



APPLICATIONS ACCEPTED: May 25, 2010
PLANNING COMMISSION: November 3, 2010
BOARD OF SUPERVISORS: November 16, 2010 @ 3:30 p.m.

County of Fairfax, Virginia

October 25, 2010

STAFF REPORT

REZONING APPLICATION RZ 2010-LE-005 SPECIAL EXCEPTION APPLICATION SE 2010-LE-009

LEE DISTRICT

APPLICANT(S): Jennings Business Park, LLC

PRESENT ZONING: R-1 and R-3

REQUESTED ZONING: C-8

PARCEL(S): 90-4 ((1)) 6A and 7

ACREAGE: 64.53 acres (Rezoning site area)
23.17 acres (Special Exception site area)

INTENSITY: .04 FAR (Rezoning site area)
.09 FAR (Special Exception site area)

OPEN SPACE: 80% (Rezoning site area)
50% (Special Exception site area)

PLAN MAP: Industrial Uses up to .35 FAR

SE CATEGORY: Category 5, Vehicle Sale, Rental and Ancillary Service Establishments

PROPOSAL: The applicant seeks to rezone 64.53 acres from R-1 and R-3 to C-8. In addition, the applicant requests a Category 5 Special Exception request to permit a vehicle sale, rental and ancillary service establishment on 23.17 acres of the site. A recreational field for the Fairfax County Park Authority is also proposed on Parcel 7.

Brenda J Cho

STAFF RECOMMENDATIONS:

Excellence * Innovation * Stewardship
Integrity * Teamwork * Public Service

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703-324-1290 FAX 703-324-3924
www.fairfaxcounty.gov/dpz/



Staff recommends approval of RZ 2010-LE-005, subject to execution of proffers consistent with the draft proffers contained in Appendix 1.

Staff recommends approval of SE 2010-LE-009, subject to the proposed development conditions contained in Appendix 2.

Staff recommends approval of a waiver of the barrier requirement along the northern property line of Parcel 7, in favor of that shown on the GDP/SE Plat.

Staff recommends approval of a waiver of the minor trail requirement.

Staff recommends approval of a waiver of the frontage improvements.

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.

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

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

O:\bcho00\RZ\RZ 2010-LE-005 (Jennings)\Report Documents\Report_cover.doc



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

Rezoning Application

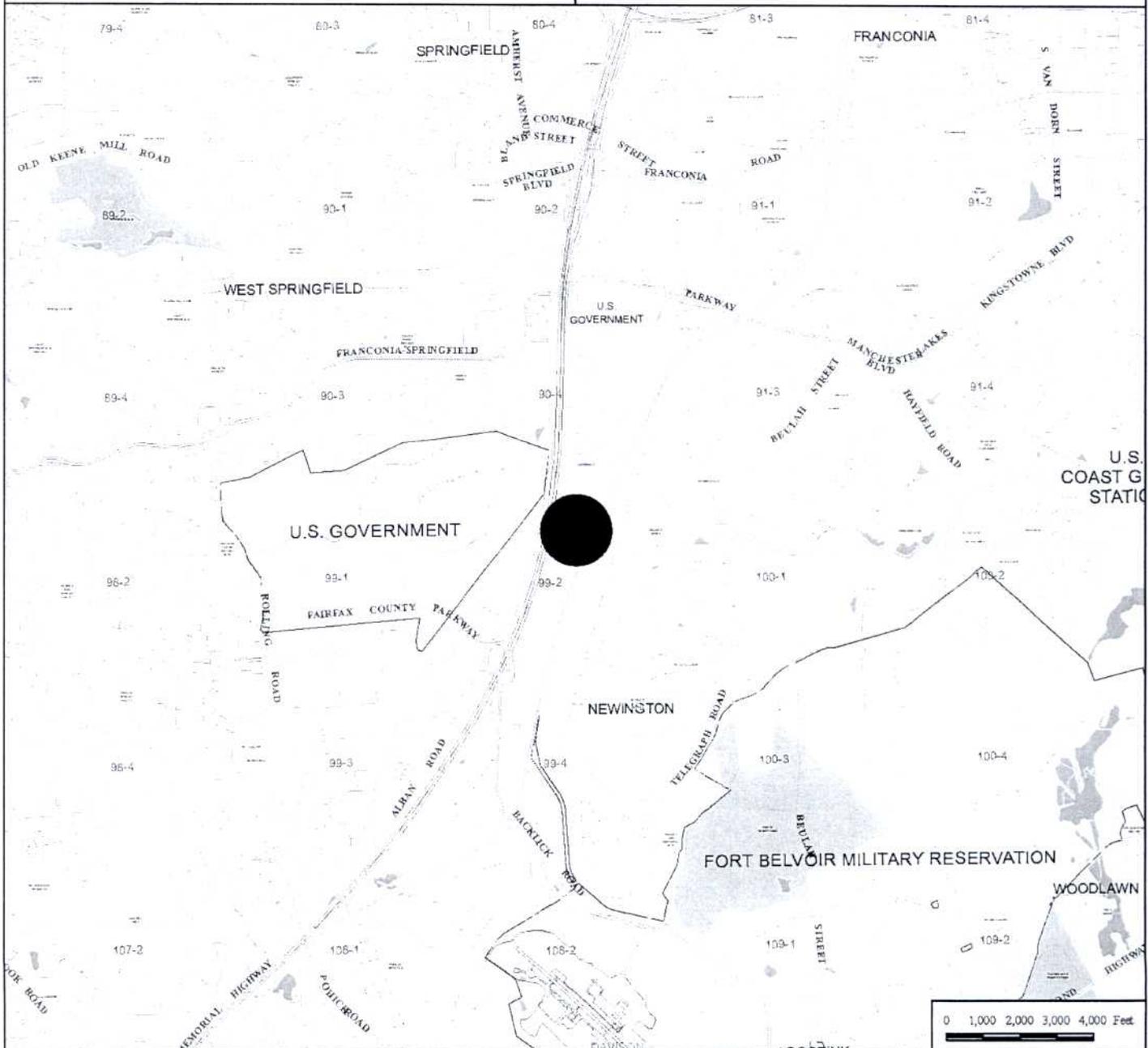
RZ 2010-LE-005

Applicant: JENNINGS BUSINESS PARK, LLC
Accepted: 05/25/2010
Proposed: COMMERCIAL
Area: 64.53 AC OF LAND; DISTRICT - LEE
Zoning Dist Sect: EAST SIDE OF LOISDALE ROAD AND WEST OF CSX RAILROAD TRACKS, IMMEDIATELY SOUTH OF LOISDALE PARK
Located:
Zoning: FROM R-1 and R-3 to C-8
Overlay Dist:
Map Ref Num: 090-4- /01/ /0006A /01/ /0007

Special Exception

SE 2010-LE-009

Applicant: JENNINGS BUSINESS PARK, LLC
Accepted: 05/25/2010
Proposed: COMMERCIAL DEVELOPMENT
Area: 23.17 AC OF LAND; DISTRICT - LEE
Zoning Dist Sect: 04-0804
Art 9 Group and Use: 5-02
Located: N/A
Zoning: C- 8
Plan Area: 4,
Overlay Dist:
Map Ref Num: 090-4- /01/ 0006A /01/ 0007 pt.



Rezoning Application

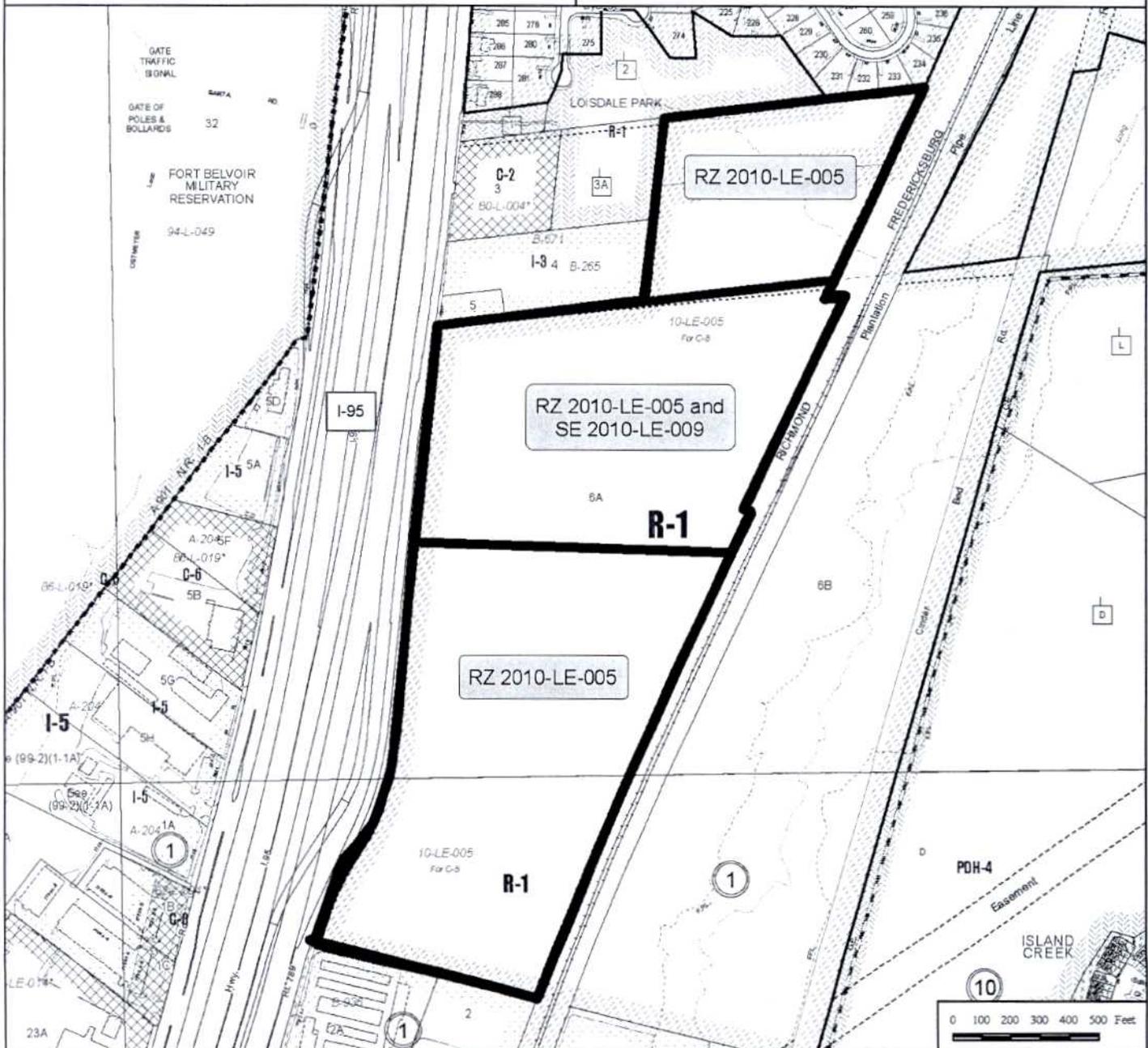
RZ 2010-LE-005

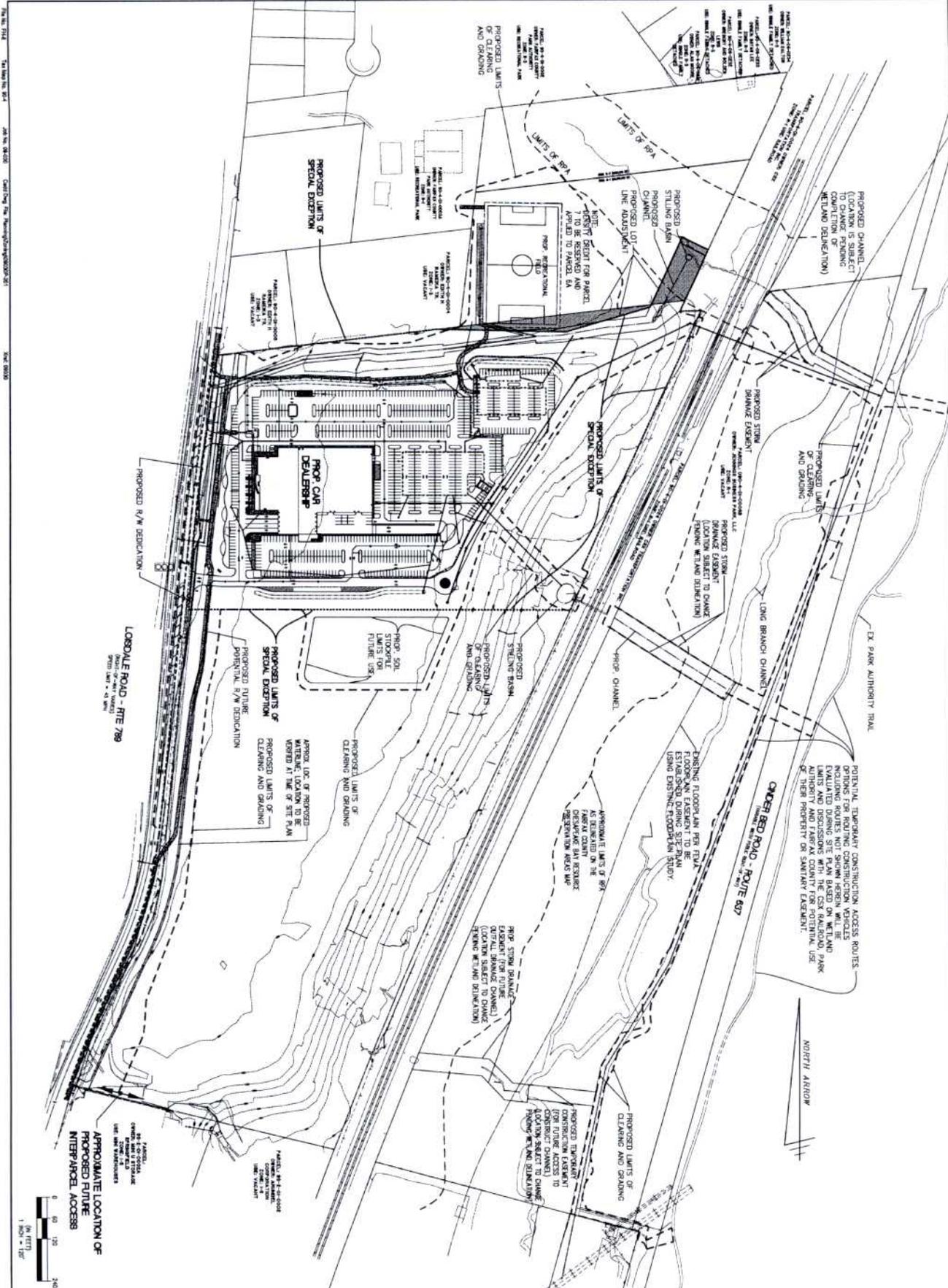
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Zoning Dist Sect: EAST SIDE OF LOISDALE ROAD AND WEST OF CSX RAILROAD TRACKS, IMMEDIATELY SOUTH OF LOISDALE PARK
Located:
Zoning: FROM R-1 and R-3 to C-8
Overlay Dist:
Map Ref Num: 090-4- /01/ /0006A /01/ /0007

Special Exception

SE 2010-LE-009

Applicant: JENNINGS BUSINESS PARK, LLC
Accepted: 05/25/2010
Proposed: COMMERCIAL DEVELOPMENT
Area: 23.17 AC OF LAND; DISTRICT - LEE
Zoning Dist Sect: 04-0804
Art 9 Group and Use: 5-02
Located: N/A
Zoning: C- 8
Plan Area: 4,
Overlay Dist:
Map Ref Num: 090-4- /01/ 0006A /01/ 0007 pt.





OVERALL PLAN

JENNINGS TOYOTA

LEE DISTRICT

FAIRFAX COUNTY, VIRGINIA

REVISION APPROVED BY

| NO. | DESCRIPTION | DATE | BY | APPROVED | DATE |
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WALTER L. PHILLIPS

INCORPORATED

CIVIL ENGINEERS LAND SURVEYORS PLANNERS LANDSCAPE ARCHITECTS

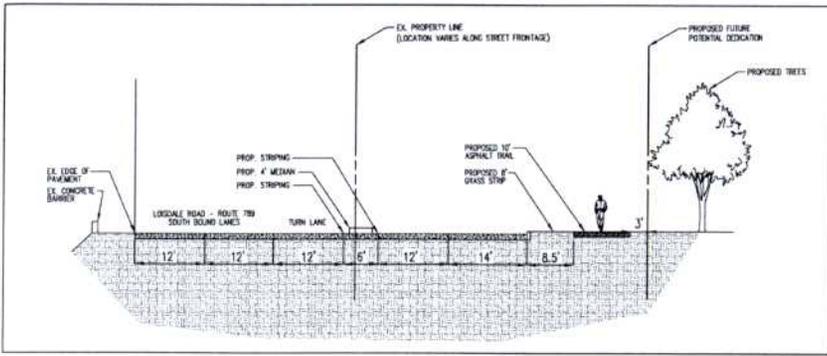
207 PARK AVENUE FALLS CHURCH, VIRGINIA 22046

(703) 532-6163 FAX (703) 533-1301 WLPINC.COM

SCALE: 1" = 50'

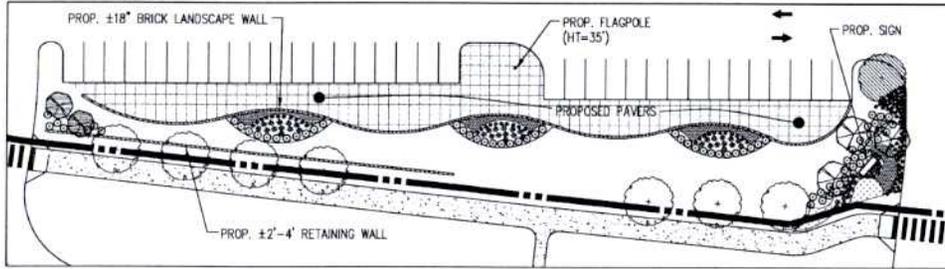
DATE: 11/10

DRAWN: MW



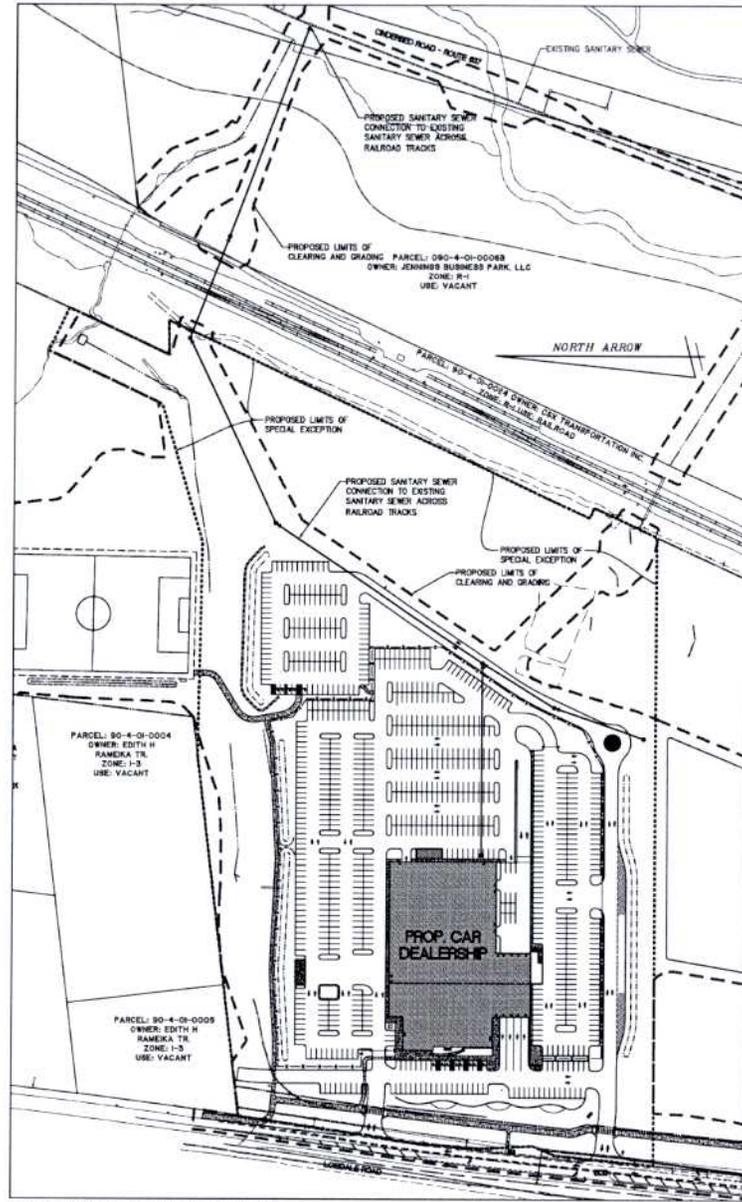
TYPICAL FUTURE LOISDALE ROAD CROSS-SECTION

SCALE: 1" = 10'



PROPOSED VEHICLE DISPLAY AREA

SCALE: 1" = 20'



SANITARY SEWER CONNECTION DETAIL

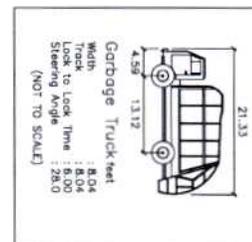
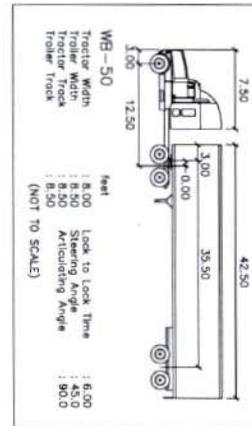
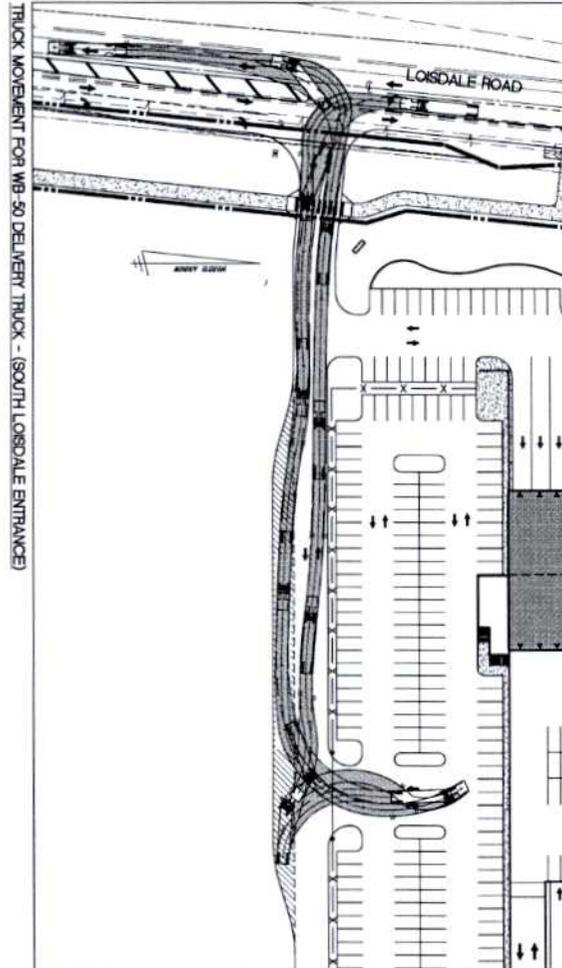
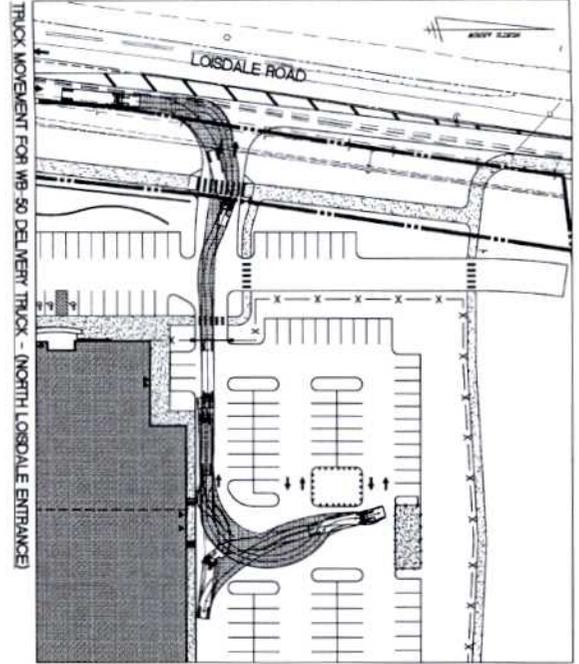
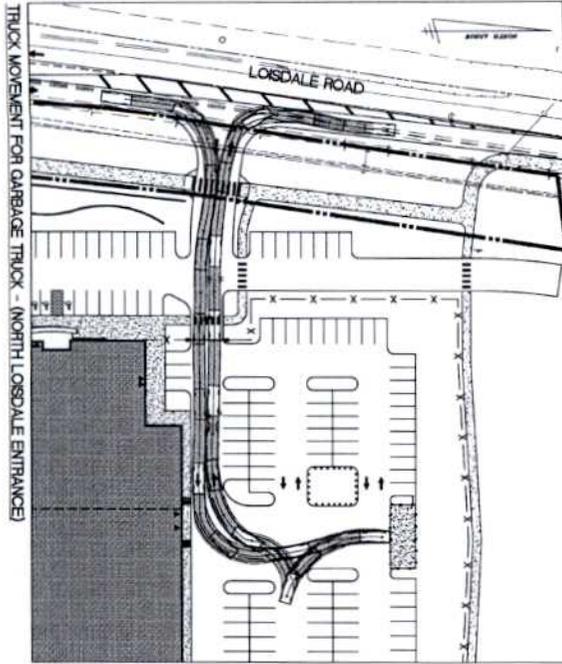
SCALE: 1" = 100'

