016-2 compares to the minimum requirements of the C-8 District.

**BULK STANDARDS – C-8 DISTRICT
PCA 95-Y-016-2**

	Required	Provided
Minimum Lot Size	40,000 sf	55.38 Acres
Minimum Lot Width	200 ft	Route 28: 2,350 ft + Lee Road: 850 ft + Penrose Place: 1,500 +
Max. Building Height	40 ft	40 ft.; 25 ft for pad sites
Minimum Yards:		
Front	45 degree ABP, but not less than 40 ft.	Route 28: 60 ft. Lee Road: 80 ft. Penrose Place: 40 ft.
Rear	20 ft.	50 ft +/-
Max. FAR	0.50	0.14
Min. Open Space	15%	35.6%
Parking	1,612 spaces	1,630 spaces

**BULK STANDARDS – C-8 DISTRICT
RZ 2001-SU-015**

	Required	Provided
Minimum Lot Size	40,000 sf	2.26 Acres
Minimum Lot Width	200 ft	Penrose Place: 230 ft +/-
Max. Building Height	40 ft	40 ft.
Minimum Yards:		
Front	45 degree ABP, but not less than 40 ft.	45 ft.
Rear	20 ft.	50 ft +/-
Max. FAR	0.50*	0.70*
Min. Open Space	15%	0%**
Parking	1,612 spaces***	0 spaces***

*RZ 2001-SU-015 is requesting an increase in the maximum allowable from 0.50 to 0.70 as provided for in Sect. 9-618. When combined with the area included in SEA 95-Y-024, the overall FAR for the property is 0.16.

**RZ 2001-SU-015 is requesting a waiver of the minimum open space requirement to 0%; when combined into the area covered by SEA 95-Y-024, the open space on site measures a total of approximately 35.6%

***no parking is provided on the area of RZ 2001-SU-015; when combined with the remainder of the retail center, 1,630 parking spaces are provided.

**BULK STANDARDS – C-8 DISTRICT
SEA 95-Y-024**

	Required	Provided
Minimum Lot Size	40,000 sf	56.29 Acres
Minimum Lot Width	200 ft	Route 28: 2,350 ft + Lee Road: 850 ft + Penrose Place: 1,500 +
Max. Building Height	40 ft	40 ft.; 25 ft for pad sites
Minimum Yards:		
Front	45 degree ABP, but not less than 40 ft.	Route 28: 60 ft. Lee Road: 80 ft. Penrose Place: 40 ft.
Rear	20 ft.	50 ft +/-
Max. FAR	0.50	0.16
Min. Open Space	15%	35.53%
Parking	1,612 spaces	1,630 spaces

The following table depicts how RZ 2001-SU-016 compares with the minimum requirements of the I-5 District.

**BULK STANDARDS – I-5 DISTRICT
RZ 2001-SU-016**

	Required	Provided
Min. Lot Area	20,000 sf	1.38 Acres
Min. Lot Width	100 ft.	300 ft +/-
Max. Building Height	75 ft	25 ft
Minimum Yards:		
Front	45 degree ABP, but not < 40 ft	50 ft
Max. FAR	0.50	0.09
Min. Open Space	15%	15%

Parking

8 spaces

8 spaces

Category 5 Standards (Sect. 9-503)
(SEA 95-Y-024)

The Category 5 Standards require that the proposed special exception amendment meet lot size and bulk requirements for the Zoning District. The proposed uses meet these standards as demonstrated by the previous tables for PCA 95-Y-016-2 and RZ 2001-SU-015.

Additional Requirements

Highway Corridor Overlay Districts; Use Limitations (Section 7-608)
General Special Exception Standards (Sect. 9-006)
Additional Standards for Car Washes, Drive-In Banks, Fast Food Restaurants,
Quick Service Food Stores, Service Stations (Sect. 9-505)
Additional Building Height (Sect. 9-607)
Waiver of Certain Sign Regulations (Sect. 9-620)

Highway Corridor Use Limitations (Section 7-608)

In addition to the above noted standards, drive-in facilities within the Highway Corridor (HC) Overlay District must meet the following additional standards.

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

Such a use shall have access designed so as not to impede traffic on a public street intended to carry through traffic. To such end, access via the following means may be given favorable consideration:

- 1) Access to the site is provided by a public street other than one intended to carry through traffic, and/or
- 2) Access to the site is provided via the internal circulation of a shopping center, which center contains at least six (6) other commercial uses, or an office complex having a limited number of well-designed access points to the public street system and no additional direct access is provided to the site from a public street intended to carry through traffic over and above those entrances which may exist to provide access to the shopping center, and/or

- 3) Access to the site is provided by a functional service drive, which provides controlled access to the site.

For the most part, the proposed uses will utilize internal accessways within the shopping center development. The proposed direct access point to Lee Road for the service station complex was previously approved with SE 98-Y-001. Adequate access is also provided from coordinated connections to Lee Road and Penrose Place. Therefore, Staff finds that these standards are met.

General Special Exception Standards (Sect. 9-006)

Standards 1 and 2 require that the proposed uses be in harmony with the adopted Comprehensive Plan and with the purpose and intent of the applicable zoning district. As stated previously, Staff finds that the proposed application is in accord with Plan criteria and meets Zoning Ordinance regulations for the proposed uses.

Standard 3 requires that the proposed uses be harmonious with and not adversely affect the use or development of neighboring properties. The subject site is located in an area currently used for commercial and industrial purposes, and traffic to the SE facilities will predominantly utilize internal roadways. Therefore, Staff finds the application in conformance with this standard.

Standard 4 requires that pedestrian and vehicular traffic associated with such uses not be hazardous or conflict with the existing and anticipated traffic in the neighborhood. As noted above, traffic associated with the uses will primarily utilize coordinated access points and internal roadways for the site. Adequate provisions have been made for stacking vehicles in the drive-in lanes (per the proposed development conditions), and no impacts to traffic in the surrounding area are anticipated. The SEA application is requesting a waiver of the service drive requirement for the Route 28 frontage of the site; this waiver was previously granted for the original SE. Although the design of the site has changed from that of the original SE application, the intensity and general circulation patterns on-site have not. There is no service drive connection provided either to the north or south of the application property, and no access is proposed along the Route 28 frontage. Staff believes that this waiver is therefore justified. In addition, pedestrian access is proposed throughout the development, effectively linking the SE uses with the remainder of the site.

Standard 5 requires landscaping and screening in accordance with the provisions of Article 13. The applicant has provided landscaping that meets these standards, as discussed below. Additional landscaping is proposed surrounding the EQC area, in addition to the proposed tree save areas. Accordingly, this standard has been deemed satisfied.

Standard 6 requires that open space be provided in accordance with requirements of the underlying zoning district. In the C-8 district, a minimum of 15% open space is required. The applicant proposes approximately 35.5% open space for the SEA. Therefore, this standard has been met.

Standard 7 requires that adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed uses shall be provided, and that parking and loading requirements be in accordance with the provisions of Article 11. Staff finds the proposed application meets this requirement. Article 11 requires 1,612 parking spaces for the overall development, including the SE uses, and 1,630 spaces are proposed. The proposed number of stacking spaces for the drive-through facilities are also in compliance with Zoning Ordinance requirements (as conditioned by the proposed development conditions).

Standard 8 requires that signs be regulated by the provisions of Article 12, and that the Board may impose more strict requirements for a given use than those set forth in the Ordinance. The applicant is proposing one freestanding sign to be located in the southeast corner of the property, adjacent to Route 28. This sign was previously approved pursuant to SE 95-Y-024, and the applicant has requested reaffirmation of the SE conditions pertaining to it (see following discussion concerning waiver of certain sign regulations). A development condition addresses Ordinance compliance with building mounted signage. Therefore, Staff finds that this standard is met.

Additional Standards for Car Washes, Drive-In Banks, Fast Food Restaurants, Quick Service Food Stores, Service Stations (Sect. 9-505)

Additional requirements for drive-through type facilities include 1) architectural compatibility within the development, 2) coordinated, safe and convenient pedestrian and vehicular circulation and parking, and 3) sufficient area to accommodate the proposed development to ensure that the uses will not cause adverse impact to nearby residential uses.

The applicant has previously proffered to provide a development with a unified and coordinated appearance, through the utilization of coordinated building materials, colors, landscaping or other similar design features (See proffer 6a, Appendix 7). The applicant has reaffirmed this commitment with this application, and has provided building elevations that demonstrate a unified architectural theme for the retail center (See Sheet 16 of the GDP/SE Plat.) Pedestrian sidewalks are proposed linking the buildings and connecting the adjacent development to the north. Vehicular access is coordinated within the center, and ample access exists via entrance/exits on Penrose Place and Lee Road. The

56.26 acre property is of sufficient size to accommodate the proposed uses and the overall FAR proposed is less than that recommended by the Comprehensive Plan; there are no residential developments in the vicinity. Therefore, Staff finds that these standards are met.

Provisions for Approving an Increase in Building Heights (Sect. 9-607)

In accordance with this section, the Board may grant an increase in building height, but only in accordance with three specified provisions: 1) the increase must be in accordance with the adopted Comprehensive Plan; 2) it must not be detrimental to the character and development of adjacent lands; and 3) the remaining regulations for the zoning district must be satisfied. SE 95-Y-024 was approved by the Board of Supervisors for an increase in building height for two proposed hotel buildings, both to be located to the north of the primary EQC, on a portion of the original site not included in the current applications. Since the approval of the SE, one of the hotels has been constructed. No changes to either of the hotel structures is being proposed at this time; all development conditions pertaining to the increase in height will continue to apply to the area north of the EQC and all structures proposed on the application property will meet the height limitations of the C-8 District. Staff believes that the additional height request continues to be appropriate.

Waiver of Certain Sign Regulations (Sect. 9-620)

In accordance with this section, the Board may approve a modification or waiver of the sign regulations, but only in accordance with four specified provisions: 1) the waiver may permit an increase in sign area or height or provide for a different location of a sign, but may not allow for a free-standing or off-site sign not permitted by Article 12. 2) the applicant must demonstrate that there are unusual circumstances in terms of location, topography, size or configuration of the lot, etc. that impacts the applicant's ability to provide for reasonable identification of the site. 3) The waiver must be in harmony with the Comprehensive Plan; and 4) the sign must not have any deleterious impacts on the existing or planned development of adjacent properties. SE 95-Y-024 was approved by the Board for a waiver of certain sign regulations to permit two free-standing signs, each 200 sf in area (20 feet tall x 10 feet wide x 18 inches in depth) to be located at the intersection of Route 50 and Lee Road (which is not a part of the current application) and at the southeastern corner of the property, off Route 28 (which is subject to the current application). Neither of the previously approved signs has been constructed, and no changes to the signs as previously approved is proposed as part of the SEA. The northern sign will continue to be governed by the development conditions imposed with the approval of SE 95-Y-024; the southern sign will be governed by conditions imposed by the approval of this SEA; previous conditions have been carried forward in the proposed development conditions.

Waiver of Minimum Open Space Requirements (Sect. 9-612)
(RZ 2001-SU-015)

In accordance with this section, the Board may approve, in conjunction with the approval of appropriate proffered conditions, a waiver of the minimum open space requirements, in accordance with three provisions. 1) The waiver must further the intent of the Zoning Ordinance, the adopted Comprehensive Plan and other adopted policies; 2) the resultant development must be harmonious with adjacent development; and 3) the provisions of Article 13 must be satisfied. In this case, the purpose of RZ 2001-SU-015 is to consolidate three parcels which were not consolidated with the original commercial rezoning (RZ 95-Y-016) into the area of the proposed retail center. This consolidation is in harmony with the Comprehensive Plan and, although the applicant is proposing to provide no (0%) open space on the actual area of the rezoning, the overall retail development will provide approximately 35.6% open space, will provide landscaping and habitat restoration for portions of the EQC, which exceeds the minimum requirements of Article 13.

Increase in FAR (Sect. 9-618)
(RZ 2001-SU-015)

In accordance with this provision, the Board may approve an increase in the maximum FAR, in accordance with the maximum FAR set forth in the requested zoning district. The C-8 District permits an increase in FAR up to a 0.70, which is what the applicant is requesting. As previously discussed, the purpose of this rezoning is to incorporate the additional parcels into the overall retail center. Consequently, although the FAR of the rezoning parcel on its own is 0.70, the combined FAR is approximately 0.16. The applicant proposes to develop the RZ and PCA properties with a common site plan and has proposed joint proffer commitments for both applications; staff therefore believes that the requested increase in FAR is appropriate.

Waiver of Service Drive Requirement along Route 28 Frontage
(PCA 95-Y-016-2 and SEA 95-Y-024)

As previously discussed, the service drive requirement along the Route 28 frontage of the subject property was previously waived as part of the original approval of RZ 95-Y-016 and SE 95-Y-024. Although the site design is being amended with the current requests, the general intensity has not increased and circulation patterns remain similar. There is no existing or planned service drive connection along Route 28 either to the north or the south of the application properties; therefore, staff believes that the requested waiver is appropriate.

Waiver of the Transitional Screening and Modification of the Barrier Requirement to the East (RZ 2001-SU-016)

RZ 2001-SU-016 requires provision of Transitional Screening 1 and a Barrier A, B or C to the property to the east (which is part of the concurrent PCA application) and is zoned C-8. Section 13-304 of the Zoning Ordinance provides that both the transitional screening and barrier requirements may be either waived or modified between uses which are to be developed under a common development or site plan, and also where the adjoining property is to be used for a public purpose other than a school or hospital. The adjoining parcel is a portion of the concurrent PCA/SEA application site and consists of EQC/RPA, which the applicant has proposed to dedicate to the Park Authority as part of the County's stream valley park system. This area will be preserved in its natural state, which consists of dense vegetation. The applicant is proposing a minimum six foot tall fence along the boundary of his property, and no supplemental plantings. In this situation, in light of the existing vegetation in this area, and the proposed preservation of the adjacent property as undisturbed open space, staff believes that the requested waiver and modification are appropriate.

Summary of Zoning Ordinance Provisions

All applicable standards have been satisfied with the draft proffers and proposed development conditions.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

PCA 95-Y-016-2, RZ 2001-SU-015 and SEA 95-Y-024 are concurrent applications which propose the development of a 388,425 sf retail center, to consist of general retail uses, an eating establishment, a drive-through bank, a fast food with drive-through facility (with an alternative plan for a second drive-through bank), and a service station, quick service food store with a free-standing car wash. In addition, the applicant is seeking reaffirmation of additional building height (for two hotel uses which are not a part of the application property, but which are included on the original SE site) and a waiver of certain sign regulations for two previously approved free-standing signs (one of which is not located on the application property, but which remains under the original SE approval). A total of approximately 35.6% open space will be provided, including a regional stormwater management facility and two areas of delineated tree preservation within the EQC. The applications are in harmony with the recommendations of the Comprehensive Plan, including the specific design standards for the Dulles Suburban Center (with the exception of the proposed site lighting), and are in conformance with the applicable Zoning Ordinance provisions.

RZ 2001-SU-016 is a concurrent request to rezone 1.38 acres from the C-8 District to the I-5 District, in order to facilitate the relocation of an existing motor vehicle impoundment facility (which is currently operating on a portion of the property being rezoned by RZ 2001-SU-015). The applicant is proposing to construct a 5,200 sf (0.09 FAR), one story structure and to pave the remainder of the lot for vehicle storage. Landscaping is proposed along the northern and western property boundaries of the site. This application is in harmony with the recommendations of the Comprehensive Plan (with the exception of the proposed site lighting) and in conformance with the applicable provisions of the Zoning Ordinance.

Recommendations

Staff recommends approval of PCA 95-Y-016-02 subject to the execution of proffers consistent with those found in Appendix 1.

Staff further recommends approval of a waiver of the service drive requirement along the Route 28 frontage of the site.

Staff recommends approval of RZ 2001-SU-015 subject to the execution of proffers consistent with those found in Appendix 1.

Staff further recommends approval of a waiver of the minimum open space requirement and approval of an increase in the FAR from 0.50 to 0.70 on the property subject to RZ 2001-SU-015.

Staff recommends approval of RZ 2001-SU-016 subject to the execution of proffers consistent with those found in Appendix 2.

Staff further recommends approval of a waiver of the transitional screening requirement and a modification of the barrier requirement to the east of the property subject to RZ 2001-SU-016, in favor of the treatment depicted on the GDP.

Staff recommends approval of SEA 95-Y-024 subject to the development conditions found in Appendix 3.

Staff further recommends a waiver of the service drive requirement along the Route 28 frontage of the property.

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

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

APPENDICES

1. Proposed Proffers; PCA 95-Y-016-02/RZ 2001-SU-015
2. Proposed Proffers; RZ 2001-SU-016
3. Proposed Development Conditions; SEA 95-Y-024
4. Affidavit
5. Statement of Justification
6. Proffers; RZ 82-S-080
7. Proffers and approved GDP; RZ 95-Y-016
8. Development Conditions and approved SE Plat; SE 95-Y-024
9. Proffers and approved GDP; PCA 95-Y-016
10. Development Conditions and approved SE Plat; SE 98-Y-001
11. Transportation Analysis
12. Environmental Analysis
13. Land Use Analysis
14. Park Authority Analysis
15. Water Service Analysis
16. Sewer Service Analysis
17. Fire and Rescue Service Analysis
18. Stormwater Planning Analysis
19. Zoning Ordinance Provisions
20. Glossary



PROFFERS

PCA 95-Y-016-2
RZ 2001-SU-015

September 25, 2001

Pursuant to Section 2-2303(a), *Code of Virginia*, 1950 as amended, and subject to the Board of Supervisors approval of the requested Proffered Condition Amendment on property identified as 34-3 ((1)) pt. 7B, 7C, pt. 7D, pt. 19, 26, 33, 33A and the requested rezoning from I-3 and I-5 to C-8 on property identified as Tax Map 34-3 (91)) 27, 28 and 29 (hereinafter referred to as the "Application Property"), the Applicant and owners for themselves, successors and assigns proffer that the development of the Application Property shall be subject to approved proffers dated August 5, 1996 and March 13, 1998, which shall remain in full force and effect except as amended below.

1. **EXHIBITS** – [Revised to read]

a. [Add the following new text to the existing paragraph]

However, subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance (hereinafter referred to as "Zoning Ordinance"), development of that portion of the Application Property including the EQC and land south of the EQC shall be in substantial conformance with the following exhibits:

- i. The Generalized Development Plan and Special Exception Plat (GDP/SE Plat), Sheets 1 and 5 of 16, prepared by VIKA, Incorporated, dated February 26, 2001 as revised through September 25, 2001.
- ii. Landscape Plan, Sheet 6 of 16, dated February 26, 2001, revised through September 25, 2001, prepared by VIKA, Incorporated.
- iii. Lake and Lake Edge Treatment, Sheet 7 of 16, dated February 26, 2001, revised through September 25, 2001, prepared by VIKA, Incorporated.

b. The following illustrative exhibits are submitted with these proffers for illustrative purposes only. Final design details may change at the time of site plan submission, but shall be generally consistent in character with that depicted on the illustrative exhibits. Specific features such as architecture, building entry features, and peripheral parking lot landscaping will be provided throughout the site in accordance with proffered paragraphs and proffered exhibits.

- i. No change.
- ii. No change.

- iii. No change.
- iv. Sign Location Sketches, Sheet 8 of 16, dated September 25, 2001, prepared by VIKA Incorporated.
- v. Proposed Road Improvements, Sheet 9 of 16, dated September 25, 2001, prepared by VIKA Incorporated.
- vi. Illustrative Details and Individual Use Enlargements on Sheets 11, 12, 13, and 14 prepared by VIKA, Incorporated dated July 31, 2001 and revised through September 25, 2001.
- vii. Illustrative Architectural Elevation: Building B-2 on Sheet 6 of 16 prepared by VIKA Incorporated and dated September 25, 2001.

c. [No change]

d. [No change]

2. **USES** – [Revised to read]

- a. It is the intent of the Applicant to seek Special Exception (SE) and Special Permit (SP) approvals for Buildings, B-2, B-3, D, J and I on the site, as shown on the GDP/SE Plat. However, the Applicant shall not be limited to seek only those SE or SP uses identified on the GDP/SE Plat. The Applicant may request SE or SP uses or uses otherwise permitted by the Zoning Ordinance or by interpretation without a Proffered Condition Amendment, provided there is no increase in the maximum FAR of 0.22 and there are no changes in layout except as may be permitted under Section 18-204.

The Applicant shall comply with the parking as required in the Zoning Ordinance and shall provide an updated parking tabulation with each site plan, as may be required by DPWES.

- b. No change.

3. **TRANSPORTATION**

- a. [Revised Paragraph 3.a.ii. to read] The Applicant shall construct frontage improvement to Lee Road measuring 35 feet from the existing centerline, within the dedicated right-of-way as approved by DPWES and VDOT and as shown on Sheet 9

of the GDP. In order to provide an appropriate transition from the proposed frontage improvements to the existing two lane section of Lee Road south of Penrose Place, the Applicant shall construct off-site improvements to the east side of Lee Road south of its intersection with Penrose Place as shown on the GDP/SE Plat. Construction of Lee Road frontage improvements between Route 50 and Entrance A, including a right turn lane at Entrance A shall occur coincident with the first phase of construction. Construction of the remainder of Lee Road improvements south of Entrance A shall occur with each subsequent phase of development. However, all Lee Road improvements shall be completed prior to the issuance of any Non-RUP for Building A and B-1. The Applicant shall construct a five-foot concrete sidewalk within the right-of-way north of Penrose Place.

- b. No change.
- c. Penrose Place: [Revised to read]
 - i. Applicant shall dedicate and convey in fee simple to the Board right-of-way along the Application Property's Penrose Place frontage measuring 26 feet from the existing center line, and shall dedicate right-of-way to accommodate the relocation of the intersection of Penrose Place and Lee Road, as shown on the GDP/SE Plat. Dedication shall be made at the time of first site plan approval for Buildings A and B-1 or upon demand from Fairfax County whichever shall occur first.
 - ii. Applicant shall construct frontage improvements to Penrose Place measuring 19 feet from face of curb to the existing centerline, construct the realigned approach to Lee Road, and construct the cul-de-sac at the eastern terminus of Penrose Place, as approved by VDOT and shown on the GDP/SE Plat. Such improvements shall occur coincident with development of the portions of the Application Property adjacent to the improvements.
 - iii. Applicant shall scarify and remove the existing asphalt pavement in the abandoned portion of Penrose Place, properly prepare the soil, and restore those portions shown as open space on the GDP/SE Plat to their natural vegetated or landscaped state as determined by the Urban Forester/DPWES. Such work shall be implemented prior to issuance of a Non-Residential Use Permit for Building A.
- d. No change.

4. **PEDESTRIAN CONNECTIONS** – [Revised to read]
 - a. Pedestrian connections shall be provided throughout the development linking together individual buildings and providing connections to adjacent development as depicted on Sheets 5 and 6 of 16 of the GDP/SE Plat prepared by Dewberry & Davis for the portion north of the EQC and Sheets 4, 6 and 10 of the GDP/SE Plat prepared by VIKA Incorporated on the EQC and portions south. Such connections shall consist of a combination of sidewalks, special pavings, asphalt trails and clearly marked pedestrian crosswalks as determined by DPWES.
 - b. No change.

