



FAIRFAX COUNTY

**OFFICE OF THE CLERK
BOARD OF SUPERVISORS**

12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

Tel: 703-324-3151 • Fax: 703-324-3926 • TTY: 703-324-3903

V I R G I N I A

www.fairfaxcounty.gov/gov/bos/clerkhomepage.htm

Email: clerktothebos@fairfaxcounty.gov

July 9, 2003

Elizabeth D. Baker, Land Use Coordinator
Walsh, Colucci, Stackhouse, Emrich & Terpak, PC
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201-3359

RE: Proffered Condition Amendment Number PCA 95-Y-016-4
(Concurrent with SEA 95-Y-024-3)

Dear Ms. Baker:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on June 2, 2003, approving Proffered Condition Amendment PCA 95-Y-016-4 in the name of Chantilly 50-28 Associates Limited Partnership, to amend proffers for RZ 95-Y-016 previously approved for retail and hotel use to permit site modifications with an overall Floor Area Ratio (FAR) of 0.25 located on the east side of Lee Road, approximately 1,100 feet south of Lee Jackson Memorial Highway (Tax Map 34-3 ((13)) 1, 2, 3, and 4 (formerly known as 34-3 ((1)) pt. 7B and pt. 19), subject to the proffers dated May 15, 2003, consisting of approximately 14.40 acres located in Sully District.

Sincerely,

Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

PCA 95-Y-016-4

July 9, 2003

- 2 -

cc: Chairman Katherine K. Hanley
Supervisor Frey, Sully District
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Michael R. Congleton, Deputy Zoning Enforcement Branch
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Thomas Conry, Dept. Mgr. – GIS - Mapping/Overlay
Angela K. Rodeheaver, Section Chief, Trnsprt'n. Planning Div.
Charles Strunk, Project Planning Section, Dept. of Transportation
Michelle Brickner, Deputy Director, DPWES
Kenny King, Proffer Administrator, Plans & Document Control, OSDS, DPWES
Frank Edwards, Department of Highways - VDOT
Joyce Evans, Land Acq. & Planning Div., Park Authority
District Planning Commissioner
James Patteson, Director, Facilities Mgmt. Div., DPWES
Barbara J. Lippa, Director Planning Commission
Gary Chevalier, Office of Capital Facilities, Fairfax County Public Schools

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 2nd day of June, 2003, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROFFERED CONDITION AMENDMENT PCA 95-Y-016-4
(CONCURRENT WITH SEA 95-Y-024-3)

WHEREAS, Chantilly 50-28 Associates Limited Partnership filed in the proper form an application to amend the proffers for RZ 95-Y-016 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 2nd day of June, 2003.



Nancy Veers

Clerk to the Board of Supervisors



PROFFERS

PCA 95-Y-016-4

May 15, 2003

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 ((13)) 1, 2, 3 and 4 (formerly 34-3 ((1)) pt. 7B and pt. 19) (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, which shall remain in full force and effect except as amended below. The previously approved proffers associated with PCA 95-Y-016 dated June 22, 1998 and approved proffers associated with PCA 95-Y-016-3 dated July 26, 2002 shall be superceded by these proffers.

1. EXHIBITS

- a. **[Revised to Read]** 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 Generalized Development Plan Amendment and Special Exception Plat Amendment (GDPA/SEA Plat), Sheets 1, 2 and 3 of 7, prepared by Dewberry & Davis LLC dated November 21, 2002, revised through March 21, 2003. The ranges of square footage shown on individual buildings provide flexibility, however, the total square footage for the Application Property shall not exceed 157,500 square feet.
- b. **[Revised to Read]** 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. Sections and Elevations with Site Details, Sheets 4, 5, 6 and 8 dated November 21, 2002, revised through March 21, 2003, prepared by Dewberry & Davis.

2. USES

- a. **[Revised to Read]** It is the intent of the Applicant to seek Special Exception (SE) and Special Permit (SP) use approvals for Buildings Band J 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 uses for Buildings B and J without a Proffered Condition Amendment, provided there is no increase in the maximum FAR and there are no changes in layout except as may be permitted under Section 18-204.

- c. **[Revised to Add]** The use of Building D shall be limited to a single furniture store, a maximum of 67,500 gross square feet in size. A furniture store shall be defined as a retail sales establishment specializing in the sale of furniture. Accessory items such as floor coverings, lighting, and decorative accessories may be sold as long as the majority of the store is devoted to the sale of furniture.