WALTER L. PHILLIPS
 INCORPORATED
 CIVIL ENGINEERS LAND SURVEYORS PLANNERS LANDSCAPE ARCHITECTS
 207 PARK AVENUE FALLS CHURCH, VIRGINIA 22048
 552-5115 FAX: 552-5115
 SCALE: AS SHOWN DATE: 08/11/10



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SITE DETAILS
JENNINGS TOYOTA
 LEE DISTRICT
 FAIRFAX COUNTY, VIRGINIA



TRUCK MOVEMENTS EXHIBIT

JENNINGS TOYOTA
 LEE DISTRICT
 FAIRFAX COUNTY, VIRGINIA

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 CIVIL ENGINEERS LAND SURVEYORS PLANNERS LANDSCAPE ARCHITECTS
 207 PARK AVENUE FALLS CHURCH, VIRGINIA 22046
 (703) 532-8183 FAX (703) 533-1301
 WLPINC.COM

SCALE: 1" = 40'
 DATE: 08/11/10 REV: 001E 100-10000-000-100

LEGEND

PROPOSED CATEGORY IV DECIDUOUS TREES
 (SUGGESTED VARIETIES: RED OAK, WHITE OAK, RED MAPLE, LIBERTY OAK, AMERICAN LINDEN, WILLOW OAK, SCARLET OAK, STYACON, HONEY LOCUST)



PROPOSED CATEGORY II DECIDUOUS TREES (COUNTED TOWARDS INTERIOR PARKING LOT LANDSCAPING)
 (SUGGESTED VARIETIES: RED OAK, RED MAPLE, LIBERTY OAK, AMERICAN LINDEN, WILLOW OAK, SCARLET OAK, STYACON)



PROPOSED CATEGORY I/IV TREES
 (SUGGESTED VARIETIES: BLACK HUPKINS HERITAGE, AMER SPECIAL BALS CYPRESS, SWEETBAY MAGNOLIA, CAROLINA SEWELL, REDWOOD, SORBOBERRY, FRINGEE)



PROPOSED CATEGORY I/IV EVERGREEN TREES
 (SUGGESTED VARIETIES: AMERICAN HOLEY, AMERICAN ARBORIZAL, EASTERN REDCEDAR, LAZEBARK PINE, SOUTHERN MAGNOLIA)



PROPOSED SHRUBS
 (SUGGESTED VARIETIES: OTTO LYON LAUREL, TEA BATHURST, RED TINO DOORWEED, WITCH HAZEL, INDIAN HOLEY, WINTERBERRY HOLEY, REDWIND, HOUSHORN BLACKBERRY, SPICEBUSH, ARONA, CALLICAPA)



PROPOSED PERENNIALS/GRASSES/GROUNDCOVER SEED MIXTURES
 (SUGGESTED VARIETIES: ANDROPODON, CAREX, DIANTHYMUM, ELYMUS, PANDORA, AGROPOLIS, ANGLIPAS, ASTER, EUPATORIUM, HELIANTHUS, IRI, MONARDA, SOLIDAGO, TARELLA, WILKENBERGIA)



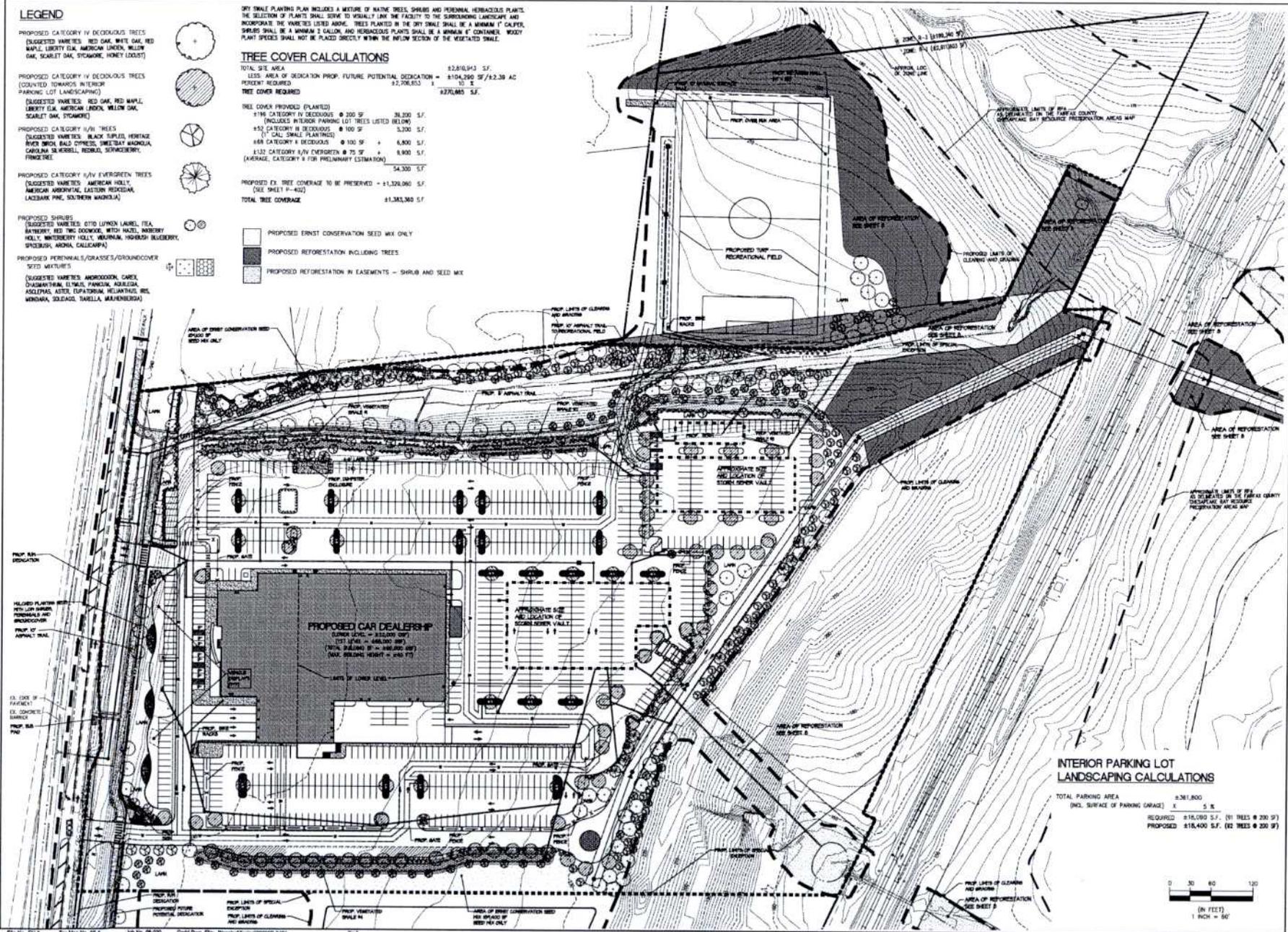
DRY TREE PLANTING PLAN INCLUDES A MIXTURE OF NATIVE TREES, SHRUBS AND PERENNIAL HERBACEOUS PLANTS. THE SELECTION OF PLANTS SHALL SERVE TO VISUALLY LINK THE FACILITY TO THE SURROUNDING LANDSCAPE AND INCORPORATE THE VARIETIES LISTED ABOVE. TREES PLANTED IN THE DRY SHADE SHALL BE A MINIMUM 1" CALIBER, SHRUBS SHALL BE A MINIMUM 2" CALIBER, AND HERBACEOUS PLANTS SHALL BE A MINIMUM 4" CONTAINER. WOODY PLANT SPECIES SHALL NOT BE PLACED DIRECTLY WITHIN THE INFLOW SECTION OF THE VEGETATED SWALE.

TREE COVER CALCULATIONS
 TOTAL SITE AREA = 22,616,543 S.F.
 LESS: AREA OF INDICATION PROP. FUTURE POTENTIAL DEDICATION = 110,290 SF / 22.23 AC
 PERCENT REQUIRED = 10 %
 TREE COVER REQUIRED = 2,276,853 S.F.

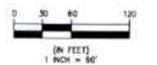
TREE COVER PROVIDED (PLANTED)
 #176 CATEGORY IV DECIDUOUS @ 200 SF = 35,200 S.F.
 (INCLUDES INTERIOR PARKING LOT TREES LISTED BELOW)
 #52 CATEGORY II DECIDUOUS @ 100 SF = 5,200 S.F.
 (1" CAL. SMALL PLANTINGS)
 #68 CATEGORY I/IV DECIDUOUS @ 100 SF = 6,800 S.F.
 #132 CATEGORY I/IV EVERGREEN @ 75 SF = 9,900 S.F.
 (AVERAGE CATEGORY I FOR PRELIMINARY ESTIMATION)
 54,300 S.F.

PROPOSED EX. TREE COVERAGE TO BE PRESERVED = 11,326,040 S.F.
 (SEE SHEET P-402)
 TOTAL TREE COVERAGE = 11,380,340 S.F.

- PROPOSED EXIST. CONSERVATION SEED MIX ONLY
- PROPOSED REFORESTATION INCLUDING TREES
- PROPOSED REFORESTATION IN EASEMENTS - SHRUB AND SEED MIX



INTERIOR PARKING LOT LANDSCAPING CALCULATIONS
 TOTAL PARKING AREA (INCL. SURFACE OF PARKING GARAGE) = 2,361,800 S.F.
 REQUIRED = 116,090 S.F. (91 TREES @ 200 SF)
 PROPOSED = 118,400 S.F. (92 TREES @ 200 SF)



CONCEPTUAL LANDSCAPE PLAN

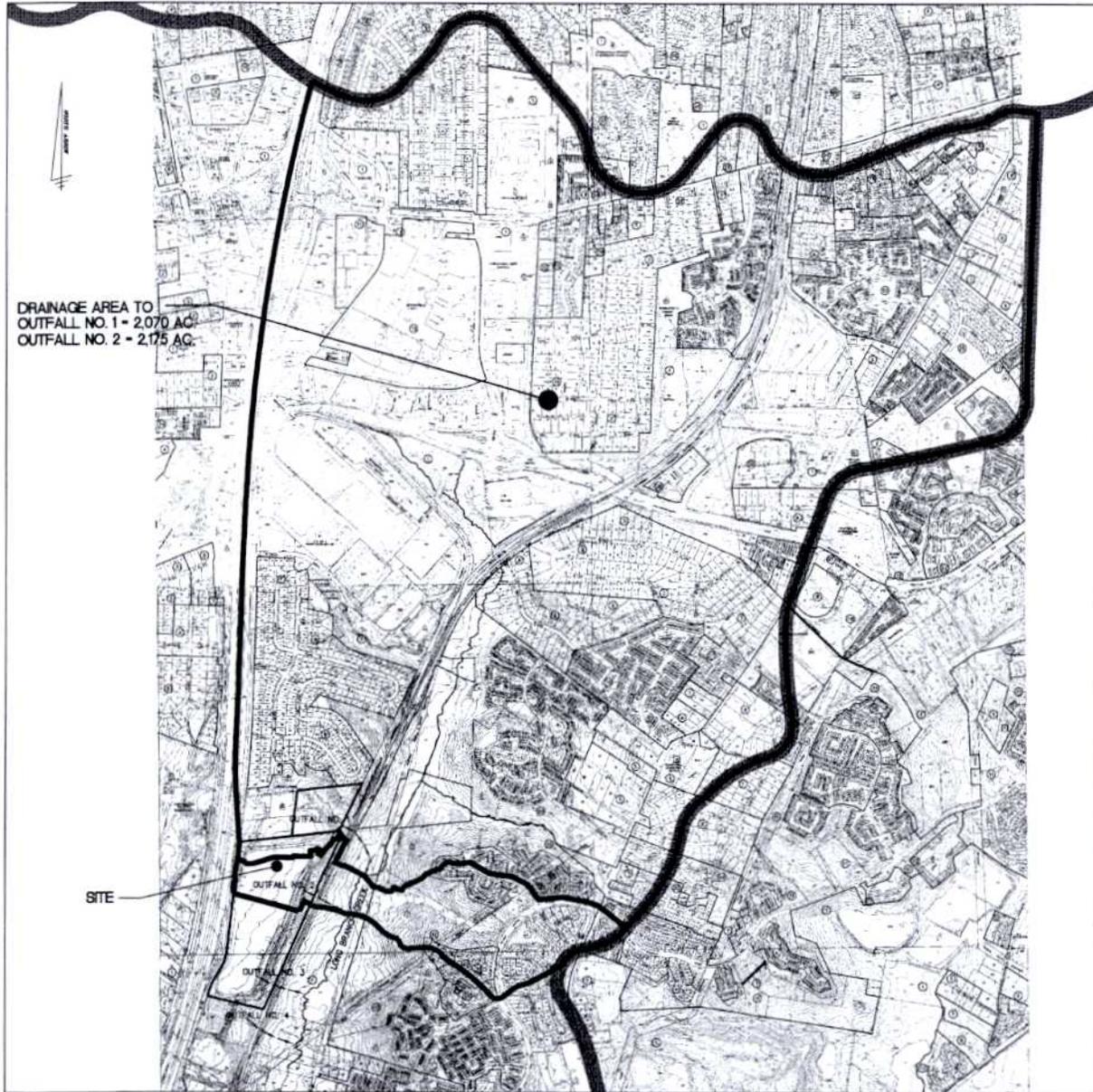
JENNINGS TOYOTA
 LEE DISTRICT
 FAIRFAX COUNTY, VIRGINIA

WALTER L. PHILLIPS
 INCORPORATED
 CIVIL ENGINEERS LAND SURVEYORS PLANNERS LANDSCAPE ARCHITECTS
 207 PARK AVENUE FALLS CHURCH, VIRGINIA 22046
 (703) 532-6165 FAX (703) 532-1301
 DATE: 06/04/08 BY: WLP/MSL/MSL/MSL/MSL
 SCALE: 1" = 60'



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OUTFALL MAP



OUTFALL NARRATIVE

EXISTING CONDITIONS- THE SITE CURRENTLY CONTAINS NO IMPERVIOUS AREA RUNOFF LEAVES THE SITE IN TWO DIRECTIONS BUT ALL RUNOFF DRAINS TO THE LONG BRANCH STREAM A SHORT DISTANCE TO THE EAST ON THE NORTH SIDE OF THE CSX RAILROAD. PLEASE REFER TO THE PROPOSED DRAINAGE AND OUTFALL MAPS. THE SITE DRAINS TO THE NORTHEAST (OUTFALL 1) AND TO THE EAST (OUTFALL 2). THE OFFSITE FLOW THAT CROSSES THE NORTHERN PROPERTY LINE AS WELL AS ON-SITE FLOW IS COLLECTED IN A SMALL ALONG THE NORTHERN PROPERTY LINE AND LEAVES THE SITE AS CONCENTRATED FLOW. ALL OTHER FLOW LEAVES THE SITE AS SHEET FLOW.

FOR BOTH OUTFALLS WITHIN A SHORT DISTANCE OF LEAVING THE PROPERTY THE RUNOFF IS CONVEYED UNDER THE ADJACENT CSX RAILROAD IN EXISTING GULVERTS DIRECTLY TO THE EAST. ON THE EAST SIDE OF THE RAILROAD, THE RUNOFF FROM THESE TWO GULVERTS CONTINUES TO FLOW EAST TO THE NEARBY LONG BRANCH STREAM CHANNEL. THIS FLOW ON THE EAST SIDE OF THE RAILROAD IS SHEET FLOW AND NOT CONTAINED IN DEFINED BED AND BANK CHANNELS OR STORM SEWERS.

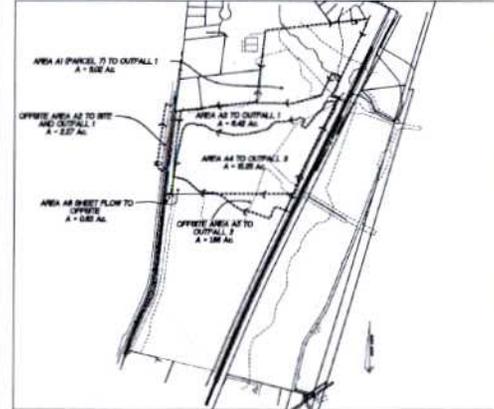
PROPOSED CONDITIONS- THE RUNOFF FROM THE MAJORITY OF THE DEVELOPED IMPERVIOUS AND TURF AREAS WILL BE OBTAINED IN THE UNDERGROUND DETENTION FACILITIES. THE DETENTION FACILITIES HAVE BEEN DESIGNED TO DETAIN THE RUNOFF FROM 2 AND 10 YEAR EVENTS TO LESS THAN PRE-DEVELOPMENT LEVELS. THE EXISTING INADEQUATE OUTFALL ISSUE OF THE GULVERTS UNDER THE RAILROAD NOT RELIEFING FLOW INTO BED AND BANK CHANNELS WILL BE RECTIFIED BY CONSTRUCTING CHANNELS FROM THE RAILROAD ROW TO THE EXISTING LONG BRANCH CHANNEL.

PORTIONS OF THE CHANNELS TO BE CONSTRUCTED FROM THE CSX RAILROAD ROW TO THE EXISTING LONG BRANCH CHANNELS WILL BE LOCATED WITHIN A RESOURCE PROTECTION AREA (RPA). WHILE CHANNELS ARE A PERMITTED USE IN AN RPA, THEIR CONSTRUCTION WILL REQUIRE CONFIRMATION BY THE COUNTY THAT THEY SHOULD BE ALLOWED AS WELL AS THE PREPARATION OF A WATER QUALITY IMPACT ASSESSMENT. THESE ISSUES WILL BE ADDRESSED WITH THE COUNTY DURING THE SITE PLAN PROCESS.

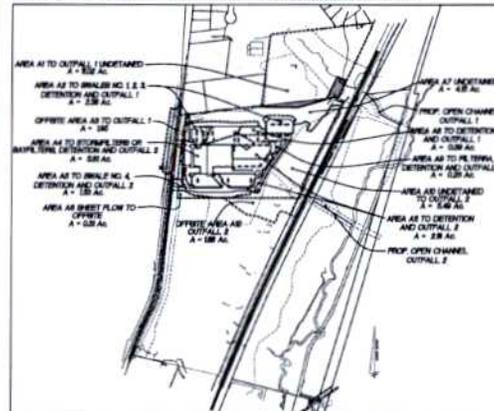
THIS PRELIMINARY OUTFALL ANALYSIS IS SUBJECT TO CHANGE WITH FINAL ENGINEERING AND WILL BE REEVALUATED AND VERIFIED WITH FUTURE PLANS.

- IT IS OUR OPINION THAT AN ADEQUATE OUTFALL EXISTS BECAUSE:
- 1.) BOTH PROPOSED OUTFALL CHANNELS OUTFALL INTO AN EXISTING DEFINED BED AND BANKS CHANNEL (LONG BRANCH) AND;
 - 2.) THE LONG BRANCH DRAINAGE AREAS AT THE TWO OUTFALL POINTS OF DISCHARGE ARE MORE THAN 100 TIMES THE SIZE OF THE CONTRIBUTING DRAINAGE AREAS FROM THE SITE; THEREFORE, APPLYING THE 1% RULE THE EXTENT OF REVER ENDS WOULD BE THE PROPOSED OPEN CHANNELS MEET LONG BRANCH; AND
 - 3.) THE TWO OUTFALLS FROM THE SITE TO THE LONG BRANCH CHANNEL, WILL BE ADEQUATE.