5. **LANDSCAPING AND OPEN SPACE** – [Revised to read]
 - a. Applicant shall provide landscaping on the Application Property in accordance with that shown on Sheets 6, 11, 12, 13 and 14 on the GDP/SE Plat. A Landscape Plan shall be submitted to the Urban Forester/DPWES for review and approval. Such Plan shall provide for a consistent design theme in order to create a visually unified development. The exact location of the proposed plantings may be modified as necessary for the installation of utilities, VDOT requirements and tenant requirements in coordination with the Urban Forester/DPWES but shall, at a minimum, provide for the character, quality, caliper, height and quantity of plantings depicted on the GDP/SE Plat.
 - b. No change.
 - c. No change.
 - d. [Revised to read] Applicant shall preserve the Environmental Quality Corridor (EQC) shown on the GDP traversing the Application Property from Route 50 to the internal circulation road. The EQC shall remain undisturbed with the exception of permitted encroachments to allow necessary installation of utilities and trails. If the location of utilities within the EQC is necessary, as determined by DPWES, all crossings shall be coordinated with the Urban Forester/DPWES to minimize disturbance. The area of disturbance for the installation of utilities shall be revegetated by the Applicant subject to the approval of the applicable utility companies.
 - e. [Revised to read] The remainder of the EQC as shown on the GDP may be utilized for the storm water management facility and aerating fountains, two road crossings,

and the lake and the lake edge treatments illustrated on Sheet 7 of 16 of the GDP/SE Plat prepared by VIKA Incorporated. The outfall area located south of Entrance C shall be revegetated with native species of wildlife habitat plantings in a sufficient quantity to reforest this area as determined by the Urban Forester.

- f. [Revised to read] In conjunction with site plan approval for Building A, the Applicant shall remove debris located within the Resource Protection Area (RPA) identified on the GDP in the southeast portion of the Application Property and shall restore the area to native vegetation as may be determined by the Urban Forester/DPWES.
- g. [New] Prior to the issuance of a Non-RUP for Building A, the Applicant shall dedicate in fee simple or easement the portion of the Application Property located south of Penrose Place that is classified as Environmental Quality Corridor. This dedication is made for park purposes. However, the Applicant reserves the right to: (1) maintain a sign easement and requisite access easements to the proposed sign located along Route 28; (2) reserve density credit in accordance with provisions of Paragraph 4 of Section 2-308 of the Zoning Ordinance; and (3) include the area of dedication in its open space calculations.

6. DESIGN ELEMENTS

- a. No change.
- b. No change
- c. [Revised to read] Two freestanding signs shall be provided to identify the project. One sign shall be located at the intersection of Route 50 and Lee Road; the other sign shall be located along Route 28, as shown on the GDP/SE Plat. In addition, one monument sign shall be permitted for identification of the service station identified as Building B-3.
- d. No change.
- e. No change.

7. STORM WATER MANAGEMENT – [Revised to read]

- a. Applicant shall design and construct a regional storm water management facility designed to meet Best Management Practices in a location as generally shown on the GDP/SE Plat, in accordance with the Department of Public Works and

Environmental Services (DPWES) requirements. The regional pond shall be constructed as a “wet” pond in accordance with plans and specifications approved by DPWES. Existing interim conservation easements shall be vacated once the regional pond is bonded.

- b. The Applicant reserves the right to phase the construction of the proposed regional storm water management pond to coincide with phased construction of the proposed development as approved by DPWES. However, prior to the issuance of a Non-RUP for either Building A or B-1, the regional pond shall be designed and bonded to accommodate its ultimate capacity. Further, the pond shall be substantially complete and operational and procedures for the transfer of the pond to the County in process within one year of issuance of the Non-RUP for either Building A or Building B-1.
- c. Based on the regional nature of the pond, the Applicant shall be entitled to reimbursement through a pro-rata share agreement administered by DPWES.

8. **SEVERABILITY** – No change.

9. **ARCHAEOLOGY** – No change.

10. **SEWER EXTENSION** – No change.

11. [Deleted and replaced with the following]

ENVIRONMENTAL TESTING – Prior to site plan approval, the Applicant shall submit a Phase 1 Environmental Investigation of Tax Map 34-3 ((1)) 29 to DPWES and the Fairfax County Health Department (“Health Department”) for review and approval. This investigation shall be generally consistent with the procedures described within the American Society for Testing and Materials document entitled “Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process”. If warranted by the results of the Phase I investigation, as determined by DPWES and the Health Department, the Applicant shall institute a Phase II monitoring program to determine if soil, surface water or groundwater contaminants are present on the property. If contaminants are detected on Parcel 29 or abutting properties identified as Tax Map 34-3 ((1)) 7B, 26 or 28 in concentrations requiring remedial action, a remediation program coordinated with, and approved by, DPWES and the Health Department shall be performed in accordance with applicable federal, state, and County requirements. Sufficient documentation of completion of the remediation program or an appropriate corrective action plan shall be provided to DPWES and the Health Department prior to site plan approval for Parcel 29.

12. [Deleted and replaced with the following]

PROFFERS
PCA 95-Y-016-2
RZ 2001-SU-015
Page 7

SITE LIGHTING – Parking lot lighting on the Application Property located south of the EQC shall be a maximum of 35 feet in height and shall utilize full cut-off fixtures in order to minimize glare and light trespass. Building/security lights shall also utilize full cut-off lighting fixtures a maximum of 20 feet in height.

13. [New]
BICYCLE FACILITIES – The Applicant shall provide a minimum of three bicycle parking racks in the area south of the EQC in accordance with the detail shown on Sheet 13 of the GDP/SE Plat.

[SIGNATURES BEGIN ON NEXT PAGE]

PROFFERS
PCA 95-Y-016-2
RZ 2001-SU-015

APPLICANT/CONTRACT PURCHASER

STARWOOD CERUZZI II, L.L.C.

By: Louis L. Ceruzzi, Jr.
Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

PROFFERS
PCA 95-Y-016-2
RZ 2001-SU-015

TITLE OWNER OF TAX MAP 34-3 ((1))
PT. 7B, 7C, PT. 19, 26, 33, 33A

CHANTILLY 50-28 ASSOCIATES LIMITED
PARTNERSHIP

BY: LOMAR II INVESTMENTS, INC., its
General Partner

By: Louis L. Glickfield
Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

PROFFERS
PCA 95-Y-016-2
RZ 2001-SU-015

TITLE OWNER OF TAX MAP 34-3 ((1))
PT. 7D

ESA VIRGINIA, INC.

By: Shawn R. Ruben
Its: Vice President, Development

[SIGNATURES END]

PROFFERS

RZ 2001-SU-016

September 25, 2001

Pursuant to Section 2-2303(a), *Code of Virginia*, 1950 as amended, and subject to the Board of Supervisors approval of the requested rezoning from C-8 to I-5 on property identified as Tax Map 34-3 ((1)) pt. 33 and pt. 33A (hereinafter referred to as the "Application Property"), the Applicant and owners, for themselves, successors and assigns, proffer that the development of the Application Property shall be in keeping with the following:

1. Development Plan. Development of the Application Property shall be in substantial conformance with Sheet 15 of the Generalized Development Plan ("GDP") prepared by VIKA, Incorporated dated February 26, 2001, as revised through September 25, 2001.
2. Minor Deviations. Pursuant to Paragraph 5 of Section 18-204 of the Zoning Ordinance, minor modifications from the GDP may be permitted as determined by the Zoning Administrator. The Applicant shall have the flexibility to modify the layout shown on the GDP without requiring approval of an amended GDP provided such changes are in substantial conformance with the GDP, and do not increase the total gross floor area approved, decrease the amount of open space, or significantly alter the access points.
3. Density Credit. Advanced density credit shall be reserved as may be permitted by the provisions of Paragraph 5 of Section 2-308 of the Fairfax County Zoning Ordinance for all eligible dedications described herein or as may be required by Fairfax County or the Virginia Department of Transportation (VDOT) at time of site plan approval.
4. Use. The primary use of the Application Property shall be limited to a motor vehicle storage and impoundment yard with accessory uses as permitted including vehicle service and maintenance permitted for company-owned vehicles.
5. Landscape Plan. A landscape plan shall be submitted as part of the site plan and shall be coordinated with and approved by the Urban Forester. The landscape plan shall generally conform with the landscape and screening shown on the GDP.
6. Penrose Place. The Applicant shall dedicate and convey in fee simple to the Board of Supervisors right-of-way along the Application Property's Penrose Place frontage measuring 26 feet from the existing centerline and right-of-way necessitated for the proposed cul-de-sac, as generally shown on GDP. Dedication shall be made at the time of final site plan approval or upon demand from Fairfax County whichever shall occur first.

The Applicant shall construct frontage improvements to Penrose Place measuring 19 feet from face of curb to the existing center line, and construct the cul-de-sac at the eastern

terminus of Penrose Place, as approved by VDOT and shown on the GDP. Such improvements shall occur coincident with development of the Application Property.

7. Stormwater Management. Best Management Practices (BMPs) requirements for the Application Property shall be provided in the Regional Stormwater Management Facility being constructed on Tax Map 34-3 ((1)) 7B and 19. Interim BMPs controls shall be provided as determined by DPWES. Quantity control for the Application Property shall be provided in an underground pipe system. In order to address site- specific hydrocarbon controls, the Applicant shall install a "Vortechinics" device with an oil/grit chamber and baffle device or an alternate quality control system as approved by DPWES. The Applicant shall construct the impoundment lot with curb and gutter to ensure that all parking lot drainage is directed through the quality control device.
8. Architectural Materials. The front façade of the proposed structure facing Penrose Place shall be constructed of either face brick, architectural concrete block, architectural metal panels, architectural pre-cast concrete stone, exterior insulation and finish system (E.I.F.S.) or glass.
9. Temporary Trailer. The Applicant shall be permitted to operate its business from a temporary trailer on-site for a period of up to one year from site plan approval, while the permanent structure is constructed.
10. Fencing. The Applicant shall construct a minimum six-foot fence around the paved impoundment lot to the rear of the structure. The portion of the fence along the Application Property's western boundary shall be constructed of chain link with inserts in the fence fabric, solid wood, or other solid fence materials.
11. Lighting. Security and site lighting shall utilize full cut-off lighting fixtures in order to minimize glare and light trespass. Pole lighting shall be a maximum of 35 feet in height.
12. Successors and Assigns. These proffers will bind and inure to the benefit of the Applicant and his successors and assigns.
13. Counterparts. These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original document and all of which taken together shall constitute but one in the same instrument.

PROFFERS
RZ 2001-SU-016

APPLICANT/CONTRACT PURCHASER
OF TAX MAP 34-3 ((1)) PT. 33, PT. 33A

STARWOOD CERUZZI II, L.L.C.

By: Louis L. Ceruzzi, Jr.
Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

PROFFERS
RZ 2001-SU-016

TITLE OWNER OF TAX MAP 34-3 ((1))
PT. 33, PT. 33A

CHANTILLY 50-28 ASSOCIATES LIMITED
PARTNERSHIP

BY: LOMAR II INVESTMENTS, INC., its
General Partner

By: Louis L. Glickfield
Its: President

[SIGNATURES CONTINUE ON NEXT PAGE]

PROFFERS
RZ 2001-SU-016

CONTRACT PURCHASERS OF TAX MAP 34-3
((1)) PT. 33, PT. 33A

Woodrow W. Herring, Jr.

Carol D. Herring

[SIGNATURES END]



PROPOSED DEVELOPMENT CONDITIONS

SEA 95-Y-024

September 26, 2001

If it is the intent of the Board of Supervisors to amend SE 95-Y-024 located at Tax Maps 34-3 ((1)) 7B pt, 7C, 7D pt, 19 pt, 26, 27, 28, 29, 33 pt and 33A pt, previously approved for an increase in building height and a waiver of certain sign regulations, to permit an increase in building height and a waiver of certain sign regulations; addition and deletion in land area; a drive-through bank, a fast food restaurant (with an alternative plan for a second drive-through bank and a service station/quick service food store/car wash pursuant to Sect. 9-607, 9-620, and 4-804 of the Fairfax County Zoning Ordinance, then staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These development conditions shall supercede any previous development conditions for the area subject to this application only. Conditions which are substantively the same and which have been carried forward from previous applications are indicated with an asterisk *.

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.*
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions. *
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the 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 "Chantilly Crossing," prepared by VIK A Incorporated, consisting of sixteen sheets and dated February 7, 1995 as revised through September 25, 2001 and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. Any portion of the property may be subject to a Special Exception Amendment without joinder and/or consent of the other portion of the property if such Special Exception Amendment does not affect any other portion of the property, as determined by the Zoning Administrator. Previously approved development conditions applicable to the portion of the property not subject to the Special Exception Amendment shall otherwise remain in full force and effect.*
5. All signage on the subject property shall conform with the provisions of Article 12 "Signs" of the Zoning Ordinance, with the exception that one freestanding

identification sign for the development shall be permitted in the style, size and location as depicted on Sheet 8 of the combined GDP/SE Plat; irregardless of the dimensions of the sign depicted on Sheet 8, the sign shall not exceed a height of 20 feet and a total sign area of 200 sf. The sign area for this sign shall be calculated in accordance with the provisions of Par. 3 of Sect. 12-205 of the Zoning Ordinance. This sign shall be limited to identifying the proposed development and a maximum of five individual tenants. Consistent letter treatment in terms of size and color shall be provided for all lettering on the sign.*

6. Changes to the sign face of the free-standing identification sign shall require approval of a sign permit in accordance with Article 12 of the Zoning Ordinance, but shall not require a Special Exception Amendment, provided that consistent letter treatment is maintained. Increases in sign area and/or height shall require approval of a Special Exception Amendment.*
7. One free-standing monument-style motor vehicle fuel price sign shall be permitted for the proposed service station, and shall be limited to a maximum sign area of twenty (20) feet and a maximum height of eight (8) feet from grade. No vendor name shall be permitted on the fuel price sign. All signs shall be either interior lit, or shall be lit downward.
8. The service station/quick service food store/car wash, fast food restaurant (or alternative drive-through bank) and eating establishment/retail pad sites shall be designed in accordance with the design elements set forth in Proffer #6 of PCA 95-Y-016-02 and consistent with the building elevations of the proposed retail center depicted on Sheet 16 of the combined GDP/SE Plat.
9. The entrance to the service station/quick service food store/car wash from Lee Road shall not exceed 30 feet in width and shall be constructed to VDOT standards.*
10. Any food sales for the quick service food store deemed to be a fast food operation by Zoning Ordinance definition, shall be permitted only as an accessory use to the store, and no seating shall be permitted. The sale of alcoholic beverages shall be prohibited.*
11. If required by DPWES at time of site plan approval, the applicant shall implement an on-site water quality facility at an appropriate location, that has the capability of isolating toxic substances and preventing groundwater contamination. The design and location of such a facility shall be subject to review and approval by DPWES.
12. Seating for the fast food drive-through restaurant shall not exceed a total of 100 seats.
13. The fast food drive-through restaurant and service station/quick service food store

shall be policed by the applicant/operator for trash/litter removal twice per day. The trash dumpsters shall be screened and dumpster lids shall remain closed at all times when not in use.

14. Clearly marked pedestrian crossings for parking areas for the service station and fast food drive-through sites shall be maintained where necessary across travel aisles as depicted on Sheet 11 of the combined GDP/SE Plat and as determined by DPWES.
15. The number and dimensions of stacking spaces and parking spaces shall be provided for the drive-in bank, service station/quick service food store/car wash, and fast food drive-through restaurant in conformance with Article 11 of the Zoning Ordinance and the Public Facilities Manual, as determined by DPWES. A nonresidential use permit shall not be issued for the proposed uses unless and until adequate parking, stacking and loading spaces are provided.

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.



REZONING AFFIDAVIT

DATE: February 26, 2001
(enter date affidavit is notarized)

I, Elizabeth D. Baker, agent, do hereby state that I am an
(enter name of applicant or authorized agent)

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

2001-60

in Application No(s): RZ 200-SU-015
(enter County-assigned application number(s), e.g. RZ 88-V-001)

and that to the best of my knowledge and belief, the following information is true:

1. (a) The following constitutes a listing of the names and addresses of all
APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS and LESSEES of the land described
in the application, and if any of the foregoing is a TRUSTEE*, each BENEFICIARY
of such trust, and all ATTORNEYS and REAL ESTATE BROKERS, and all AGENTS who have
acted on behalf of any of the foregoing with respect to the application:

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

Table with 3 columns: NAME, ADDRESS, RELATIONSHIP(S). Includes entries for Starwood Ceruzzi II, L.L.C. and Chantilly 50-28 Associates Limited Partnership.

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

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

NOTE: This form is also for Final Development Plans not submitted in conjunction with Conceptual
Development Plans.

Rezoning Attachment to Par. 1(a)

DATE: February 26, 2001
(enter date affidavit is notarized)

for Application No(s): RZ 2001-54-015
(enter County-assigned application number(s))

2001-60

(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 Numbers(s) of the parcel(s) for each owner.)

Table with 3 columns: NAME, ADDRESS, RELATIONSHIP(S). Includes entries for Woodrow W. Herring, Jr., VIKA, Incorporated, M.J. Wells & Associates, L.L.C., and Walsh, Colucci, Stackhouse, Emrich & Lubeley, PC.

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

REZONING AFFIDAVIT

DATE: February 26, 2001
(enter date affidavit is notarized)

for Application No(s): RZ 2001-SU-015 2001-60
(enter County-assigned application number(s))

1. (b). The following constitutes a listing** of the SHAREHOLDERS of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders, and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation

(NOTE: Include sole proprietorships herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Starwood Ceruzzi II, L.L.C.
7200 Wisconsin Avenue, #1002
Bethesda, MD 20814

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

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

/ SOF-VI Opportunity Trust, Member
Z Ceruzzi Holdings L.L.C., Managing Member

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

Louis L. Ceruzzi, Jr., President

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

** All listings which include partnerships or corporations must be broken down successively until (a) only individual persons are listed, or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of the stock. Use footnote numbers to designate partnerships or corporations which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Rezoning Attachment to Par. 1(b)

DATE: February 26, 2001
(enter date affidavit is notarized)

for Application No(s): RZ 2001-SU-015
(enter County-assigned application number(s))

2001-60

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

SOF-VI Opportunity Trust
1720 Post Road
Fairfield, CT 06430

DESCRIPTION OF CORPORATION: (check one statement)

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

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

3 SOF-VI U.S. Holdings L.L.C.

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

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

3 SOF-VI U.S. Holdings L.L.C.
1720 Post Road
Fairfield, CT 06430

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

Barry S. Sternlicht, Chairman, President & CEO
Jeffrey R. Rosenthal, EVP & COO
Jerome C. Silvey, EVP, CFO, Secretary
Ellis F. Rinaldi, EVP
Madison F. Grose, Senior Managing Director
Merrick R. Kleeman, Senior Managing Director
Jeffrey G. Dishner, Managing Director
Karl W. Frey, Managing Director

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

DATE: February 26, 2001
(enter date affidavit is notarized)

for Application No(s): RZ 2001-SU-015 2001-60
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
2 Ceruzzi Holdings L.L.C.
1720 Post Road
Fairfield, CT 06430

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

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)
Louis L. Ceruzzi, Jr., Member
Terese M. Ceruzzi, Member

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

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
4 Lomar II Investments, Inc.
5650 General Washington Drive
Alexandria, VA 22312

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

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)
Louis L. Glickfield

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice-President, Secretary, Treasurer, etc.)
Louis L. Glickfield, President, Treasurer and Sole Director
Steven H. Schram, VP Adam S. Glickfield, VP
Neal J. Glickfield, VP Rosemary G. Dean, Secretary

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

Rezoning Attachment to Par. 1(b)

DATE: February 26, 2001
(enter date affidavit is notarized)

for Application No(s): RZ 2001-SU-015
(enter County-assigned application number(s))

2001-60

5 NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
NAI II, Inc.
1019 Basil Road
McLean, VA 22101

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Patricia A. Norton

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

Philip G. Norton, President, Secretary, Treasurer and Sole Director

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

M. Wells & Associates, L.L.C.
1420 Spring Hill Road, Suite 600
McLean, Virginia 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

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

M.J. Wells & Associates, Inc.
Terence J. Miller & Associates, Inc.

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

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

Rezoning Attachment to Par. 1(b)

DATE: February 26, 2001
(enter date affidavit is notarized)

for Application No(s): RZ 2001-SU-015 2001-60
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
M.J. Wells & Associates, Inc.
1420 Spring Hill Road, Suite 600
McLean, Virginia 22102

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

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)
Martin J. Wells
Carol Sargeant (nmi)

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

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Terence J. Miller & Associates, Inc.
1420 Spring Hill Road, Suite 600
McLean, Virginia 22102

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

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)
Terence J. Miller

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

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

Rezoning Attachment to Par. 1(b)

DATE: February 26, 2001
(enter date affidavit is notarized)

for Application No(s): RZ 2001-81-015
(enter County-assigned application number(s))

2001-60

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
VIKA, Incorporated
8180 Greensboro Drive, Suite 200
McLean, VA 22102

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

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

Charles Irish, Jr. (nmi)
John F. Amatetti

(Empty lines for shareholder names)

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

(Empty lines for officer and director names)

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Walsh, Colucci, Stackhouse, Emrich & Lubeley, P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

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

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

Martin D. Walsh
Thomas J. Colucci
Peter K. Stackhouse
Jerry K. Emrich
Michael D. Lubeley -
Nan E. Terpak -

(Empty lines for shareholder names)

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

(Empty lines for officer and director names)

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

REZONING AFFIDAVIT

DATE: February 26, 2001
(enter date affidavit is notarized)

for Application No(s): RZ 2001-SU-015 2001-60
(enter County-assigned application number(s))

1. (c). The following constitutes a listing** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

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

Chantilly 50-28 Associates Limited Partnership
5650 General Washington Drive
Alexandria, VA 22312

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

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

General Partners:

- 4 Lomar II Investments, Inc.
5 NAI II, Inc.

Limited Partners:

- Steven H. Schram - Murlin Altoft
5 NAI, II, Inc. - James Pantos
Trust for the benefit of Marilyn F. Glickfield and Descendants - Dennis Hoy
Beneficiaries: - Tim Connors
Marilyn F. Glickfield - Gail Stern
Neal J. Glickfield - Joel Rishty
Cheryl Numark - Louis L. Glickfield
Marla Schram - Adam S. Glickfield
Adam S. Glickfield
Lauren Schram
Brian Schram
Neal J. Glickfield
Trust for the benefit of Irma Gross and Descendants
Beneficiaries:
Irma Gross
Michelle Post
Addison Gross

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

** All listings which include partnerships or corporations must be broken down successively until (a) only individual persons are listed, or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of the stock. Use footnote numbers to designate partnerships or corporations which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

REZONING AFFIDAVIT

DATE: February 26, 2001
(enter date affidavit is notarized)

for Application No(s): RZ 2001-54-015 2001-60
(enter County-assigned application number(s))

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

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

None

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

3. That within the twelve-month period prior to the filing of this application, no member of the Fairfax County Board of Supervisors or Planning Commission or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary deposit or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of \$200 or more, with any of those listed in Par. 1 above.