- 3.a. vi. **[Revised to Read]** The Applicant shall provide a signal warrant analysis upon request by VDOT and shall provide properly phased traffic signals, if determined warranted by VDOT, 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 DPWES, 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.

- 6.a. v. **[Revised to Read]** The architectural elevations shown on Sheet 7 of the GDP are provided to illustrate the general character, quality and design intent of Building D. The Applicant reserves the right to modify the elevations based on final architectural design.

13. **[new] NOISE MITIGATION.** In order to reduce interior noise to a level of approximately 45 dBA Ldn, Building G, which has been identified as being impacted by highway noise from Route 50 having levels projected to be between 65 and 70 dBA Ldn, shall employ the following acoustical measures:

Exterior walls shall have a laboratory sound transmission class (STC) rating of at least 39. Doors and glazing shall have a laboratory STC rating of at least 28 unless glazing constitutes more than 20 percent of any façade exposed to noise levels of Ldn 65 dBA or above. If glazing constitutes more than 20 percent of an exposed façade, then the glazing

shall have a STC rating of at least 39. All surfaces shall be sealed and caulked in accordance with methods approved by the American Society for Testing and Materials (ASTM) to minimize sound transmission.

14. [new] Recreation. Prior to issuance of a Non-Residential Use Permit ("Non-RUP") for Building D as a furniture store, the Applicant shall contribute the sum of \$250,000.00 to Fairfax County for the development of rectangular field facilities and related improvements in the area. A sign of recognition acknowledging the contribution may be provided, at the Applicant's expense, in accordance with the Fairfax County Park Authority's policies.

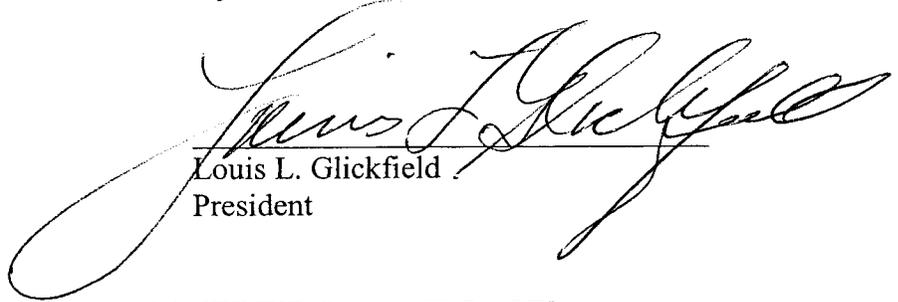
J:\MARLO\570.8\proffers\Proffers 8 CLEAN.doc

[SIGNATURES BEGIN ON NEXT PAGE]

APPLICANT/TITLE OWNER OF
TAX MAP 34-3 ((13)) 1, 2, 3, 4
(formerly Tax Map 34-3 ((1)) pt. 7B and pt. 19)

CHANTILLY 50-28 ASSOCIATES LIMITED
PARTNERSHIP

By: Lomar Investments, Inc., is General Partner

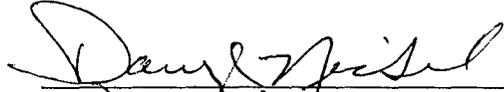
A large, stylized handwritten signature in black ink, appearing to read "Louis L. Glickfield". The signature is written over a horizontal line that serves as a baseline for the printed name and title below it.

Louis L. Glickfield
President

[SIGNATURES CONTINUE ON NEXT PAGE]

CONTRACT PURCHASER OF
TAX MAP 34-3 ((13)) 1
(formerly Tax Map 34-3 ((1)) pt. 7B)

SPRINGHILL SMC CORPORATION


By: DARYL NICKEL
Its: VICE PRESIDENT

[SIGNATURES END]



Chantilly Crossing

SULLY DISTRICT FAIRFAX COUNTY, VIRGINIA GENERALIZED DEVELOPMENT PLAN AMENDMENT/ SPECIAL EXCEPTION AMENDMENT PLAT



VICINITY MAP
SCALE: 1"=2,000'

APPLICANT:
Chantilly 50/28 Associates L.P.
725 Rockville Pike
Rockville, Maryland 20852

November 21, 2002
Rev. January 31, 2003
Rev. March 21, 2003

SHEET INDEX:

1. COVER SHEET
2. NOTES AND TABULATION
3. GDPA / SEA PLAT
4. SECTION WITH SITE DETAILS
5. SECTIONS AND ELEVATIONS
6. SECTIONS AND ELEVATIONS
7. FURNITURE SHOW ROOM ELEVATIONS
8. FURNITURE SHOW ROOM LIGHTING PLAN

Chantilly Crossing

SULLY DISTRICT
FAIRFAX COUNTY, VIRGINIA
GENERALIZED DEVELOPMENT PLAN AMENDMENT
SPECIAL EXCEPTION AMENDMENT PLAT



Dewberry & Davis LLC Engineers
A Dewberry Company Planners
Surveyors
Landscape Architects
8401 Arlington Blvd.
Fairfax, VA 22031
(703) 849-0100 Fax (703) 849-0118

POTENTIAL PLANT SPECIES

LARGE DECIDUOUS/CANOPY TREE

- b1 Maple
- b2 Oak
- b3 Dogwood

MEDIUM DECIDUOUS/CANOPY TREE

- b1 Cherry
- b2 Linden

MEDIUM 'COLUMNAR' DECIDUOUS TREE

- b1 Maple
- b2 Magnolia
- b3 Chestnut
- b4 Pear

SMALL DECIDUOUS/CANOPY TREE

- b1 American Holly
- b2 Dogwood
- b3 Redbud
- b4 Pear

ORNAMENTAL TREE

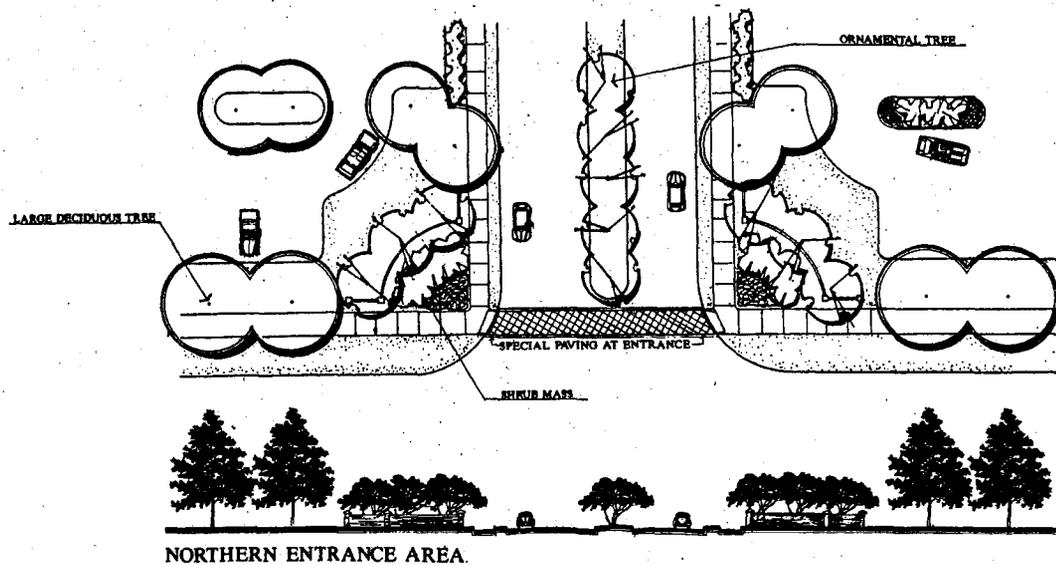
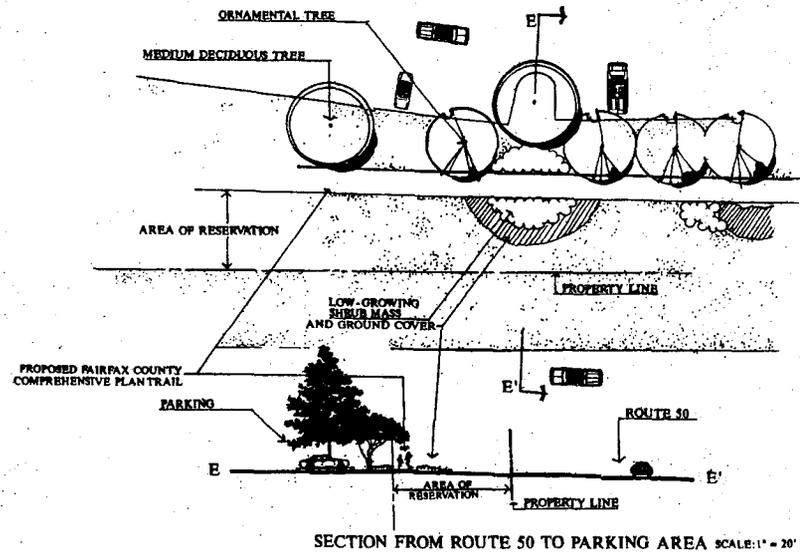
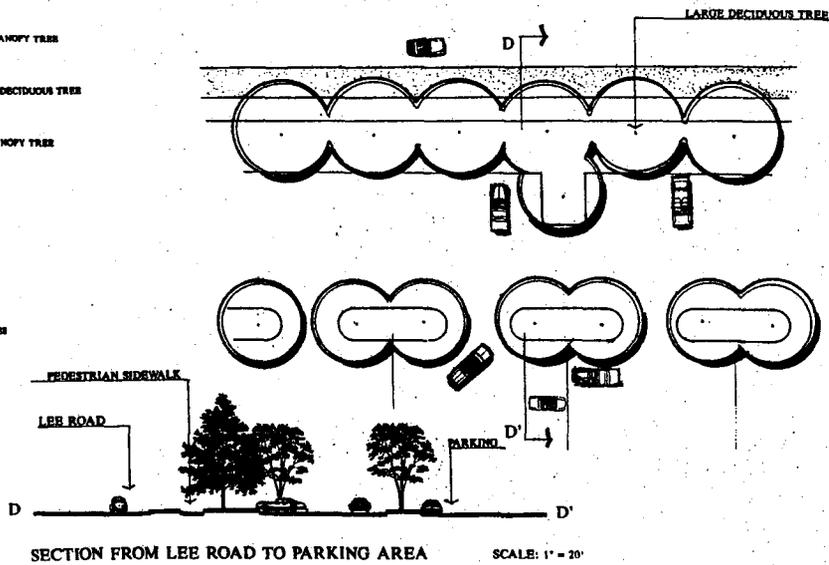
- b1 Amelanchier
- b2 Redbud
- b3 Cherry
- b4 Dogwood