OUTFALL DRAINAGE DMDE MAP - PRE-DEVELOPMENT



OUTFALL DRAINAGE DMDE MAP - POST-DEVELOPMENT



PRELIMINARY STORMWATER MANAGEMENT / BEST MANAGEMENT PRACTICES / OUTFALL ANALYSIS

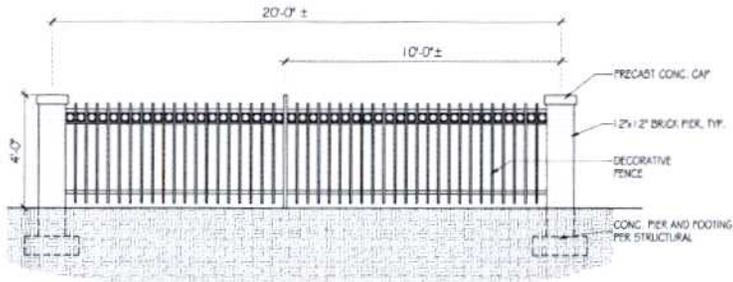
WALTER L. PHILLIPS

INCORPORATED
 CIVIL ENGINEERS LAND SURVEYORS PLANNERS LANDSCAPE ARCHITECTS
 3071 LINDSEY PARK DRIVE
 FALLS CHURCH, VIRGINIA 22046
 703.261.8200 FAX 703.261.8201
 WWW.WLPINC.COM

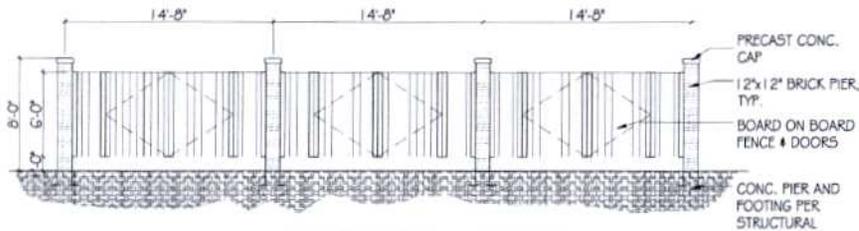
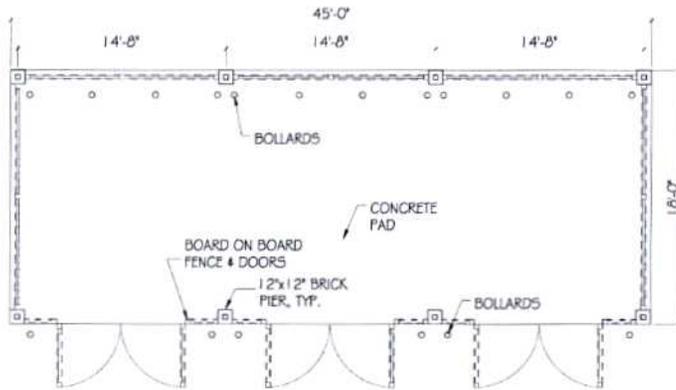


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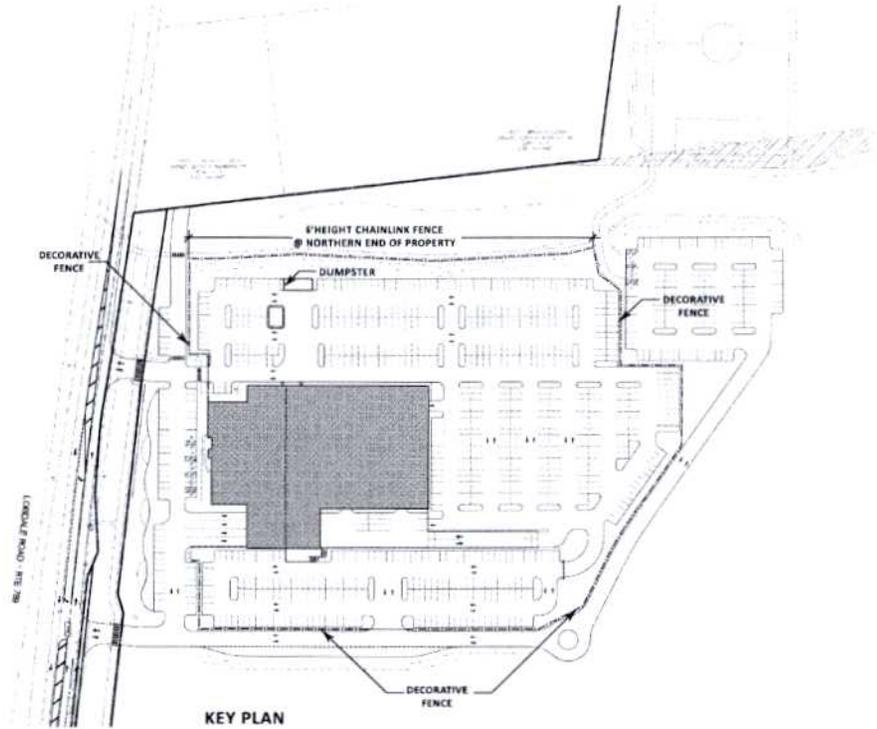
JENNINGS TOYOTA
 LEE DISTRICT
 FAIRFAX COUNTY, VIRGINIA



DETAIL DECORATIVE FENCE AROUND PROPERTY



DETAIL DUMPSTER ENCLOSURE AREA



KEY PLAN

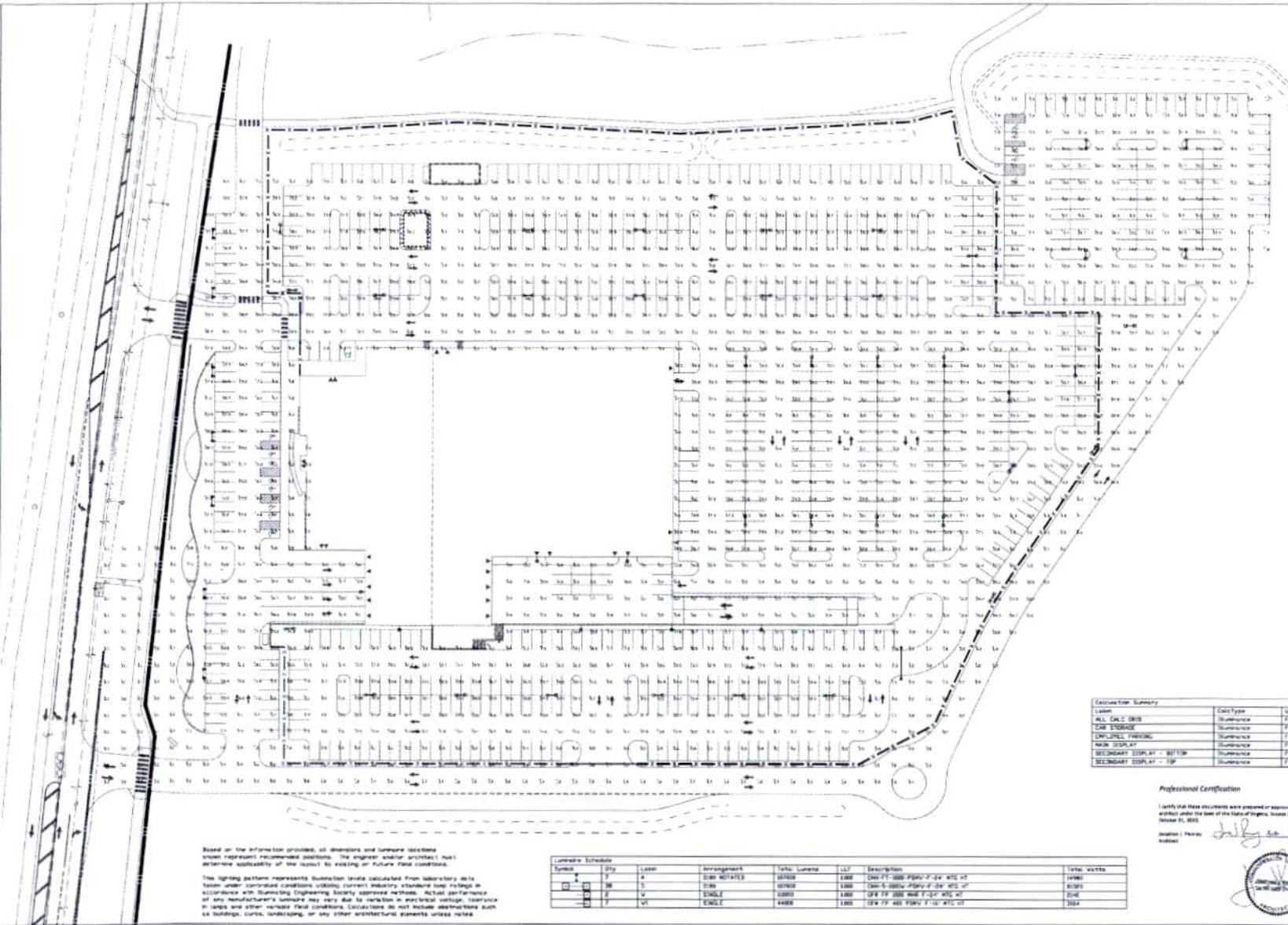
NOTE: All sign locations are approximate and may vary at final design and site plan approval phase

Professional Certification

I certify that these documents were prepared or prepared by me, and that I am a duly licensed professional under the laws of the State of Virginia, license number: 5822 (294)22 expiration date: October 31, 2015.

Signature: [Signature] Name: [Name] Title: [Title]





IMPORTANT



ROTATED REFLECTOR
NOTE: Reflector MUST be fixed so that the CONSTRUCTION is consistent with the direction indicated by the arrow on this fixture.
● EXAMPLE OF ORIENTATION ARROW



**CHALLENGER
FLAT LENS
IESNA FULL CUTOFF**

Based on the information provided, all dimensions and luminaire locations shown represent recommended positions. The engineer and/or architect MUST determine applicability of the layout to existing or future field conditions.
The lighting pattern represents luxmeter levels calculated from laboratory data taken under controlled conditions utilizing current industry standard lamp ratings in accordance with Illuminating Engineering Society approved methods. Actual performance of any manufacturer's luminaire may vary due to variation in electrical voltage, tolerance in lamps and other variable field conditions. Calculations do not include obstructions such as buildings, trees, landscaping, or any other architectural elements unless noted.

| Symbol | Qty | Label | Arrangement | Total Lumens | LED | Description | Total Watts |
|--------|-----|-------|-------------|--------------|------|---------------------------|-------------|
| A | 1 | 1 | 2x8 ROTATED | 10700 | 1000 | DM-F1 288-P80V-F-24-WC-WT | 140W |
| B | 36 | 3 | 2x8 | 40760 | 1000 | DM-S 180V-P80V-F-24-WC-WT | 8136W |
| C | 2 | 2 | SINGLE | 2000 | 1000 | DM-F1 288-P80V-F-24-WC-WT | 8136W |
| D | 1 | 1 | SINGLE | 4000 | 1000 | DM-F1 288-P80V-F-24-WC-WT | 8136W |

| Luminaire | Calc Type | Units | Avg | Max | Min | Avg/W | Max/W |
|-------------------------------|-----------|-------|-------|------|-----|-------|-------|
| ALL CALC QNTS | Summance | Fc | 19.86 | 45.6 | 0.6 | N/A | N/A |
| FOR STORAGE | Summance | Fc | 17.91 | 40.7 | 0.6 | 8.30 | 18.30 |
| LOWLINE FIXTURE | Summance | Fc | 17.63 | 37.7 | 0.4 | 8.24 | 17.42 |
| MAIN DISPLAY | Summance | Fc | 25.29 | 45.8 | 0.7 | 4.39 | 14.88 |
| SECONDARY DISPLAY - 8FT X 8FT | Summance | Fc | 18.31 | 41.1 | 0.2 | 1.39 | 18.44 |
| SECONDARY DISPLAY - 7FT X 7FT | Summance | Fc | 18.37 | 43.4 | 0.3 | 6.46 | 15.7 |

Professional Certification

I certify that these documents were prepared or supervised by me, and that I am a duly licensed electrical engineer in the State of Virginia, license number 9801 (18436) expiration date October 31, 2012.

Contract Name: *Jennings Toyota*



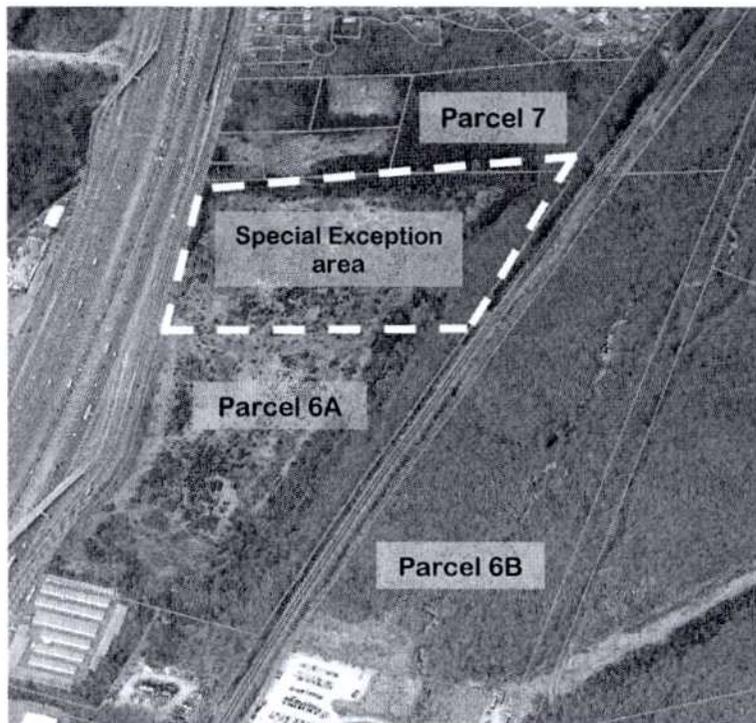
Total Project Watts: 1
Total Watts = 1800W

lei INDUSTRIES
LIGHTING PROFESSIONAL CORP.
PROJECT NO. LD-100276-4

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

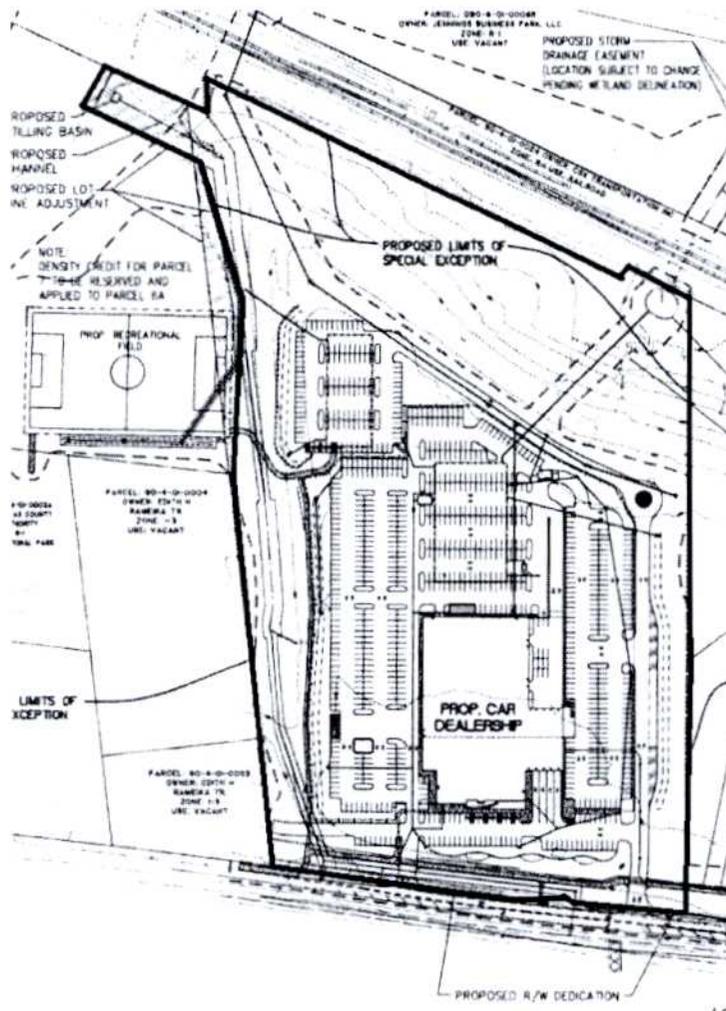
DESCRIPTION OF THE APPLICATIONS

The applicant, Jennings Business Park, LLC, has filed a rezoning application RZ 2010-LE-005 on Tax Map Parcels 90-4 ((1)) 6A and 7 to rezone 64.53 acres from the R-1 and R-3 Districts to the C-8 District. The applicant has also filed an associated Special Exception application, SE 2010-LE-009, on a portion of Tax Map Parcel 90-4 ((1)) 6A and 7 to permit the development of vehicle sale, rental and ancillary service establishment. Both parcels are currently vacant. The applicant also proposes to build a recreational field for public use by Fairfax County Park Authority (FCPA) on Parcel 7. Parcel 6B is not a part of this application, but the lot will be dedicated to the FCPA as part of the application's proffers.



RZ 2010-LE-005

The applicant seeks to rezone 64.53 acres on Tax Map Parcels 90-4 ((1)) 6A and 7 from the R-1 (Residential District, One Dwelling Unit/Acre) and R-3 (Residential District, Three Dwelling Units/Acre) Districts to the C-8 (Highway Commercial) District. The proposed total density, which is .04 FAR, under RZ 2010-LE-005 will be limited to the development of the proposed auto dealership with this application. Future development on the rest of Parcel 6A has not been finalized at this time and, pursuant to the applicant's draft proffers, will require approval of a Proffered Condition Amendment (PCA) application.



SE 2010-LE-009

The concurrent application, SE 2010-LE-009, is a Special Exception application for 23.17 acres of portions of Parcel 6A and 7. The applicant proposes a vehicle sale, rental and ancillary service establishment. The new dealership building, which will have two (2) levels, will measure approximately 90,000 square feet and 40 feet in height, and there will be a total of 936 parking, vehicle display and storage spaces on site, including 50 parking spaces allocated for the adjoining public use recreational field to be established on Parcel 7. Access to the dealership and the proposed recreational field on Parcel 7 will be provided through two (2) access points along Loisdale Road.

LOCATION AND CHARACTER

The 64.53 acre application property (Parcels 6A and 7), which is the subject of RZ 2010-LE-005, is forested and vacant. Several industrial and commercial uses, such as auto-oriented uses, and Fort Belvoir are located across Loisdale Road and I-95 from the site, and Parcel 7 is bordered by Loisdale Park and vacant land to the west. Along the site's northern boundary, Loisdale Estates and vacant land border the site. There are

CSX Railroad tracks and vacant land to the east, and a mini-storage use to the south. The immediate surrounding area is largely developed with a mix of residential, commercial, institutional and industrial uses.

| SURROUNDING AREA DESCRIPTION | | | |
|-------------------------------------|---|---------------|-----------------------------------|
| Direction | Use | Zoning | Plan |
| North | Single-family detached residences (Loisdale Estates) and Vacant | I-3 / R-3 | Public Park and 2-3 DU/AC |
| South | Industrial (Mini-U Storage) and Vacant | I-5 | Industrial |
| East | Vacant | R-1 / PDH-4 | Private Open Space and Industrial |
| West | Commercial, Industrial and Governmental (Fort Belvoir) uses across I-95 | I-5 / C-6 | Industrial |

BACKGROUND

The application site was used as a gravel pit during the 1950s through 1970s, according to historical documents reviewed during the Phase I Environmental Site Assessment (ESA). Both Phase I and II Environmental Site Assessments have been conducted for Parcel 6A. Subsequent to the site's use as a gravel pit, the area was then backfilled with construction debris and possibly municipal waste. Historical geotechnical investigations indicate that materials ranging from asphalt, wood, paper and other related construction debris are on site, as well as high concentrations of methane. Due to the historic use of the site as a landfill, Parcel 6A has been accepted by the Virginia Department of Environmental Quality (VDEQ)'s Voluntary Remediation Program for cleanup activities and protections (see Appendix 5).

The application parcels are not encumbered by any rezoning, special exception or special permit applications.

COMPREHENSIVE PLAN PROVISIONS

- Plan Area:** Area IV
- Planning District:** Springfield Planning District
- Planning Sector:** I-95 Corridor Industrial Area, Land Unit K

In the 2007 Edition Fairfax County Comprehensive Plan in Area IV, Springfield Planning District, I-95 Corridor Industrial Area, as amended through April 6, 2010, the Land Use Recommendations for Land Unit K state the following on Pages 26 - 28:

Land Use

The majority of this land unit, located west of the CSX Railroad tracks, east of Loisdale Road, north and east of Backlick Road, and south of Loisdale Park, is planned for industrial uses up to .35 FAR at the baseline.

The presence and limits of a landfill south of Loisdale Park between Loisdale Road and the CSX Railroad tracks should be established and development constraints identified before any development occurs in this area. Specifically, documentation should be provided to verify that the former landfill site is suitable and safe for building prior to approval of any rezoning application on parcel 90-4 ((1)) 6A. If any area is found not to be suitable and safe, or if environmental issues cannot be resolved, these portions of the land unit should remain undeveloped.

As an alternative, if development suitability can be demonstrated, parcel 90-4 ((1)) 6A may be appropriate for a vehicle sales center with associated service facilities. Ancillary uses, such as those to serve customers may also be considered. These alternative uses may be appropriate provided the development will not produce peak hour vehicle trips on Loisdale Road in excess of those generated by the baseline recommendation. Additionally, development of the alternative uses should meet the following conditions:

- Development at an intensity up to .10 FAR on a minimum site size of 30 acres, with additional acreage incorporated as needed to maintain trip neutrality when compared to the baseline recommendation of industrial use at an intensity up to .35 FAR; and*
- Construction of a publicly available athletic field(s) on parcels 90-4 ((1)) 4, 5, and/or 7 or at another location within the same service area that meets Fairfax County Park Authority (FCPA) standards, with the option for management without ownership by the FCPA. See Section S7, Springfield East Community Sector, Parks and Recreation Recommendations, Figure 40 for further recommendations.*

Within the land unit, if development suitability is demonstrated, as an alternative to industrial use at .35 FAR, up to 200,000 square feet of office use on parcels currently zoned R-1 (90-4 ((1)) 6A, 99-2 ((1)) 7A and 8) may be appropriate, excluding parcel 90-4 ((1)) 7 which is recommended for future active recreation facilities. Development of office use should meet the following conditions:

- Achievement of cohesive design in a campus-style setting;*
- Intensity of development does not exceed .20 FAR;*
- Any freestanding office building(s) is encouraged to meet at least U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Silver standards or other comparable programs with third party certification;*
- Buffering and screening of uses from industrially planned areas; and*

- *Construction of publicly available athletic field(s) on parcels 90-4 ((1)) 4, 5, and/or 7 or at another location within the same service area that meets Fairfax County Park Authority (FCPA) standards, with the option for management without ownership by the FCPA, see Section S7 – Springfield East Community Sector, Parks and Recreation Recommendations, Figure 40 for further recommendations.*

Parcels located north and south of Newington Road (Tax Map 99-1((1)) 4, 5C, and 5D) are planned for local-serving retail uses up to .25 FAR (access recommendations are shown on Figure 34 in Sector S6). Parcels 99-1((1)) 5A, 6 are planned for a hotel use with supporting retail use up to .75 FAR provided the following conditions are met:

- *The current access south of the Loisdale Road/Fairfax County Parkway is closed and a new four way signalized intersection is provided at the Loisdale Road/Newington Road intersection.*
- *A second access point south of the northern tip of parcel 99-1((1)) 6 along Loisdale Road is provided. Turning movement should be restricted to right-in and right-out.*

As an option, to complement existing uses in the vicinity and due to a change in access, Tax Map 99-1((1)) 5C may be appropriate for industrial use up to .35 FAR. Parcel 99-2 ((1)) 8 located north of Newington Road is planned for light industrial uses. To minimize noise and visual impacts, all business activities on Tax Map 99-1((1)) 5C and 99-2 ((1)) 8 should be accommodated indoors. Outdoor storage is not appropriate. In addition, development should be compatible with the adjacent buildings to the south in terms of height, building materials, and scale to foster high quality and attractive development. This is especially important for the façades of any buildings facing the Fairfax County Parkway on Tax Map 99-1((1)) 5C. A vegetated buffer of evergreen trees along the Parkway is desirable. Building facades facing Newington Road and/or Loisdale Road on parcel 99-2 ((1)) 8 should be similarly screened with a vegetated buffer of evergreen trees.

Transportation

Loisdale Road is recommended for widening to four travel lanes from Springfield Center Drive south to Newington Road. A segment of Loisdale Road that is planned for this widening fronts houses in the Loisdale Estates residential community. The future improvement of Loisdale Road should minimize impacts to the Loisdale Estates community by maintaining the existing three lane section along the Loisdale Estates frontage (two travel lanes plus middle turn lane) until such time as congestion requires road widening along Loisdale Estates.

Before considering plans for widening the segment of Loisdale Road that fronts Loisdale Estates, the following should be considered:

- *Using traffic signalization to control the flow of traffic through the area; and*

- *Implementing other traffic controls that will help manage traffic, reduce speed of vehicles, and improve safety.*

If traffic congestion increases to a level that requires widening the entire segment of Loisdale Road from Springfield Center Drive to Newington Road, impacts of the widening to the Loisdale Estates community should be minimized. The following should be considered along the Loisdale Estates frontage:

- *Reducing the width of travel lanes and omitting a median and turn lane;*
- *Acquiring right-of-way from the I-95 side of the roadway by removing the trail and combining it with a sidewalk section on the east side;*
- *Eliminating on-street parking; and*
- *Acquiring minimal right-of-way from properties that front Loisdale Estates.*

If these steps are not possible, consider taking full lots for right-of-way and utilizing residual portions of property acquired for right-of-way to create a planted buffer to screen the remaining neighborhood from the impacts of the roadway.

The future improvement of Loisdale Road should seek to minimize cut through traffic impacts on the nearby residential communities.

Public Facilities

1. Provide a maintenance/fueling facility (preferably in Newington) for the Human Services Transportation Branch, which supplies para-transit services for eligible disabled, elderly, and low-income County residents.