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

None

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

4. That the information contained in this affidavit is complete and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

Elizabeth D. Baker

(check one) [] Applicant [x] Applicant's Authorized Agent

Elizabeth D. Baker, agent
(type or print first name, middle initial, last name & title of signee)

Subscribed and sworn to before me this 26 day of February, 2001, in the State/Comm. of Virginia, County/City of Arlington.

Notary Public

My commission expires: 11/30/2003

REZONING AFFIDAVIT

DATE: February 26, 2001
(enter date affidavit is notarized)

I, Elizabeth D. Baker, agent, do hereby state that I am a
(enter name of applicant or authorized agent)

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

in Application No(s): RZ 2001-SU-016
(enter County-assigned application number(s), e.g. RZ 88-V-001)

and that to the best of my knowledge and belief, the following information is true

1. (a) The following constitutes a listing of the names and addresses of all
APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS and LESSEES of the land described
in the application, and if any of the foregoing is a TRUSTEE*, each BENEFICIARY
of such trust, and all ATTORNEYS and REAL ESTATE BROKERS, and all AGENTS who ha
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
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.)

Table with 3 columns: NAME, ADDRESS, RELATIONSHIP(S). Includes entries for Starwood Ceruzzi II, L.L.C. and Chantilly 50-28 Associates Limited Partnership.

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

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

NOTE: This form is also for Final Development Plans not submitted in conjunction with Conceptual
Development Plans.

Rezoning Attachment to Par. 1(a)

DATE: February 26, 2001
(enter date affidavit is notarized)

for Application No(s): 122 2001-SU-016
(enter County-assigned application number(s))

2001-59

(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 Numbers(s) of the parcel(s) for each owner.)

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD in Par. 1(a))
VIKA, Incorporated Agents: John F. Amatetti Matthew J. Tauscher	8180 Greensboro Drive, Suite 200 McLean, Virginia 22102	Engineers/Agent
M.J. Wells & Associates, L.L.C. Agents: Martin J. Wells Robin L. Antonucci	1420 Spring Hill Road, Suite 600 McLean, Virginia 22102	Transportation Consultant/ Agent
Walsh, Colucci, Stackhouse, Enrich & Lubeley, PC Agents: Martin D. Walsh Keith C. Martin M. Catharine Puskar Lynne J. Strobel Timothy S. Sampson Elizabeth D. Baker Susan K. Yantis Inda E. Stagg William J. Keefe Holly A. Tompkins	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent

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

4

REZONING AFFIDAVIT

DATE: February 26, 2001
(enter date affidavit is notarized)

2001-59

for Application No(s): RZ 2001-81-016
(enter County-assigned application number(s))

1. (b). The following constitutes a listing** of the SHAREHOLDERS of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders, and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation

(NOTE: Include sole proprietorships herein.)

CORPORATION INFORMATION

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

Starwood Ceruzzi II, L.L.C.
7200 Wisconsin Avenue, #1002
Bethesda, MD 20814

DESCRIPTION OF CORPORATION: (check one statement)

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

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

/ SOF-VI Opportunity Trust, Member
Z Ceruzzi Holdings L.L.C., Managing Member

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

Louis L. Ceruzzi, Jr., President

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

** All listings which include partnerships or corporations must be broken down successively until (a) only individual persons are listed, or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of the stock. Use footnote numbers to designate partnerships or corporations which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Rezoning Attachment to Par. 1(b)

DATE: February 26, 2001
(enter date affidavit is notarized)

for Application No(s): RZ 2001-8U-016 2001-59
(enter County-assigned application number(s))

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

1 SOF-VI Opportunity Trust
1720 Post Road
Fairfield, CT 06430

DESCRIPTION OF CORPORATION: (check one statement)

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

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

3 SOF-VI U.S. Holdings L.L.C.

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

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

3 SOF-VI U.S. Holdings L.L.C.
1720 Post Road
Fairfield, CT 06430

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

Barry S. Sternlicht, Chairman, President & CEO
Jeffrey R. Rosenthal, EVP & COO
Jerome C. Silvey, EVP, CFO, Secretary
Ellis F. Rinaldi, EVP
Madison F. Grose, Senior Managing Director
Merrick R. Kleeman, Senior Managing Director
Jeffrey G. Dishner, Managing Director
Karl W. Frey, Managing Director

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

DATE: February 26, 2001
(enter date affidavit is notarized)

for Application No(s): RZ 2001-84-016 2001-59
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
2 Ceruzzi Holdings L.L.C. ✓
1720 Post Road
Fairfield, CT 06430

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

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)
Louis L. Ceruzzi, Jr., Member
Terese M. Ceruzzi, Member

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

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
4 Lomar II Investments, Inc. ✓
5650 General Washington Drive
Alexandria, VA 22312

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

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)
Louis L. Glickfield

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice-President, Secretary, Treasurer, etc.)
Louis L. Glickfield, President, Treasurer and Sole Director
Steven H. Schram, VP Adam S. Glickfield, VP
Neal J. Glickfield, VP Rosemary G. Dean, Secretary

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

DATE: February 26, 2001
(enter date affidavit is notarized)

for Application No(s): RZ 2001-SU-016
(enter County-assigned application number(s))

2001-59

5 NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
NAI II, Inc.
1019 Basil Road
McLean, VA 22101

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

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)
Patricia A. Norton

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

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
M.J. Wells & Associates, L.L.C.
1420 Spring Hill Road, Suite 600
McLean, Virginia 22102

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

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)
M.J. Wells & Associates, Inc.
Terence J. Miller & Associates, Inc.

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

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

DATE: February 26, 2001
(enter date affidavit is notarized)

for Application No(s): RZ 2001-54-016
(enter County-assigned application number(s))

2001-59

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

M.J. Wells & Associates, Inc.
1420 Spring Hill Road, Suite 600
McLean, Virginia 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Martin J. Wells
Carol Sargeant (nmi)

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

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

Terence J. Miller & Associates, Inc.
1420 Spring Hill Road, Suite 600
McLean, Virginia 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Terence J. Miller

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

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

DATE: February 26, 2001
(enter date affidavit is notarized)

for Application No(s): RZ 2001-SU-016 2001-59
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
VIKA, Incorporated
8180 Greensboro Drive, Suite 200
McLean, VA 22102

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

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

Charles Irish, Jr. (nm)
John F. Amatetti

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

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

Walsh, Colucci, Stackhouse, Emrich & Lubeley, P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

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

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

Martin D. Walsh
Thomas J. Colucci
Peter K. Stackhouse
Jerry K. Emrich
Michael D. Lubeley -
Nan E. Terpak -

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

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

REZONING AFFIDAVIT

DATE: February 26, 2001
(enter date affidavit is notarized)

for Application No(s): RZ 2001-SU-016 2001-57
(enter County-assigned application number(s))

1. (c). The following constitutes a listing** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

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

Chantilly 50-28 Associates Limited Partnership
5650 General Washington Drive
Alexandria, VA 22312

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

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

General Partners:

4 Lomar II Investments, Inc.
5 NAI II, Inc.

Limited Partners:

Steven H. Schram
5 NAI, II, Inc.
Trust for the benefit of Marilyn F. Glickfield and Descendents
Beneficiaries:
Marilyn F. Glickfield
Neal J. Glickfield
Cheryl Numark
Marla Schram
Adam S. Glickfield
Lauren Schram
Brian Schram
Neal J. Glickfield
Trust for the benefit of Irma Gross and Descendants
Beneficiaries:
Irma Gross
Michelle Post
Addison Gross

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

** All listings which include partnerships or corporations must be broken down successively until (a) only individual persons are listed, or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of the stock. Use footnote numbers to designate partnerships or corporations which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

REZONING AFFIDAVIT

DATE: February 26, 2001
(enter date affidavit is notarized)

for Application No(s): RZ 2001-SU-016 2001-59
(enter County-assigned application number(s))

2. That no member of the Fairfax County Board of Supervisors or Planning Commission or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.
EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

None
(check if applicable) [] There are more interests to be listed and Par. 2 is continued on a "Rezoning Attachment to Par. 2" form.

3. That within the twelve-month period prior to the filing of this application, no member of the Fairfax County Board of Supervisors or Planning Commission or any member of his or her immediate household, either directly or by way of partnership in which any of them 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 deposit or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of \$200 or more, with any of those listed in Par. 1 above.
EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

None
(check if applicable) [] There are more disclosures to be listed and Par. 3 is continued on a "Rezoning Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature

Elizabeth D. Baker
(check one) [] Applicant [xx] Applicant's Authorized Agent

Elizabeth D. Baker, agent
(type or print first name, middle initial, last name & title of signee)

Subscribed and sworn to before me this 26 day of February, 2001, in the State/Comm. of Virginia, County/City of Arlington.

Notary Public signature

My commission expires: 11/30/2003

WALSH, COLUCCI, STACKHOUSE, EMRICH & LUBELEY

Elizabeth D. Baker
Land Use Coordinator
(703) 528-4700 x14
edbak@arl.wcsei.com

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
COURTHOUSE PLAZA, THIRTEENTH FLOOR
2200 CLARENDON BOULEVARD
ARLINGTON, VIRGINIA 22201-3359
(703) 528-4700
FACSIMILE (703) 525-3197
WEBSITE <http://www.wcsei.com>

PRINCE WILLIAM OFFICE
VILLAGE SQUARE
13863 OFFICE PLACE, SUITE 201
WOODBRIIDGE, VIRGINIA 22192-4218
(703) 680-4864
METRO (703) 690-4847
FACSIMILE (703) 690-2412

MANASSAS OFFICE
9324 WEST STREET, SUITE 300
MANASSAS, VIRGINIA 20110-5198
(703) 330-7400
METRO (703) 803-7474
FACSIMILE (703) 330-7430

LOUDOUN OFFICE
1 E. MARKET STREET, THIRD FLOOR
LEESBURG, VIRGINIA 20176-3014
(703) 737-3633
FACSIMILE (703) 737-3632

September 25, 2001

Ms. Barbara A. Byron, Director
Zoning Evaluation Division
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway
Suite 801
Fairfax, Virginia 22035-5505

RECEIVED
SEP 25 2001
PLANNING AND ZONING

Re: Applications for Proffered Condition Amendment, Rezoning and Special Exception Amendment
Applicant: Starwood Ceruzzi II L.L.C.
Tax Map 34-3 ((1)) pt. 7B, pt. 7D, pt. 19, 7C, 26, 27, 38, 29, 33 and 33A (the "Subject Property")

Dear Ms. Byron:

This letter serves as an amended statement of justification for the above-referenced applications. Starwood Ceruzzi II L.L.C. ("Starwood") is the applicant and contract purchaser of the Subject Property. Starwood seeks approvals to modify and augment the previous shopping center approval granted with RZ 95-Y-016. The changes proposed by the Applicant result in a more unified development with a more efficient and attractive site design than that currently approved.

Most of the Subject Property was rezoned to the C-8 District in 1996 via RZ 95-Y-016. PCA 95-Y-016 was approved in 1998, but made changes to only a small portion of the site. A total of 741,800 gross square feet of space was approved resulting in a .23 FAR. The approved development plan includes two hotels, a furniture store, 262,500 square feet of retail space and a mixture of eating establishments, a recreational facility and stand-alone special exception and/or special permit uses. An area of 2.26 acres (Parcels 27, 28 and 29) located off of Penrose Place was not included in the original application, as the applicant at that time did not control those properties. However, it was generally agreed that future inclusion of Parcels 27-29 would be a major benefit to the overall design. The approved proffers dated August 5, 1996 and as amended anticipated this potential addition. Starwood has contracted to purchase Parcels 27-29, and thus one of the major reasons for this request is to rezone Parcels 27-29 to the C-8 District and include them in the overall design.

The following summarizes the four concurrent applications sought by Starwood:

1. Rezoning from 1-3 and I-5 to C-8. The Applicant seeks to rezone 2.26 acres from the I-5 District to the C-8 District (Tax Map 34-3 ((1)) 27-29). Parcels 27 and 28 are currently undeveloped. Parcel 29 is occupied by Willow Springs Towing, a towing and vehicle impoundment use. It is the intent of Starwood to include these new parcels in the overall design and integrate them into the plans for the shopping center.
2. Rezoning from C-8 to I-5. Starwood asks to rezone 1.38 acres from the C-8 District to the I-5 District. This property is identified as Tax Map 34-3 ((1)) pt. 33 and pt. 33A and is located on the south side of Penrose Place, immediately adjacent to Tax Map 34-3 ((1)) 30. The purpose of the rezoning is to accommodate the relocation of Willow Springs Towing and its associated vehicle impoundment yard currently located on nearby Parcel 29. This will keep this business in the vicinity while placing it in a more appropriate location.
3. Proffered Condition Amendment (PCA). A partial PCA is requested on all land governed by RZ 95-Y-016 located within, and south of, the Environmental Quality Corridor (EQC) crossing the original rezoning area. A total of 55.38 acres is included (Tax Map 34-3 ((1)) pt. 7B, 7C, pt. 7D, pt. 19, 26, 33 and 33A). Land totaling 17.95 acres (north of the EQC) is not part of this application as no changes are proposed and Starwood has not contracted to purchase this area. The PCA seeks to:
 - a. Delete 1.38 acres of land (34-3 ((1)) pt. 33, pt 33A) to permit it to be rezoned to the I-5 District as outlined in Paragraph 2 above; and
 - b. Amend the development plan to incorporate a revised site layout and minor modifications to approved uses.
4. Special Exception Amendment. SE 95-Y-024 was approved in 1996 and permitted an increase in building height for two hotels north of the EQC, as well as modifications to the size and height of freestanding signs, one located along Route 28 and one located at the intersection of Route 50 and Lee Road. The Applicant seeks a partial SEA to:
 - a. Remove 1.38 acres (34-3 ((1)) pt. 33) from the special exception as this area is to be rezoned to the I-5 District;
 - b. Add 2.26 acres to the special exception (34-3 ((1)) 27-29) as this area is to be zoned C-8 and incorporated into the shopping center; and
 - c. Modify the approvals within and south of the EQC. No changes are proposed north of the EQC and hence this area is not included. The

increase in building height originally approved affected buildings north of the EQC. There is no proposal to change those approved heights, and no increase in building height is proposed south of the EQC.

Furthermore, no changes to the approved sign modifications are requested. The sign along Route 28 will remain as originally approved at 20 feet in height and 200 square feet in size. However, south of the EQC, Starwood proposes to add the following special exception uses:

- A service station with a quick service food store and car wash is proposed in the southwest corner of the Subject Property, directly at the intersection of Lee Road and Penrose Place. A service station and quick service food store was previously approved at this location via SE 98-Y-001. This application would replace and supersede SE 98-Y-001 and provide for an improved site design.
- A drive-through bank is proposed in the southwestern portion of the Subject Property and is identified as Building B-(5) on the accompanying GDP/SE Plat. This is a facility located “in-line” with other storefronts and will include two drive-thru lanes.
- A fast food eating establishment with drive-thru capability is proposed south of the EQC. This establishment is to be situated east of the main entrance road and will be connected to other areas of the center via a comprehensive sidewalk system. Alternatively this site may be developed as a drive-through bank. These alternative designs are depicted on Sheet 14 of the GDP/SE Plat.

Sheet 5 of the GDP/SE Plat illustrates the proposed site layout. Access to the site remains unchanged with access provided at three points on Lee Road and at several points along Penrose Place. The principal retail uses are sited at the southern portion of the Property, with parking provided between the uses and the EQC. A grouping of eating establishments and/or other retail uses are sited along the eastern boundary. The vehicle impoundment yard at the southern end of the site is discreetly placed out of general public view, however, has easy access to the public road network to efficiently conduct its operations.

The EQC is maintained as previously proffered with a regional stormwater management facility located in its western section. A pedestrian trail system adjacent to the pond as well as an enhanced water feature are proposed. Similarly, the Schneider Branch floodplain and RPA are preserved in the southeast corner of the site.

The original proffers ensuring a unified architectural design and restricted building materials remain and are reaffirmed. Fully shielded site lighting at 35 feet is designed to create a secure environment without an excessive number of poles. The lights will be below the canopy

of the shopping center trees when mature. The extensive landscaping on site will result in an attractive center for years to come.

For all proposed C-8 zoned portions of the Subject Property, a total of 388,425 gross square feet of building area is proposed. The resultant FAR is .16. However, adding these figures to the approved development north of the EQC (which is not part of this application) brings the total of all C-8 zoned land to 705,425 square feet on 74.21 acres for an overall C-8 FAR of approximately .22. This .22 FAR is slightly less than the currently approved density for the site of .23 FAR.

The proposed industrial zoning south of Penrose Place includes a vehicle impoundment yard and associated 5,200 square foot building. The FAR is .09. The impoundment yard is fenced for security purposes and screening is provided adjacent to Penrose Place and property to the west. The Applicant proposes to construct the front façade of the proposed building in materials compatible with those being used in the shopping center.

The following is a written statement describing the proposed special exception uses, giving all pertinent data:

1. Service Station

- A. Type of Operation: Service station with eight (8) multiple dispenser pumps under a canopy and two buildings housing a quick service food store and car wash totaling approximately 4,000 square feet.
- B. Hours of Operation: 24 hours a day, seven days a week.
- C. Estimated Number of Patrons: The combined uses will generate approximately an average of 500 patrons on a daily basis.
- D. Proposed Number of employees: There will be a maximum of two (2) employees at any one time.
- E. Estimate of Traffic Impact: The proposed use is anticipated to generate a maximum average of 1,000 vehicular trips per day. The AM peak hours of 7:00 a.m. to 9:00 a.m. will generate approximately 150 vehicular trips per hour and PM peak hours of 4:00 p.m. to 6:00 p.m. will generate approximately 100 vehicular trips per hour.
- F. Vicinity or General Area to be Served by the Use: Western Fairfax County.
- G. Description of Building Façade and Architecture of Proposed New Building: The buildings will be constructed predominantly of steel, plastic and glass.

- H. Hazardous Materials: The only known hazardous or toxic substances to be generated, utilized, stored, treated and/or disposed of on-site will be petroleum products.
- I. Conformance of Proposed Use. The proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards and any applicable conditions, other than those stated on Page 7 of this letter.

2. Drive-Thru Banks

- A. Type of Operation: Full service banks each with two drive-thru lanes, one of which may be an ATM.
- B. Hours of Operation: Monday through Friday, 7:00 a.m. until 7:00 p.m., Saturday, 8:00 a.m. to 5:00 p.m.
- C. Estimated Number of Patrons: Average of 200 per day.
- D. Proposed Number of Employees: Maximum of eight employees.
- E. Estimate of Traffic Impact: The proposed use will generate 416 vehicle trips per day with the AM peak being approximately 30 trips and the PM peak generate 80 trips.
- F. Vicinity or General Area to be Served: Western Fairfax County.
- G. Description of Building Façade: Contemporary design consistent with the overall shopping center architecture, constructed of masonry, steel and glass.
- H. Hazardous Materials: No known hazardous or toxic substances will be generated, utilized, stored, treated and/or disposed of on-site.
- I. Conformance of Proposed Use. The proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards and any applicable conditions, other than those stated on Page 7 of this letter.

3. Fast Food Restaurant

- A. Type of Operation: One fast food restaurant with drive-thru capability and a maximum of 100 seats.
- B. Hours of Operation: Sunday through Thursday, 5:30 a.m. to 12:00 midnight, and Friday and Saturday, 5:30 a.m. to 1:00 a.m.
- C. Estimated Number of Patrons: 2,500 patrons a day including drive-thrus.

- D. Proposed Number of Employees: A maximum of eighteen employees during peak hours at each fast food restaurant.
- E. Estimate of Traffic Impact: If all four establishments were developed as fast food restaurants, they would generate 912 trips in the AM peak and 594 trips in the PM peak. Please note, however, that it is anticipated that much of the patronage from these restaurants will be from people already visiting other retail uses on the site and will not be new trips.
- F. Vicinity or General Area to be Served: Chantilly Area within a two to three mile radius.
- G. Description of Buildings: Complementary architecture to adjacent shopping center, contemporary designs with masonry glass, metal and siding materials.
- H. Hazardous Materials: No known hazardous or toxic substances will be generated, utilized, stored, treated and/or disposed of on-site.
- I. Conformance of Proposed Use. The proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards and any applicable conditions, other than those stated on Page 7 of this letter.

Across Route 50 to the north lies a church property and the Washington Dulles International Airport. This portion of the Washington Dulles International Airport will be the location of the new Air and Space Museum Extension. To the west across Lee Road lies industrially zoned property developed with warehouse and light industrial uses. To the south of the property across Penrose Place is industrially zoned property. The proposed shopping center use and industrial use south of Penrose Place on the Subject Property would be complementary to, and compatible with, surrounding existing and planned uses.

The Subject Property is identified as Land Unit I in the Dulles Suburban Center of the Area III Comprehensive Plan. The Plan recommends that this Land Unit be planned for light industrial and industrial/flex use up to a maximum of .35 FAR. Hotel use is also recommended. As an optional use, the Plan indicates that the Subject Property may be appropriate for a mixture of uses including retail, restaurant and/or recreational facilities. The Plan restricts retail uses to the area south of the EQC and limits restaurant use north of the EQC to high quality eating establishments. For the optional use, the Plan recommends:

- A maximum FAR of .25;
- A minimum of 33 percent open space;
- Access be limited to Lee Road and Penrose Place;

- Development of the site should not impede traffic flow on Route 50 or the Route 50/28 interchange; and
- No more than four freestanding pad sites be located on the property.

Thus, the proposed development of the site by Starwood as described herein and graphically depicted on the GDP is in conformance with the Comprehensive Plan.

To the best of our knowledge, there are no hazardous or toxic substances stored on the Subject Property. Furthermore, the uses proposed on the site will not generate, utilize, store, treat or dispose of toxic substances on the Property.

To the best of our knowledge, the proposed development of the Subject Property conforms to all currently applicable land development ordinances, regulations and adopted standards with the following exceptions:

1. For PCA 95-Y-016-2 and SEA 95-Y-024, a waiver of the service drive requirement along Route 28 is hereby requested.
2. For RZ 95-Y-016, the Applicant requests a modification of the barrier requirement to permit a six-foot fence, chain link or solid fence in lieu of required barrier and requests a waiver of the transitional screening requirement along the southeastern property line. The waiver of screenings is requested as the Property abuts a wooded EQC area to the southeast. The EQC will remain in an undisturbed state, thus there is no use on the property requiring screening. The six-foot fence is sought to provide security for the impoundment lot.
3. For RZ 95-Y-015, the Applicant requests a waiver of the open space requirement of 15 percent and an increase in the permitted FAR from .50 to .70. The area subject to this rezoning will be developed with a building and parking area. It is being incorporated into the larger shopping center. Open space in excess of 15 percent is being provided on the consolidated area and the overall FAR of .16 for the PCA area is well below the zoning maximum of .50.