FOUNDATION SHRUBS

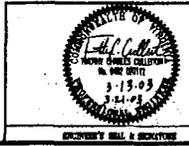
- b1 Azalea
- b2 Juniper
- b3 Spirea
- b4 Holly
- b5 Yew
- b6 Camellia

SHRUB MASSES/HEDGES

- b1 Winterberry
- b2 Burning Bush
- b3 Holly
- b4 Yew
- b5 Viburnum

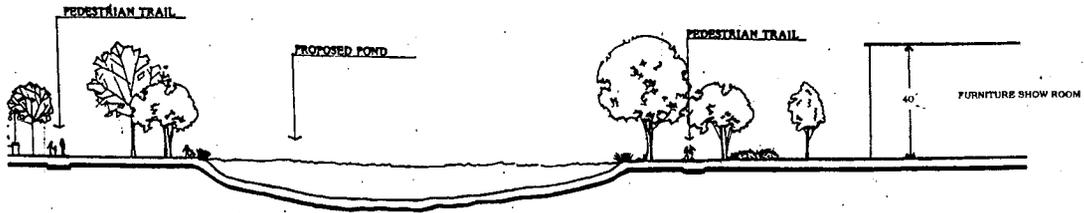


Dewberry & Davis LLC
 A Dewberry Company
 10000 Parkside Dr., Suite 200
 Fairfax, VA 22031
 (703) 548-0100 FAX (703) 548-0111
 ENGINEERS
 ARCHITECTS
 LANDSCAPE ARCHITECTS
 PLANNERS
 SURVEYORS
 ENVIRONMENTAL SCIENTISTS
 GENERALIZED DEVELOPMENT PLAN AMENDMENT/SPECIAL EXCEPTION AMENDMENT PLAN, SECTIONS AND ELEVATIONS
CHANTILLY CROSSING
 FAIRFAX, VIRGINIA
 SULLY D1
 DRAWN BY: DSK
 DESIGNED BY:
 CHECKED BY: LN
 DATE: January 31, 2003
 SCALE:
 PLAN NUMBER:
 TOWN:
 SHEET: 5 OF 8
 PER: TOWN:
 M-100292