ANALYSIS

Generalized Development Plan (GDP) / Special Exception (SE) Plat (Copy at front of staff report)

| | |
|-------------------------------------|---|
| Title of Combined Plan: | Jennings Toyota |
| Prepared By: | Walter L. Phillips |
| Original and Revision Dates: | February 19, 2010, as revised through October 1, 2010 |

The GDP/SE Plat consists of 14 sheets.

| Jennings Toyota (GDP/SE Plat) | |
|--------------------------------------|--|
| Sheet # | Description of Sheet |
| 1 of 15 | Cover Sheet |
| 2 of 14 | Existing Conditions Exhibit / Existing Vegetation Map |
| 3 of 14 | Overall Plan |
| 4 of 14 | Generalized Development Plan / Special Exception Plat |
| 5 of 14 | Site Details |
| 6 of 14 | Site Details |
| 6A of 14 | Truck Movements Exhibit |
| 7 of 14 | Conceptual Landscape Plan |
| 8 of 14 | RPA Revegetation Plan / Tree Preservation Canopy |
| 9 of 14 | Conceptual Landscape Plan Notes and Details |
| 10 of 14 | Preliminary Stormwater Management / Best Management Practices / Outfall Analysis |
| 11 of 14 | Preliminary Stormwater Management / Best Management Practices / Outfall Analysis |
| 12 of 14 | Building Elevations |
| 13 of 14 | Details Plan |
| 14 of 14 | Site Photometric Plan |

Site Layout: The site area which is subject to RZ 2010-LE-005 is comprised of two (2) adjoining vacant parcels [Tax Map Parcels 17-3 ((1)) 6A and 7] measuring a total 64.53 acres. Both parcels will be rezoned from the R-1 and R-3 Districts to the C-8 District. Parcel 6A fronts on Loisdale Road and will be the primary location of the proposed auto dealership, as well as a portion of Parcel 7. Parcel 7 has no frontage on Loisdale Road and is located east of Loisdale Park, south of Loisdale Estates, north of Parcel 6A and west of CSX Railroad tracks. Most of the eastern portion of Parcel 7 is within the Resource Protection Area (RPA), which will remain undisturbed, and the rest of the site will be developed with a new recreational field for the Fairfax County Park Authority, which the applicant has proffered to construct and/or fund. Parcel 7 is proffered to be dedicated to the County. Access to this field is proposed via Parcel 6A. A lot line adjustment is proposed between Parcels 6A and 7 to accommodate the entirety of the proposed recreational field on Parcel 7 without encroaching in the RPA and to add a stilling basin proposed for Parcel 7 on Parcel 6A instead.

Under SE 2010-LE-009, the applicant proposes a vehicle sale, rental and ancillary service establishment on 23.17 acres of portion of Parcel 6A and 7. The SE site area is located south of the proposed recreational field and two (2) vacant lots (Parcels 4 and 5), and there are CSX Railroad tracks and vacant property as located to the east. Fort Belvoir, as well as several industrial and commercial uses, are located west across Loisdale Road and I-95 from the site. A 90,000 square foot dealership building, measuring approximately 40 feet in

height, will face Loisdale Road. A total of 936 parking spaces will be provided on site, including 16 sales floor area spaces, 5 open sales display lot area spaces, 114 spaces for the service bays, 200 employee parking spaces, 519 vehicle storage spaces, and 75 vehicle display spaces. Four (4) loading spaces will also be provided. Access to the site will be provided via two (2) ingress and egress access points along Loisdale Road, and the southern access point on the site will connect to the shared parking spaces for the proposed recreational field via a two-way on-site road. A conservation easement is proposed for both a portion of Parcel 7 and the eastern portion of the SE application site along the CSX Railroad tracks. The applicant also proposes a soil stockpile on the undeveloped portion of Parcel 6A near the SE site for future use.

Access: Under SE 2010-LE-009, the proposed dealership building and parking spaces will be accessed directly from Loisdale Road via two (2) new ingress and egress access points. The dealership and associated parking will be accessed by 23-foot wide, two-way drive aisles. An on-site two-way road that connects directly to the southern access point will run along the southern and eastern boundaries of the SE site. This road, which will connect directly to the shared parking spaces for the recreational field, will be open for use by the Fairfax County Park Authority. A four (4) foot high decorative fence along the eastern, southern and western boundaries and a six (6) foot high chain link fence along the northern boundary of the dealership will separate the on-site road and shared parking spaces from the dealership. Also, the applicant proposes a two-way, 23-foot wide interparcel access easement across the frontage of the SE application site and interparcel access between Parcel 5 (to the north) and Parcel 6A. General locations for future interparcel access to the rest of Parcel 6A and to the adjoining parcel to the south are depicted on the plat.

Pedestrian access to the dealership site and recreational field from Loisdale Road will be facilitated by a new 10-foot wide asphalt trail along the entire Loisdale Road frontage of Parcel 6A, as recommended by the Countywide Trails Plan. The 10-foot wide trail will tie into existing 8-foot wide sidewalks along Loisdale Road in front of the adjacent parcels to the north and south. The sidewalk will also extend to the auto dealership building. Within the site, a series of trails will connect the SE site together. Along the northern boundary of the SE site, a new six (6) foot wide asphalt trail will establish a direct connection between Loisdale Road and the recreational field. A 10-foot wide asphalt trail is proposed within a 20-foot wide trail easement between the recreational field and the shared parking spaces on the dealership site. The applicant also proposes a 10-foot wide natural surface trail between the recreational field and Loisdale Park, which is located on Parcel 3A, west of Parcel 7. In addition, a 10-foot wide trail easement is proposed between the shared parking spaces and the CSX Railroad tracks. The Countywide Trails Plan also shows a minor paved trail (four to seven foot eleven inches wide asphalt or concrete trail) running east to west across the petitioned site between Loisdale Road and Beulah Street, which is subject to a requested waiver.

Landscaping: The applicant proposes to provide an approximately 20 to 30 foot wide landscape buffer along the SE site boundary to the north. The buffer will be planted with a mix of deciduous, decorative, evergreen trees, as well as shrubs. Additional landscaping is proposed along the perimeter of the SE site, including an approximately 20-foot wide landscaping buffer of trees along the conservation easement to the east. A lawn area with trees will line the western boundary of the on-site road leading to the shared parking spaces for the recreational field. Along the Loisdale Road frontage of the SE site, there will be an eight (8) foot wide grass strip adjacent to the proposed 10-foot wide trail. On the other side of the trail, a landscape area with an 18-inch brick landscape wall and grass, shrubs, and trees will be located along the proposed trail. A paved vehicle display area will be situated between the landscape area and parking area in front of the dealership building.

A conservation seed mix will be planted within the stormwater easement area that will run between the buffer and trail to the north and along the SE boundary to the south. Berms will surround the trail. Three (3) vegetative swales to provide water quality will be planted along the northern boundary of the site, including one (1) between the recreational field and adjoining parking lot. A vegetative swale running the length of the dealership site is proposed along the southern boundary of the SE site. The swales will be planted with a mix of trees, shrubs, grasses, and groundcover. A total of 3.75 acres within easement areas and 2.75 acres within forested areas will be planted for reforestation on Parcels 6A, 6B and 7. As part of the required interior parking lot landscaping, 92 trees along with shrubs will be planted within the parking lot. Through a mix of tree preservation and additional tree planting, the applicant will also provide a total of 1,383,360 square feet (or approximately 32 acres) of tree canopy.

Parking: 342 parking spaces will be provided on site, specifically 16 sales floor area spaces, 5 open sales display lot area spaces, 114 spaces for the service bays, and 200 employee parking spaces. 335 parking spaces are required for the use as proposed, which meets the Zoning Ordinance requirement. An additional 519 vehicle storage spaces and 75 vehicle display spaces will also be included. Approximately 50 separate parking spaces, located in the rear of the site near the recreational field, will be provided on the SE site for the Fairfax County Park Authority's use, subject to a shared parking agreement or easement.

Road and Off-Site Improvements: The applicant proposes to dedicate right-of-way of approximately 80 feet or a total of 101,970 square feet from the centerline along Loisdale Road along the entire frontage of Parcel 6A to the Board of Supervisors. Along the SE site, a southbound left turn lane to the southern access point is proposed, and a northbound right turn lane for the southern access point will be dedicated and constructed. Appropriate striping and a four (4) foot wide median will also be provided. The turn lanes and site entrances will meet Virginia Department of Transportation (VDOT) Access Management requirements. At the southern site entrance, the applicant proposes to design and construct a traffic signal, if warrants are met to VDOT. A ten (10) foot wide

asphalt trail will be constructed along the entire frontage of the RZ site, and a bus pad will be provided on the SE site. The applicant also proposes road improvements on Newington Road at the intersection of Fairfax County Parkway.

Open Space and Amenities: Approximately 80% of open space will be provided on the entire site area (Parcels 6A and 7). Parcel 7 will be developed with a synthetic turf recreational field measuring 205 feet in width and 340 feet in length with ten (10) foot wide overrun areas at the edges dedicated to the Fairfax County Park Authority. Other site improvements associated with the field, such as signage, lighting, a retaining wall and storm drainage system, are also proposed. As noted above, 50 separate parking spaces on the SE site will be reserved for the Fairfax County Park Authority, and new pedestrian trails will link the field to Loisdale Park, the parking spaces and to Loisdale Road. Bike racks will be located near the field and the dealership building. Parcel 6B, which is adjacent to Parcel 6A, is proposed for dedication to the Fairfax County Park Authority.

Stormwater Management: To satisfy Best Management Practices (BMP) for the site, a filterra, stormfilters or bayfilters, and vegetated swales are proposed the site. A conservation easement located on Parcels 7 and 6A along the CSX tracks is also proposed for further BMP credit. Above ground cisterns are proposed near the dealership building to capture runoff from the building roof. A proposed system of storm pipes and easements will connect with underground stormwater vaults, stilling basins and a ditch/channel on Parcels 6A and 7, and a connection is proposed to an existing sanitary sewer across the CSX Railroad tracks on Parcel 6B. Also on Parcel 6B, a channel is proposed, but its final location is subject to change pending wetland delineation. Alternate locations for the channels are proposed.

Architecture: The proposed dealership building will measure approximately 90,000 square feet in area and 40 feet in height. The ground floor of the building will be dedicated to the sales area, and the lower level of the building, which will not be visible along Loisdale Road, will include a car wash and parking and vehicle storage spaces. The building will be constructed of aluminum composite panels, stucco, and a translucent glazing system, and it will be completely enclosed with overhead doors covering each vehicle entrance. Clear anodized and clerestory storefront windows will be positioned around the building. A ramp located at the rear will provide additional access to the ground floor of the building.

Land Use and Environmental Analyses (Appendix 6)

Overall, the proposed development satisfies the Comprehensive Plan language specific to the petitioned site. While the site is planned for industrial uses up to .35 FAR at the baseline, the Plan provides an option for a vehicle sales center on Parcel 6A if development suitability is demonstrated and will not produce peak

hour vehicle trips on Loisdale Road above the baseline recommendation. Development under this option is also limited to a density of .10 FAR on a minimum site area of 30 acres, and a publicly available athletic field on an adjoining parcel, including Parcel 7, is recommended. Within the land unit, office use up to 200,000 square feet on parcels (including Parcel 6A) zoned R-1 may be appropriate as another alternative to industrial use, and the development is subject to certain conditions, such as a maximum FAR of .20 and buffering and screening of uses from industrially planned areas.

The applicant is proposing a vehicle sale, rental and ancillary service establishment at a FAR of .04 on 64.53 acres (Parcels 6A and 7), the rezoning application property, or .09 FAR on 23.17 acres for the Special Exception portion of the site, which is below the Comprehensive Plan limit of .10 FAR for the vehicle sales use. Due to the presence of a former landfill on Parcel 6A, the applicant has looked at the development suitability for a vehicle sales center for the site and, to that end, conducted Phase I and II Environmental Site Assessments (ESA) for Parcel 6A. In addition, the site is participating in Virginia Department of Environmental Quality (VDEQ)'s Voluntary Remediation Program for cleanup activities and protections. The applicant has also committed to submit a geotechnical study, if requested by DPWES, of Parcel 6A, prior to site plan approval. Construction related materials, such as asphalt, wood, concrete and paper, have been found on the site, as well as high levels of methane. There are plans to implement a methane venting and barrier system for the site to prevent the accumulation of methane vapors under and into the building. Additionally, the auto dealership site will be constructed close to current grade on a concrete-poured foundation. A portion of Parcel 7 is within the Resource Protection Area (RPA), but the proposed recreational field does not encroach in the Environmental Quality Corridor (EQC).

In addition, to satisfy the other condition for the vehicle sales option which recommends construction of an athletic field that meets Fairfax County Park Authority standards, the applicant intends to construct or fund a publicly accessible turf recreational field that meets FCPA requirements on Parcel 7, and 50 parking spaces, pedestrian trails and stormwater management measures will also be provided for the field. With this application, further development is not proposed for the remaining portion of Parcel 6A, which could be developed with office uses up to 200,000 square feet or a maximum FAR of .20. The applicant proffered limits on the permitted square footage (up to 90,000 square feet) and density (maximum of .04 FAR) for Parcel 6A, thereby requiring that any future development must be reviewed and approved by the Board of Supervisors as a Proffered Condition Amendment (PCA) application.

The proposed vehicle sales use for Parcel 6A will not increase peak hour vehicle trips in excess of baseline recommendation of industrial uses up to .35 FAR for the RZ site, as noted in the Comprehensive Plan. However, in advance of any construction plans to widen Loisdale Road, the applicant has committed to

dedicate right-of-way up to approximately 80 feet or 101,970 square feet along the entire frontage of Parcel 6A for the future widening of Loisdale Road. In addition, a traffic signal is proposed for the southern entrance to the application site, and left and right turn lanes will be constructed to the site on Loisdale Road.

Issue: Green Building Practices

Staff encouraged green building practices to be incorporated into the design and construction of the vehicle sales center.

Resolution:

The applicant has committed to the participation of a LEED-accredited professional in the design of the dealership building, and the development project will be registered with the United States Green Building Council (USGBC) with a goal of base certification level under the LEED NC V.3 program or the applicable program at the time of certification. Additionally, the applicant intends to use thermoplastic membrane roofing material and requests the option to add solar panels to the new building in the future. With these commitments, this issue is resolved.

Transportation Analysis (Appendix 7)

The Comprehensive Plan language includes transportation recommendations for Loisdale Road, which is recommended for widening to four (4) travel lanes from Springfield Center Drive south to Newington Road. Improvements to Loisdale Road should minimize impacts to the Loisdale Estates community. In this regard, the Plan states that, before the roadway is widened along Loisdale Estates, certain considerations, such as traffic signalization and acquiring right-of-way, should be assessed to ameliorate the traffic prior to widening the road. The applicant proposes to dedicate right-of-way of approximately 80 feet in width or a total of 101,970 square feet from the centerline along Loisdale Road for the future widening of the roadway along the RZ site. A southbound left turn lane and a northbound right turn lane to the southern access point are proposed, as well as striping and a four (4) foot wide median along the SE site. The turn lanes and site entrances will be constructed to satisfy Virginia Department of Transportation (VDOT) Access Management requirements. At the southern site entrance along the auto dealership site, the applicant proposes to design and construct a traffic signal, if warrants are met to VDOT. Trailer delivery and garbage trucks will also be able to access both entrances and circulate safely on site.

A ten (10) foot wide asphalt trail will be constructed along the Loisdale Road frontage of the RZ site, and a six (6) foot wide asphalt trail will be provided between Loisdale Road and the recreational field parking area. A 10-foot wide trail was recommended between Loisdale Road and the parking area, but due to a steep grade and vegetated swales along the trail, only 6 feet in width was

feasible. In addition, a 10-foot wide trail easement to the CSX Railroad tracks for a future trail connection across and beyond Cinder Bed Road is proposed, as recommended by staff. The applicant also proposes a two-way, 23-foot wide interparcel access easement across the frontage of the dealership site for future interparcel access to the adjoining parcel (Parcel 5) to the north and to the remaining portion of Parcel 6A to the south.

A Transportation Demand Management (TDM) plan is recommended to promote reduced automobile trips generated by the SE site. A development condition applied to the Special Exception application includes specific plan elements such as the designation of a program manager, preferential carpool parking, surveys for review by FCDOT, and SmarTrip cards for new employees. To further support non-automobile trips to and from the site, bike racks will be provided near the dealership building and recreational field, and a bus pad will be constructed along Loisdale Road. Though the applicant is proposing many improvements with their application, there are key transportation-related improvements that are not fully addressed.

Issue: Widening of Loisdale Road

The Fairfax County Department of Transportation (FCDOT) requests that the applicant provide frontage improvements for a 4-lane divided facility per the Comprehensive Plan's language regarding future expansion plans along Loisdale Road. The Virginia Department of Transportation (VDOT) recommends that 45 feet of ROW from centerline to the property line should be dedicated and that a 35-foot wide cross section from centerline to face of curb should be constructed along the entire RZ site.

Resolution:

Currently, Loisdale Road is a two-lane road. To help facilitate improved movement to and from the application site along Loisdale Road, the applicant proposes to add a southbound left turn lane and a northbound right turn lane to the southern site entrance to the proposed auto dealership site, as well as a traffic signal (if warrants are met by VDOT) for this access point. Both turn lanes and site entrances on site are designed to comply with Virginia Department of Transportation (VDOT) Access Management requirements. Originally, the applicant proposed to only reserve most of the recommended ROW along Loisdale Road until the roadway expansion is funded, but the applicant has now committed to dedicating approximately 80 feet or 101,970 square feet of ROW along the RZ site at the time of site plan approval and additionally providing temporary construction and grading easements up to twenty (20) feet.

The applicant does not plan to construct the full extent of frontage improvements required for a 4-lane divided facility with the development of the auto dealership, stating that the proposed vehicle sales use will not trigger additional peak hour vehicle trips beyond the Comprehensive Plan baseline recommendation. Though

a timeline is not available for widening the entirety of Loisdale Road from Springfield Center Drive south to Newington Road, the need for expansion will eventually be a pressing matter as additional uses are approved along Loisdale Road.

FCDOT recommends that the applicant dedicate the committed right-of-way along the RZ site at the time of site plan approval or upon demand by Fairfax County, whichever occurs first. The applicant intends to dedicate the ROW upon written demand at site plan approval, but no earlier. Staff also recommends that the construction and grading easements be referenced as ancillary easements, which the applicant has addressed. With the incorporation of the suggested change to the ROW timing, staff believes this issue will be fully addressed.

Issue: Other Improvements

The Traffic Impact Study (TIS) conducted for the application site identified the intersection of Newington Road and Fairfax County Parkway as deficient. To help improve the intersection, the applicant initially proposed to remove an eastbound receiving lane and to restripe the remaining existing pavement as two (2) westbound left turn and two (2) right-turn lanes. VDOT did not support the suggested improvement, and the applicant continued to evaluate the intersection. The applicant then suggested constructing an additional lane on Newington Road to accommodate a second left turn bay with 12-foot wide lanes as well as a 100-foot long, 4-foot wide median. However, these improvements will require additional ROW from two (2) properties, modification of the signal to move an existing pole and control cabinet, and electrical utility relocation.

The applicant then presented VDOT and FCDOT the option to construct 11-foot lanes and no median since no additional ROW would be necessary for this configuration. The applicant will begin construction on the 11-foot left turn lanes, if it is approved by VDOT, prior to the issuance of the Non-RUP for the proposed vehicle sale, rental and ancillary service establishment on Parcel 6A. However, signal modification and utility relocation may still be needed, and VDOT typically does not support dual left turn lanes without a raised median treatment, but noted that 11-foot lanes can be reviewed via a waiver.

On the plat, the proposed bus pad along Loisdale Road measures 8 by 12 feet, and staff recommends that the dimensions be expanded to 14 by 16 feet. Also, the TDM Plan is currently included in the development conditions since it is specific to the auto dealership use, but FCDOT recommends that the TDM as a proffered commitment with recommended changes, including an increased SmarTrip card value.

Resolution:

If sufficient ROW is not available to construct the 11-foot lanes, the applicant's proffers state that the applicant will then make a good faith effort to obtain the necessary ROW to construct the improvement. If the ROW cannot be obtained solely by the applicant, a written request will be submitted to Fairfax County with appropriate documents and funding to pursue condemnation. However, the Non-RUP will not be delayed as the condemnation process is pursued and the applicant has committed to constructing the improvements within 18 months of the ROW acquisition. If condemnation is not pursued by the County, the applicant will contribute \$75,000 towards the proposed improvements and cease the ROW request. Additionally, the applicant has committed the same contribution amount (\$75,000) if the owner of the off-site parcels redevelops their site and commits to building the improvements instead. Though the applicant's contribution amount may not cover the entirety of the improvements' costs, they are primarily committed to building the improvements, and a contribution will only be made if subsequent ROW acquisition by both the applicant and the County does not succeed.

Though the plat details specific dimensions for the bus pad, the applicant has committed to working with the appropriate County agencies to finalize the location and size, as well as any easements, for the bus pad. Staff does not believe that the TDM Plan's applicability as either a development condition or proffer alters the significance of the language, though a proffer is preferred. The applicant would prefer to make the TDM Plan applicable to the SE portion of the site at this time due to the lack of development proposed for the rest of Parcel 6A. Though an increased monetary value of the SmarTrip card could be beneficial to employees who utilize the County's public transportation system, the lack of varied and easily accessible public transportation options in the immediate area may challenge the employees' regular commute and use of the SmarTrip card. Instead, the applicant proposes to promote shared rides, including vanpools, as well as providing bike racks on site.

Staff feels that these issues are satisfied.

Fairfax County Park Authority Analysis (Appendix 8)

Generally, the applicant has satisfied the recommendations and comments provided by the Fairfax County Park Authority regarding the proposed recreational field. In response to the latest FCPA memo dated September 17, 2010, the applicant has addressed issues related to stormwater management on Parcel 7, field dimensions, signage locations, invasive species, and reforestation in easement areas. Additionally, the applicant has largely incorporated FCPA's recommendations for proffer language regarding the recreational field and dedications of Parcel 6B and 7, and has even committed to registering Parcel 6B

with the Virginia Department of Environmental Quality's Voluntary Remediation Program.

Stormwater Management Analysis (Appendix 9)

A filterra, stormfilters or bayfilters, and vegetated swales are proposed to fulfill the phosphorous removal requirement for the site. Originally, the filterra was located near the above ground fuel tank dispenser, but it has since been relocated and reconfigured, as recommended by staff. The applicant has since satisfactorily addressed SWM's previous comments and recommendations. No further issues were identified with this application.

Urban Forest Management Analysis (Appendix 10)

Upon initial review, UFMD staff identified issues related to clearing and grading, easements, tree canopy calculations, buffers and landscaping on site. The applicant has satisfactorily addressed UFMD's previous comments and recommendations. No further issues were identified with this application.

Public Facilities Analyses (Appendices 11 – 14)

Adequate sanitary sewer and water services can be provided on the site, and Fairfax County Public Schools has not comments with respect to school acquisition. The Fire and Rescue Department noted that the proposed development does not meet current fire protection guidelines without an additional facility since it is located .9 mile outside the fire protection guidelines. The nearest facility is #422 (Springfield), and no new facility is currently planned for this area. However, as development increases along the Loisdale Road corridor, a new facility may be required.

ZONING ORDINANCE PROVISIONS

| Bulk Standards (C-8 District) | | |
|--------------------------------------|--|--|
| Standard | Required | Provided |
| Lot Area | 40,000 square feet | 64.53 acres |
| Lot Width | 200 feet | 2,195 square feet |
| Max. Building Height | 40 feet | 40 feet |
| Max. Density | .50 | .04 for the RZ site, .09 for the SE site |
| Front Yard | 45° angle of bulk plane, but not less than 40 feet | 158 feet (building), 157 feet (canopy) |

| Bulk Standards (C-8 District) | | |
|---|---|--|
| Standard | Required | Provided |
| Side Yard(s) | No requirement | N/A |
| Rear Yard | 20 feet | 630 feet |
| Open Space | 15% | 80% (RZ site); 50% (SE site) |
| Parking Spaces (Vehicle Sale, Rental and Ancillary Service Establishment) | 1 space per 500 square feet of enclosed sales/rental floor area, plus 1 space per 2500 square feet of open sales/rental display lot area, plus 2 spaces per service bay, plus 1 space per employee, but never less than 5 spaces = 16 spaces (sales floor area), 5 spaces (open sales display lot area), 114 spaces (service bays), and 200 spaces (employees) = 335 spaces | 342 parking spaces ¹ |
| Loading Spaces | 1 space for the first 5,000 square feet of gross floor area plus 1 space for each additional 30,000 square feet or major fraction thereof = 3.83 or 4 spaces | 4 loading spaces |
| Interior Parking lot Landscaping | 5% of the total area of the parking lot = 18,090 square feet | 18,400 square feet |
| Peripheral Parking Lot Landscaping (West) | A landscaping strip 10 feet in width, which shall not include a sidewalk or trail, shall be located between the parking lot and the property line and at least 1 tree for each 40 feet shall be planted in the landscaping strip (however, VDOT street planting regulations prevail if there is a conflict) | At least 20 foot landscape strip with trees |
| Peripheral Parking Lot Landscaping (South) | A landscaping strip 4 feet in width shall be located between the parking lot and the abutting property lines and at least 1 tree for each 50 feet shall be planted in the landscaping strip | An approximately 30-foot wide vegetative swale with trees planted each 30 feet or so |
| Transitional Screening (Parcel 7) | | |
| North (SFD) | Transitional Screening 3 (Unbroken 50 foot wide strip of open space with evergreen trees, deciduous trees or shrubs) | Approximately 240-foot wide unbroken open, forested space |
| Barrier (Parcel 7) | | |
| North (SFD) | Barrier E, F or G (6 foot wall, brick or architectural block; 6 foot high solid wood or otherwise architecturally solid fence; or 6 foot chain link fence) | None |

¹ 342 parking spaces will be provided for the uses proposed on site. An additional 519 vehicle storage and 75 vehicle display spaces will be included on site for a total of 936 parking spaces.