We believe that the proposed development of this site with restaurant and retail uses will be a major public benefit and convenience to this portion of Fairfax County. It will provide visitor services that are complementary to the future Air and Space Museum extension and convenient retail uses for the residents of western Fairfax County. At the same time, the proposal is compatible with the employment uses planned for adjacent properties. The consolidation and inclusion of Parcels 27-29 in the development results in a significant design improvement over that currently improved.

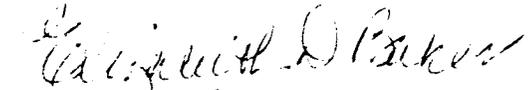
September 25, 2001

Page 8

Please let me know if there are any questions or additional information you need to process this application.

Very truly yours,

WALSH, COLUCCI, STACKHOUSE, EMRICH & LUBELEY, P.C.



Elizabeth D. Baker
Land Use Coordinator

EDB:kak

J:\STARWOOD\2815.2\justification letter 5.doc

At a regular meeting of the Board of Supervisors of _____ County, Virginia, held in the Board Room in the Massey Building at Fairfax, Virginia on the 22nd day of November, 1982, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
(PROPOSAL NO. RZ 82-C/S-080)

WHEREAS, Board of Supervisors, Own Motion _____ filed in proper form, an application requesting the zoning of a certain parcel of land hereinafter described, from R-1, R-C/^{& I-3} District to I-3, I-5, R-1, District, and C-8 & R-C

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

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

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Centreville/^{Springfield} District, and more particularly described as follows: See attached legal description.

Be, and hereby is, zoned to the I-3, I-5, /^{R-1, C-8 & R-C} District, and said property is subject to the use regulations of said I-3, I-5, /^{R-1, C-8 & R-C} District, and further restricted by the conditions proffered and accepted pursuant to Va. Code Ann., § 15.1-491(a), which conditions are incorporated into the Zoning Ordinance as it affects said parcel, and

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

GIVEN under my hand this 22nd day of November 1982

Ethel Wilcox Register

Ethel Wilcox Register
Clerk to the Board



Number: AL 82-C/S-080

District: Springfield

Acreage: 1.0

Section Sheet: 34-3

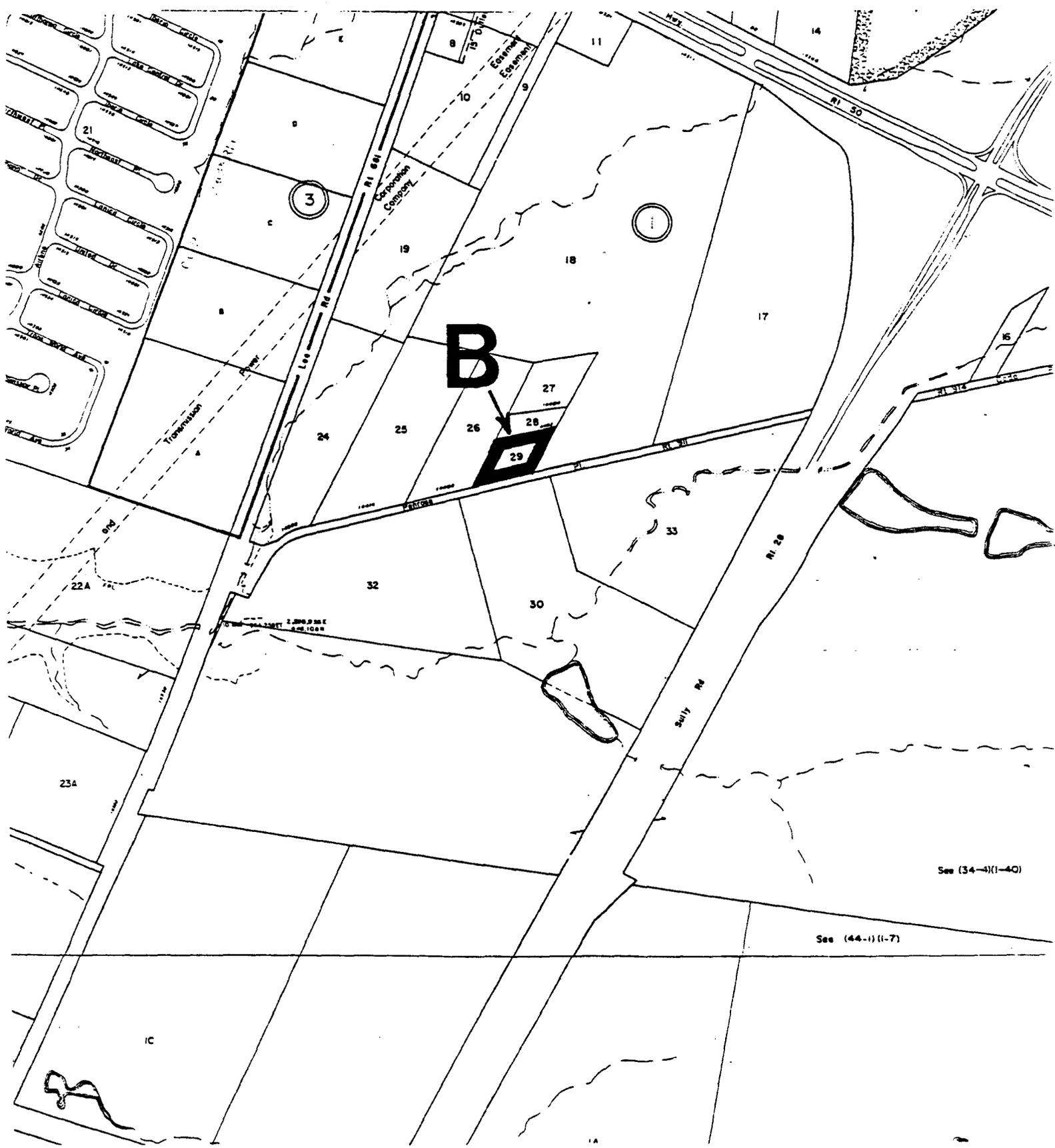
From: I-3

Subdivision: ((1))

To: I-5

Lot: 29

Applicant: Board of Supervisors



See (34-4)(1-40)

See (44-1)(1-7)

PROFFERS

The following proffers shall be construed to be binding upon the property in accordance with the provisions of SEC. 15.1-491(a), Code of Virginia, as amended, should the property be rezoned to the I-5 District:

1. The storage of vehicles is hereby limited to a maximum of not longer than ninety (90) days for any one motor vehicle. The intent of this proffer is to preclude the lengthy storage of motor vehicles possibly resulting in environmental degradation of the site.
2. In addition, there will be no sales of merchandise of any kind.
3. Along the frontage of the site with Penrose Place, the following will be provided:
 - (a) Dedication of 30' from centerline;
 - (b) Face of curb set 22' from centerline.

The improvements will not be provided until a time as determined by the discretion of the director of DEM on the reasonable exercise of such discretion.

4. 8' Chain Link Security Fence with inserts will be provided along the entire periphery of the storage area.
5. The lot will be cleaned of all litter at the beginning and end of each working day.
6. The entire perimeter will be screened with evergreens no more than ten (10) feet apart.

W W Herring
Carol D. Herring
WOODROW WILSON HERRING, JR. and
CAROL HERRING
Owners RZ 82-C/S-080 (Formerly
Rezoning Application RZ 81-S-041)
Tax Map 034-3-01-0029



FAIRFAX COUNTY

OFFICE APPENDIX 7
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

V I R G I N I A

Telephone: 703-324-3151

FAX: 703-324-3926

TDD: 703-324-3903

August 29, 1996

Martin D. Walsh, Esquire
Walsh, Colucci, Stackhouse,
Emrich and Lubeley, P.C.
2200 Clarendon Boulevard
Arlington, Virginia 22201-3359

RE: Rezoning Application
Number RZ 95-Y-016
(Concurrent with SE 95-Y-024)

Dear Mr. Walsh:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on August 5, 1996, granting Rezoning Application Number RZ 95-Y-016 in the name of Chantilly 50-28 Associates Limited Partnership to rezone certain property in the Sully District from the I-3, I-5, and C-8 Districts and Highway Corridor Overlay, Water Supply Protection Overlay and Airport Noise Impact Overlay Districts to the C-8 District and Highway Corridor Overlay District, Water Supply Protection Overlay and Airport Noise Impact Overlay Districts, subject to the proffers dated August 5, 1996, on subject parcel 34-3 ((1)) 7B, 19, 26 and 33 and abandonment of a portion of the public right-of-way for Penrose Place, consisting of approximately 73.30 acres.

The Board also:

- Waived the service drive requirement along the Route 28 frontage of the site; and
- Waived construction of the service drive along the Route 50 frontage of the site.

Sincerely,

Nancy Vehrs
Clerk to the Board of Supervisors



FAIRFAX COUNTY

OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite
Fairfax, Virginia 22035-6100

V I R G I N I A

Telephone: 703-324-1234

FAX: 703-324-1234

TDD: 703-324-1234

August 15, 1996

Martin D. Walsh, Esquire
Walsh, Colucci, Stackhouse,
Emrich and Lubeley, P.C.
2200 Clarendon Boulevard
Thirteenth Floor
Arlington, Virginia 22201-3359

RE: Special Exception
Number SE 95-Y-024
(Concurrent with RZ 95-Y-016)

Dear Mr. Walsh:

At a regular meeting of the Board of Supervisors held on August 5, 1996, the Board approved Special Exception Number SE 95-Y-024 in the name of Chantilly 50-28 Associates Limited Partnership, located at Tax Map 34-3 ((1)) 7B 19, 26 and 33 for an increase in building height and waiver of certain sign regulations pursuant to Sections 9-607 and 9-620 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Plat approved with the application, as qualified by these development conditions. **However, this does not preclude the applicant from pursuing separate special exception/special permit approval for those uses permitted in the C-8 District with such approvals, provided the use(s) are in substantial conformance with the approved Generalized Development Plan/Special Exception (GDP/SE) Plat.**

3. Any portion of the property may be subject to a Special Exception Amendment without joinder and/or consent of the other portion of the property if such Special Exception Amendment does not affect any other portion of the property. Previously approved development conditions applicable to the portion of the property not subject to the Special Exception Amendment shall otherwise remain in full force and effect.
4. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Department of Environmental Management (DEM). Any plan submitted pursuant to this Special Exception shall be in conformance with the approved Generalized Development Plan/Special Exception Plat entitled **Marlo/Chantilly and prepared by Dewberry and Davis which is dated February 27, 1995, as revised through June 21, 1996 and these conditions.**
5. The maximum building height permitted for the two hotels shall be 75 feet. All other buildings proposed on the site shall be limited to a maximum building height of 40 feet or such lesser height as may be shown on the Generalized Development Plan/Special Exception Plat.
6. One freestanding sign shall be permitted along the Route 50 frontage of the site and one freestanding sign shall be permitted along the Route 28 frontage in the location as generally shown on the Generalized Development Plan/Special Exception Plat. The freestanding sign along the Route 28 frontage shall be limited to a maximum height of 20 feet from grade and 200 square feet in sign area. The freestanding sign along Route 50 shall be limited to a maximum height of 25 feet from grade and 250 square feet in sign area. The sign area for both signs shall be calculated in accordance with the provisions of Paragraph. 3 of Section. 12-205 of the Zoning Ordinance. Each sign shall be limited to identifying the proposed development and a maximum of five individual tenants. Consistent letter treatment in terms of size and color shall be provided for all lettering on each sign.
7. Changes to the sign face shall require approval of a sign permit in accordance with Article 12, but shall not require a Special Exception Amendment, provided consistent letter treatment is maintained. Increases in sign area and/or height shall require approval of a Special Exception Amendment.

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.

SE 95-Y-024
August 15, 1996

2.

Pursuant to Section 9-015 of the Zoning Ordinance, the portion of this Special Exception for increase in building height 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. Similarly, the portion of this Special Exception for a waiver of certain sign regulations shall automatically expire, without notice, thirty (30) months after the date of approval unless one of the signs has received a sign permit and has been erected. 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.

The Board also:

- **Waived the service drive requirement along the Route 28 frontage of the site; and**
- **Waived construction of the service drive along the Route 50 frontage of the site.**

If you have questions regarding the expiration of this Special Exception or filing a request for additional time they should be directed to the Zoning Evaluation Division of the Office of Comprehensive Planning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Sincerely,



Patti Hicks
Acting Clerk to the Board of Supervisors

PH/ns

cc: John M. Yeatman, Director, Real Estate Div., Assessments
Melinda M. Artman, Deputy Zoning Administrator
Frank Jones, Assistant Chief, PPRB, OCP
Audrey Clark, Chief, Inspection Svcs., BPRB, DEM
Barbara A. Byron, Director, Zoning Evaluation Div., OCP
Robert Moore, Transprt'n. Planning Div., Office of Transportation
Paul Eno, Project Planning Section, Office of Transportation
Department of Environmental Management
Y. Ho Chang, Resident Engineer, VDOT
Land Acq. & Planning Div., Park Authority

RECEIVED
OFFICE OF COMPREHENSIVE PLANNING
AUG 20 1996
ZONING EVALUATION DIVISION

RZ 95-Y-016

August 29, 1996.

2.

NV/ns

cc: John M. Yeatman, Director, Real Estate Div., Dept. of Tax Admin.
Melinda M. Artman, Deputy Zoning Administrator
Barbara A. Byron, Director, Zoning Evaluation Div., OCP
Fred R. Beales, Supervisor Base Property-Mapping/Overlay
Robert Moore, Trnsprt'n. Planning Div., Office of Transportation
Paul Eno, Project Planning Section, Office of Transportation
Department of Environmental Management
Y. Ho Chang, Resident Engineer, VDOT
Land Acqu. & Planning Div., Park Authority
David Watkins, Acting Director, Facilities Mgmt. Div., Office of General Svcs.

RECEIVED
OFFICE OF COMPREHENSIVE PLANNING
SEP 5 1996
ZONING EVALUATION DIVISION

NOTE: The only revision to these proffers involves clarification of the size and purpose of proposed access easement in paragraph 12. The revision is underlined.

PROFFERS

RZ 95-Y-016

August 5, 1996

Pursuant to Section 15.1-491(a), Code of Virginia, 1950 as amended, Chantilly 50-28 Associates, L.P. (hereinafter referred to as the "Applicant"), the Applicant in RZ 95-Y-016, filed for property identified on Fairfax County tax map as 34-3((1))- 7B, 19, 26 and 33 and right-of-way for Penrose Place, to be abandoned, (hereinafter referred to as the "Application Property"), agrees to the following proffers, provided that the Fairfax County Board of Supervisors (hereinafter referred to as the "Board") approves a rezoning of the Application Property from the I-3, I-5, and C-8 Zoning Districts to the C-8 Zoning District, in conjunction with the Generalized Development Plan/Special Exception Plat (GDP/SE Plat) for commercial development with a .23 FAR.

1. EXHIBITS -

- a. Subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance (hereinafter referred to as "Zoning Ordinance"), development of the Application Property shall be in substantial conformance with the following exhibits:
 - i. The Generalized Development Plan and Special Exception Plat (GDP/SE Plat), Sheets 1 and 2 of 10, prepared by Dewberry & Davis, dated November 14, 1995, revised through June 21, 1996.
 - ii. Landscape Plan, Sheet 3 of 10, dated November 14, 1995, revised through June 21, 1996, prepared by Dewberry and Davis.
 - iii. Streetscape Character, Sheet 6 of 10, dated November 14, 1995, revised through June 21, 1996, prepared by Dewberry and Davis.
 - iv. Pedestrian Promenade Enlargements/Elevations, Sheet 9 of 10, dated November 14, 1995, revised through June 21, 1996, prepared by Dewberry & Davis.
- b. The following illustrative exhibits are submitted with these proffers for illustrative purposes only. Final design details may change at the time of site plan submission, but shall be generally consistent in character with that depicted on the illustrative exhibits. Specific features such as architecture, building entry features, and peripheral parking lot landscaping will be provided throughout the site in accordance with proffered paragraphs and proffered exhibits.

- i. Sections: Lee Road and Route 50, Sheet 4 of 10, dated November 14, 1995, revised through June 21, 1996, prepared by Dewberry and Davis.
 - ii. Lake and Lake Edge Treatments, Sheet 5 of 10, dated November 14, 1995, revised through June 21, 1996, prepared by Dewberry and Davis.
 - iii. Restaurant /Hotel Court Enlargement, Sheet 7 of 10, dated November 14, 1995, revised through June 21, 1996, prepared by Dewberry and Davis.
 - iv. Sign Location Sketches, Sheet 8 of 10, dated November 14, 1995, revised through June 21, 1996, prepared by Dewberry and Davis.
 - v. Proposed Road Improvements, Sheet 10 of 10, dated November 14, 1995, revised through June 21, 1996, prepared by Dewberry and Davis.
- c. Minor modifications from the GDP/SE Plat may be permitted by the Department of Environmental Management (DEM) when necessitated by sound engineering practices or other modifications which may be necessary as a part of final engineering design in accordance with the Zoning Ordinance.
 - d. Applicant reserves density credit in accordance with provisions of Paragraph 4 of Section 2-308 of the Zoning Ordinance as it may apply to all street dedications described herein or as may be reasonably required by Fairfax County or the Virginia Department of Transportation (VDOT) at site plan approval.
2. **USES -**
- a. It is the intent of the Applicant to seek Special Exception (SE) and Special Permit (SP) approvals for Buildings B, D, J, and K on the site, as shown on the GDP/SE Plat. However, the Applicant shall not be limited to seek only those SE or SP uses identified on the GDP/SE Plat. The Applicant may request other SE or SP for Buildings B, D, J, and K uses without a Proffered Condition Amendment, provided there is no increase in the maximum FAR

of 0.23 and there are no changes in layout except as may be permitted under Section 18-204.

- b. Should the Applicant decide not to pursue approval of SE or SP uses or should such applications not be approved, those buildings identified on the GDP/SE Plat as SE or SP uses may be utilized for any use permitted by-right in the C-8 Zoning District with the exception of 1) contractor's offices and shops, and 2) theaters.

3. TRANSPORTATION -

a. Lee Road:

- i. Applicant shall dedicate and convey in fee simple to the Board right-of-way along the Application Property's Lee Road frontage, as shown on the GDP/SE Plat. Dedication shall be made at time of the first site plan approval or upon demand from Fairfax County or the Virginia Department of Transportation (VDOT), which ever shall first occur.
- ii. Applicant shall construct frontage improvement to Lee Road measuring 35 feet from the existing centerline, within the dedicated right-of-way as approved by DEM and VDOT and as shown on the GDP. Construction of Lee Road frontage improvements between Route 50 and Entrance A, including a right turn lane at Entrance A shall occur coincident with the first phase of construction. Construction of the remainder of Lee Road improvements south of Entrance A shall occur with each subsequent phase of development. However, all Lee Road improvements shall be completed prior to the issuance of any Non-RUP for Building A1 and A2. Applicant shall construct a five foot concrete sidewalk/asphalt trail within the right-of-way.
- iii. Applicant shall construct a right turn lane on northbound Lee Road at Entrance C to the Application Property , as determined by DEM and VDOT. Such improvement shall occur coincident with construction of Entrance C .
- iv. Applicant shall construct left turn lanes on southbound Lee Road at Entrances A, C and D , as determined by DEM and VDOT. Such improvements shall occur coincident with each phase of construction.

- v. Applicant shall construct a right turn lane from northbound Lee Road onto eastbound Route 50 to a standard, as may be required by DEM and VDOT. Applicant shall restripe the existing and proposed northbound lanes on Lee Road at the intersection with Route 50 for lane usage, as determined by DEM and VDOT.
- vi. As determined by VDOT, the Applicant shall provide properly phased traffic signals, if and when warranted, at any one of the following three intersections:
 - (1) Lee Road and Entrance A
 - (2) Lee Road and Entrance C
 - (3) Lee Road and Penrose Place (Entrance D)

If the signals are not warranted at the time of approval of the final site plans affecting the intersection identified for signal installation, the Applicant shall post a letter of credit in an amount, as shall be determined by DEM, for future installation of the traffic signal. If after five (5) years following construction completion and occupancy of the Application Property, as evidenced by issuance of Non-RUPs for the last tenant space, any of the traffic signals are not warranted, the letter of credit amount for the unwarranted signal shall be contributed to the County for other transportation improvements in the area.

- vii. Prior to the issuance of the first Non-RUP for the Application Property, the Applicant shall remove the temporary traffic signal at the intersection of Route 50 and Lee Road and provide for the design and implementation of a permanent signal at this location.
- b. Route 50:
- i. Applicant shall extend the existing left turn lane and construct within the existing right-of-way a second left turn lane from westbound Route 50 onto southbound Lee Road to a standard length as specified in the VDOT Manual for Minimum Standards of Entrances to State Highways. Construction of the second left turn lane shall be provided with the approval of the final site plan for square footage on the Application Property in excess of 376,000 or upon a determination by VDOT that excessive congestion exists at the intersection of Route 50 and Lee Road.

- ii. Applicant shall construct within the existing right-of-way, a right turn lane from eastbound Route 50 onto southbound Lee Road, as determined by DEM and VDOT. Such improvements shall occur coincident with construction of Entrance A .
 - iii. At such time as there is any funded project on Route 50 along the site's frontage which requires additional right-of way, and upon request of the County, the right-of-way up to a maximum of 137 feet from existing centerline and necessary ancillary easements shall be dedicated in fee simple to the Board of Supervisors. No buildings, parking or travel lanes shall be located within this area. Landscaping, signage and utilities may be provided in the area shown for potential future dedication on the GDP/SE plat, but shall be relocated if necessary.
- c. Penrose Place:
- i. Applicant shall dedicate and convey in fee simple to the Board right-of-way along the Application Property's Penrose Place frontage measuring 26 feet from the existing center line, and shall dedicate right-of-way to accommodate the relocation of the intersection of Penrose Place and Lee Road, as shown on the GDP/SE Plat. Dedication shall be made at the time of final site plan approval for Buildings A and B or upon demand from Fairfax County whichever shall occur first.
 - ii. Applicant shall construct frontage improvements to Penrose Place measuring 19 feet from face of curb to the existing centerline, construct the realigned approach to Lee Road, and construct the cul-de-sac at the eastern terminus of Penrose Place, as approved by VDOT and shown on the GDP/SE Plat. Such improvement shall occur coincident with development of adjoining the Application Property.
 - iii. Applicant shall diligently pursue the vacation of a portion of Penrose Place as shown on the GDP/SE plat, prior to first site plan approval. In the event the Board of Supervisors does not approve the vacation of Penrose Place, approval of a PCA application shall be necessary prior to any site plan approval.