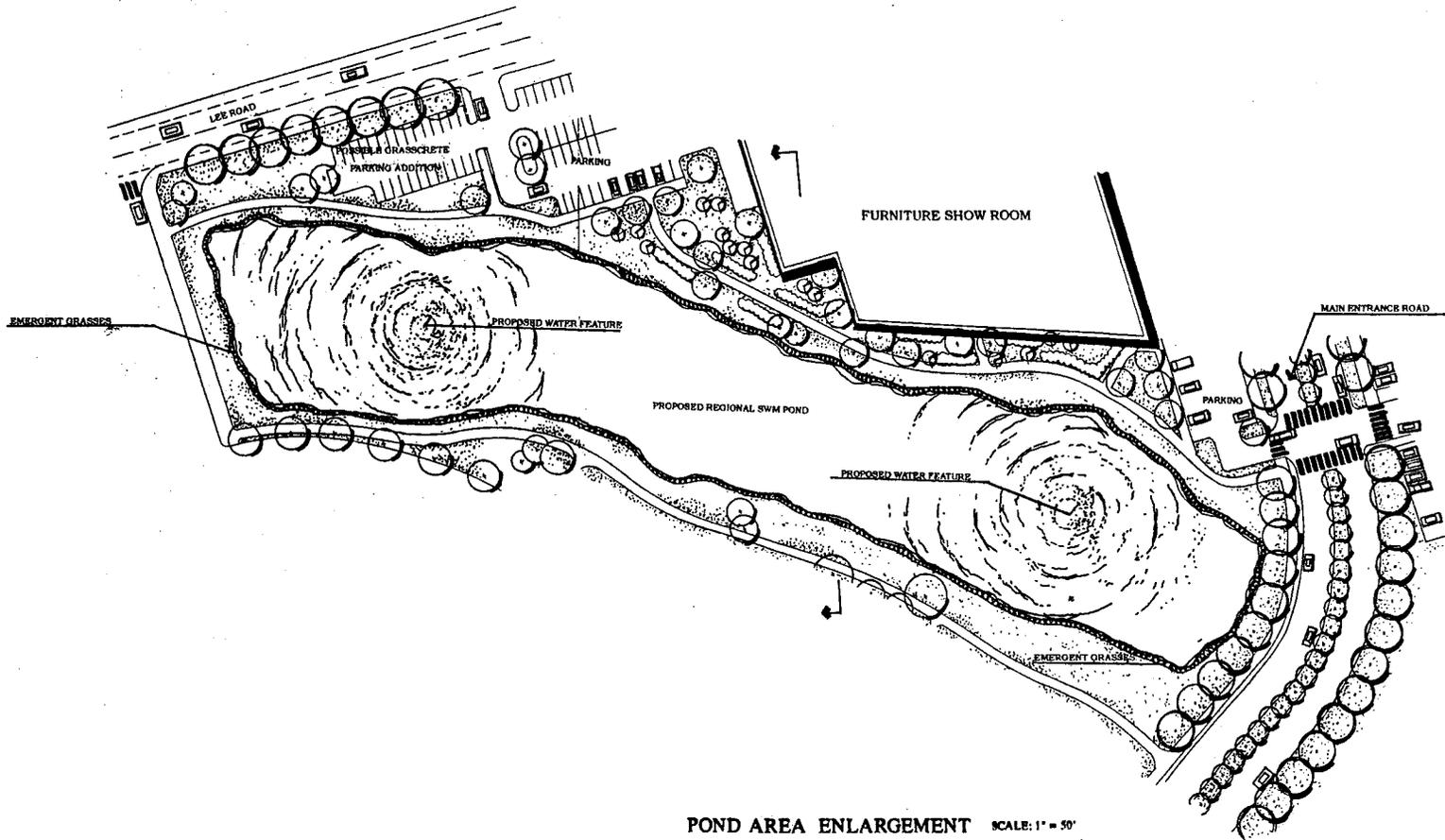
REV March 21, 2003

© 2003 Dewberry & Davis LLC. All rights reserved.