WAIVERS AND MODIFICATIONS

- Waiver of the barrier requirement along the northern property line, in favor of that shown on the GDP/SE Plat

Along the northern boundary of Parcel 7, there is a residential development, which requires transitional screening and barrier requirements. Staff feels a waiver of the barrier requirement for a 6-foot high wall, solid fence or chain link fence is appropriate due to the large expanse (approximately 890 feet long and 240 feet deep) of forested open space that will be preserved between the recreational field on Parcel 7 and the residences. Par. 3 of Section 13-305 allows transitional screening to be modified where the building or the land between that building and the property has been specifically designed to minimize adverse impact through a combination of architectural and landscaping techniques. Staff believes that large open space between the subject site and adjoining property line will effectively mitigate any adverse visual or noise impact of the recreational field. Staff supports the requested waiver to permit that which is shown on the plan.

- Waiver of the minor trail requirement

The Countywide Trails Plan shows a minor paved trail (four to seven foot eleven inches wide asphalt or concrete trail) running east to west across Parcel 6A between Loisdale Road and Beulah Street. However, CSX Railroad tracks run between the adjoining Parcels 6A and 6B. Due to logistical difficulties associated with building a pedestrian link over the CSX Railroad tracks, the applicant does not propose construction of an elevated bridge. Also, the trail would not link to an existing minor trail on Parcel 6B. Instead, the applicant proposes to provide a 10-foot wide trail easement along a proposed sanitary sewer easement to the CSX Railroad tracks. Staff supports the requested waiver to accept the easement in lieu of trail construction.

- Waiver of frontage improvements

Loisdale Road is planned for a future widening, and the applicant proposes to dedicate 80 feet of ROW from centerline along the entire frontage of Parcel 6A at the time of site plan approval. The applicant has also committed to providing up to 20 feet for temporary construction and grading easements along Loisdale Road. Staff does not object to the requested waiver.

Zoning Ordinance Requirements (Appendix 15)

General Standards for a Special Exception (Sect. 9-006)

General Standards 1 and 2 require that the proposed use be in harmony with the adopted Comprehensive Plan and with the general purpose and intent of the

applicable zoning district regulations. The proposed development of an option for a vehicle sales center generally complies with the Comprehensive Plan as noted above, as well as the intent of the C-8 District, which promotes larger auto-oriented commercial and service uses along collector and arterial highways.

The development will not affect the use or development of neighboring properties, as recommended by General Standard 3. Circulation to and from the development site will be managed through the addition of two (2) turn lanes and a proposed signal at the southern site entrance. In addition, the applicant has committed up to 80 feet of ROW and 20 feet for ancillary easements along the entire frontage of the RZ site for the future widening of Loisdale Road, per the Comprehensive Plan's recommendation. The proposed development complements neighboring industrial and commercial uses, and the former landfill site will be remediated. With the proposed improvements to the site and frontage, staff believes that Standard 3 is satisfied.

Landscaping and open space recommendations for General Standards 5 and 6 are generally addressed by the applicant. As discussed earlier in this report, the applicant proposes extensive landscaping and reforestation on the application parcels and on the adjoining parcel as well. A conservation easement is proposed for a portion of Parcels 7 and 6A to preserve open space for BMP credit, and staff believes that there is sufficient screening on site to buffer the new use from nearby residential and commercial uses.

Adequate utility, drainage, and parking will be provided for the proposed drive-through pharmacy, as required by General Standard 7. Though the site will be largely impervious due to the presence of over 900 parking, vehicle display and vehicle storage spaces on site, the applicant proposes SWM/BMPs for the site to treat and store the potential runoff from the site.

Any signage provided on site will be required to meet the signage regulations of the Zoning Ordinance, as required by General Standard 8. All signage on the site will be subject to a proffer that requires conformance with the Zoning Ordinance unless waivers are requested through a Category 6 Special Exception application.

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

Standard 1 states that all uses shall comply with the lot size and bulk regulations of the applicable zoning district. Generally, the subject property complies with the lot size and bulk regulations.

Standard 2 notes that all uses shall comply with the performance standards for the specified zoning district, including the submission of a photometric plan. The photometric plan submitted by the applicant is generally in compliance with the performance standards, and the applicant will be required to show compliance with the lighting standards at the time of site plan, as proffered.

Standard 3 states that, before establishment, all uses including modification or alterations to existing uses shall be subject to the provisions of Article 17, Site Plans.

Additional Standards for Vehicle Sale, Rental and Ancillary Service Establishments (Sect. 9-518)

Standard 1 states that outdoor storage, parking and display areas shall be permitted only on the same lot with and ancillary to a sales room, rental office or service facility, which shall be entirely enclosed on all sides, and Standard 2 notes that the outdoor area devoted to storage, loading, parking and display of goods shall be limited to a designated area on the plat, which will not be used for the storage or display of vehicles that are not in operating condition. The proposed dealership building will be completely enclosed on all sides, and outdoor storage, parking and display areas are identified on the plat. The applicant does not propose to store any inoperable vehicles outside the building, and staff proposes a development condition to restrict the types of permitted outdoor storage on the auto dealership site.

Standard 3 requires that any outdoor storage area that is located on the ground and is open to the sky may be located in any required yard but not nearer to any front lot line than ten (10) feet, except as may be qualified by the provisions of Article 13. Additionally, all structures shall be subject to the bulk regulations of the zoning district in which located, except completely underground structures may be located in any required yard, but not closer than one (1) foot to any lot line. The proposed parking and vehicle display areas along the Loisdale Road frontage are no closer than 10 feet to the front lot line, and the proposed building on site satisfies bulk regulations for the C-8 District. The proposed soil stockpile on the portion of Parcel 6A, which is outside the SE limits, will be subject to review and approval by DPWES as part of a required grading plan for any disturbance over 2,500 square feet.

Standard 4 recommends that all such uses shall be provided with safe and convenient access to a street, and Standard 5 states that all outdoor areas, including aisles and driveways, shall be constructed and maintained with an approved surface in accordance with Par. 11 of Sect. 11-102, and shall be improved in accordance with construction standards presented in the Public Facilities Manual. The proposed vehicle sales center fronts directly on Loisdale Road, and the applicant proposes road improvements, including turn lanes and a signal, to help facilitate safe and convenient access to the roadway. The applicant will construct and maintain the aisles proposed for the site in accordance with Zoning Ordinance and PFM requirements.

The applicant is committed to meeting Standard 6, which states that all lighting fixtures used to illuminate such outdoor areas shall be in conformance with the performance standards for outdoor lighting set forth in Part 9 of Article 14, through a proffer and submission of a photometric plan to be reviewed at site plan.

Standard 7 is only applicable to uses in the C-3, C-4, I-3, I-4, I-5, PDC, PRC and PRM Districts and does not apply to this application.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The applicant proposes to rezone 64.53 acres from the R-1 and R-3 Districts to the C-8 District and develop a vehicle sale, rental and ancillary service establishment on 23.17 acres of the application site. Overall, staff concludes that the subject application is in general harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions. Additionally, staff encourages the applicant to diligently pursue and complete the necessary steps for the proposed improvements at the intersection of Newington Road and Fairfax County Parkway, which will help improve accessibility to the application site and for the immediate area.

Staff Recommendations

Staff recommends approval of RZ 2010-LE-005, subject to execution of proffers consistent with the draft proffers contained in Appendix 1.

Staff recommends approval of SE 2010-LE-009, subject to the proposed development conditions contained in Appendix 2.

Staff recommends approval of a waiver of the barrier requirement along the northern property line of Parcel 7, in favor of that shown on the GDP/SE Plat.

Staff recommends approval of a waiver of the minor trail requirement.

Staff recommends approval of a waiver of the frontage improvements.

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.

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

APPENDICES

1. Draft Proffers for RZ 2010-LE-005
2. Draft Development Conditions for SE 2010-LE-009
3. Affidavit
4. Statement of Justification
5. Virginia Voluntary Remediation Program Letter
6. Land Use and Environmental Analysis
7. Transportation Analysis
8. Fairfax County Park Authority Analysis
9. Stormwater Management Analysis
10. Urban Forest Management Analysis
11. Fairfax County Public Schools Analysis
12. Sanitary Sewer Analysis
13. Fairfax Water Authority Analysis
14. Fire and Rescue Analysis
15. Applicable Zoning Ordinance Provisions
16. Glossary of Terms

DRAFT
PROFFERS

RZ 2010-LE-005
Jennings Business Park, LLC
October 22, 2010

Pursuant to Section 15.2-2303(a), *Code of Virginia*, 1950 as amended, and subject to the Board of Supervisors (BOS) approval of the requested Rezoning from the R-1 and R-3 Districts to the C-8 District on property identified as Tax Map 90-4 ((1)) 6A (hereinafter referred to as the "Parcel 6A") and Tax Map 90-4 ((1)) 7 (hereinafter referred to as "Parcel 7") and collectively referenced as (the "Property"), the Applicant/Owner for itself, its successors and assigns, (hereinafter referred to as the "Applicant") hereby proffer that development of Parcel 6A and Parcel 7 shall be in accordance with the following proffered conditions provided that Rezoning application 2010-LE-005 is granted. In the event that RZ 2010-LE-005 is approved, then any previous proffers for Parcel 6A and/or Parcel 7 are hereby deemed null and void and hereafter shall have no effect on Parcel 6A or Parcel 7.

A. GENERAL

1. Generalized Development Plan. The Property shall be developed in substantial conformance with the combined Generalized Development Plan and Special Exception Plat (the "GDP/SE Plat"), prepared by Walter L. Phillips, Inc., entitled Jennings Toyota and consisting of a total of 14 sheets, dated February 19, 2010, as revised through October 1, 2010.
2. Minor Modifications. Minor modifications from what is shown on the GDP/SE Plat and these Proffers due to the final site design or engineering may be permitted pursuant to Section 16-403 (4) of the Zoning Ordinance. The building footprint may be adjusted within the proposed building envelope as shown on the GDP/SE Plat so long as the minimum required open space identified on the GDP/SE Plat tabulations and the minimum dimensions to the lot lines are not significantly diminished, and continue to meet the minimum required setbacks.
3. Maximum Intensity. A maximum of 90,000 square feet of gross floor area, shall be permitted on Parcel 6A. The maximum total floor area ratio on Parcel 6A shall not exceed 0.04 FAR as provided on the GDP/SE Plat. Any additional development on the remaining portion of Parcel 6A above which is shown on the GDP/SE Plat shall require the approval of a Proffered Condition Amendment (PCA) application.
4. Density Credit. Density credit is hereby reserved pursuant to Section 2-308 of the Zoning Ordinance for all eligible dedications described herein or as may be required by Fairfax County or VDOT pursuant to the Public Facilities Manual (PFM), at the time of subdivision and/or site plan approval for Parcel 6A and/or Parcel 7.

5. Uses. The primary use on Parcel 6A shall be a vehicle sale, rental, and ancillary service establishment. Ancillary uses, which shall be accessory to the dealership use and permitted by this approval, may include, but not be limited to, the following: retail sales; vehicle rental establishments; vehicle major and vehicle minor service; a car wash and fueling station for use by the dealership; and telecommunication facilities limited to those that are mounted on the rooftop, mounted to the penthouse, or located within the building.
6. Architecture. The architectural design of the dealership building shall be in substantial conformance with the character of the elevations shown on Sheet 12 of the GDP/SE Plat. Modifications may be made to the final architectural designs if in substantial conformance with the elevations shown on the GDP/SE Plat.

B. TRANSPORTATION

7. Future Widening of Loisdale Road. As shown on the GDP/SE Plat, the Applicant shall reserve for future dedication approximately 101,970 square feet of land (which varies, but is approximately 80 feet in width from the centerline of Loisdale Road) along Parcel 6A frontage on Loisdale Road. This dedication shall occur upon written demand to the Applicant but no earlier than Site Plan approval. The Applicant shall dedicate the right-of-way in fee simple without encumbrance to the Board of Supervisors. The Applicant shall provide ancillary easements up to twenty (20) feet in width along the frontage of Parcel 6A if required for the construction of the future widening.
8. Traffic Signal. Prior to issuance of the Non Residential Use Permit ("Non-RUP") for Parcel 6A, the Applicant shall submit a traffic signal warrant to VDOT for the intersection of Loisdale Road with the southern site entrance. If the warrants have been met, as determined by VDOT, the Applicant shall design and construct (in coordination with VDOT) a traffic signal at the intersection in accordance with VDOT standards.
9. Off-Site Road Improvements. Should VDOT grant approval for eleven (11) foot lanes or another design which does not require off-site right-of-way, the Applicant shall design and construct a second left turn lane and design and provide the necessary signal improvements on Newington Road at its intersection with Fairfax County Parkway prior to issuance of the Non-RUP for Parcel 6A.

In the event there is not sufficient right-of-way for these improvements, the Applicant will make a good faith effort to obtain the needed right-of-way from that landowner. If the Applicant is able to obtain the needed right-of-way, the Applicant shall complete the design and construction of a second left turn lane and provide the necessary signal improvements within twenty-four (24) months from the date that the right-of-way is acquired.

In the event the Applicant is not able to acquire the subject right-of-way necessary to construct the off-site improvements, the Applicant shall submit a written request prior to the issuance of the Non-RUP. The written document will request that Fairfax County to acquire the right-of-way by means of its condemnation powers. In conjunction with such request, the Applicant shall forward to the appropriate County agency: (a) a plat, plans and profiles showing the necessary right-of-way to be acquired; (b) an appraisal prepared by an independent appraiser approved by the County which will appraise the value of the right-of-way; and (c) cash in the amount equal to the appraised value of the right-of-way of the off-site parcel. In the event the land owner of the off-site parcel is awarded more than the above-referenced appraised value of the right-of-way in a condemnation suit, the Applicant shall provide the amount of the award in excess of the cash amount to the County within 15 calendar days of said award.

If condemnation is pursued by the County, a Non-RUP shall not be withheld for the dealership prior to the completion of the condemnation process and the Applicant shall complete construction of the intersection and signal improvements within twenty-four (24) months of the acquisition of the off-site right-of-way. Should the County opt not to pursue condemnation for any reason, the Applicant shall provide a monetary contribution of \$75,000.00 toward the cost of the improvement and have no further obligation to obtain the off-site right-of-way.

Should the land owner of the off-site parcel propose to redevelop its property prior to the issuance of the Non-RUP for the dealership, or prior to the completion of a condemnation proceeding, the Applicant shall provide a monetary contribution in the amount of \$75,000.00 as its share for the cost of the improvement and shall have no further obligation to provide this improvement..

10. Bus Shelter Pad. Prior to issuance of a Non-Residential Use Permit ("Non-RUP") for the dealership, the Applicant shall construct a bus shelter pad and any related sidewalk modifications for a bus stop along the Property frontage as shown on the GDP/SE Plat. Final location, size and any associated easement, if required, for the bus shelter pad is subject to coordination with appropriate County agencies.
11. Interparcel Access. A public ingress-egress easement shall be provided between Parcels 90-4 ((1)) 5 and 6A as shown on the GDP/SE Plat. This access easement shall be shown on the initial and all subsequent site plan submissions and shall connect Parcel 6A and Tax Map Parcel 99-2 ((1)) 2A and provide adequate two-way access to all site access points subject to Fairfax County Department of Transportation's approval.

The construction of the interparcel access on the balance of Parcel 6A (which is not governed by SE 2010-LE-009) may be constructed at such time that the balance of Parcel 6A is redeveloped, or earlier if desired by the Applicant. The Applicant reserves flexibility to locate interparcel access on the balance of Parcel 6A. Final location of the interparcel access through the balance of Parcel 6A may

occur at the time of site plan, or at the time that the balance of Parcel 6A redevelops.

C. ENVIRONMENTAL

12. Stormwater Management Facilities/Best Management Practices Techniques/Low Impact Development. As shown on Sheets 10 and 11 of the GDP/SE Plat, Stormwater Management (SWM) and Best Management Practices (BMP) shall be provided in a combination of an underground SWM/BMP facility and individual BMP facilities located on Parcel 6A. At the time of the site plan, the Applicant shall incorporate Low Impact Development (LID) features into the site design subject to the approval of DPWES. Examples include, but are not limited to, the use of vegetated swales, natural open space or Filtergrass. .
13. Landscaping. Site Plan submissions shall include a landscape plan that is in substantial conformance with the approved GDP/SE Plat. The exact number, size, and spacing of trees and other plant materials shall be submitted at the time of final site plan review and shall be subject to review and approval by Urban Forestry Management Division (UFMD).
14. Tree Preservation. The Applicant shall submit a Tree Preservation Plan and narrative as part of the first and all subsequent site plan submissions. The preservation plan and narrative shall be prepared by a Certified Arborist or a Registered Consulting Arborist, and shall be subject to the review and approval of the UFMD and the Department of Public Works and Environmental Services ("DPWES").

The Tree Preservation Plan shall include a tree inventory that identifies the location, species, critical root zone, size, diameter at breast height (DBH), and condition analysis percentage rating for all individual trees to be preserved, as well as all on and off-site trees, living or dead, with trunks 8 inches in diameter and greater (measured at 4 ½ feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) located within 25 feet to either side of the limits of clearing and grading. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the GDP/SE Plat and those additional areas in which trees can be preserved as a result of final engineering. The Tree Preservation Plan and narrative shall include all items specified in PFM 12-0506 and 12-0508. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.

15. Tree Preservation Walk-Through. The Applicant shall retain the services of a certified arborist or landscape architect, and shall have the limits of clearing and

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

16. Limits of Clearing and Grading. The Applicant shall conform to the limits of clearing and grading, as shown on the GDP/SE Plat, subject to allowances specified in these proffered conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the GDP/SE, they shall be located in the least disruptive manner necessary as determined by the UFMD/DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFMD/DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.
17. Tree Preservation Fencing. All trees shown to be preserved on the Tree Preservation Plan shall be protected by tree protection fencing. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart, or super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees, shall be erected at the limits of clearing and grading as shown on the site plan, as may be modified by the "Root Pruning" proffer below.

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading, or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD/DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no

grading or construction activities shall occur until the fencing is installed correctly as determined by the UFMD/DPWES.

18. Root Pruning. The Applicant shall root prune, as needed to comply with the tree preservation requirements of these proffers. All treatments shall be clearly identified, labeled, and detailed on the Tree Preservation Plan of the site plan submission. The details for these treatments shall be reviewed and approved by the UFMD/DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to, the following:
 - Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
 - Root pruning shall take place prior to any clearing and grading or demolition of structures.
 - Root pruning shall be conducted with the supervision of a certified arborist.
 - An UFMD/DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.
19. Site Monitoring. During any clearing or tree/vegetation/structure removal on Parcel 6A and Parcel 7, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by the UFMD. The Applicant shall retain the services of a certified arborist or Registered Consulting Arborist to monitor all construction work and tree preservation efforts in order to ensure conformation with all tree preservation proffers, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping Plan and Tree Preservation Plan, and reviewed and approved by the UFMD/DPWES.
20. Reforestation. A reforestation plan for the area as shown on the GDP/SE Plat shall be submitted concurrently with the first and all subsequent Site Plan submissions for review and approval in writing by the UFMD and DPWES, and shall be implemented as approved, and as field verified by UFMD. The plan shall contain an appropriate size, quality and selection, of species based on existing and proposed site conditions to restore the area to a native forest cover type. The reforestation areas will have the following densities of plantings per acre outside of utility and storm drainage easements: 100 overstory trees, 200 understory trees, and 1089 shrubs. Areas to be reforested within utility and storm drainage easements where planting trees is not allowed or suitable will have the following densities of plantings per acre: 1,489 shrubs, and over-seeding with a conservation seed mixture approved by UMFD. The reforestation plan shall include, but not be limited to, the following:

- Plant list detailing species, sizes, quantities and stock type of trees and other vegetation to be planted;
 - Soil treatments and amendment, if necessary;
 - Mulching specifications;
 - Methods of installation;
 - Maintenance;
 - Mortality threshold;
 - Monitoring; and
 - Replacement schedule.
21. Conservation Easement. The conservation easement areas shown on the GDP/SE Plat shall remain as undisturbed open space with the exception of permitted trails, seating areas, and other passive recreational amenities and shall be subject to a recorded conservation easement as shown on the GDP/SE Plat running to the benefit of Fairfax County, in a form approved by the County Attorney. The easement shall prohibit the removal of trees except those which are dead, diseased, noxious/invasive or hazardous. The conservation easement shall be recorded by the Applicant prior to conveyance of Parcel 7 to the Fairfax County Park Authority (FCPA), as described below in Proffer 23.
22. Geotechnical. Prior to Site Plan approval, if requested by DPWES, and in accordance with the provisions of the Public Facilities Manual, a geotechnical study of Parcel 6A shall be submitted to the Geotechnical Review Board through DPWES and shall incorporate appropriate engineering practices as recommended by the Geotechnical Review Board and DPWES to alleviate potential structural problems, to the satisfaction of DPWES. The recommendations of the Geotechnical Review Board shall be implemented.
23. Lighting. Any site lighting shall meet the requirements of Part 9 of Article 14 of the Zoning Ordinance. Any and all Field lighting shall meet FCPA lighting standards and specifications.

D. ATHLETIC FIELD

24. Athletic Field. A rectangular, athletic field (the "Field") shall be provided on Parcel 7. Per the note on Sheet 4 of the GDP/SE Plat, a minor lot line adjustment is proposed in order to locate the Field wholly on Parcel 7. The Field shall meet a minimum dimension of 340 feet in length by 205 feet in width with ten (10) foot overruns on each side and shall be constructed with synthetic turf and lighting. The Applicant shall either construct the Field after site preparation is complete or

pay the equivalent cash value (\$1,100,000.00) to FCPA to construct the Field. Under this option, the cash payment shall escalate from the date of rezoning approval to the date of payment consistent with the Code of Virginia and based on changes in the Consumer Price Index for all urban consumers (not seasonally adjusted) ("CPI-V"). Under the option that FCPA constructs the Field, the Applicant shall design and prepare the site plan; clear and rough grade the Field to a depth below finished grade as directed by FCPA; install all underground conduit and water lines; construct retaining walls, and construct the ditch and storm drainage system west of the Field, as shown on the GDP/SE Plat.

The Applicant's initial design of the Field as shown on the GDP/SE Plat meets FCPA standards as to the slope of the field surface. At the time of site plan, should FCPA request a crowned field surface instead of a sloped field surface, the retaining walls as shown on the GDP/SE Plat shall be permitted to be modified accordingly in both length and height. Additionally, should the finalized RPA redelineation require modification of the retaining walls due to the determined limits of the Resource Protection Area at the time of site plan, FCPA shall work with the Applicant to redesign the retaining walls or accept a reduced size for the Field. Modification of the proposed retaining walls and/or field size in consultation with FCPA shall not require the Applicant to amend the GDP/SE Plat or obtain approval of a PCA application.