- iv. Applicant shall remove or improve the existing pavement in the right-of-way to be abandoned, and shall develop the right-of-way in conformance with the GDP/SE plat, restoring those portions shown as open space to their natural vegetated or landscaped state as determined by the Urban Forester/DEM. Such work shall be implemented with the construction of Building A1 and A2.

d. Park and Ride Spaces:

The applicant shall enter into a license agreement with the Fairfax County Office of Transportation (OT) to provide 50 parking spaces on the Application Property for a commuter park-and-ride facility, provided reservation of such spaces does not increase required parking spaces as shown on the GDP and/or, if necessary, the Board of Supervisors approves a parking reduction under Paragraph 4 of Section 11-102 of the Zoning Ordinance so that the total number of parking spaces required for the commuter parking and the GDP uses will not exceed the requirement for the GDP uses alone. The 50 spaces shall be available for use prior to the issuance of a Non-RUP for any two of the buildings identified on the GDP/SE plat as D, E, F, G, and H. The park-and-ride spaces shall be initially located in the area north of the EQC, although the Applicant reserves the right to relocate the spaces elsewhere on the Application Property should the initial location prove problematic in marketing or operating the approved uses. The spaces shall be available from 6:00 a.m. to 7:00 p.m., Monday through Friday, excluding holidays, for a period of four years from the time they are first made available, after which either party may terminate the agreement upon thirty (30) days written notice. The park and ride facility shall be operated by Fairfax County, who shall be responsible for any third party claims arising from its operation, as per the County's Comprehensive General Liability Policy. Fairfax County shall provide all necessary signage subject to the Applicant's review and approval.

4. **PEDESTRIAN CONNECTIONS -**

- a. Pedestrian connections shall be provided throughout the development linking together individual buildings and providing connections to adjacent development as depicted on Sheets 3 and 9 of the GDP/SE Plat. Such connections shall consist of a combination of sidewalks, special pavings,

asphalt trails and clearly marked pedestrian crosswalks as determined by DEM.

- b. Applicant shall construct an eight (8) foot wide asphalt trail along the Application Property's Route 50 frontage as shown on the GDP/SE Plat. The trail shall be located within the area reserved for future dedication as described in Proffer 2. b. (3). The Applicant shall record an easement ensuring public use of the trail, until such time as the right-of-way is dedicated. The trail shall be constructed with the development of any two of Buildings E, F, G, and H, or may be bonded until such time as a connection can be made with trails to the east or west, as determined by DEM.

5. **LANDSCAPING AND OPEN SPACE -**

- a. Applicant shall provide landscaping on the Application Property as shown on Sheet 3 of the GDP/SE Plat. A Landscape Plan shall be submitted to the Urban Forester/DEM for review and approval. Such Plan shall provide for a consistent design theme in order to create a visually unified development. The exact location of the proposed plantings may be modified as necessary for the installation of utilities, VDOT requirements and tenant requirements in coordination with the Urban Forester/DEM but shall, at a minimum, provide for the character, quality and quantity of plantings depicted on the GDP/SE Plat.
- b. In addition to those plantings shown on Sheet 3 of the GDP/SE Plat, the Applicant shall provide a foundation planting plan for each building for review and approval by the Urban Forester/DEM and shall implement such a plan. The foundation planting plan shall seek to unify the development in terms of quality and quantity while permitting variety and individuality for individual building tenants.
- c. Applicant shall preserve those areas designated on the GDP/SE Plat as "existing vegetation to be saved." Clearing limits around such areas shall be marked on the ground with filter fabric or equivalent demarcation prior to clearing and grading and at all times during construction and shall be subject to the review and approval of the Urban Forester/DEM. If during the process of site plan review it is determined by the Urban Forester/DEM to be appropriate or necessary to remove any trees previously designated to be preserved, then the Applicant shall provide replacement trees of a comparable canopy in coordination with the Urban Forester/DEM.

- d. Applicant shall preserve the Environmental Quality Corridor (EQC) shown on the GDP traversing the Application Property from Route 50 to the internal circulation road. This portion of the EQC shall remain undisturbed with the exception of permitted encroachments to allow necessary installation of utilities and trails. If the location of utilities within the EQC is necessary, as determined by DEM, all crossings shall be coordinated with the Urban Forester/DEM to minimize disturbance. The area of disturbance for the installation of utilities shall be revegetated by the Applicant subject to the approval of the applicable utility companies.

The remainder of the EQC as shown on the GDP may be utilized for the storm water management facility and aerating fountains, two road crossings, and the lake and the lake edge treatments illustrated on Sheet 5 of 10 of the GDP.

- e. In conjunction with site plan approval for Building A1 and A2, the Applicant shall remove debris located within the Resource Protection Area (RPA) identified on the GDP in the southeast portion of the Application Property and shall restore the area to native vegetation as may be determined by the Urban Forester/DEM.

6. DESIGN ELEMENTS -

- a. The individual buildings proposed on the site shall be designed to create the appearance of a unified and coordinated development and shall be complementary in terms of architectural style and scale. This unified development shall be accomplished through the use of coordinated building materials, colors, landscaping or other similar design features.
 - i. Building materials shall be limited to face brick or architectural concrete block, architectural metal panels, architectural pre-cast concrete, stone, exterior insulation and finish system (E.I.F.S.) and reflective and non-reflective glass.
 - ii. All buildings, shall be constructed with four-sided architectural treatments. Rooftop mechanical equipment shall be screened from ground level view.

- iii. For the group of buildings located north of the EQC (C, D, E, F, G, and H), a maximum of four principal building colors and four accent colors may be utilized.
 - iv. The area between Route 50 and the internal circulation road, encompassing Buildings E, F, G, and H, may be developed in conformance with either one of the two alternative layouts shown on Sheet 2 of the GDP. Regardless of which design is implemented, each eating establishment shall provide either a courtyard dining area or pedestrian oriented landscaped plaza similar in size and character to that shown on the GDP as well as a pedestrian connection between uses similar to that illustrated on Sheet 7 of the GDP.
 - v. Consistent design themes and recurring architectural elements shall be incorporated in the design of Buildings C and D and Buildings G and H in order to create a visually unified development. Unifying elements such as landscaped plazas, arcades, false building fronts, canopies, awnings, and treatments as illustrated on Sheet 7 may be utilized to ensure a unified appearance.
- b. Trash areas shall be screened with gated masonry enclosures and landscaping. Ground level service areas such as loading areas shall be screened with landscaping or fencing, or a combination thereof.
- c. A coordinated signage system shall be provided to establish the project's identity. Signs shall be compatible and harmonious in terms of size, location, and lighting.
- i. Two freestanding signs shall be provided to identify the project. One sign shall be located at the intersection of Route 50 and Lee Road, the other sign shall be located along Route 28, as shown on the GDP/SE Plat.
 - ii. Building mounted signs shall be coordinated from building to building and be compatible in terms of height, illumination and letter sizing. Eating establishments and hotels shall be limited to two building mounted signs per building.
 - iii. No pole signs shall be permitted.

total obligation under this proffer does not exceed \$10,000. Using the Board of Supervisors approval date of the rezoning application as the base date, this amount shall be adjusted according to the consumer cost index as published in the Engineering News Record by McGraw-Hill. In addition, the County Archaeologist shall be notified at least thirty (30) days prior to any land disturbing activity on the Application Property and shall be permitted to recover any artifacts uncovered by any land disturbing activities, provided such work does not delay or interfere with construction.

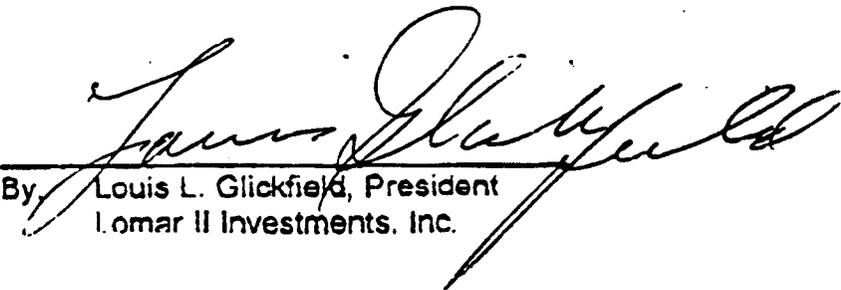
10. **SEWER EXTENSION** - Applicant shall install a sewer stub connection to the Application Property's Route 50 property line to facilitate future sewer service for the church property located north of Route 50. Such line shall be provided with construction of Buildings E, F, G or H.
11. **FUTURE CONSOLIDATION** - The Applicant is currently involved in an adverse possession suit affecting two adjacent parcels identified as Tax Map 34-3 ((1)) 27 and 28. In the event this suit is resolved in favor of the Applicant, and the Applicant obtains clear title to Parcels 27 and 28, the Applicant shall file and diligently pursue approval of a rezoning of Parcels 27 and 28 to the C-8 District and approval of a Proffered Condition Amendment (PCA) to this application to include and integrate Parcels 27 and 28 in a redesigned GDP.
12. **ACCESS EASEMENT** - The Applicant shall provide an access easement, a minimum of 30 feet in width, to serve parcels 27 and 28 from Penrose Place to provide for the independent development of parcels 27 and 28 in accordance with the existing "I-3" zoning regulations applicable to those parcels. The limits of clearing and grading may be modified to accommodate the said easement.

[SIGNATURE ON NEXT PAGE]

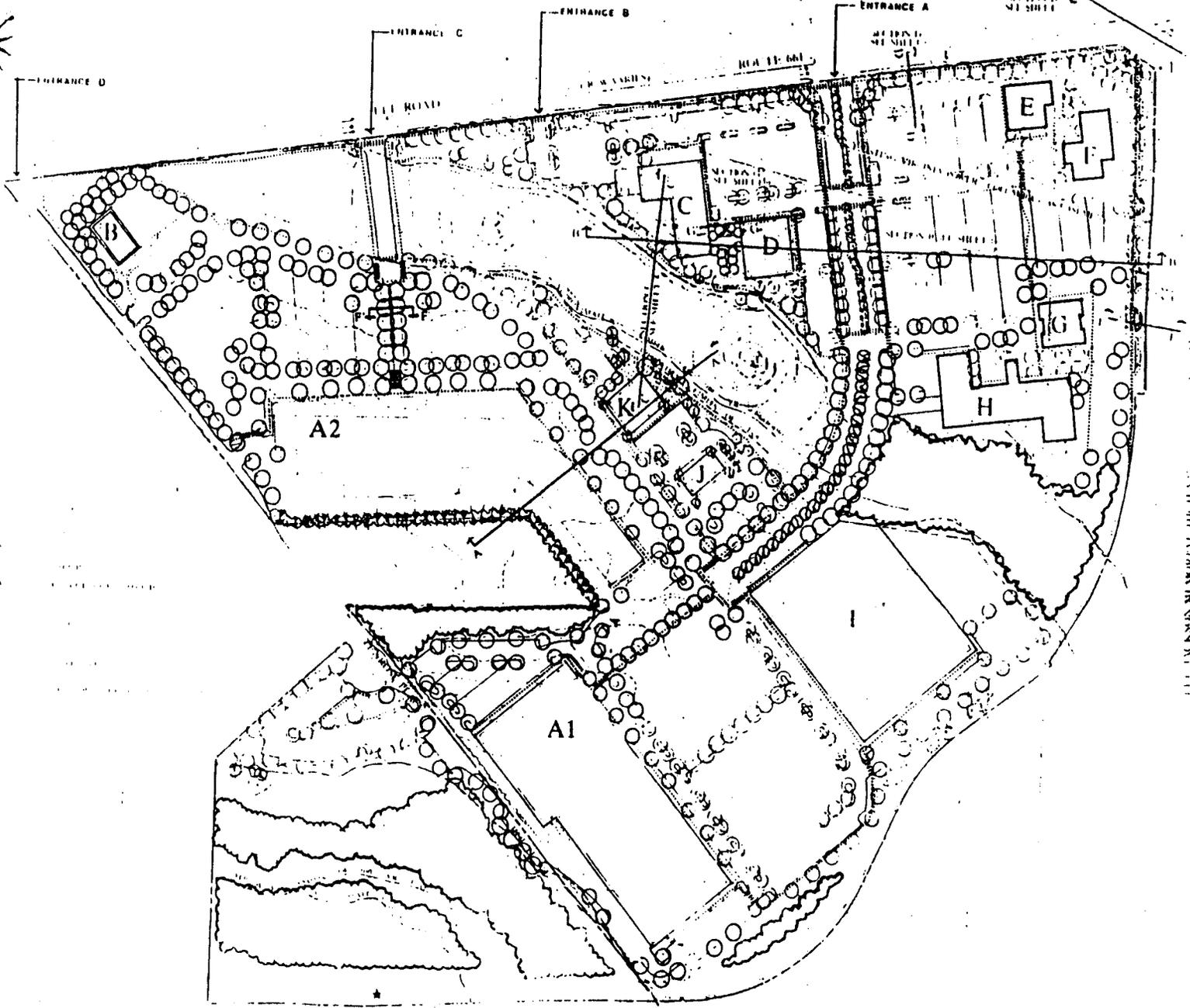
PROFFERS
RZ 95-Y-016
Page 12

CHANTILLY 50-28 ASSOCIATES LIMITED
PARTNERSHIP

By: LOMAR II INVESTMENTS, INC.,
General Partner


By, Louis L. Glickfield, President
Lomar II Investments, Inc.

8/5/96
J:WARLO15706WARLO16.PRO



11111 WALKMAN MEMORIAL HIGHWAY

11111

11111

DESIGNED BY
 REVISED BY
 REV 4-24-96
 REV 4-22-96
 REV 6-27-96
 REV 8-21-96



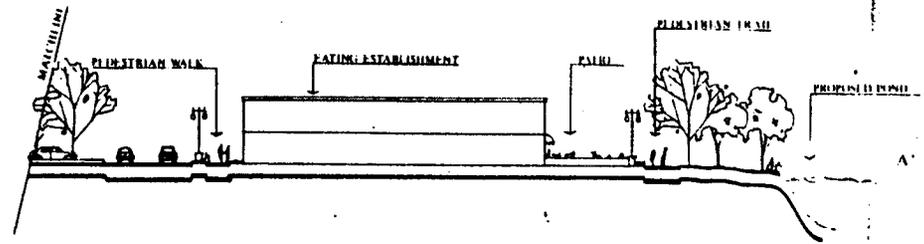
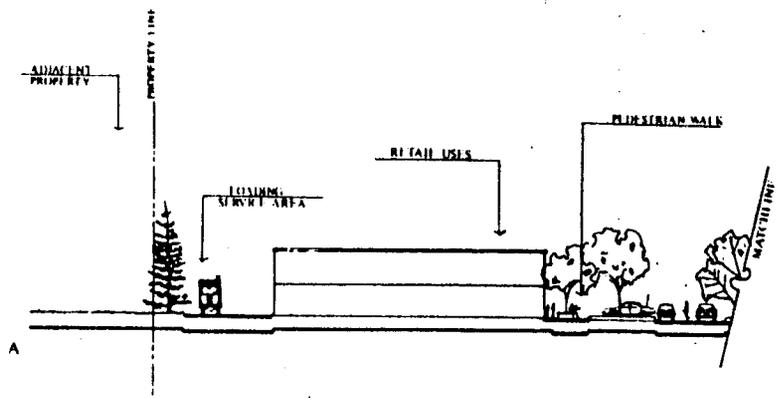
LANDSCAPE ARCHITECTURE
MARLO / CHANTILLY
 SUITE DISTRICT I

FAIRFAX COUNTY, VIRGINIA

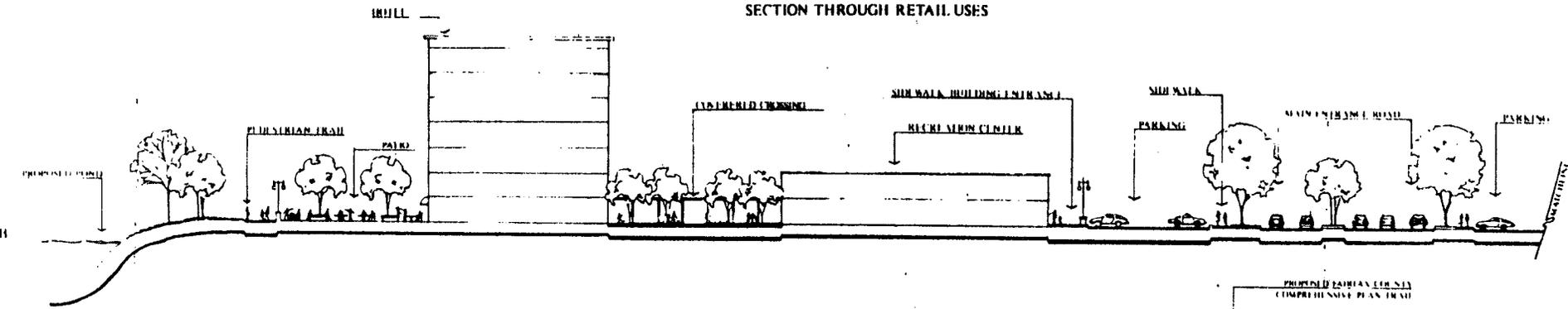
Dewberry & Davis
 8601 Ashington Blvd. Fairfax, VA 22031
 703-271-4800 (DC)

PROJECT NO.
 DRAWING NO.
 DATE

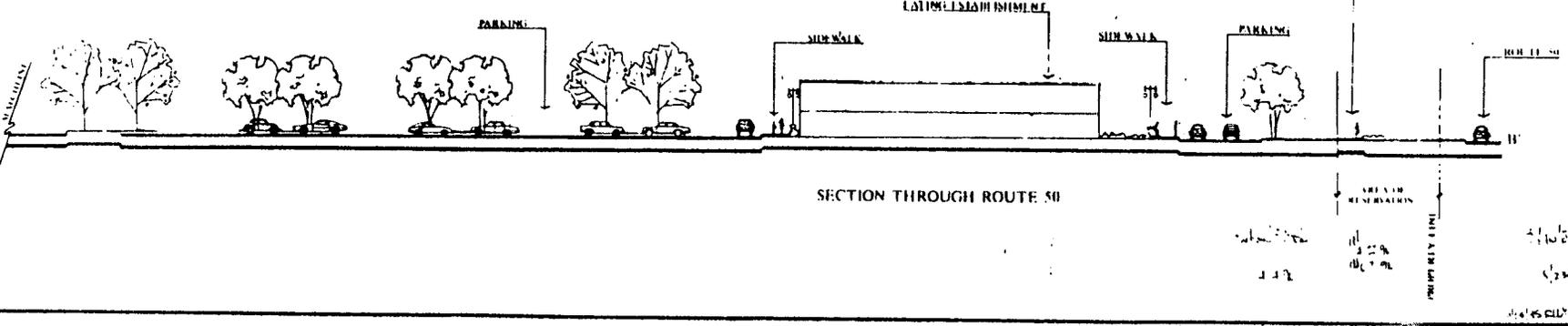
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SECTION THROUGH RETAIL USES



SECTION THROUGH ROUTE 50



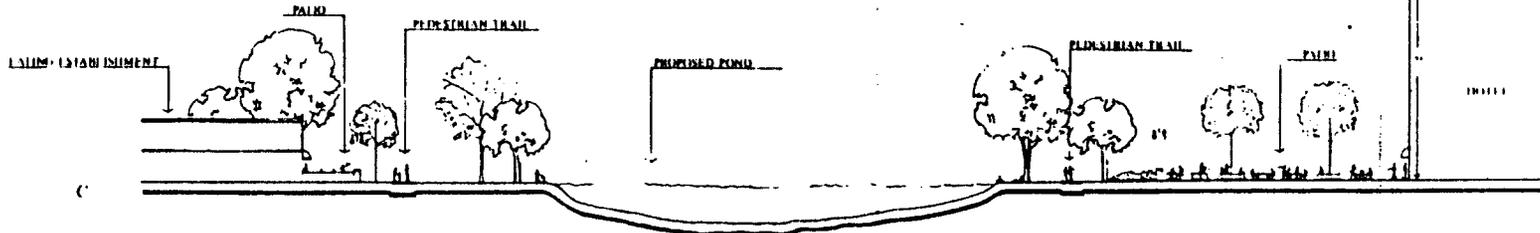
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REV 11-1-95	
REV 11-14-95	
REV 1-4-96	
REV 4-22-96	
REV 6-7-96	
REV 6-21-96	

Dewberry & Davis
 Architects
 Engineers
 Planners
 Surveyors
 9401 Arlington Blvd., Fairfax, VA 22031
 ☎ 703 949-0100

FAIRFAX COUNTY, VIRGINIA

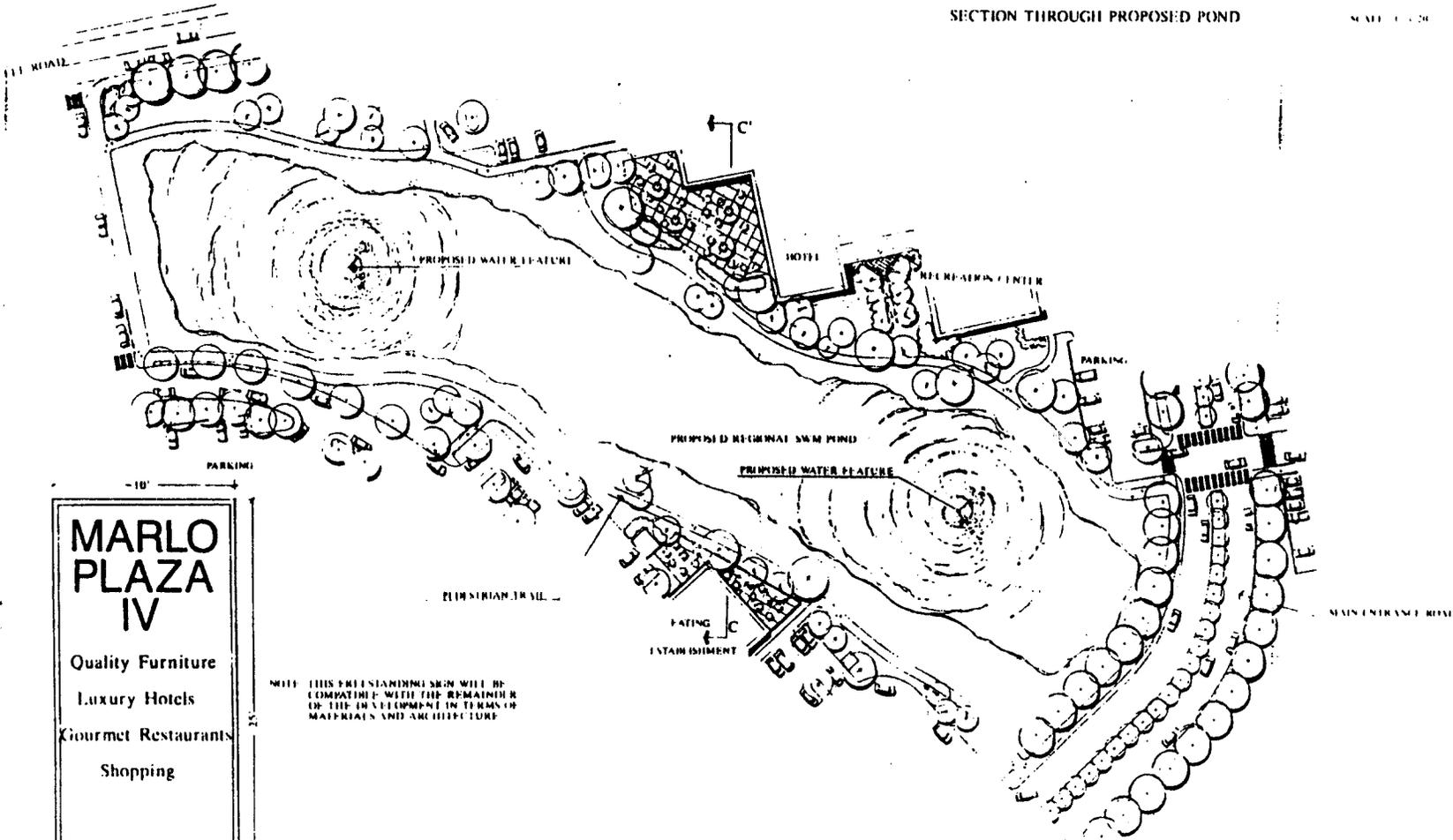
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MARLO / CHANTILLY
 SULLY DISTRICT