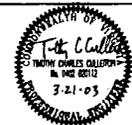
SECTION THROUGH PROPOSED POND

SCALE 1" = 20'



POND AREA ENLARGEMENT SCALE: 1" = 50'

Rev. January 31, 2003
REV. March 21, 2003



ENGINEER & SURV. & SIG. CENTER

Dewberry & Davis LLC
A Dewberry Company
14150 Lee Road
Fairfax, VA 22033
Tel: (703) 644-0115

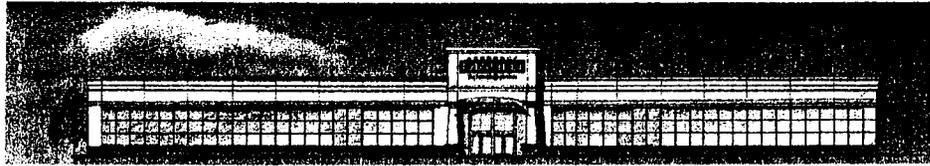
GENERALIZED DEVELOPMENT PLAN AMENDMENT/SPECIAL EXCEPTION AMENDMENT, PLAN SECTIONS AND ELEVATIONS

CHANTILLY CROSSING

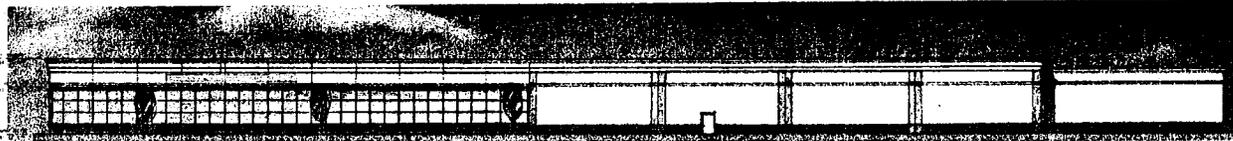
FAIRFAX, VIRGINIA

SULLY D

DRAWN BY	DSC
DESIGNED BY	
CHECKED BY	LCR
DATE	November 21, 2002
SCALE	
PLAN NUMBER	
ZONING	
SHEET	6 of 8
FILE NUMBER	H-10782



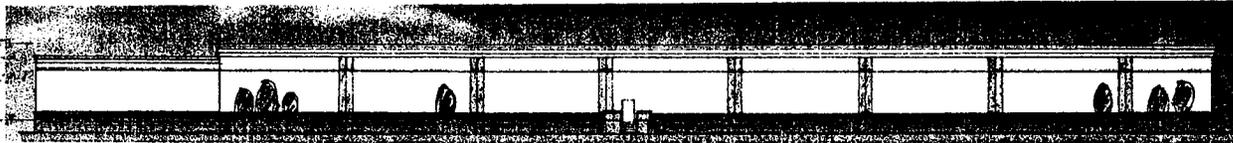
NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

MARLO FURNITURE

DATE: 03-18-03

CHANTILLY CROSSING
SULLY DISTRICT



FURNITURE SHOWROOM ELEVATIONS - BUILDING "D"

THE ELEVATIONS PRESENTED ON THIS SHEET ARE PRELIMINARY. THEY ARE PRESENTED TO REPRESENT THE GENERAL CHARACTER AND THEME OF THE PROPOSED FURNITURE SHOWROOM BUILDING. THE ELEVATION WILL BE REFINED AND SUBJECT TO MINOR MODIFICATION WITH FINAL ENGINEERING AND ARCHITECTURAL DESIGN.



ENGINEER'S SEAL & SIGNATURE
 PROJECT NUMBER: H-10382
 SHEET: 7 of 8
 SCALE: N.T.S.
 DATE: January 31, 2003
 CHECKED BY: LAM
 DESIGNED BY: J. BRYAN
 DRAWN BY: DIT
 SULLY DISTRICT
 CHANTILLY CROSSING
 FAIRFAX, VIRGINIA
 GENERALIZED DEVELOPMENT PLAN AMENDMENT/SPECIAL EXCEPTION AMENDMENT PLAN
 FURNITURE SHOW ROOM ELEVATIONS
Dowberry & Davis LLC
 a Dowberry Company
 Engineers
 Planners
 Architects
 Landscape Architects
 1415 Ashby Lane, Suite 100
 Fairfax, VA 22031
 (703) 444-0100 Fax: (703) 444-0110

COPYRIGHT © 2003 by Dowberry & Davis LLC. All rights reserved. No part of this document may be reproduced without written permission from Dowberry & Davis LLC.