The Applicant shall provide full water and electrical connections sufficient for Field lighting at the property line of Parcel 7 for future use by FCPA. The Applicant shall obtain all site plan approvals needed for construction of the Field and allow for full construction access should FCPA construct the Field.

If the FCPA is to construct the Field, completion of the Field or preparatory construction described above shall be no later than one year after the issuance of a Non-RUP for the dealership, recognizing that if seasonal timing of certain construction activities associated with the Field delays completion up to 18 months, a PCA shall not be required, and the Applicant shall not be deemed to be in violation of these proffers. The Applicant reserves the right to request an administrative extension of the date of completion due to unforeseen circumstances, as determined by the Zoning Administrator.

25. Dedication of Parcel 7. Dedication of Parcel 7 to FCPA shall be in fee simple without monetary or other encumbrances or covenants and shall occur no later than completion of the Field and release of bond requirements for Parcel 7. Any surface debris or waste currently on Parcel 7 shall be removed prior to dedication. Dedication of Parcel 7 to FCPA may occur earlier in the event the cash contribution option is provided to the FCPA for their construction of the Field.
26. Shared Parking for Recreational Field. Fifty (50) parking spaces shall be provided in the area located in the northeast corner of Parcel 6A and identified as "Parking lot to be shared between dealership and recreational field" on Sheet 4 of

the GDP/SE Plat. The Applicant shall coordinate with the FCPA on the terms of a shared parking agreement between the Applicant and FCPA. Should a shared parking agreement not be successfully completed in a form acceptable to the County Attorney prior to the completion of the Recreational Field, then the Applicant shall provide an easement over fifty (50) parking spaces located in the northeast corner of Parcel 6A which allows FCPA to have full use of these spaces during hours that the Recreational Field is open to the public. A public access easement shall be provided for the trail accessing the Field, as shown on the GDP/SE Plat and for the area of the designated shared or provided parking spaces to be used for the Field.

E. MISCELLANEOUS

27. Dedication of Parcel 90-4 ((1)) 6B to FCPA. The Applicant is the owner of Fairfax County Tax Map Parcel 90-4 ((1)) 6B (Parcel 6B) located east of Parcel 6A and east of the CSX railroad tracks. In connection with rezoning RZ 2010-LE-005, the Applicant shall dedicate Parcel 6B to FCPA at the time that Parcel 7 is dedicated, or sooner as determined by the Applicant. Dedication shall occur in fee simple without monetary or other encumbrances or covenants. Any surface debris or waste currently on Parcel 6B shall be removed prior to dedication. Prior to dedication, the Applicant shall enter Parcel 6B into the Commonwealth of Virginia Department of Environmental Quality (VDEQ), Voluntary Remediation Program (VRP). The VRP allows a participant to assess and clean up a property voluntarily, without assuming liability for environmental conditions not caused by their use or actions. Assessment and cleanup is conducted with VDEQ concurrence and, upon demonstration of successful completion of an assessment and cleanup, a No Further Action Determination in the form of a Certificate of Satisfactory Completion can be obtained from the VDEQ. The Certificate is transferable from owner to owner as long as property use (current and proposed) remains the same. Assessment and cleanup of Parcel 6B will be based on planned future site use which is undeveloped recreational use wooded land, with future improvements limited to construction of hiking, biking, and walking trails. Should RZ 2010-LE-005 not be approved by the BOS, this proffered commitment shall be null and void and hereafter shall have no further effect on Parcel 6B, nor the Applicant or its successors and assigns.
28. Sanitary Sewer on Parcel 6B. Due to the existing terrain on Parcel 6B and the potential for the presence of wetlands, the final location of the proposed sanitary sewer line as shown on the GDP/SE Plat may be relocated during final engineering in order to minimize the disturbance of wetlands as practicable.
29. Signage. Signage for Parcel 7 shall be the responsibility of the FCPA and shall be provided in accordance with the Zoning Ordinance. FCPA shall install the signage for the Field.

Signage for Parcel 6A shall be provided in accordance with Article 12 of the Zoning Ordinance, however, the Applicant, Toyota, or another agent hired by Toyota, may file a Category 6 Special Exception application for waiver of certain sign regulations.

30. Successors and Assigns. These proffers shall bind and inure to the benefit of the Applicant and his successors and assigns. Each reference to "Applicant" in this proffer statement shall include within its meaning and shall be binding upon Applicant's successor(s) in interest and/or developer(s) of the site or any portion of the site.

[SIGNATURES BEGIN ON THE NEXT PAGE]

APPLICANT / TITLE OWNER
of Tax Map 90-4 ((1)) 6A and 7

Jennings Business Park, LLC

By: Michael F. Jennings
Its: President and Manager

[SIGNATURE ENDS]

PROPOSED DEVELOPMENT CONDITIONS**SE 2010-LE-009****October 25, 2010**

If it is the intent of the Board of Supervisors to approve SE 2010-LE-009, which consists of an approximately 23.17 acre portion of Tax Map 90-4 ((1)) 6A and 7 pt. (the "Property"), to permit a vehicle sale, rental and ancillary service establishment, pursuant to Sect. 4-804 of the Fairfax County Zoning Ordinance, staff recommends that the Board of Supervisors condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Generalized Development Plan (GDP)/Special Exception (SE) Plat approved with the application, as qualified by these development conditions.
3. A copy of this Special Exception and the Non-Residential Use Permit (Non-RUP) shall be posted in a conspicuous space on the Property and be made available to all departments of Fairfax County during the hours of operation of the permitted use.
4. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved GDP/SE Plat entitled "Jennings Toyota," prepared by Walter L. Phillips, Inc., consisting of 14 sheets dated February 19, 2010, as revised through October 1, 2010, and these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
5. The maximum number of employees on the Property at any given time shall be 200.
6. Landscaping shall be provided in general as shown on the GDP/SE Plat. The exact number, size and spacing of trees and other plant materials shall be submitted concurrent with site plan review and shall be subject to the review and approval by Urban Forest Management Division (UFMD), DPWES.

7. The following condition sets forth a program for a Transportation Demand Management Plan (the "TDM Plan") that shall be implemented by the Applicant to encourage the use of transit (Metrorail and bus), other high occupancy vehicle commuting modes, walking and biking all in order to reduce automobile trips generated by the Property.
 - a. Program Manager. Prior to the approval of the Site Plan, the Applicant shall designate an individual to act as the Program Manager ("PM"), whose responsibility shall be to implement the TDM strategies. The duties of the PM may be part of other duties assigned to the individual(s).
 - b. TDM Plan. Ninety (90) days after the appointment of the PM, the PM shall submit to FCDOT for review and approval the TDM Plan to be implemented for the Property. The TDM Plan and any amendments thereto shall include, but not be limited to, provisions for the following with respect to the Property:
 - i. Information Dissemination. The PM shall make Metrorail and bus maps, schedules and forms, ridesharing, and other relevant transit option information available to employees, visitors, and guests in a common area; such as the central lobby and management office.
 - ii. Ride Matching. The PM shall coordinate and assist with vanpool and carpool formation programs, ride-matching services, and established guaranteed ride home programs for employees.
 - iii. Preferential Parking. Applicant shall provide preferential parking for employees can/van pools in all parking facilities within the Property.
 - iv. Coordination. The PM shall work with FCDOT, and any other transportation management entities established in the local area of the development, to promote alternatives to single-occupant automobile commute trips.
 - c. FCDOT Response. If FCDOT has not responded with any comments to the PM within ninety (90) days of receipt of the TDM Plan, the TDM Plan shall be deemed to be approved, and the Applicant, through the PM, shall implement the TDM Plan.
 - d. Annual Surveys and Coordination with FCDOT. One (1) year following approval of the TDM program by FCDOT for the Property, the

PM shall conduct a survey (the "Survey") to then be completed every four (4) years and provided to FCDOT. The Survey shall be conducted during a week without any holidays and when Fairfax County Public Schools are in session. The Survey shall gather information on the effectiveness of the TDM Plan and shall be used by the PM to determine whether changes to the TDM Plan are needed. If the Survey reveals that changes to the TDM Plan are needed, the Applicant, through the PM, shall coordinate such changes with FCDOT and implement and adjust the TDM Plan accordingly. The PM shall coordinate the preparation of the Survey materials and the methodology for validating survey results with FCDOT at least thirty (30) days prior to completing each Survey, and shall collect and analyze the results. Such analysis shall include at a minimum:

- i. A description of the TDM measures in effect for the survey period and a description of how such measures have been implemented;
 - ii. The number of people surveyed and the number of people who responded on the Property;
 - iii. The results of any surveys taken during the survey period;
 - iv. The number of employees participating in the TDM programs displayed by mode of use; and
 - v. An evaluation of the effectiveness of the TDM Plan and its program elements and, if necessary, proposed modifications to the plan and program elements.
- e. SmarTrip Cards. The Applicant shall offer SmarTrip Cards with a minimum beginning value of Five Dollars (\$5.00) to any interested employee at that employee's start of employment at the dealership.
8. The Applicant shall utilize the services of a LEED-accredited professional in the design of the dealership building. In addition, the Applicant shall register the project with the United States Green Building Council (USGBC) and pursue a goal of attaining the base certification level under the LEED NC V.3 program or the applicable program at the time of certification.

The Applicant shall use thermoplastic membrane (PTO) roofing material with a Solar Reflectance Index (SRI) of greater than 0.50, which is the Energy Star standard. In addition, the Applicant shall have the option to consider the inclusion of additional green building technologies, such as solar panels. Should the Applicant pursue solar energy technologies in

the future, panels and other related mechanical equipment shall be subject to Section 2-506 of the Zoning Ordinance.

9. There shall be no outdoor storage of wrecked or inoperable vehicles on the site for a period exceeding 72 hours. Any spaces reserved for loading, parking, vehicle storage and vehicle display shall not be used for wrecked or inoperable vehicles, and all non-operating vehicles must be stored away from public view along Loisdale Road.
10. There shall be no outdoor storage or sales of materials on the site, with the exception of vehicles for sale (which may be parked in that area designed on the GDP/SE Plat as "Vehicle Display Area" or indoors).
11. All vehicular service and maintenance shall occur indoors. If such service occurs between the hours of 10:00 p.m. and 8:00 a.m., it shall be in a fully enclosed interior space with no windows or doors open.
12. The car wash shown on the GDP/SE Plat shall not be open to the public, but shall be used solely by the vehicle sales, rental and ancillary service establishment. All cleaning (including washing, mechanical drying, vacuuming and detailing) shall take place inside the building. Hand drying shall be permitted outside.

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 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 of 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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: September 15, 2010
 (enter date affidavit is notarized)

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

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below 108802-5

in Application No.(s): SE 2010-LE-009
 (enter County-assigned application number(s), e.g. SE 88-V-001)

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

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

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

| NAME (enter first name, middle initial, and last name) | ADDRESS (enter number, street, city, state, and zip code) | RELATIONSHIP(S) (enter applicable relationships listed in BOLD above) |
|---|---|--|
| Jennings Business Park, LLC Agent: Michael F. Jennings Diane C. Jennings Michael L. Swartz | 6570 Amherst Avenue Springfield, VA 22150 | Applicant/Title Owner |
| Walter L. Phillips, Incorporated Agents: Jenifer L.T. Hornback (former) Monica R. Westgate Jeffrey J. Stuchel William H. Prodo | 207 Park Avenue Falls Church, Virginia 22046 | Engineer/Agent |

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

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

Special Exception Attachment to Par. 1(a)DATE: September 15, 2010
(enter date affidavit is notarized)

1088026

for Application No. (s): SE 2010-LE-009
(enter County-assigned application number (s))

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

| NAME (enter first name, middle initial, and last name) | ADDRESS (enter number, street, city, state, and zip code) | RELATIONSHIP(S) (enter applicable relationships listed in BOLD above) |
|---|---|--|
| Walsh, Colucci, Lubeley, Emrich & Walsh, P.C. Agents: Martin D. Walsh Lynne J. Strobel Timothy S. Sampson M. Catharine Puskar Sara V. Mariska G. Evan Pritchard Elizabeth D. Baker Inda E. Stagg Kara M. W. Bowyer Megan C. Shilling Elizabeth A. McKeeby | 2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201 | Attorneys/Planners/Agent |
| The Lessard Architectural Group, Inc. Agent: David K. Clear | 8521 Leesburg Pike, Suite 700 Vienna, Virginia 22182 | Former Architect/Agent |
| Gorove/Slade Associates, Inc. Agents: Christopher M. Tacinelli Cheryl L. Sharp Chad A. Baird | 1140 Connecticut Avenue, NW Suite 700 Washington, DC 20036 | Transportation Consultant/Agent |
| Independent Consultants & Engineers, Inc. Agent: Jules D. Reese | 15861 Commerce Court Upper Marlboro, MD 20774-7412 | Environmental Engineer/Agent |

(check if applicable)

There are more relationships to be listed and Par. 1(a) is continued further on a "Special Exception Attachment to Par. 1(a)" form.

Special Exception Attachment to Par. 1(a)DATE: September 15, 2010
(enter date affidavit is notarized)

1088026

for Application No. (s): SE 2010-LE-009
(enter County-assigned application number (s))

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

| NAME (enter first name, middle initial, and last name) | ADDRESS (enter number, street, city, state, and zip code) | RELATIONSHIP(S) (enter applicable relationships listed in BOLD above) |
|---|---|--|
| Stearns, Conrad and Schmidt, Consulting Engineers, Inc. d/b/a SCS Engineers Agents: Robert H. Isenberg Paul A. Mandeville Michael W. McLaughlin | 11260 Roger Bacon Drive Reston, Virginia 20190 | Environmental/Methane Contamination/ Collection/Agent |
| Land Strategies, Inc. Agent: Michael A. Bruzzesi | 26037 Springdale Drive South Riding, Virginia 20152 | Environmental/Agent |
| Penney Design Group, LLC Agents: Jonathan J. Penney Patrick G. Swift Sandra G. Hernandez Catillo Jesus A. Macedo Gomez | 8120 Woodmont Avenue, Suite 450 Bethesda, Maryland 20814 | Architect/Agent |
| Wetland Studies and Solutions, Inc. Agents: Michael S. Rolband | 5300 Wellington Branch Drive, #100 Gainesville, Virginia 20155 | Environmental Consultant/Agent |
| Gensler Architecture, Design & Planning, P.C. Agent: Mark (nmi) Schwamble | 2020 K Street, NW, Suite 200 Washington, DC 20006 | Architect/Agent |

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: September 15, 2010
(enter date affidavit is notarized)

1088025

for Application No. (s): SE 2010-LE-009
(enter County-assigned application number(s))

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

(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code) Jennings Business Park, LLC
6570 Amherst Avenue
Springfield, VA 22150

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

Michael F. Jennings, Member and Manager
Diane C. Jennings, Member

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

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

Special Exception Attachment to Par. 1(b)

DATE: September 15, 2010
(enter date affidavit is notarized)

1088026

for Application No. (s): SE 2010-LE-009
(enter County-assigned application number (s))

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

Walsh, Colucci, Lubeley, Emrich & Walsh, 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, and last name)

| | |
|---|---|
| David J. Bomgardner, E. Andrew Burcher, | Bryan H. Guidash, Michael D. Lubeley, |
| Thomas J. Colucci, Peter M. Dolan, Jr., | J. Randall Minchew, M. Catharine Puskar, |
| Jay du Von, Jerry K. Emrich, | John E. Rinaldi, Lynne J. Strobel, Garth M. |
| William A. Fogarty, John H. Foote, | Wainman, Nan E. Walsh, Martin D. Walsh |
| H. Mark Goetzman, | |

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

Walter L. Phillips, Incorporated
207 Park Avenue
Falls Church, VA 22046

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Brian G. Baillargeon
Jeffrey J. Stuchel

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

Special Exception Attachment to Par. 1(b)

DATE: September 15, 2010
(enter date affidavit is notarized)

1088026

for Application No. (s): SE 2010-LE-009
(enter County-assigned application number (s))

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

The Lessard Architectural Group, Inc.
8521 Leesburg Pike, Suite 700
Vienna, Virginia 22182

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Christian J. Lessard

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

Grove/Slade Associates, Inc.
1140 Connecticut Avenue, NW, Suite 700
Washington, DC 20036

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

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

Special Exception Attachment to Par. 1(b)

DATE: September 15, 2010
(enter date affidavit is notarized)

1088025

for Application No. (s): SE 2010-LE-009
(enter County-assigned application number (s))

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

Independent Consultants & Engineers, Inc.
15861 Commerce Court
Upper Marlboro, MD 20774-7412

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Judith K. Reese
Jules D. Reese

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

Stearns, Conrad and Schmidt, Consulting Engineers, Inc. d/b/a SCS Engineers
11260 Roger Bacon Drive
Reston, Virginia 20190

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

Special Exception Attachment to Par. 1(b)

DATE: September 15, 2010
(enter date affidavit is notarized)

108802 ✓

for Application No. (s): SE 2010-LE-009
(enter County-assigned application number (s))

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

Land Strategies, Inc.
26037 Springdale Drive
South Riding, Virginia 20152

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Michael A. Bruzzesi

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

Penney Design Group, LLC
8120 Woodmont Avenue, Suite 450
Bethesda, Maryland 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, and last name)

Jonathan J. Penney

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

Special Exception Attachment to Par. 1(b)

DATE: September 15, 2010
(enter date affidavit is notarized)

1088026

for Application No. (s): SE 2010-LE-009
(enter County-assigned application number (s))

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

Wetland Studies and Solutions, Inc.
5300 Wellington Branch Drive, #100
Gainesville, Virginia 20155

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Michael S. Rolband, Sole Shareholder

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

Gensler Architecture, Design & Planning, P.C.
2020 K Street, NW, Suite 200
Washington, DC 20006

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: September 15, 2010
(enter date affidavit is notarized)

1088024

for Application No. (s): SE 2010-LE-009
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, and number, street, city, state, and zip code)
None

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

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

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

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: September 15, 2010
(enter date affidavit is notarized)

108802e

for Application No. (s): SE 2010-LE-009
(enter County-assigned application number(s))

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

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

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

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

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

None

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: September 15, 2010
(enter date affidavit is notarized)

1088020

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

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

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

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

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

WITNESS the following signature:

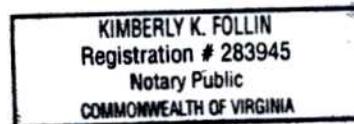
(check one) [] Applicant [x] Applicant's Authorized Agent

Elizabeth A. McKeeby, agent
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 15 day of September, 2010, in the State/Comm. of Virginia, County/City of Arlington

Kimberly K. Follin
Notary Public

My commission expires: 11/30/2011





**WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC**

Martin D. Walsh
(703) 528-4700 Ext. 5422
mwalsh@arl.thelandlawyers.com

February 25, 2010
Revised - July 29, 2010

Via Hand Delivery

Ms. Regina C. Coyle, Director
Fairfax County Department of Planning & Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035

**Re: Statement of Justification for Rezoning and Special Exception Applications
(the "Applications")
Subject Property: Tax Map 90-4 ((1)) 6A and 7 (approximately 64.53 Acres
for Rezoning and approximately 22.81 acres for Special Exception)
Applicant: Jennings Business Park, LLC**

Dear Ms Coyle:

On behalf of the Applicant, please accept the following letter as a statement of justification for the above-referenced Applications on the Subject Property. The Applicant is the owner of the Subject Property, identified as Fairfax County tax map parcels 90-4 ((1)) 6A and 7 and located along the east side of Loisdale Road, west of the Richmond, Fredericksburg, and Potomac Railroad (CSX) tracks and south of Loisdale Park and the Loisdale Estates subdivision. The Subject Property is presently zoned to the R-1, Residential with a portion of Parcel 7 being zoned R-3 and it is bordered by parcels zoned I-5 to the south, R-1 to the east, I-3 and R-1 to the north, and a mix of commercially and industrially zoned land to west across I-395. Currently, the Subject Property is vacant land. The northeast portion of Parcel 7 is designated as Resource Protection Area (RPA). No development is proposed within the RPA.

By way of background, the Subject Property formerly operated as a landfill which, based upon County records and recent environmental analysis conducted by the Applicant, was closed by the County during the 1980s. A Phase II Environmental Impact Statement has been conducted by Land Strategies, Inc. on the Subject Property.

PHONE 703 528 4700 ■ FAX 703 525 3197 ■ WWW.THELANDLAWYERS.COM
COURTHOUSE PLAZA ■ 2200 CLARENDON BLVD., THIRTEENTH FLOOR ■ ARLINGTON, VA 22201-3359

LOUDOUN OFFICE 703 737 3633 ■ PRINCE WILLIAM OFFICE 703 680 4664
{A0185848.DOC / 1 Statement of Justification 005148 000003}
ATTORNEYS AT LAW

The Applicant, Jennings Business Park, LLC, requests a rezoning on the Subject Property from the R-1 District to the C-8 District and a special exception over an approximately 23-acre portion of the Subject Property (as shown on the enclosed Generalized Development Plan/Special Exception Plat) to permit a vehicle sale, rental, and ancillary service establishment which may perform vehicle major and vehicle light service activities. The Manager of the Applicant entity, Michael Jennings, owns and operates Springfield Toyota located at 6750 Amherst Avenue in Springfield, which has been serving the Springfield community since 1969.

With these concurrent rezoning and special exception Applications, the Applicant proposes to develop a new Toyota dealership on the Subject Property. As shown on the enclosed Generalized Development Plan/Special Exception Plat, the dealership is proposed to be located on the approximately 23 acres at the north end of Parcel 6A with two access points at Loisdale Road. The Applicant will continue to work with the County Department of Planning and Zoning and Park Authority Staff on the design of a rectangular playing field to meet Park Authority Standards proposed to be located on Parcel 7. The playing field will be located immediately adjacent to the existing County facilities at Loisdale Park, and the Applications include shared parking to be located in the northeast corner of Parcel 6A, next to the field.

As referenced above, a special exception over the approximately 23 acres indicated on the Generalized Development Plan/Special Exception Plat as the "limits of special exceptions" is being requested concurrently with the rezoning from R-1 and R-3 to C-8. Per Zoning Ordinance Section 4-804, in the C-8 District, vehicle sale, rental, and ancillary service establishments and vehicle major and vehicle light service activities require the approval of a Category 5 Special Exception. The Applicant proposes an approximately 90,500 square foot dealership, with approximately 338 parking spaces meeting the Zoning Ordinance requirement. The parking spaces are to be accommodated in a combination of surface and below-the-building parking. Fully underground parking cannot be achieved on the Subject Property due to the necessary environmental remediation activities. Additional parking spaces are proposed for vehicle storage and display.

The proposed hours of operation for the dealership are 24 hours per day, 7 days per week. The Applicant anticipates that the dealership will have a maximum of 200 employees and, based on the estimates from the Amherst Avenue location, anticipates approximately 200 patrons at the dealership per day. Building architecture will be similar to other Toyota brand dealerships, including façade materials such as glass, aluminum, and masonry block. Building height is proposed at approximately 40 feet.

The Subject Property is located within the Comprehensive Plan's I-95 Industrial Corridor and, more specifically, within Land-unit K. There is currently no parcel specific text for the Subject Property but, generally, the Sub-unit is planned for industrial uses up to a .35 FAR. The Plan indicates that there was a landfill south of Loisdale Park between Loisdale Road and the CSX railroad tracks and that its limits should be established prior to any development in this area. The current Plan has envisioned public recreation uses, such as a playing field, in this area for some time. In January of 2009, Supervisor Jeffrey C. McKay authorized Planning Staff to

undertake the Loisdale Road Special Study in response to multiple Area Plan Reviews (APR) nominations that were filed during the BRAC APR process. This amendment to the Comprehensive Plan relative to Land Unit K was adopted by the Board of Supervisors on April 6, 2010.

Prior to filing the Applications, the Applicant had discussions with Planning Staff in regard to the preparation of the Applications in conjunction with the ongoing Loisdale Road Special Study. Based on these discussions and review of the draft staff report for the special study, the preferred option for the proposed Comprehensive Plan language allows for an automotive dealership use on the Subject Property if it can be determined that the former landfill site can be safely developed and if the development will not produce peak hour vehicle trips on Loisdale Road in excess of those generated by the baseline recommendation. The preferred option for the new draft Plan text provides two conditions for an automotive dealership development:

- The intensity may be up to a .10 FAR on a minimum site area of 30 acres, with additional acreage incorporated as needed to maintain trip neutrality when compared to the baseline intensity of a .35 FAR; and
- The construction of a publicly accessible athletic field meeting Park Authority standards.