Scale	1" = 20'
North Arrow	
Author	
Checker	
Drawn	
Project No.	
Sheet No.	4 of 11
File Number	
Revision	



SECTION THROUGH PROPOSED POND

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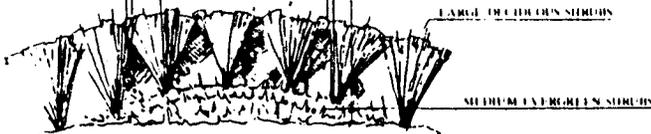


POND AREA ENLARGEMENT

SCALE 1" = 20'



NOTE: THIS FREE-STANDING SIGN WILL BE COMPATIBLE WITH THE REMAINDER OF THE DEVELOPMENT IN TERMS OF MATERIALS AND ARCHITECTURE



FREESTANDING SIGN DETAIL

SCALE 1" = 10'

Dewberry & Davis
 8401 Ashcroft Blvd., Fairfax, VA 22031
 703 849-0100

LAKE AND LAKE EDGE TREATMENTS
 MARLO / CHANTILLY
 VIRGINIA COUNTY, VIRGINIA

REV	DATE	BY	CHKD	DESCRIPTION
REV 10-5-95				
REV 11-1-95				
REV 11-14-95				
REV 4-1-96				
REV 4-22-96				
REV 6-7-96				
REV 8-21-96				

POTENTIAL PLANT SPECIES

LARGE DECIDUOUS/CANOPY TREE

- Maple
- Elm
- Linden

MEDIUM DECIDUOUS/CANOPY TREE

- Cherry
- Pear
- Linden

MEDIUM "COLUMNAR" DECIDUOUS TREE

- Maple
- Redwood
- Thuja/Red Pine

SMALL DECIDUOUS/CANOPY TREE

- Apple
- Magnolia
- Dogwood

ORNAMENTAL TREE

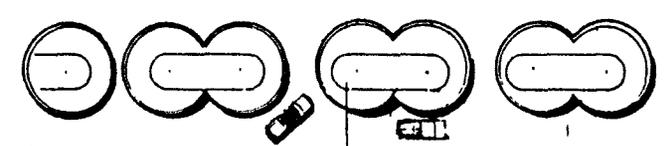
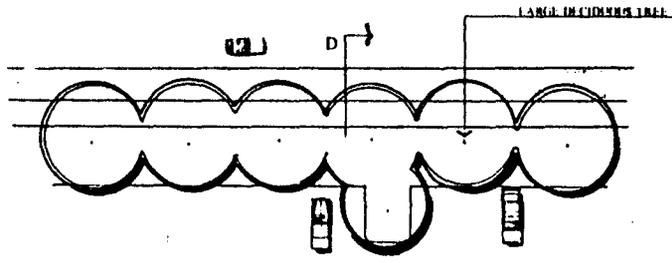
- Albemarle
- Dogwood
- Cherry
- Dogwood

FOUNDATION SHRUBS

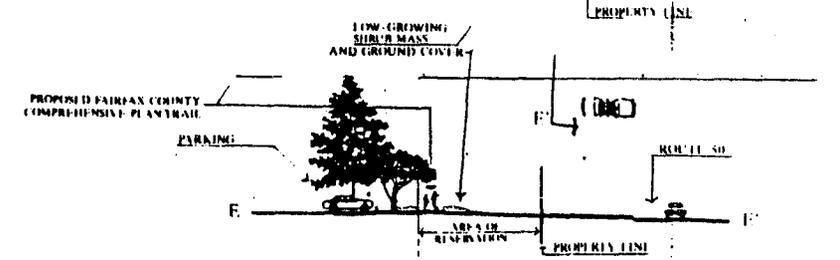
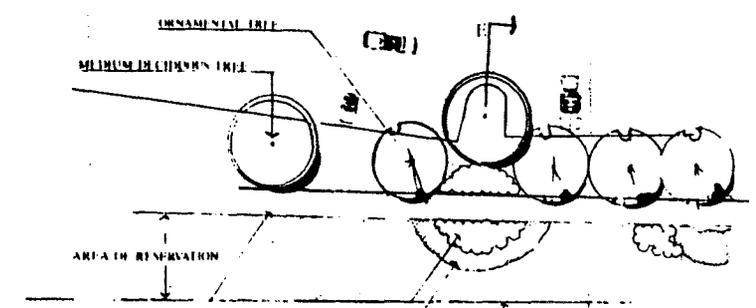
- Azalea
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- Yew
- Colea

SHRUB MASS/ HEDGES

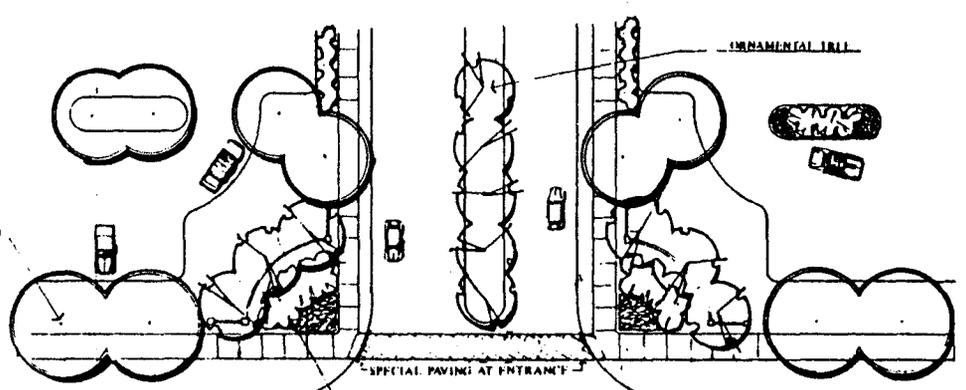
- Wintergreen
- Burning Bush
- Holly
- Yew
- Boxwood



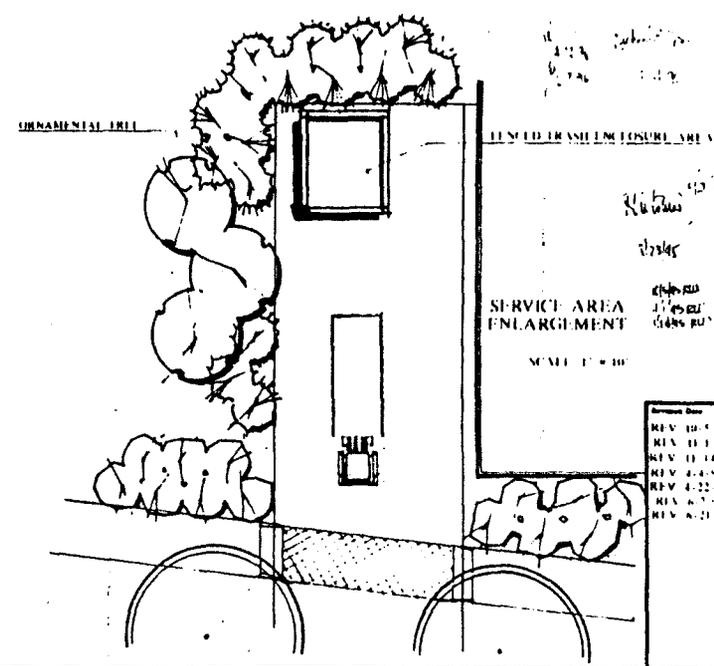
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SECTION FROM ROUTE 50 TO PARKING AREA SCALE: 1" = 20'



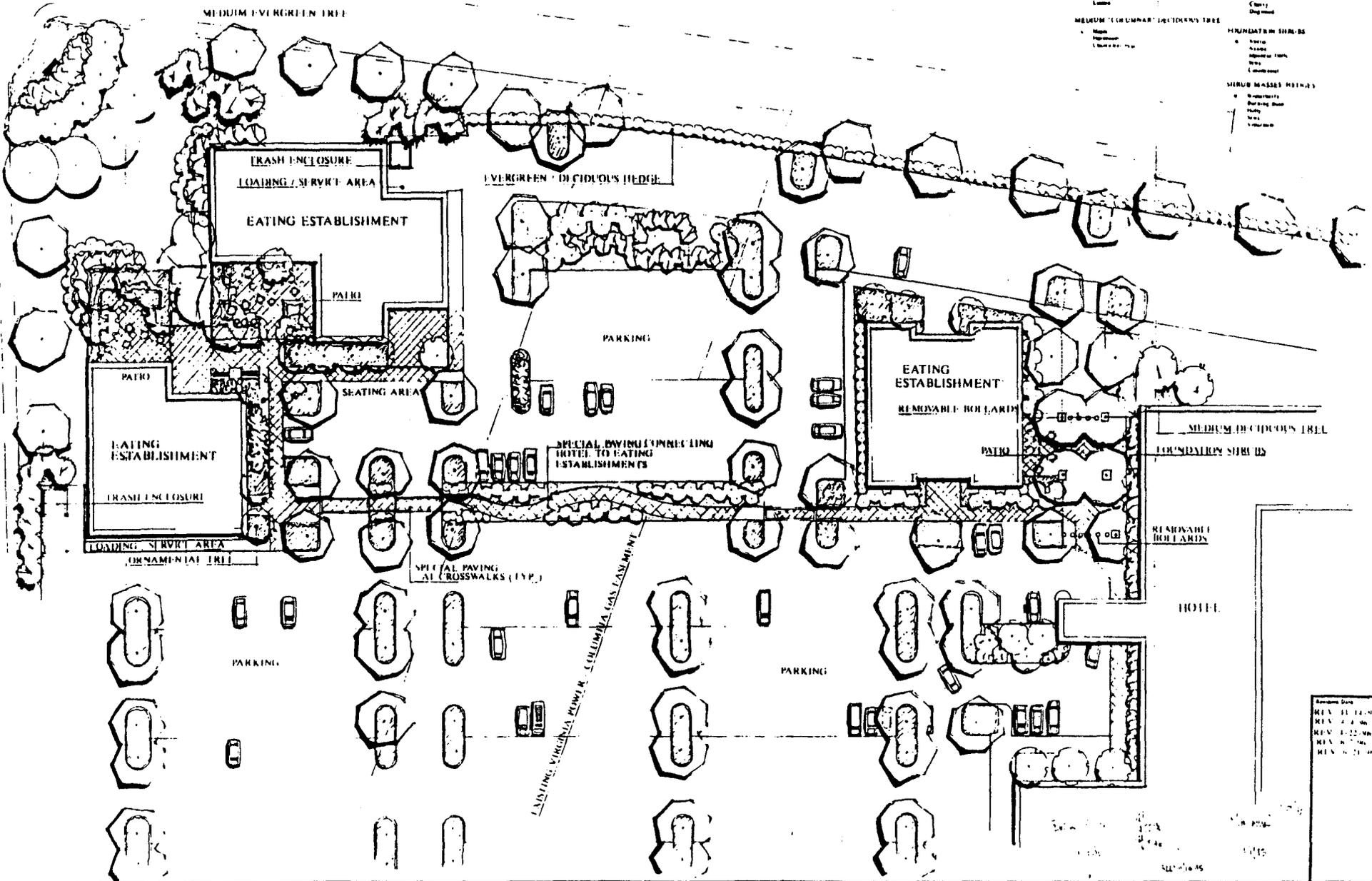
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Revision	Date	By	Check
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REV 11-1-95			
REV 11-14-95			
REV 4-4-96			
REV 4-22-96			
REV 6-7-96			
REV 6-21-96			

Dewberry & Davis
 9401 Arlington Blvd., Fairfax, VA 22031
 703 948 0100

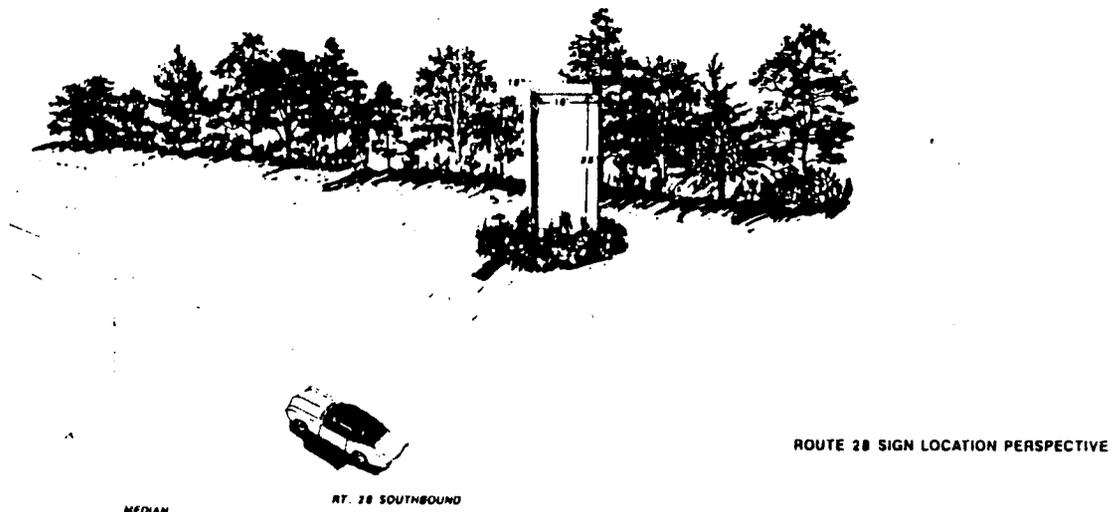
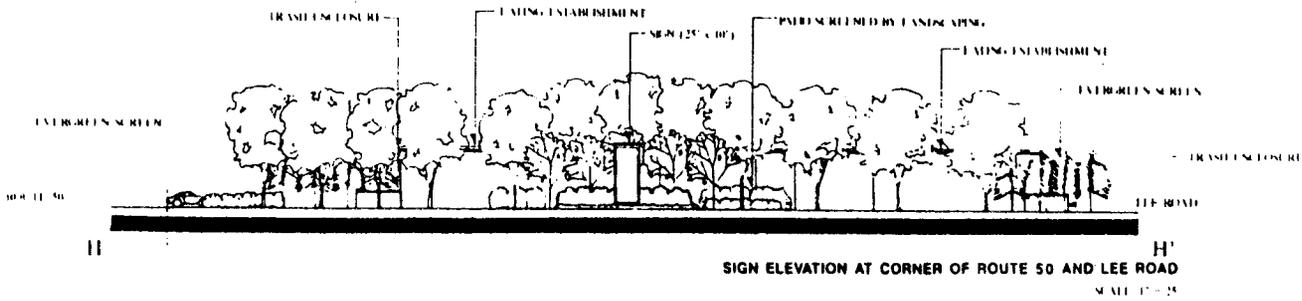
STREETSCAPE CHARACTER
MARLO / CHANTILLY



POTENTIAL PLANT SPECIES

- | | |
|--|--|
| <p>LARGE DECIDUOUS CANOPY TREE</p> <ul style="list-style-type: none"> • Maple • Oak • Elm | <p>SMALL DECIDUOUS CANOPY TREE</p> <ul style="list-style-type: none"> • Flower Magnolia • Redbud • Dogwood |
| <p>MEDIUM DECIDUOUS CANOPY TREE</p> <ul style="list-style-type: none"> • Cherry • Elm • Linden | <p>ORNAMENTAL TREE</p> <ul style="list-style-type: none"> • Flowering Pear • Redbud • Cherry • Dogwood |
| <p>MEDIUM COLUMNAR DECIDUOUS TREE</p> <ul style="list-style-type: none"> • Maple • Oak • Elm | <p>FOUNDATION SHRUBS</p> <ul style="list-style-type: none"> • Azalea • Ligustrum • Boxwood • Camellia |
| | <p>SHRUB MASSES BEHIND</p> <ul style="list-style-type: none"> • Magnolia • Dogwood • Holly • Yew • Ligustrum |

<p> <small>Revision Log</small> REV. 11.11.09 REV. 11.11.09 REV. 11.11.09 REV. 11.11.09 </p>	<p> <small>Scale</small> 1" = 10'-0" 1" = 10'-0" 1" = 10'-0" 1" = 10'-0" </p>
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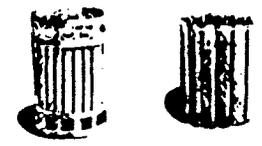


Dewberry & Davis
 Architects
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 1401 Arlington Blvd., Fairfax VA 22031
 703 649 0100

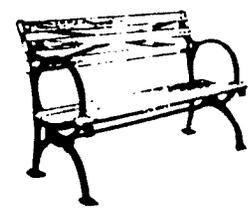
UPPER ALPINE RD. 12/22/04
 SIGN LOCATION SKETCHES
 MARLO / CHANTILLY

Revised Date			
REV. 01.14.05			
REV. 01.14.05			
REV. 01.22.05			
REV. 01.22.05			
REV. 01.22.05			

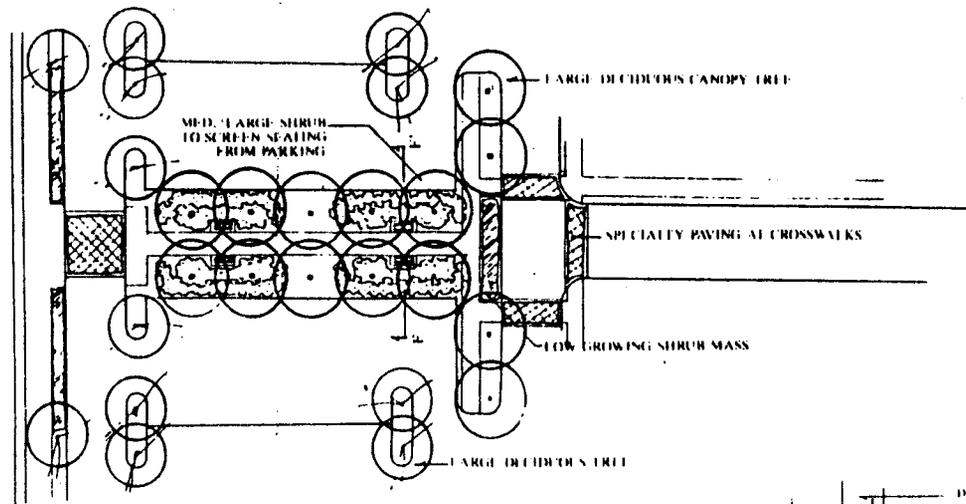
NOTE: THIS SKETCH IS FOR ILLUSTRATIVE PURPOSES ONLY!



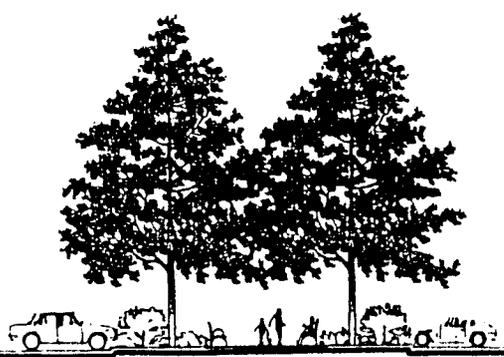
POSSIBLE TRASH RECEPTACLE



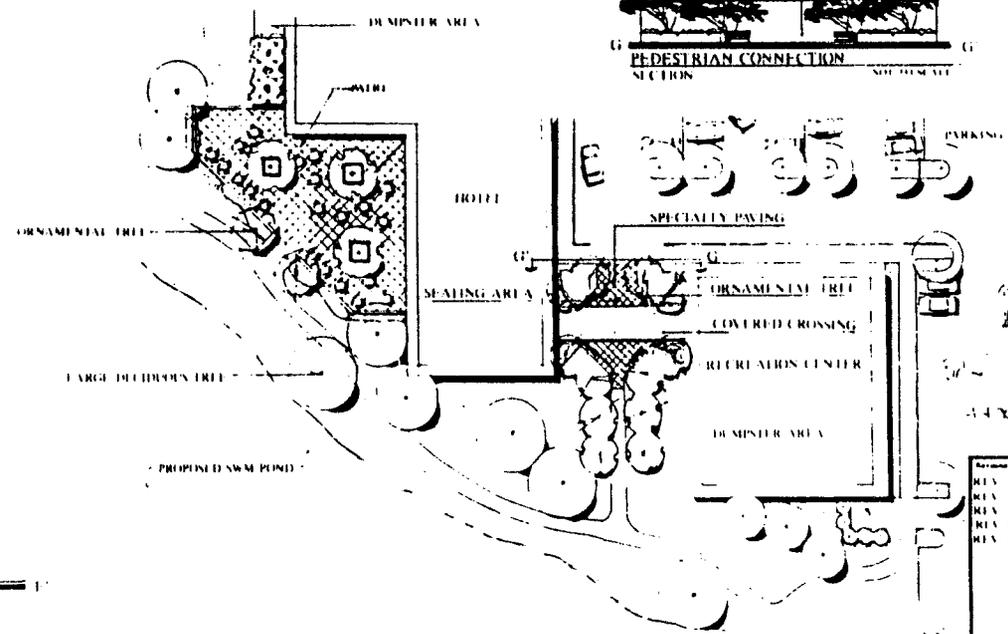
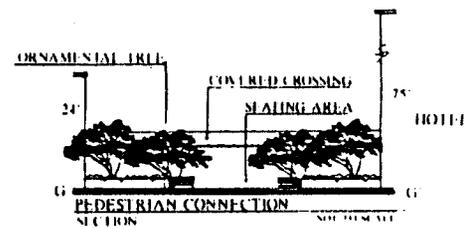
POSSIBLE BENCH



PEDESTRIAN PROMENADE
 Scale: 1" = 30'



SECTION THROUGH PEDESTRIAN PROMENADE
 Scale: 1" = 10'



PEDESTRIAN CONNECTION FROM HOTEL TO RECREATION CENTER
 Scale: 1" = 30'

APPROXIMATE SCALE: 1" = 30'

PEDESTRIAN PROMENADE ENLARGEMENTS
MARLO / CHANTILLY

Revision	Date	Drawn By
REV 1	11-14-95	
REV 2	1-10-96	
REV 3	4-22-96	
REV 4	6-7-96	
REV 5	6-21-96	



FAIRFAX COUNTY

APPENDIX 9

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

V I R G I N I A

Telephone: 703-324-3151

FAX: 703-324-3926

TDD: 703-324-3903

July 14, 1998

Keith C. Martin, Esquire
Walsh, Colucci, Stackhouse,
Emrich and Lubeley, P.C.
2200 Clarendon Boulevard
Thirteenth Floor
Arlington, Virginia 22201-3359

RE: Proffered Condition Amendment
Number PCA 95-Y-016
(Concurrent with SE 98-Y-001)

Dear Mr. Martin:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on June 29, 1998, approving Proffered Condition Amendment PCA 95-Y-016 in the name of Chantilly 50-28 Associates Limited Partnership, subject to the proffers dated June 22, 1998, on subject parcel 34-3 ((1)) 7B, 19, 26 and 33 consisting of approximately 73.48 acres in Sully District.