The proposed Applications are in conformance with the recently adopted Comprehensive Plan text.

In regard to traffic impacts, the proposed development achieves Staff's concept of a "trip neutrality" in comparison to the trips that would be generated by implementation of the baseline Plan recommendation of a .35 FAR of industrial development. In accordance with new County policy, a traffic impact analysis has been submitted directly to the County Department of Transportation concurrently with the filing of the Applications. Please see one copy enclosed with the Applications for your ease of reference.

As indicated earlier in this statement, the Applicant has hired Land Strategies, Inc. to perform an environmental analysis on the Subject Property, and a Phase II EIS has been completed. Based on the Phase II findings, the past use of Parcel 6A as an uncontrolled fill site has resulted in impact to soil, groundwater, and soil gas. Several target constituents were detected in these media above Commonwealth of Virginia Department of Environmental Quality (VDEQ) screening levels for commercial land use and construction worker health and safety. The fill materials and impacted media that may present an on-going or future source of impact warrant the implementation of health and safety measures for site workers and incorporation of engineering and institutional controls for the Subject Property. To address fill materials, impacted media, and human health risk concerns, Parcel 6A has been registered with VDEQ's Voluntary Remediation Program (VRP). Cleanup activities and protections anticipated to achieve VRP criteria for issuance of a "Certification of Satisfactory Completion of Remediation" include incorporation of a reliable and robust vapor barrier and vapor venting system into the

February 25, 2010
Revised – July 29, 2010
Page 4

building design (representing engineering controls), placement of a deed restriction on the parcel limiting land use to commercial and preventing the use of groundwater for potable and irrigation purposes (representing institutional controls), and establishment of a health and safety program for site workers, both during construction and for future employees.

The Applicant requests one waiver of Zoning Ordinance standards relative the barrier requirement along the northern property line, west of where Parcel 7 abuts Parcel 6A. Trees have been provided along this boundary where possible (outside of the existing storm drainage easement).

In summary, the Applications are in harmony with the Comprehensive Plan as recently amended and the Applicant has worked closely with Staff in developing the proposal to include a new public playing field to be managed by the Fairfax County Park Authority in this area that is underserved in terms of active recreational amenities. The Applications include innovative water quality controls and propose to incorporate green building technologies in the dealership building and site design. The Applicant looks forward to working with Staff on the Application and hopes to continue to serve the County and Springfield community with Jennings Toyota.

Should you have any questions regarding this proposal, or require additional information, please do not hesitate to call me. I would appreciate the acceptance of this application and scheduling of a public hearing before the Fairfax County Planning Commission at your earliest convenience.

Very truly yours,

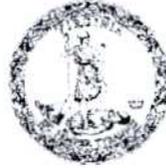
WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, P.C.

Martin D. Walsh by em

Martin D. Walsh

MDW/eam
Enclosures

cc: Mike Jennings
Jeff Stuchel
Monica Westgate
Jon Penney
Cheryl Sharp
Elizabeth A. McKeeby



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 1105, Richmond, Virginia 23218

TDD (804) 698-4021

www.deq.virginia.gov

L. Preston Bryant, Jr.
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4000
1-800-592-5482

December 29, 2009

Jennings Business Park LLC c/o Michael Jennings
Jennings Motor Company, Inc. d/b/a Springfield Toyota
6570 Amherst Avenue
Springfield, VA 22150

Re: Hunter Property-Parcel 6A, Voluntary Remediation Program (VRP) site # 00555

Dear Mr. Jennings,

This office is tasked with the oversight of remediation activities conducted under the Virginia Voluntary Remediation Program (VRP). The site referenced above is deemed eligible for participation in the VRP by the Department of Environmental Quality (DEQ).

Pursuant to 9 VAC 20-160-60.B, remittance of a registration fee consisting of the lesser of \$5,000 or 1% of the total cost of remediation will be required prior to initiation of review of the required submittals. Please include your site number, **VRP00555** on the check. Please make the check or money order payable to the **Treasurer of Virginia** and remit to: DEQ, Receipts Control, P.O. Box 1104, Richmond, VA, 23218. **Please Note:** The registration fee must be paid within six months of the date of this letter to be considered enrolled in the VRP, otherwise this determination will expire.

The above fee and cost of remediation of this site are likely eligible for the Federal Brownfields Tax Incentive. In order to claim this tax incentive, you must get a determination from this office that a hazardous substance has been released at this site. Please fill out and return the attached form and a determination statement will be sent to you.

The DEQ Northern Regional Office (DEQ-NRO) administers the Virginia Hazardous Waste Management Regulations (VHWMR) and the Virginia Solid Waste Management Regulations (VSWMR). During review of the VRP application DEQ-NRO noted a concern regarding the potential management of solid and hazardous waste from the property. The information provided with the application identified PCE, arsenic and benzo(a)pyrene being present in soil and groundwater around the property. Contaminated soil and groundwater from the facility, containing PCE or other hazardous substances, may be a characteristic hazardous waste which would be managed and disposed of in accordance with the VHWMR (9 VAC 20-60-12 et seq.). All solid waste from the site must be managed in accordance with the VSWMR (9 VAC 20-80-10 et seq.). DEQ-NRO is also concerned about the formation of methane gases at the site. The concentration of methane gas poses a potential public threat and should be mitigated during the VRP process.

If you have any questions or need additional information, please contact the Project Officer for this site, Mr. William Lindsay, at william.lindsay@deq.virginia.gov or (804) 698-4521.

Sincerely

A handwritten signature in cursive script that reads "Durwood H. Willis".

Durwood H. Willis, Director
Office of Remediation Programs

Attachment

C: Edith H. Rameika, Trustee
Mike Bruzzesi, Land Strategies (via email)
Richard Doucette, DEQ-NRO (via email)



County of Fairfax, Virginia

MEMORANDUM

DATE October 7, 2010

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: Land Use Analysis and Environmental Assessment: RZ 2010-LE-005
SE 2010-LE-009
Jennings Business Park, LLC

The memorandum, prepared by John Bell, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the development plan as revised through July 29, 2010. The extent to which the application conforms to the applicable guidance contained in the Comprehensive Plan is noted. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

DESCRIPTION OF THE APPLICATION

The approximately 64.5-acre subject property is located on the east side of Loisdale Road, south of Loisdale Estates subdivision. A portion of the subject property was once an unregulated landfill. The current application seeks to redevelop a portion of the site as an auto dealership. This application includes a proposed athletic field to be constructed by the applicant and dedicated to the Fairfax County Park Authority. The southern portion of the property will remain undeveloped at this time, but may be developed as an office in the future. The proposed auto dealership will consist of approximately 90,000 gross square feet with 337 parking spaces. The proposed hours of operation are 24 hours a day, 7 days a week with a maximum of 200 employees. The applicant is proposing a variety of green building technologies. However, Leadership in Energy and Environmental Design (LEED) certification or an equivalent green building third party certification is not addressed in the proffers.

LOCATION AND CHARACTER OF THE AREA

The subject property is located in Land unit K of the I-95 Corridor Industrial Area. The site is bounded the CSX right-of-way and parkland to the east, Loisdale Road and I-95 to the west, industrially zoned vacant and developed (mini warehouses) properties to the south and vacant industrially zoned, residential and parkland uses to the north.

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



COMPREHENSIVE PLAN CITATIONS:

Land Use

Fairfax County Comprehensive Plan, Area IV, 2007 edition, Springfield Planning District, I-95 Corridor Industrial Area, as amended through April 6, 2010, Land Unit K, Land Use Recommendations, pages 26-28:

“Land Use

The majority of this land unit, located west of the CSX Railroad tracks, east of Loisdale Road, north and east of Backlick Road, and south of Loisdale Park, is planned for industrial uses up to .35 FAR at the baseline.

The presence and limits of a landfill south of Loisdale Park between Loisdale Road and the CSX Railroad tracks should be established and development constraints identified before any development occurs in this area. Specifically, documentation should be provided to verify that the former landfill site is suitable and safe for building prior to approval of any rezoning application on parcel 90-4 ((1)) 6A. If any area is found not to be suitable and safe, or if environmental issues cannot be resolved, these portions of the land unit should remain undeveloped.

As an alternative, if development suitability can be demonstrated, parcel 90-4 ((1)) 6A may be appropriate for a vehicle sales center with associated service facilities. Ancillary uses, such as those to serve customers may also be considered. These alternative uses may be appropriate provided the development will not produce peak hour vehicle trips on Loisdale Road in excess of those generated by the baseline recommendation. Additionally, development of the alternative uses should meet the following conditions:

- Development at an intensity up to .10 FAR on a minimum site size of 30 acres, with additional acreage incorporated as needed to maintain trip neutrality when compared to the baseline recommendation of industrial use at an intensity up to .35 FAR; and
- Construction of a publicly available athletic field(s) on parcels 90-4 ((1)) 4, 5, and/or 7 or at another location within the same service area that meets Fairfax County Park Authority (FCPA) standards, with the option for management without ownership by the FCPA. See Section S7, Springfield East Community Sector, Parks and Recreation Recommendations, Figure 40 for further recommendations.

Within the land unit, if development suitability is demonstrated, as an alternative to industrial use at .35 FAR, up to 200,000 square feet of office use on parcels currently zoned R-1 (90-4 ((1)) 6A, 99-2 ((1)) 7A and 8) may be appropriate, excluding parcel 90-4 ((1)) 7 which is recommended for future active recreation facilities. Development of office use should meet the following conditions:

- Achievement of cohesive design in a campus-style setting;
- Intensity of development does not exceed .20 FAR;
- Any freestanding office building(s) is encouraged to meet at least U.S.Green Building Council's Leadership in Energy and Environmental Design (LEED) silver standards or other comparable programs with third party certification;
- Buffering and screening of uses from industrially planned areas; and
- Construction of publicly available athletic field(s) on parcels 90-4 ((1)) 4,5, and/or 7 or at another location within the same service area that meets Fairfax County Park Authority (FCPA) standards, with the option for management without ownership by the FCPA, see Section S7 – Springfield East Community Sector, Parks and Recreation Recommendations, Figure 40 for further recommendations. . . .

Transportation

Loisdale Road is recommended for widening to four travel lanes from Springfield Center Drive south to Newington Road. A segment of Loisdale Road that is planned for this widening fronts houses in the Loisdale Estates residential community. The future improvement of Loisdale Road should minimize impacts to the Loisdale Estates community by maintaining the existing three lane section along the Loisdale Estates frontage (two travel lanes plus middle turn lane) until such time as congestion requires road widening along Loisdale Estates.

Before considering plans for widening the segment of Loisdale Road that fronts Loisdale Estates, the following should be considered:

- Using traffic signalization to control the flow of traffic through the area; and
- Implementing other traffic controls that will help manage traffic, reduce speed of vehicles, and improve safety.

If traffic congestion increases to a level that requires widening the entire segment of Loisdale Road from Springfield Center Drive to Newington Road, impacts of the widening to the Loisdale Estates community should be minimized. The following should be considered along the Loisdale Estates frontage:

- Reducing the width of travel lanes and omitting a median and turn lane;
- Acquiring right-of-way from the I-95 side of the roadway by removing the trail and combining it with a sidewalk section on the east side;
- Eliminating on-street parking; and
- Acquiring minimal right-of-way from properties that front Loisdale Estates.

If these steps are not possible, consider taking full lots for right-of-way and utilizing residual portions of property acquired for right-of-way to create a planted buffer to screen the remaining neighborhood from the impacts of the roadway.

The future improvement of Loisdale Road should seek to minimize cut through traffic impacts on the nearby residential communities.”

Environment

In the Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through July 27, 2010, on page 7 through 16, the Plan states:

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

..

Policy d. Preserve the integrity and the scenic and recreational value of EQCs when locating and designing storm water detention and BMP facilities. In general, such facilities should not be provided within EQCs unless they meet one of the following conditions:

- They are consistent with recommendations of a watershed management plan that has been adopted by the Fairfax County Board of Supervisors; or
- They will:
 - Either:
 - Be more effective in protecting streams and better support goals of watershed management plans than stormwater management measures that otherwise would be provided outside of EQCs; or
 - Contribute to achieving pollutant reduction necessary to bring waters identified as impaired into compliance with state water quality standards or into compliance with a Municipal Separate Storm Sewer System (MS4) permit in a manner that would be more effective and/or less environmentally-disruptive than approaches that would be pursued outside of EQCs;

and

- Replace, enhance and/or be provided along with other efforts to compensate for any of the EQC purposes, as described in Environmental Objective 9, Policy a below, that would be affected by the facilities.

When stormwater management facilities within the EQC are determined to be appropriate, encourage the construction of facilities that minimize clearing and grading, such as embankment-only ponds, or facilities that are otherwise designed to maximize pollutant removal while protecting, enhancing, and/or restoring the ecological integrity of the EQC. . . .

Policy k. For new development and redevelopment, apply better site design and low impact development techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County's streams, some or all of the following practices should be considered where not in conflict with land use compatibility objectives:

- Minimize the amount of impervious surface created. . . .
- Encourage the use of innovative BMPs and infiltration techniques of stormwater management where site conditions are appropriate, if consistent with County requirements.
- Apply nonstructural best management practices and bioengineering practices where site conditions are appropriate, if consistent with County requirements. . . .
- Maximize the use of infiltration landscaping within streetscapes consistent with County and State requirements. . . .

Development proposals should implement best management practices to reduce runoff pollution and other impacts. Preferred practices include: those which recharge groundwater when such recharge will not degrade groundwater quality; those which preserve as much undisturbed open space as possible; and, those which contribute to ecological diversity by the creation of wetlands or other habitat enhancing BMPs, consistent with State guidelines and regulations. . . .

Programs to improve water quality in the Potomac River/Estuary, and Chesapeake Bay will continue to have significant impacts on planning and development in Fairfax County. There is abundant evidence that water quality and the marine environment in the Bay are deteriorating, and that this deterioration is the result of land use activities throughout the watershed.

In order to protect the Chesapeake Bay and other waters of Virginia from degradation resulting from runoff pollution, the Commonwealth has enacted regulations requiring localities within Tidewater Virginia (including Fairfax County) to designate "Chesapeake Bay Preservation Areas". Within which land uses are either restricted or water quality measures must be provided. Fairfax County has adopted a Chesapeake Bay Preservation Ordinance pursuant to these regulations.

The more restrictive type of Chesapeake Bay Preservation Area is known as the "Resource Protection Area (RPA)." With a few exceptions (e.g. water wells, recreation, infrastructure

improvements, "water dependent" activities, and redevelopment), new development is prohibited in these areas. In Fairfax County, RPAs include the following features:

- water bodies with perennial flow;
- tidal wetlands;
- tidal shores;
- nontidal wetlands contiguous with and connected by surface flow to tidal wetlands or water bodies with perennial flow;
- a buffer area not less than 100 feet in width around the above features; and
- as part of the buffer area, any land within a major floodplain.

The other, less sensitive category of land in the Preservation Areas is called the "Resource Management Area (RMA)." Development is permitted in RMAs as long as it meets water quality goals and performance criteria for these areas. These goals and criteria include stormwater management standards, maintenance requirements and reserve capacity for on-site sewage disposal facilities, erosion and sediment control requirements, demonstration of attainment of wetlands permits, and conservation plans for agricultural activities. In Fairfax County, RMAs include any area that is not designated as an RPA. . . .

Objective 3: Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.

Policy a. Ensure that new development and redevelopment complies with the County's Chesapeake Bay Preservation Ordinance. . . .

Objective 9: Identify, protect and enhance an integrated network of ecologically valuable land and surface waters for present and future residents of Fairfax County.

Policy a: Identify, protect and restore an Environmental Quality Corridor system (EQC). . . Lands may be included within the EQC system if they can achieve any of the following purposes:

- Habitat Quality: The land has a desirable or scarce habitat type, or one could be readily restored, or the land hosts a species of special interest. This may include: habitat for species that have been identified by state or federal agencies as being rare, threatened or endangered; rare vegetative communities; unfragmented vegetated areas that are large enough to support interior forest dwelling species; and aquatic and wetland breeding habitats (i.e., seeps, vernal pools) that are connected to and in close proximity to other EQC areas.

- Connectivity: This segment of open space could become a part of a corridor to facilitate the movement of wildlife and/or conserve biodiversity. This may include natural corridors that are wide enough to facilitate wildlife movement and/or the transfer of genetic material between core habitat areas.
- Hydrology/Stream Buffering/Stream Protection: The land provides, or could provide, protection to one or more streams through: the provision of shade; vegetative stabilization of stream banks; moderation of sheet flow stormwater runoff velocities and volumes; trapping of pollutants from stormwater runoff and/or flood waters; flood control through temporary storage of flood waters and dissipation of stream energy; separation of potential pollution sources from streams; accommodation of stream channel evolution/migration; and protection of steeply sloping areas near streams from denudation.
- Pollution Reduction Capabilities: Preservation of this land would result in significant pollutant reductions. Water pollution, for example, may be reduced through: trapping of nutrients, sediment and/or other pollutants from runoff from adjacent areas; trapping of nutrients, sediment and/or other pollutants from flood waters; protection of highly erodible soils and/or steeply sloping areas from denudation; and/or separation of potential pollution sources from streams.

The core of the EQC system will be the County's stream valleys. Additions to the stream valleys should be selected to augment the habitats and buffers provided by the stream valleys, and to add representative elements of the landscapes that are not represented within stream valleys. The stream valley component of the EQC system shall include the following elements . . .

- All 100 year flood plains as defined by the Zoning Ordinance;
- All areas of 15% or greater slopes adjacent to the flood plain, or if no flood plain is present, 15% or greater slopes that begin within 50 feet of the stream channel;
- All wetlands connected to the stream valleys; and
- All the land within a corridor defined by a boundary line which is 50 feet plus 4 additional feet for each % slope measured perpendicular to the stream bank. The % slope used in the calculation will be the average slope measured within 110 feet of a stream channel or, if a

flood plain is present, between the flood plain boundary and a point fifty feet up slope from the flood plain. This measurement should be taken at fifty foot intervals beginning at the downstream boundary of any stream valley on or adjacent to a property under evaluation.”

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through July 27, 2010, page 19:

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

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

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

- Reduction of potential indoor air quality problems through measures such as increased ventilation, indoor air testing and use of low-emitting adhesives, sealants, paints/coatings, carpeting and other building materials.

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

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

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

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through July 27, 2010, page 18:

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

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

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

Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through July 27, 2010, on page 12, the Plan states:

“Objective 6: Ensure that new development either avoids problem soil areas, or implements appropriate engineering measures to protect existing and new structures from unstable soils.

Policy a: Limit densities on slippage soils, and cluster development away from slopes and potential problem areas.

Policy b: Require new development on problem soils to provide appropriate engineering measures to ensure against geotechnical hazards.”

COMPREHENSIVE PLAN MAP: Industrial, Private Open Space and Public Park

LAND USE ANALYSIS

A portion of the subject property on parcel 6A was an unregulated landfill. The Comprehensive Plan recommends that documentation be provided to verify that the area is suitable and safe for development prior to approval of any rezoning application. This issue is addressed under the geotechnical study section of the environmental analysis of this memorandum.

As an alternative to industrial use at .35 floor area ratio (FAR), if development suitability is demonstrated, parcel 6A of the subject property is planned for a vehicle sales center with associated service facilities and ancillary uses provided that the following conditions are met. The alternative uses do not produce peak hour vehicle trips on Loisdale Road in excess of those generated by the baseline recommendation. Development of the alternative uses at an intensity up to .10 FAR on a minimum site size of 30 acres, with additional acreage incorporated as needed maintains trip neutrality when compared to the baseline recommendation of industrial use at an intensity up to .35 FAR. A publicly available athletic field(s) on parcels 4, 5, and/or 7 or at another location within the same service area is constructed that meets Fairfax County Park Authority (FCPA) standards, with the option for management without ownership by the FCPA.

As an alternative to industrial use at .35 FAR, if development suitability is demonstrated, the subject property is also planned for office use provided that the following conditions are met:

- Achievement of cohesive design in a campus-style setting;
- Intensity of development does not exceed .20 FAR;
- Any freestanding office building(s) is encouraged to meet at least U.S.Green Building Council’s Leadership in Energy and Environmental Design (LEED) silver standards or other comparable programs with third party certification;
- Buffering and screening of uses from industrially planned areas; and
- Construction of publicly available athletic field(s) on parcels 90-4 ((1)) 4, 5, and/or 7 or at another location within the same service area that meets Fairfax County Park Authority (FCPA) standards, with the option for management without ownership by the FCPA.

The proposed vehicle sale center (parcel 6A) and ballfield public park facility (parcel 7) on the northern portion of the subject property are in general conformance with the basic land use and intensities of the Comprehensive Plan. The proposed ballfield does not encroach in the Environmental Quality Corridor in accordance with Policy Plan guidance. The applicant is proposing an FAR of .04 for the vehicle sales center which is below the Plan's recommended maximum intensity of .10 FAR. The proposed transitional screening and barrier as well as interior parking lot landscaping meet or exceed Zoning Ordinance standards. The proposal includes 75% open space where 15% is required. As such, Planning Division staff feels that landscaping and buffering have been generally addressed and that any remaining issues should be resolved in a manner consistent with recommendations from Urban Forestry Management Division.

The southern portion of the property will remain undeveloped at this time, but could be developed with office uses at an FAR of .20 in the future. It should be noted that the development of the southern portion of the property should be limited to no more than 200,000 square feet of office in order to ensure trip neutrality. The Plan indicates that 30 acres of the property could be dedicated to a vehicle sales establishment. However, the application ultimately resulted in less land area being utilized for this proposed use. While an FAR of .20 is noted for the remaining southern portion of this land area, the Plan clearly limits office development on this remaining land area to 200,000 square feet regardless of the land area. The Plan makes it clear that any expanded land area in the southern portion of the property will not result in a larger office development at some point in the future. Staff recommends that development be limited to office uses on this portion of the property to ensure that other potentially incompatible C-8 zoned uses are not developed at this location and to be in accordance with the Comprehensive Plan land use recommendation for industrial or office use at this location. Staff feels that the applicant should provide a proffer or proffers which clearly state the 200,000 square foot limit on office development and eliminate other potential C-8 uses for this portion of the property.

Proposed transportation improvements are subject to review and comment by the Department of Transportation.

ENVIRONMENTAL ANALYSIS

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

Green Building

The Policy Plan incorporates guidance in support of the application of energy conservation, water conservation and other green building practices in the design and construction of new

development and redevelopment projects. There is not any explicit Comprehensive Plan expectation that the proposed vehicle sales center be designed and constructed to achieve LEED certification or an equivalent green building third party certification. However, staff has encouraged the applicant to incorporate green building practices in the design and construction of the vehicle sales center. While the applicant has not provided any commitments for LEED certification or an equivalent green building third party certification at this time, the applicant has indicated that green building practices will be utilized as part of the overall approach of the development of this property.

The applicant should be advised that site specific Comprehensive Plan guidance recommends that any freestanding office building is encouraged to meet at least LEED silver rating or an equivalent green building third party certification. At the time a final development plan is submitted in the future for review and approval for any office building, staff would encourage that there be a commitment for LEED silver certification or an equivalent.

Geotechnical Study

The subject property is the site of a former unregulated landfill. The applicant has submitted a Phase II Environmental Site Assessment (ESA) which provides details regarding the surface and subsurface findings on the subject property. The applicant has also worked with the Virginia Department of Environmental Quality (DEQ) on the State's voluntary remediation program in order to resolve issues related to the former debris landfill at this location in a manner which will allow the property to be developed as proposed. The State has approved the voluntary remediation as proposed by the applicant. As a result of the findings of the preliminary geotechnical study, ESA and known former use of the site, both the applicant and staff recognize the need for a formal geotechnical study to be performed at this location and approved by the Department of Public Works and Environmental Services (DPWES). This requirement is generally addressed in the proffers submitted by the applicant, but the proffer should fully recognize the need for the geotechnical study and the potential that any changes recommended in that study which result in changes to the proposed development might require an amended development plan for the proposed use. Due to the presence of methane below the surface of the subject property a methane degassing system will also be required as part of the proposed development. The applicant has indicated that they are aware of the issues and will continue to work with DEQ and the DPWES to resolve these concerns in a thorough and safe manner.