Sincerely,

Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

PCA 95-Y-016
July 14, 1998

2.

cc: John M. Yeatman, Director, Real Estate Div., Dept. of Tax Administration
Michael Congleton, Deputy Zoning Administrator
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Robert Moore, Trnsprt'n. Planning Div., Office of Transportation
Paul Eno, Project Planning Section, Office of Transportation
Department of Public Works and Environmental Services
Department of Highways, VDOT
Land Acqu. & Planning Div., Park Authority
James D. Gorby, Acting Director, Facilities Mgmt. Div., Office of General Svcs.

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 29 day of June, 1998, the following ordinance was adopted:

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROFFERED CONDITION AMENDMENT PCA 95-Y-016
(CONCURRENT WITH SE 98-Y-001)**

delete

WHEREAS, Village Chantilly 50-28 Associates Limited Partnership filed in the proper form an application requesting amendment to the plan of a certain parcel of land, hereinafter described, by amending conditions proffered and accepted pursuant to Virginia Code Ann., § 15.2-2303(a), and

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

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

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

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

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

GIVEN under my hand this 29th day of June 1998.

Nancy Vehrns

Nancy Vehrns
Clerk to the Board of Supervisors

PROFFERS

CHANTILLY 50-28 ASSOCIATES, LP

PCA 95-Y-016

June 22, 1998

RECEIVED
OFFICE OF COMPREHENSIVE PLANNING

JUN 22 1998

ZONING EVALUATION DIVISION

Pursuant to Section 15.2-2303(A), of the Code of Virginia, 1950 as amended, Chantilly 50-28 Associates, LP, for themselves, their successors and assigns (hereinafter referred to as the "Applicant") hereby reaffirms the proffers dated August 5, 1996 as approved in RZ 95-Y-016 which are incorporated herein, subject to the following amendments. In the event that this application is approved, the following previously approved proffer paragraph is hereby deemed null and void and hereafter shall have no effect on the property.

Revise Paragraph 1.a. to read:

1. **EXHIBITS -**

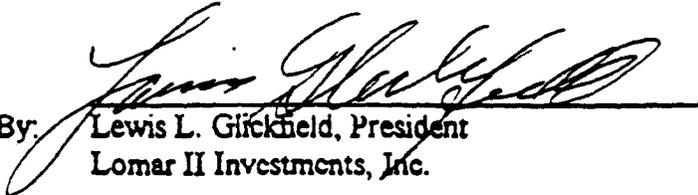
- a. Subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance (hereinafter referred to as "Zoning Ordinance"), development of the Application Property shall be in substantial conformance with the following exhibits:
 - i. The Special Exception and PCA Plat (SE/PCA Plat), prepared by The Plan Source dated March 11, 1998, as revised June 19, 1998.
 - ii. The Generalized Development Plan and Special Exception Plat (GDP/SE Plat) sheets 1 and 2 of 10, prepared by Dewberry and Davis, dated November 14, 1995, revised through June 21, 1996 and as amended by subparagraph i. above.
 - iii. Landscape plan, sheet 3 of 10, dated November 14, 1995, revised through June 21, 1996, prepared by Dewberry and Davis, as amended by subparagraph i. above.
 - iv. Streetscape character, sheets 6 of 10, dated November 14, 1995, revised through June 21, 1996, prepared by Dewberry and Davis.
 - v. Pedestrian promenade enlargements/elevations, sheet 9 of 10, dated November 14, 1995, revised through June 21, 1996, prepared by Dewberry and Davis.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

OWNERS

CHANTILLY 50-28 ASSOCIATES LIMITED PARTNERSHIP

By: LOMAR II INVESTMENTS, INC.
General Partner


By: Lewis L. Glickfield, President
Lomar II Investments, Inc.

EXXON CORPORATION

By: _____
R. W. Hilchey
Agent and Attorney-in-fact

EXXON8165PROFFERS

OWNERS

CHANTILLY 50-28 ASSOCIATES LIMITED PARTNERSHIP

By: LOMAR II INVESTMENTS, INC.
General Partner

By: Lewis L. Glickfield, President
Lomar II Investments, Inc.

EXXON CORPORATION

By: R. W. Hilchey
R.W. Hilchey
Agent and Attorney-in-fact



FAIRFAX COUNTY

APPENDIX 10

OFFICE OF THE CLE
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 100
Fairfax, Virginia 22035-0100

V I R G I N I A

Telephone: 703-324-3300
FAX: 703-324-3300
TDD: 703-324-3300

July 14, 1998

Keith C. Martin, Esquire
Walsh, Colucci, Stackhouse,
Emrich and Lubeley, P.C.
2200 Clarendon Boulevard
Thirteenth Floor
Arlington, Virginia 22201-3359

RE: Special Exception
Number SE 98-Y-001
(Concurrent with PCA 95-Y-016)

Dear Mr. Martin:

At a regular meeting of the Board of Supervisors held on June 29, 1998 the Board approved Special Exception Number SE 98-Y-001 in the name of Exxon Corporation, located at Tax Map 34-3 ((1)) Pt. 7B, for a service station and quick service food store pursuant to Section 4-804 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in these applications 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 Proffered Condition Amendment/Special Exception (PCA/SE) Plat approved with this application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Environmental Management (DEM). Any plan submitted pursuant to this Special Exception shall be in conformance with the approved PCA/SE Plat entitled "Exxon Station 2-0391, Lee Road and Penrose Place," prepared by The Plan Source and dated March 11, 1998, revised to June 19, 1998 and these conditions.

SE 98-Y-001
July 14, 1998

2.

4. The entrance to the site on Lee Road shall not exceed 30 feet in width.
5. Building mounted signs may be permitted in accordance with Article 12 of the Zoning Ordinance. A freestanding motor vehicle fuel price sign shall be permitted in the general location shown on the Special Exception Plat, but shall be limited to a maximum sign area of 20 feet and a maximum of height of eight (8) feet from grade. No vendor name shall be permitted on the fuel price sign.
6. The service station and quick service food store building shall be designed in accordance with the design elements set forth in Proffer #6 of RZ 95-Y-016.
7. Any food sales deemed to be a fast food operation by Zoning Ordinance definition, may only be permitted as an accessory use to the quick service food store and no seating shall be provided. The sale of alcoholic beverages shall be prohibited.
8. The applicant shall implement an on-site water quality control facility which has the capability of isolating toxic substances and preventing groundwater contamination. The design of such a facility shall be subject to review and approval by DEM.
9. Parking lot lighting shall not exceed 24 feet in height and shall be shielded and focused directly on the subject property.

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 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.

SE 98-Y-001
July 14, 1998

3.

If you have questions regarding the expiration of this Special Exception or filing a request for additional time they should be directed to the Zoning Evaluation Division of the Office of Comprehensive Planning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

cc: John M. Yeatman, Director, Real Estate Div., Dept. of Tax Administration
Michael Congleton, Deputy Zoning Administrator
Frank Jones, Assistant Chief, PPRB, DPZ
Audrey Clark, Chief, Inspection Srvs., BPRB, DPW&ES
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Robert Moore, Trnsprt'n. Planning Div., Office of Transportation
Paul Eno, Project Planning Section, Office of Transportation
Department of Public Works and Environmental Services
Department of Highways, VDOT
Land Acq. & Planning Div., Park Authority

RECEIVED
DEPARTMENT OF PLANNING AND ZONING

JUL 17 1998

ZONING EVALUATION DIVISION



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

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

CHARLES D. NOTTINGHAM
COMMISSIONER

THOMAS F. FARLEY
DISTRICT ADMINISTRATOR

May 16, 2001

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

Re: RZ 2000-SU-015/016, PCA 95-Y-016-02, SEA 95-Y-024, Chantilly Crossing
Tax Map No.: 034-3 01/ /0007-B P, 0007-C, 0007-D P, 00019- P, 0026 etc.

Dear Ms. Byron,

This office has reviewed the generalized development plan/special exception plat relative to the above-mentioned applications and offers the following comments.

The applications have been filed for a previously approved shopping center, which included two hotels, a furniture store, 262,500 square feet of retail space, a mixture of eating establishments and a recreational facility for a total FAR of .23.

The proposed shopping center will include a service station, a drive thru bank and four fast food restaurants. Parcels 27, 28 and 29 (2.26 acres) would also be rezoned. The overall FAR will remain at .23 with no increase to p.m. peak hour traffic. All previously approved proffers should be carried forward with these applications.

In addition the applicant should widen Lee Road along parcel 34A and should be responsible for the design (including signal warrant analysis studies) and installation of any signals warranted along Lee Road at the entrances.

For additional information please contact this office.

Sincerely,

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

Noreen H. Maloney
Transportation Engineer

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Barbara A. Byron, Director
Zoning Evaluation Division, DPZ

FROM: Angela Kadar Rodeheaver, Chief 
Site Analysis Section, DOT

FILE: 3-4 (RZ 2001-SU-015), (RZ 2001-SU-016), (RZ 95-Y-016)
3-5 (SE 95-Y-024)

SUBJECT: Transportation Impact

REFERENCE: RZ/GDP 2001-SU-015; RZ/GDP 2001-SU-016; PCA 95-Y-016-2
SEA 95-Y-024; Starwood Ceruzzi II, L.L.C.
Traffic Zone: 1701
Land Identification Maps: 34-3 ((1)) 7C, 26, 27, 28, 29, 33, 33A, and
parts of 7B, 7D, and 19

DATE: August 10, 2001

The following comments reflect the analyses of the Department of Transportation. These comments are based on the generalized development plan/special exception plat revised to July 31, 2001, and draft proffers dated July 31, 2001. The applicant is seeking approval to reconfigure and relocate previously approved retail and industrial uses for the site. Overall square footages will remain the same as previously approved.

Various transportation issues were identified with the initial review of the application including the need to improve pedestrian circulation, improve Lee Road south of the site, and modify proposed improvements to Penrose Place. The applicant has addressed all of these concerns. As such, this department would not object to approval of the requested applications. However, it should be noted that the applicant's proffers indicate that either a sidewalk or asphalt walkway will be provided along the Penrose Place frontage. Since there is ongoing development which will bring more pedestrians into the area, and the site is now designed with greater access to Penrose Place, this department recommends that a concrete sidewalk, not asphalt walkway, be provided along the Penrose Place frontage.

AKR/CAA

cc: Michelle Brickner, Director, Office of Site Development Services, Department of Public Works and Environmental Services

COUNTY OF FAIRFAX, VIRGINIA

MEMORANDUM

TO: Barbara A. Byron, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: REVISED ENVIRONMENTAL ASSESSMENT:
RZ-2001-SU-015, 016 Starwood Ceruzzi

DATE: 20 August 2001

BACKGROUND:

This report, prepared by Irish Grandfield, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. The citations are followed by a discussion of environmental concerns, including a description of potential impacts that may result from the proposed development as depicted on the Development Plan dated July 31, 2001 and as outlined in the proffers dated August 5, 2001. The report also identifies possible solutions to remedy environmental impacts. Alternative solutions may be acceptable provided that they achieve the desired degree of mitigation and are compatible with Plan policies.

COMPREHENSIVE PLAN CITATIONS:

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

1. **Water Quality** (Objective 2, p. 86, The Policy Plan)

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

Policy c. Minimize the amount of impervious surface created as a result of development consistent with planned land uses...

Policy k. Regulate land use activities to protect surface and groundwater resources.

2. **Tree Preservation** (Objective 10, p. 93, The Policy Plan)

“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. . .”

3. **Energy Conservation** (Objective 13, p. 94, The Policy Plan)

“Maintain and enhance the efficient use of natural resources . . .

. . . policy b. Encourage energy conservation through the provision of measures which support non-motorized 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.”

4. **Light Pollution** (Objective 5, p. 89, The Policy Plan)

“Minimize light emissions to those necessary and consistent with general safety.

Policy a: Recognize the nuisance aspects of unfocused light emissions.”

ENVIRONMENTAL ANALYSIS:

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed use. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions.

1. **Water Quality**

Issue A: This site is located in the Water Supply Protection Overlay District of the Occoquan Reservoir. The Development Plan shows a proposed automobile storage facility adjacent to Building J that may negatively impact water quality. As requested by staff, the Development Plan has been changed to show a SWM BMP facility at the automobile storage yard. It is not clear at this time whether the proposed oil/grit structure

shown is the appropriate BMP facility. A sand filter is felt to be more desirable.

Suggested Solution: The proposed BMP facility should be labeled as an “oil/grit structure or other BMP facility as determined by Fairfax County DPWES.” The applicant should commit to directing all stormwater from the automobile storage and impoundment lot through a SWM BMP facility.

Issue B: Automobile storage uses on parcels 27, 28, & 29 may have resulted in the release of environmental contaminants. While on a recent site visit staff noted uncovered, outdoor storage of car batteries and other automobile parts that are likely leaking contaminants into the soil and water.

Suggested Solution: As requested by staff, the applicant has provided a proffer committing to submit a Phase I investigation of the property to DPWES. The proffer may need to be more specific about follow-up actions if the Phase I investigation indicates potential contamination.

2. Tree Planting and Preservation

Issue: The Policy Plan calls for protecting and restoring some tree cover during development. This site has several areas of mature forest. The Development Plan shows two areas of proposed tree save within the EQC. Other areas of EQC will be disturbed for the construction of a regional SWM facility and associated outfall. The SWM facility and outfall area should be reforested.

In addition, the eastern portion of Penrose Place is to be abandoned. This portion of the road is located in the EQC of Schneider’s Branch. Since this portion of the road is no longer needed, the asphalt should be removed and the area replanted.

Suggested Solution: The Landscape Plan includes notes indicating that the areas will be reforested with randomly spaced native species of woody vegetation. As requested by staff, the proffers have been revised to reflect this commitment.

3. Energy Conservation

Issue: The Plan calls for energy conservation through the provision of bicycle parking facilities to encourage non-motorized transportation. The Development Plan does not indicate that bicycle parking is provided. The applicant should provide alternatives to the use of single occupancy automobiles for employees and customers.

Suggested Solution: The applicant should provide bicycle parking facilities onsite.

4. **Light Pollution**

Issue: Proffer #6d states that building-mounted security lights and parking lot lights shall not exceed 35 feet in height. The proffer is insufficient to address light pollution issues.

Suggested Solution: All lighting provided on the property should be focused directly on parking/driving areas and sidewalks. No lighting should project beyond the property line. Full cut-off lighting should be provided for any proposed outdoor lighting and illumination levels should not exceed what is necessary to provide for safety.

The proffer not to exceed 35 feet in height for outdoor lighting does not address the potential light pollution problem. First of all, lights mounted at 35 feet cause more light pollution than those mounted at lower heights. A further problem is that with 35 foot-high lights are less effective than lower mounted ones due to blockage by trees in the landscaped areas below. Building mounted-security lights at 35 feet are inappropriate as well. Proffer #6d needs to be revised to commit to limiting the heights of lights to much lower levels. The height of pole mounted lights should take into account eventual tree growth in the landscaped areas (including parking lot islands). Building-mounted lights should not exceed 12 feet in height.

The applicant should commit to control lighting in accordance with the lighting concepts and recommended practices expressed by the Illuminating Engineering Society of North America (IESNA) in the document entitled RP-33-99. More specifically, the utilization of fully shielded lighting fixtures is desirable in order to minimize the occurrence of glare, light trespass, and urban sky glow.

BGD:JPG

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Barbara A. Byron, Director
Zoning Evaluation Division, DPZ

FROM: ^{Bruce G. Douglas}
Bruce G. Douglas, Chief
Environment and Development Review Branch, DPZ

SUBJECT: **LAND USE ANALYSIS: RZ 2001-SU-015 & 016, et al**
(Starwrod, Ceruzzi)

DATE: 5 July 2001

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

DESCRIPTION OF THE APPLICATION:

<i>Date of Development Plan</i>	June 7, 2001
<i>Request</i>	Rezone 2+ acres that was an out parcel from I-5 to C-8. Incorporate land into main retail area. Rezone 1+ acres form C-8 to I-5 for a vehicle towing and impoundment use. Add a service station with quick service food store and car wash. Revise site layout to include a restaurant and retail structure.
<i>FAR</i>	No change from .23
<i>Land Area</i>	75.79

CHARACTER and PLANNED USE OF THE ADJACENT AREA:

The site is located in Land Unit I of the Dulles Suburban Center. The land adjacent to the site is planned for a mixture of employment, hotel and retail uses. There is light industrial and industrial/flex use developed on most of the land opposite the site on the west side of Lee Road. Some office and flex building is occurring on the south side of Penrose Place.



COMPREHENSIVE PLAN CITATIONS AND ANALYSIS:

Plan Text:

On page 204 in the 1991 Area III Plan, as amended through June 26, 1995, in the LAND UNIT RECOMMENDATIONS section, Land Unit I, Land Use Recommendations section of the Dulles Suburban Center, the Comprehensive Plan states:

- “1. ...Subject to meeting the elements listed under "Performance Criteria for Optional Uses", tax map parcels 34-3((1)) 7B, 19, 26, 27, 28, 29 and 33 may be appropriate for a mixture of uses including retail, restaurant and/or recreational facilities with retail restricted to the area south of the EQC that traverses tax map parcels 34-3((1)) 7B and 19. Restaurant uses may be appropriate north of the EQC if the use is limited to high-quality eating establishments that incorporate excellence in design, siting, style and materials. Drive through and/or fast food restaurants are not appropriate. For retail, restaurant and/or recreational uses, the following conditions should also be met:
- A maximum FAR of .25;
 - Preservation of the environmental quality corridors which may be augmented by open space to preserve a minimum of 33% of the site;
 - Access is limited to Lee Road and Penrose Place;
 - Any development of the site must demonstrate to the satisfaction of the Fairfax County Office of Transportation that it does not impede traffic flow on Route 50 or the Route 50/Route 28 interchange; and
 - No more than four freestanding pad sites on the site.”

Plan Map:

The property is planned for industrial use, as shown on the Comprehensive Plan map.

Analysis:

This application requests modifications to an approved development plan. The specific land use criteria in the Plan have been adhered to in this revision. Three pad sites are currently approved for the entire site. The Plan allows four. This application shows two.

Plan Text:

On page 150 in the 1991 Area III Plan, as amended through June 26, 1995, in the DULLES SUBURBAN CENTER LAND UNIT RECOMMENDATIONS, the Comprehensive Plan states:

“...Development proposals at the baseline or optional levels must be responsive to the following development criteria, which apply to all sites in the Dulles Suburban Center:

1. Provision of a development plan that provides high quality site and architectural design, streetscaping, urban design and development amenities. High quality site and architectural design will be evaluated in terms of the ability of the proposal to meet the Design Guidelines for the Dulles Suburban Center.
.....
3. Provision of design, siting, style, scale, and materials compatible with adjacent development and the surrounding community, and which serves to maintain and/or enhance the stability of existing neighborhoods.
.....
5. Parcel consolidation and/or coordination of development plans with adjacent development to achieve Comprehensive Plan objectives. Parcel consolidations should be of sufficient size to insure projects that function in a well-designed efficient manner, meet all Plan and Zoning Ordinance requirements for setbacks, screening and buffering and do not preclude the development of unconsolidated parcels in conformance in the Plan.
6. Provision of the highest level of screening and landscaping for all parking.”

Analysis:

1. and 3. The addition of the out parcel on Penrose Place has created a more unified site to work with. However, the proposed layout of the buildings has become more linear and less unified than the approved site design. Pedestrians will be less inclined to walk from one end of the facility to the other. It would serve the Plan's intent more to have major parking on both sides of the two major retail structures which would allow these buildings to be oriented in such a way that pedestrians could have easier access to both.

The building that will house a restaurant and retail uses in a single structure located near the northeast corner of the subject property is a good design solution for mixed use.

5. Consolidation was addressed in the previous application and has been improved upon with this application.
6. Parking lot design satisfies the Plan recommendation.

BGD: SEM


FAIRFAX COUNTY PARK AUTHORITY
MEMORANDUM

TO: Barbara A. Byron, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Lynn S. Tadlock, Director
Planning and Development Division

DATE: July 18, 2001

SUBJECT: RZ 2001-SU-016/015, PCA 95-Y-016-2, SEA 95-Y-024
Chantilly Crossing
Loc: 34-3((1)) 27, 28, 29, 33, 33-A, 7-B, 7-C, 7-D, 19 pt., 26

The Fairfax County Park Authority (FCPA) staff has reviewed the above referenced application and provides the following comments:

1. FCPA requests that the applicant dedicate the major open space (approximately 7 acres) associated with Schneider Branch Stream Valley to the Fairfax County Park Authority for a stream valley park. FCPA owns property downstream along the Schneider Branch stream valley (See Attachment #1). Acquisition of this open space parcel will facilitate the ultimate connection of the Schneider Branch stream valley connection between Route 28 to the east, and the Cub Run stream valley system to the west.

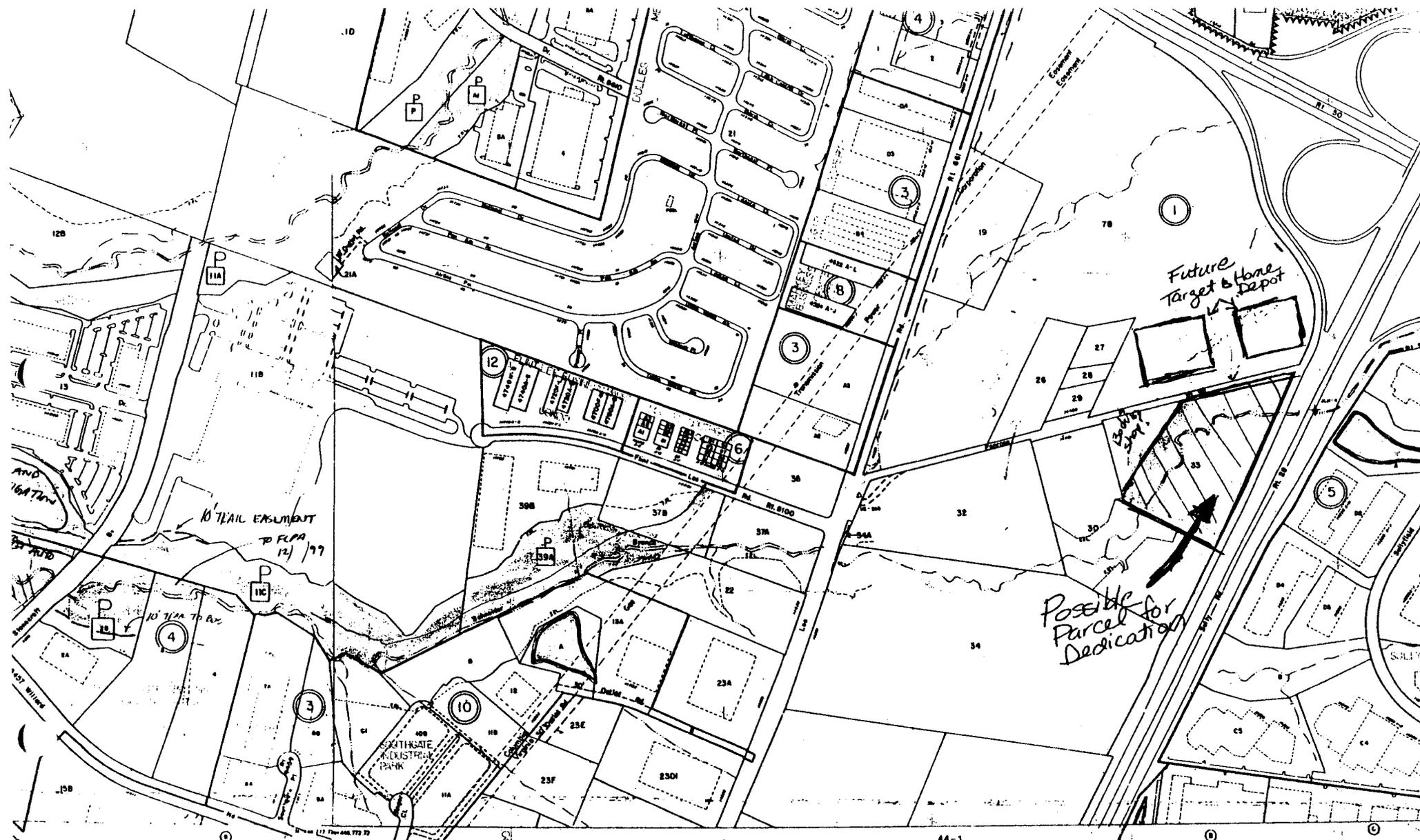
The County Comprehensive Plan calls for a trail to be built along Route 28. Dedication of this parcel will allow for a regional connection between the stream valleys in this area and the north/south Route 28 trail system.

2. There is a small non-vegetated portion of the major open space. FCPA staff requests that the developer consider a proffer to create a "Trail Head" in this vicinity which would include trail signage, bike racks, and a few passive recreational amenities such as benches, picnic tables, or a small shelter. It is anticipated that these amenities and trail connections could be used by the hotel patrons and promoted as an asset to this development.
3. There appear to be jurisdictional wetlands adjacent to an apparently perennial unnamed stream on this site. The site contains Croton soils, which are known to be primarily hydric and have the potential to contain nontidal wetlands, as well as vegetation that is associated with wetlands. A wetlands delineation needs to be completed. If sufficient wetlands are found on this site, a wetland mitigation plan may be required.
4. Clearing for the development will occur along the EQC limits of a tributary immediately upstream of Park Authority property. The Park Authority is concerned about the impact to the already degraded condition of Schneider Branch. Staff recommends that SWM and

Chantilly Crossing
RZ 2001-SU-016/015, PCA 95-Y-016-2, SEA 95-Y-024
Page 2

BMPs be required on site. In addition, the applicant should proffer to rehabilitate the condition of the Schneider Branch stream valley.

cc: Kirk Holley, Manager, Planning and Land Management Branch
Dorothea Stefen, Plan Review Team, Planning and Land Management Branch
Scott Sizer, Plan Review Team, Planning and Land Management Branch
Marjorie Pless, Plan Review Team, Resource Management Division
Sonia Sarna, Plan Review Team, Planning and Land Management Branch
File Copy



Future Target & Home Depot

Possible Parcel for Dedication

TRAIL ELEMENT TO FLA 12/77

SOUTHGATE INDUSTRIAL PARK

Attachment #1

FAIRFAX COUNTY WATER AUTHORITY
8570 Executive Park Avenue- P. O. Box 1500
Merrifield, Virginia 22116-0815
(703) 289-6000

May 2, 2001

MEMORANDUM

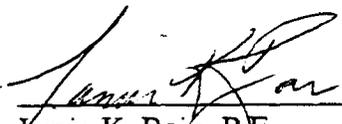
TO: Staff Coordinator (Tel. 324-1250)
Zoning Evaluation Division-Suite 800
12055 Government Center Parkway
Fairfax, Virginia 22035

FROM: Planning Branch (Tel. 289-6363)
Planning and Engineering Division

SUBJECT: Water Service Analysis, Rezoning Application RZ 00-SU-015
RZ 00-SU-016
PCA 95-Y-016-02
SEA 95-Y-024

The following information is submitted in response to your request for a water service analysis for the subject rezoning application:

1. The application property is located within the franchise area of the Fairfax County Water Authority.
2. Adequate domestic water service is available at the site from existing 12 and 8 inch mains located at the property. See enclosed property map.
3. Depending upon the configuration of the onsite water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

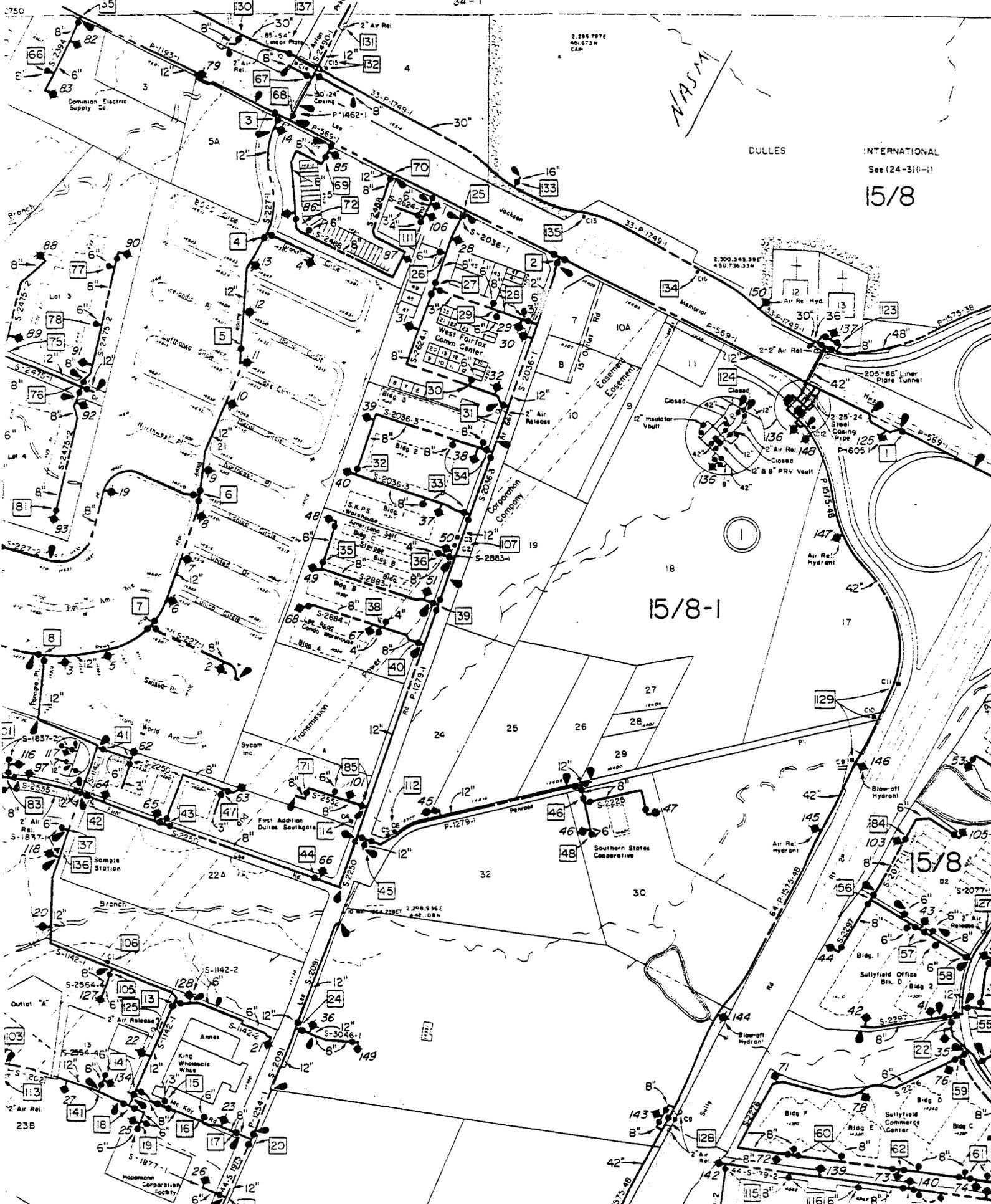


Jamie K. Bain, P.E.
Manager, Planning Department

Attachment

FAIRFAX COUNTY

34-1



DULLES INTERNATIONAL
See (24-3)(1-i)

15/8

15/8-1

15/8

MEMORANDUM

TO: Staff Coordinator
Zoning Evaluation Division, OCP

DATE: August 15, 2001

FROM: Gilbert Osei-Kwadwo (Tel: 324-5025) *gsk*
System Engineering & Monitoring Division
Office of Waste Management, DPW

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. RZ 2001-SU-015
Tax Map No. 034-3- /01/ /0027, 0028, 0029

The following information is submitted in response to your request for a sanitary sewer analysis for above referenced application:

1. The application property is located in the CUB RUN (T1) Watershed. It would be sewerred into the UOSA Treatment Plant.
2. Based upon current and committed flow, excess capacity is available in the Upper Occoquan Sewer Authority Treatment Plant at this time. For purposes of this report, committed flow shall be deemed as for which fees have been previously paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
3. An existing 8 inch line located in LBE ROAD and APPROX. 900 FEET the property is adequate for the proposed use at this time.
4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

<u>Sewer Network</u>	<u>Existing Use + Application</u>		<u>Existing Use + Application + Previous Rezoning</u>		<u>Existing Use + Application + Comp. Plan</u>	
	<u>Adeq.</u>	<u>Inadeq.</u>	<u>Adeq.</u>	<u>Inadeq.</u>	<u>Adeq.</u>	<u>Inadeq.</u>
Collector	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>
Submain	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>
Main/Trunk	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>
Interceptor	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Outfall	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

5. Other pertinent information or comments: _____

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Staff Coordinator
Zoning Evaluation Division, OCP

DATE: August 15, 2001

FROM: Gilbert Osei-Kwadwo (Tel: 324-5025) *goh*
System Engineering & Monitoring Division
Office of Waste Management, DPW

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. PCA 95-Y-016-02
Tax Map No. SEVERAL PARCELS ON 34- 3

The following information is submitted in response to your request for a sanitary sewer analysis for above referenced application:

1. The application property is located in the CUB RUN (T1) Watershed. It would be sewerred into the UOSA Treatment Plant.
2. Based upon current and committed flow, excess capacity is available in the Upper Occoquan Sewer Authority Treatment Plant at this time. For purposes of this report, committed flow shall be deemed as for which fees have been previously paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
3. Existing 8 AND 15 inch lines located in EASEMENTS and ON the property is adequate for the proposed use at this time.
4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

<u>Sewer Network</u>	<u>Existing Use + Application</u>		<u>Existing Use + Application + Previous Rezoning</u>		<u>Existing Use + Application + Comp. Plan</u>	
	<u>Adeq.</u>	<u>Inadeq.</u>	<u>Adeq.</u>	<u>Inadeq.</u>	<u>Adeq.</u>	<u>Inadeq.</u>
Collector	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>
Submain	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>
Main/Trunk	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>
Interceptor	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Outfall	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

5. Other pertinent information or comments: _____

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Staff Coordinator DATE: August 15, 2001
 Zoning Evaluation Division, OCP

FROM: Gilbert Osei-Kwadwo (Tel: 324-5025) *gok*
 System Engineering & Monitoring Division
 Office of Waste Management, DPW

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. SEA 95-Y-024
 Tax Map No. SEVERAL PARCELS ON 34- 3

The following information is submitted in response to your request for a sanitary sewer analysis for above referenced application:

1. The application property is located in the CUB RUN (T1) Watershed. It would be sewered into the UOSA Treatment Plant.
2. Based upon current and committed flow, excess capacity is available in the Upper Occoquan Sewer Authority Treatment Plant at this time. For purposes of this report, committed flow shall be deemed as for which fees have been previously paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
3. Existing 8 AND 15 inch lines located in EASEMENTS and ON the property is adequate for the proposed use at this time.
4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

<u>Sewer Network</u>	<u>Existing Use + Application</u>		<u>Existing Use + Application + Previous Rezoning</u>		<u>Existing Use + Application + Comp. Plan</u>	
	<u>Adeq.</u>	<u>Inadeq.</u>	<u>Adeq.</u>	<u>Inadeq.</u>	<u>Adeq.</u>	<u>Inadeq.</u>
Collector	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>
Submain	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>
Main/Trunk	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>
Interceptor	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Outfall	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

5. Other pertinent information or comments: _____

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Staff Coordinator
Zoning Evaluation Division, OCP

DATE: August 15, 2001

FROM: Gilbert Osei-Kwadwo (Tel: 324-5025) *gok*
System Engineering & Monitoring Division
Office of Waste Management, DPW

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. RZ 2001-SU-016
Tax Map No. 034-3- /01/ /0033 P, 0033-A P

The following information is submitted in response to your request for a sanitary sewer analysis for above referenced application:

1. The application property is located in the CUB RUN (T1) Watershed. It would be sewered into the UOSA Treatment Plant.
2. Based upon current and committed flow, excess capacity is available in the Upper Occoquan Sewer Authority Treatment Plant at this time. For purposes of this report, committed flow shall be deemed as for which fees have been previously paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
3. An existing 15 inch line located in EASEMENT and ON the property is adequate for the proposed use at this time.
4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

Sewer Network	Existing Use + Application		Existing Use + Application + Previous Rezoning		Existing Use + Application + Comp. Plan	
	Adeq.	Inadeq.	Adeq.	Inadeq.	Adeq.	Inadeq.
Collector	<u>X</u>	_____	<u>X</u>	_____	<u>X</u>	_____
Submain	<u>X</u>	_____	<u>X</u>	_____	<u>X</u>	_____
Main/Trunk	<u>X</u>	_____	<u>X</u>	_____	<u>X</u>	_____
Interceptor	_____	_____	_____	_____	_____	_____
Outfall	_____	_____	_____	_____	_____	_____

5. Other pertinent information or comments: _____

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

May 1, 2001

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

FROM: Ralph Dulaney (246-3868)
Planning Section
Fire and Rescue Department

SUBJECT: Fire and Rescue Department Preliminary Analysis of Rezoning Application RZ 2000-SU-015 and Rezoning Application RZ 2000-SU-016 and Proffered Condition Amendment PCA 95-Y-016-02 and Special Exception Amendment Application SEA 95-Y-024

The following information is submitted in response to your request for a preliminary Fire and Rescue Department analysis for the subject:

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #15, Chantilly.
2. After construction programmed for FY 19__, this property will be serviced by the fire station planned for the _____ area.
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
 - a. currently meets fire protection guidelines.
 - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
 - c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
 - d. does not meet current fire protection guidelines without an additional facility. The application property is _____ of a mile, outside the fire protection guidelines. No new facility is currently planned for this area.

II. Trails (PDD):

Yes No Any funded Trail projects affected by this application?

If yes, describe:

Yes No Any Trail projects on the Countywide Trails priority list or other significant trail project issues associated with this property?

If yes, describe:

III. School Sidewalk Program (PDD):

Yes No Any sidewalk projects pending funding approval or on the School Sidewalk Program priority list for this property?

If yes, describe:

Yes No Any funded sidewalk projects affected by this application?

If yes, describe:

IV. Sanitary Sewer Extension and Improvement (E&I) Program (PDD):

Yes No Any existing residential properties adjacent to or draining through this property that are without sanitary sewer facilities?

If yes, describe:

Yes No Any ongoing E&I projects affected by this application?

If yes, describe:

V. Other Projects or Programs (PDD):

Yes No Any Board of Road Viewers (BORV) or Fairfax County Road Maintenance Improvement Projects (FCRMIP) affected by this application?

If yes, describe:

Yes No Any Commercial Revitalization Program (CRP) projects affected by this application?

If yes, describe:

Yes No Any Neighborhood Improvement Program (NIP) projects affected by this application?

If yes, describe:

Other Program Information (PDD): **None.**

Application Name/Number: **Starwood Cerruzzi II, L.L.C. / RZ2001-SU-016/15**
and PCA95-Y-016-2 and SEA95-Y-024

******* SWPD AND PDD, DPWES, RECOMMENDATIONS*******

Note: The SWPD and PDD recommendations are based on the SWPD and PDD involvement in the below listed programs and are not intended to constitute total County input for these general topics. It is understood that the current requirements pertaining to Federal, State and County regulations, including the County Code, Zoning Ordinance and the Public Facilities Manual will be fully complied with throughout the development process. The SWPD and PDD recommendations are to be considered additional measures over and above the minimum current regulations.

DRAINAGE RECOMMENDATIONS (SWPD): Applicant should construct Regional Pond C-41 and should coordinate project through DPWES. Proffers should be included in the Rezoning approval requiring the applicant to construct C-41. Proffers should be coordinated with SWPD.

TRAILS RECOMMENDATIONS (PDD): None.

SCHOOL SIDEWALK RECOMMENDATIONS (PDD): None.

SANITARY SEWER E&I RECOMMENDATIONS (PDD): None.

Yes **NOT REQUIRED** Extend sanitary sewer lines to the development boundaries on the _____ sides for future sewer service to the existing residential units adjacent to or upstream from this rezoning. Final alignment of the sanitary extension to be approved by Department of Public Works and Environmental Services during the normal plan review and approval process.

Other E&I Recommendations (PDD): None.

OTHER SWPD and PDD PROJECT/PROGRAM RECOMMENDATIONS: None.

SWPD and PDD Internal sign-off by:
Planning Support Branch (Ahmed Rayyan) kcm
Utilities Design Branch (Walt Wozniak) ww
Transportation Design Branch (Larry Ichter) nc
Stormwater Management Branch (Fred Rose) FR
RS M

SRS/RZ2001SU016/15

cc: Gordon Lawrence, Coordinator, Office of Safety, Fairfax County Public Schools (only if sidewalk recommendation made)
Gilbert Osei-Kwadwo, Chief, Engineering Analysis Planning Branch
Bruce Douglas, Chief, Environment and Development Review Branch

PCA 95-Y-016
RZ 2001-Y-015
RZ 2001-Y-016
SEA 95-Y-024-02

Zoning Ordinance Citations

9-006 General Standards

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

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

9-503 Standards for all Category 5 Uses

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

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

9-505

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

1. In all districts where permitted by special exception:
 - A. Such a use shall have on all sides the same architectural features or shall be architecturally compatible with the building group or neighborhood with which it is associated.
 - B. Such a use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties.
 - C. The site shall be designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation. Parking and stacking spaces shall be provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the site.
 - D. In reviewing such a use or combination of uses, it shall be determined that the lot is of sufficient area and width to accommodate the use and that any such use will not adversely affect any nearby existing or planned residential areas as a result of the hours of operation, noise generation, parking, glare or other operational factors.
4. In the C-7, C-8 and C-9 Districts, in addition to Par. 1 above:
 - A. In the C-7 or C-9 District, 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.
 - B. Service stations and service station/mini-marts shall not be used for the performance of major repairs, and shall not include the outdoor storage of more than four (4) abandoned, wrecked or inoperable vehicles on the site for more than seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, in no event shall any one (1) abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding seventy-two (72) hours.
 - C. The outdoor area devoted to any use such as vehicle or tool rental shall be limited to the area so designated on an approved special exception plat.

7-608

Use Limitations

All uses shall be subject to the use limitations set forth in the underlying zoning district(s), and, in addition, drive-in banks, fast food restaurants, quick-service food stores, service stations and service station/mini-marts shall be subject to the following use limitations:

1. In any Highway Corridor Overlay District:
 - A. Such a use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties.
 - B. Such a use shall have access designed so as not to impede traffic on a public street intended to carry through traffic. To such end, access via the following means may be given favorable consideration:
 - (1) Access to the site is provided by a public street other than one intended to carry through traffic, and/or
 - (2) Access to the site is provided via the internal circulation of a shopping center, which center contains at least six (6) other commercial uses, or an office complex having a limited number of well-designed access points to the public street system and no additional direct access is provided to the site from a public street intended to carry through traffic over and above those entrances which may exist to provide access to the shopping center, and/or
 - (3) Access to the site is provided by a functional service drive, which provides controlled access to the site.
 - C. 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.
4. Where the underlying district is C-7, C-8, C-9, I-3 or I-4, in addition to Par. 1 above:
 - A. Service stations and service station/mini-marts shall not be used for the performance of major repairs, and shall not include the outdoor storage of more than four (4) abandoned, wrecked or inoperable vehicles on the site for more than seventy-two (72) hours subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, in no event shall any one (1) abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding seventy-two (72) hours.

GLOSSARY

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

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

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

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

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

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

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

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

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

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

COUNTY 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 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	PD	Planning Division
ADU	Affordable Dwelling Unit	PDC	Planned Development Commercial
ARB	Architectural Review Board	PDH	Planned Development Housing
BMP	Best Management Practices	PFM	Public Facilities Manual
BOS	Board of Supervisors	PRC	Planned Residential Community
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	SP	Special Permit
DP	Development Plan	TDM	Transportation Demand Management
DPWES	Department of Public Works and Environmental Services	TMA	Transportation Management Association
DPZ	Department of Planning and Zoning	TSA	Transit Station Area
DU/AC	Dwelling Units Per Acre	TSM	Transportation System Management
EQC	Environmental Quality Corridor	UP & DD	Utilities Planning and Design Division, DPWES
FAR	Floor Area Ratio	VC	Variance
FDP	Final Development Plan	VDOT	Virginia Dept. of Transportation
GDP	Generalized Development Plan	VPD	Vehicles Per Day
GFA	Gross Floor Area	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	ZAD	Zoning Administration Division, DPZ
Non-RUP	Non-Residential Use Permit	ZED	Zoning Evaluation Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZPRB	Zoning Permit Review Branch
PCA	Proffered Condition Amendment		