Water Quality

The applicant has proposed a number of on-site measures to address water quality and quantity control standards. Staff from the DPWES has indicated some of these measures may need to be modified as they may not fully comply with Public Facilities Manual standards. However, it has

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SE 2010-LE-009
Page 13

been noted that adequate space is available to address these concerns on-site. Therefore, staff feels that this issue can be addressed in a manner which will fully satisfy staff in DPWES.

PGN: JRB



County of Fairfax, Virginia

MEMORANDUM

DATE: October 20, 2010

TO: Regina Coyle, Assistant Director
Zoning Evaluation Division
Department of Comprehensive Planning

FROM: Angela Kadar Rodeheaver, Chief
Site Analysis Section
Department of Transportation

FILE: 3-4 (RZ 2010-LE-005); 3-5 (SE 2010-LE-009)

SUBJECT: Transportation Impact Addendum

REFERENCE: RZ 2010-LE-005; SE 2010-LE-009; Jennings Business Park
Traffic Zone: 1575; Land Identification Map: 90-4 ((01)) 6A, 7

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the revised plan dated October 1, 2010 and revised proffers dated September 30, 2010.

The applicant proposes to rezone from the R-1 and R-3 District to the C-8 District. The Special Exception is to permit a vehicle sales, rental and ancillary service establishment which may perform major and light vehicular service.

Trip Generation -8th edition (Number of Vehicular Trips) per

| | PM Peak Hour | Vehicles per Day | |
|--|--------------|------------------|----------|
| <u>Existing :</u> | | | |
| R-1(parcel 6A) approx. 59.95 acres(59 lots) | 60 | 565 | 1 |
| R-3(parcel 7) approx. 4.58 acres(13 lots) | 13 | 124 | 1 |
| Total | 73 | 689 | |
| <u>Comp Plan:</u> | | | |
| Auto Dealership @ .10 FAR (30 acres) 130,680 sq. ft. | 338 | 4357 | 2, 3 |
| Ball field/ Public Park (Parcel 7) | ---- | ---- | 3 |
| [Industrial @ .35 FAR (34.53 acres) 526,444 sq. ft.] | 330 | 2997 | 4 |
| Total | 668 | 7354 | |
| OR | | | |
| [Office @ 200,000 sq. ft.] | 101 | 2275 | |
| Total (with Auto Dealer) | 439 | 6632 | 5 |
| <u>Application:</u> | | | |
| Auto Dealership (23.17 acres) 90,000 sq. ft. | 189 | 3300 | 6, 3 |
| Ball field/ Public Park (Parcel 7- 4.58 acres) | ---- | ----- | 3 |
| Remainder of Parcel 6A | ---- | ----- | 7 |
| Total | 189 | 3300 | |

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October 7, 2010

The trip generation estimates are based on rates from the ITE Trip Generation Manual, 8th Edition with notes as identified below.

- 1...Land Use Code 210- Single-Family Detached
- 2...Land Use Code 841- New Car Sales
- 3...No Rate specific to this use is available. In addition, does not typically generate weekday peak hour trips.
- 4...Land Use Code 110- General Light industrial & Land Use Code 150- Warehousing
- 5...Land Use Code 710- Office
- 6...Trip Generation provided by the applicant
- 7...The applicant is proposing to rezone the entire 64.53 acres to the C-8 District. Of that area 23.17 acres will be auto dealership. The applicant has proffered that "any additional development on the remaining portion of Parcel 6A above which is shown on the GDP/ SE plat will require the approval of a Proffered Condition Amendment (PCA) application.

This department has reviewed the subject application and the following issues remain outstanding.

Per Comprehensive Plan

1. **In accordance with the County's Comprehensive Plan, the applicant should provide frontage improvements for a 4-lane divided facility along their entire site (parcel 6) for Loisdale Road.**

The applicant has not provided frontage improvements along their site on Loisdale Road and has not provided any justification for not doing so. The subject application proposes to rezone from an R-1 and R-3 District to a C-8 District. Respectively, the increase in daily trips as demonstrated on the cover sheet of this report could increase from 689 daily trips to 3,300 daily trips. Also, note the all day trips on Loisdale Road in the vicinity of the site is currently at 9,500 daily trips and in the future with just this application, the all day trips would increase to 12,800 daily trips. And to add, that the typical standard threshold to consider improving from a two-lane facility (existing Loisdale Road) to a four-lane divided facility is approximately 8,000 trips per day.

Loisdale Road is on the Comprehensive Plan for a 4-lane divided facility. The Comprehensive Plan provides valuable guidance as a master plan and is a formal statement of the community's quality of life, as well as goals and objectives. As such, the Comprehensive Plan, as in this case, is supported by the Zoning Ordinance, which under Article 17-Site Plans-Required Improvements, sets the detailed requirement for frontage improvements.

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2. **The applicant should also provide a functional design of a 4-lane divided Loisdale Road along parcel 6, including proposed turn lanes. These drawings should include the I-95 limited access line, topography, toe of slope, vertical and horizontal sight distance, lane geometrics, trail, right-of-way line, etc.**

The applicant has not submitted a functional design along their site related to a four lane facility. The applicant is proffering right-of-way dedication at 80-ft. from centerline along their site on Loisdale Road, it is not certain that enough right-of-way was provided as we are not sure how the topography would effect the right-of-way line.

Additionally, to be consistent with the proffers, the submitted plan sheets should all be revised to denote right-of-way dedication, rather than proposed future dedication or proposed potential future dedication.

The applicant has proffered to temporary construction and grading easements beyond the 80-ft. of right-of-way dedication. This would be acceptable if the easements were defined as ancillary. See bullet number 12.

3. **In line with the Applicant's statement of justification regarding traffic neutrality, the TIA suggests improvements to the Fairfax County Parkway / Newington Road intersection. The applicant should provide improvements to this intersection.**

Per the Area Plan Overview and Part of the Fairfax County Comprehensive Plan, Applicants for new development should be required to demonstrate that their proposals will meet the level of service designated for their area. As such the "Non-degradation" Policy requires applicants to ensure that the transportation system affected by the application performs no worse after the project is developed that it would otherwise. Therefore, as concluded in the Hunter North Traffic Impact Study (TIS) improvements should be provided for the intersection of Fairfax County Parkway and Newington Road (Loisdale Road). As gleaned from the TIS, the subject intersection Level-of-Service (LOS) as compared from the future background traffic to the site's additional traffic degrades from a LOS of "E" to an "F" for the Saturday Peak hour. Therefore, the "non-degradation" policy is triggered and needs to be mitigated by the applicant.

FCDOT and VDOT were not provided a functional scaled drawing demonstrating the off-site proposal and as such, it can not be determined if the proposed dollar amount would be adequate to fund the mitigation improvement.

The proffers regarding the above off-site improvement should commit to design and construct per VDOT standards unless waived by VDOT.

Note : Condemnation language has been provided in the proffers. HOWEVER, the applicant can not proffer that the County provide actions, such as in this case, seek improvements through other landowners.

Regina Coyle
October 7, 2010

Access Management

- 4. All proposed turn lanes and median breaks on Loisdale Road should be to VDOT's access management standards and approved by VDOT. Provide a drawing demonstrating such measurements.**

The applicant has provided a drawing for a two-lane Loisdale Road section. The applicant has not yet to submit a drawing demonstrating the VDOT specification for a four-lane divided Loisdale Road. Therefore, it is undetermined if the VDOT access management standards would be verified adequate for the four-lane section.

- 5. Any waivers that are required would have to be reviewed and resolved before the application goes to public hearing.**

Refer to comment # 4 (along site).

- 6. Easements and interparcel access should be provided to the north and south of the site. This would provide a service type connection to improve the coordinated access to Loisdale Road.**

The applicant has proffered interparcel access along with access easements to the north and to the south of the subject property.

- 7. It should be demonstrated how the vehicle delivery trucks can turn around on site.**

The applicant has provided this information. The delivery truck turn around is adequate.

TDM Program

- 8. The applicant should commit to a TDM program that markets their employees for Non-Single Occupancy Vehicle (SOV) trips.**
- 9. A commitment to join and participate in an area Transportation Management Agency in the future to promote Non-SOV trips.**
- 10. Provide a TDM survey every few years to help determine ways to improve Non-SOV trips**

It would be highly desirable for the Proposed TDM development conditions need to be provided in the proffers.

Under development condition -SmarTrip Cards include, The Applicant shall offer a one-time Smart Trip Card with a balance of \$ 50.00 and the opportunity to offer an ongoing Pretax Payroll Deduction for Transportation.

The bus shelter proposed on the development plan should be of dimensions 14-ft. by 15-ft., rather than the 8-ft. by 12-ft. proposed.

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Proffers

11. Transportation Proffers

Revise Proffer # 7 to:

- This dedication shall occur at the time of site plan approval or upon demand by Fairfax County whichever occurs first.
- The proffers are not an appropriate place to request a waiver of frontage improvements.
- The wording ancillary easements should replace grading easements

Revise Proffer # 9 to:

- The proffer in the first paragraph is lacking a completion date for the proposed construction.
- Add; construction of a second left turn lane and design and provide the necessary signal improvements on Newington Road at its intersection with Fairfax County parkway...
- The proffers regarding the above off-site improvement should commit to design and construct per VDOT standards unless waived by VDOT.
- Condemnation language has been provided in the proffers. HOWEVER, the applicant can not proffer that the County provide actions, such as in this case, seek improvements through other landowners.

Revise Proffer # 10 to:

- ...Final Location and size of the bus shelter...

AKR/ak cc: Michele Brickner, Director, Design Review, DPW & ES



COMMONWEALTH of VIRGINIA
DEPARTMENT OF TRANSPORTATION

GREGORY A. WHIRLEY
ACTING COMMISSIONER

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)
July 30, 2010

To: Ms. Regina Coyle
Director, Zoning Evaluation Division

From: Noreen H. Maloney
Virginia Department of Transportation – Land Development Section

Subject: SE 2010-LE-005 and SE 2010-LE-009
Jennings Toyota
Tax Map# 090-4 /01/ /0006A /01/ /0007

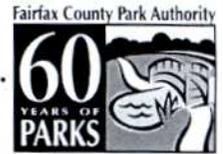
All submittals subsequent to the first submittal shall provide a response letter to the previous VDOT comments. Submittals without comment response letters are considered incomplete and will be returned without review.

This office has reviewed the subject application and the following comments are offered:

- Per the Comprehensive Plan Loisdale Road will be reconstructed to a four lane divided facility. The applicant should dedicate 45 feet of right of way from the centerline to the property line and should construct a 35 foot cross section from the centerline to the face of curb.
- Entrances should be located where future median break spacing can be achieved and right and left turn lanes should be constructed in accordance with the design speed.
- CG-12 ramps should be installed at all relevant locations.



FAIRFAX COUNTY PARK AUTHORITY



M E M O R A N D U M

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

FROM: Sandy Stallman, Manager 
Park Planning Branch, PDD

DATE: September 17, 2010

SUBJECT: RZ 2010-LE-005 conc w/ SE 2010-LE-009
Tax Map Number(s): 90-4((1)) 6A & 7
Revised plans July 29, 2010 and draft proffers

The Park Authority staff has reviewed the revised Development Plan dated July 29, 2010, for the above referenced application. Staff has the following comments:

1. Sheet P-0202 Field needs to be labeled a lighted, synthetic turf field
2. Sheet P-0202 Lot line adjustment shown should include placing the proposed stilling basin out of the land to be transferred to the Park Authority
3. Sheet P-0301 Note regarding the field should state, lighted synthetic turf field
4. Sheet P-0401 The applicant needs to remove the reference to a grass field
5. P-0403 *Miscanthus sinensis* needs to be added to the Invasive Plant Management list. Invasive plant management should also include the portion of Parcel 7 where construction will occur. Copies of any site management reports should be sent to the Park Authority, Natural Resource Protection Manager (Heather Schinkel, 703-324-8674).
6. Sheet P-0402 shows reforestation on the easement areas. These areas are not suitable for reforestation.
7. Sheet P-0301 shows an underground storm drain line within the field envelope. No underground lines are to be located within the field area. All lines should be kept a minimum of 5' from the field envelope.
8. Field dimensions should be shown on the plan.
9. The applicant should add the following note to the plans: Lights are to be installed to Park Authority standards.
10. The applicant needs to indicate signage locations for directional park signs on Parcel 6A. There should be one at the main entry off of Loisdale; one located at the shared parking area and one located at the pedestrian trail located off Loisdale Rd. leading to the field.

11. No conservation easements should be placed on lands to be transferred to the Park Authority
12. In accordance with a December 11, 2000 BOS resolution, "park, recreation or open space should be deeded directly to the Fairfax County Park Authority without first being deeded to the Board". Proffers should indicate that land will be dedicated directly to FCPA and a note indicating such should be added to the Development Plan. Any debris and waste currently on the parcel should be removed prior to dedication. In accordance with PFM 2-1102.4B, the landowner is required to take any necessary corrective action prior to Park Authority acceptance. Following site cleanup of debris and prior to land dedication, the Park Authority requests that the Applicant arrange for an inspection by the Park Authority Land Acquisition Manager (Julie Cline, 703-324-8708), Area 3 Operations Manager (Joe Nilson, 703-765-6020) and Natural Resource Protection Manager (Heather Schinkel, 703-324-8674). If the condition of the land is acceptable to the Park Authority, the Applicant should dedicate the property prior to their bond release from Fairfax County.
13. The applicant has proposed a six-foot wide asphalt trail on their Development Plan to provide access from Loisdale Road across Parcel 6A to Parcel 7 to the proposed field. The applicant should construct the six foot asphalt trail (Type I) within a public-access trail easement of 10 feet. A second trail segment is proposed from the shared parking area to the field. This trail section should be 13' wide with a 20' wide access easement. This trail section should provide ADA access to the field area. It should be designed to carry maintenance vehicles up to five tons. The applicant should dedicate the trail and easement to the Park Authority. The exact location of the trail connection to the park will be determined by the Park Authority Trail Coordinator. Please have the applicant contact Trails Coordinator, Liz Cronauer (703) 324-8629, to schedule a site visit regarding the trail installations.
14. The Fairfax County Park Authority requires all park facilities to adhere to the accessibility standards and guidelines set forth by the United States Access Board. The Park Authority's ADA Coordinator is responsible for the enforcement of the federal guidelines and standards and serves as the liaison between the developer and the agency for accessibility related issues. All facilities constructed within public parkland or on land to be dedicated for park purposes as a result of a proffered agreement must be approved by the ADA Coordinator prior to site plan approval. The developer should contact the Park Authority's ADA Coordinator at 703-324-8727, (TTY) 703-803-3354, or email at gary.logue@fairfaxcounty.gov to coordinate facility development on the proposed public park site.

Staff has also reviewed the draft proffers and has the following changes and recommendations for proffer language:

21. Lighting: Any site lighting shall meet the requirements of Part 9 of Article 14 of the Zoning Ordinance. All athletic field lighting shall meet Park Authority lighting standards and specifications.

22. Recreational Field. A rectangular, ~~recreational~~ athletic field shall be provided on Parcel 7. Per the note on Sheet 4 of the GDP/SE plat, a minor lot line adjustment is proposed in order to locate the ~~recreational~~ rectangle field wholly on Parcel 7. The ~~recreational~~ rectangle field shall be sized to allow for football and other sports, ~~with 10 foot overruns on each side; and shall be constructed with synthetic turf and lights.~~ The applicant shall either construct the ~~recreational~~ rectangle field to Park Authority standards or pay the equivalent cash value (\$1,100,000) to the Fairfax County Park Authority to construct the field. Under this option, the cash payment shall escalate from the date of rezoning approval to the date of payment consistent with the Code of Virginia and based on changes in the Consumer Price Index for all urban consumers (not seasonally adjusted) ("CPI-U"). Under the option that the FCPA constructs the field, the Applicant shall design and prepare the site plan; clear and rough grade the recreational field to a depth below finished grade as directed by the FCPA, install all underground conduit and water lines; construct retaining walls, and construct the ditch and storm drainage system west of the recreational field as shown on the GDP/SE plat. The Applicant will provide full water and electric connections sufficient for athletic field lighting at the property line for future use by the Park Authority. The Applicant shall obtain all site plan approvals needed for construction of the rectangle field and allow full construction access.

Completion of the ~~recreational~~ rectangle field or preparatory construction described above, if the FCPA is to construct the field, shall be no later than one year after the issuance of a Non-Residential Use permit (Non-RUP), recognizing that if seasonal timing of certain construction activities associated with the ~~Recreational~~ rectangle field delay completion ~~beyond one year, up to 15 months~~ a PCA shall not be required, and the Applicant shall not be deemed to be in violation of these proffers.

23. Dedication of Parcel 7 Dedication of Parcel 7 to FCPA shall be in fee simple without monetary encumbrances or covenants and shall occur no later than completion of the Reereational rectangle field and release of bond requirements for Parcel 7. Any debris and waste currently on the parcel will be removed prior to dedication. Dedication of Parcel 7 to FCPA may occur earlier if the cash contribution is provided to FCPA and FCPA will be constructing the ~~Reereational~~ rectangle field.

24. Proffer 24 needs to include language providing public access from Loisdale Road to the shared parking area and field.

25. The following statement needs to added to this proffer: Dedication shall be in fee simple without monetary encumbrances or covenants. Any debris an waste currently on the parcel will be removed prior to dedication.

FCPA Reviewer: Pat Rosend
DPZ Coordinator: Brenda Cho

Copy: Cindy Walsh, Director, Resource Management Division
Liz Crowell, Manager, Cultural Resource Management & Protection Section
Julie Cline, Manager, Land Acquisition & Management Branch
Dan Sutherland, Manager, Park Operations Division
Chron Binder
File Copy



County of Fairfax, Virginia

MEMORANDUM

DATE: August 17, 2010

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

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

SUBJECT: Rezoning Application #RZ 2010-LE-005 concurrent with Special Exception #2010-LE-009, Jennings Business Park, General Development Plan/Special Exception Plat dated July 29, 2010, LDS Project #7818-ZONA-002-2, Tax Map #90-4-01-0006A and -0007, Lee District

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

Chesapeake Bay Preservation Ordinance (CBPO)

There is Resource Protection Area (RPA) on this site. Field-verified, site-specific RPA delineation will be required for work on the parcels with county-mapped RPAs (LTI 08-12). A Water Quality Impact Assessment (WQIA) for the channel improvements within the RPA can be included with the site plan for the work (LTI 06-07). If the construction of the recreational fields will encroach into the RPA, a WQIA must be approved before any site plan can be approved. Any removal of woody vegetation from the RPA must be approved by the Director through a WQIA or separate written request (CBPO 118-3-3(d)).

Water quality controls are required for this development (PFM 6-0401.2A). Vegetated swales, a conservation area, and manufactured BMPs are located on the plan.

Any Filterrras must be installed in accordance with LTI 09-04. The maximum drainage area to a Filterra is 0.44 acres. This type of BMP should not be located in areas where there is the potential for high concentrations of hydrocarbons unless effective pre-treatment is provided to reduce the concentrations.

Manhole-style manufactured BMPs are not allowed unless there is effective pre-treatment (LTI 01-11).

The current plan for the recreational area includes the construction of an asphalt trail, a storm drainage system, and a retaining wall. This type of land disturbance will require water quality



Brenda Cho, Staff Coordinator

Rezoning/Special Exception Applications #RZ 2010-LE-005 & #SE 2010-LE-009, Jennings

August 17, 2010

Page 2 of 2

controls. The original submission of the GDP/plat did not show this area within the limits of clearing and grading. The recreation area is not included in the water quality control calculations since it is not within the rezoning or special exception area.

Floodplain

There are no regulated floodplains on the property, however, some off-site channel improvement work is shown within a major floodplain. A floodplain determination will be required before a site plan showing the channel improvements can be approved.

Downstream Drainage Complaints

There are no downstream drainage complaints on file.

Stormwater Detention

Stormwater detention or an approved waiver is required (PFM 6-0301.3). Two underground detention facilities are located on the plan. In-line storage facilities are not permitted, particularly when off-site runoff will enter the facilities (PFM 6-1306.3L). The vaults may need to be prevented from sinking into the landfill material and disengaging from the inlet and outlet pipes (PFM 6-1306.2).

The applicant should be aware that the EPA has issued a Draft Benthic TMDL Development Report for Accotink Creek. Should the recommendations in this report be adopted, detention requirements more stringent than those currently in the PFM may be applied to this project.

Site Outfall

An outfall narrative of a drainage area 100 times the site area has not been provided (ZO 9-011.2.J(2)(c)). The condition of Long Branch – in terms of its stability and condition – is not included in the narrative. The PFM requirements for an outfall narrative requirement at site plan have been met; the submission requirements for a rezoning or special exception have not been met.

Stormwater Planning

The Accotink Creek Watershed Plan is under development.

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

BF/

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



County of Fairfax, Virginia

MEMORANDUM

August 17, 2010

TO: Brenda J. Cho, Planner II
Zoning Evaluation Division, DPZ

FROM: Todd Nelson, Urban Forester II
Forest Conservation Branch, DPWES 

SUBJECT: Jennings Toyota; RZ 2010-LE-005, SE 2010-LE-009

RE: Request for assistance dated July 30, 2010

This review is based upon the Generalized Development Plan RZ 2010-LE-005 and the Special Exception Plat 2010-LE-009 stamped "Received, Department of Planning and Zoning, July 29, 2010," and the draft proffers dated July 29, 2010.

General Comment: Comments on the previously submitted GDP/SE were provided to DPZ in my memo dated July 12, 2010. Additional comments are provided to address the proposed limits of clearing that resulted in a design change from the previously submitted GDP/SE.

- 1. Comment:** The proposed limits of clearing and grading west of the proposed grass recreational field will provide minimal preservation for the existing off-site trees located on Parcel 90-4 ((01)) 004.

Recommendation: A contiguous 15 foot wide buffer should be provided to the west of the proposed grass recreational field, east of Tax Map No.: 090-4 ((01)) 004 to protect the existing off-site trees located on 090-4 ((01)) 004.

- 2. Comment:** The July 12, 2010, memo recommended a contiguous 15 foot wide buffer should be provided along the entire length of northern property boundary to protect the existing off-site trees. The July 29, 2010, comment response letter states "A contiguous 12-foot wide buffer will be provided. A 15-foot buffer will be on the northern side of the property." This response is unclear and the revised GDP/SE does not appear to show a contiguous 12-15 foot wide buffer along the northern property boundary.

Recommendation: A contiguous 15 foot wide buffer should be provided at the northern portion of the site, south of Tax Map No.: 090-4 ((01)) 004 to protect the existing off-site trees located on 090-4 ((01)) 004.

Please contact me at 703-324-1770 if you have any questions.

TLN/
UFMID #: 150981

cc: DPZ File

Department of Public Works and Environmental Services
Land Development Services, Urban Forest Management Division
12055 Government Center Parkway, Suite 518
Fairfax, Virginia 22035-5503
Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769
www.fairfaxcounty.gov/dpwes





FAIRFAX COUNTY
PUBLIC SCHOOLS

Department of Facilities and Transportation Services
Office of Design and Construction Services
Gatehouse Administration Center, Suite 3500
8115 Gatehouse Road
Falls Church, Virginia 22042

June 22, 2010

Regina Coyle, Director
Zoning Evaluation Division
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway, Suite 800
Fairfax, Virginia 22035

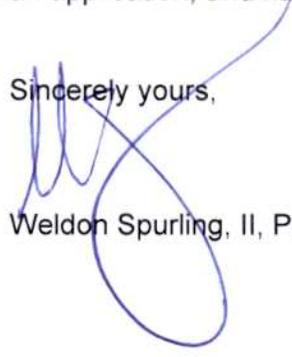
Ladies and Gentlemen:

Re: Below Listed Recently Filed Development Plan Analysis

RZ 2010-LE-005 concurrent with SE 2010-LE-009

This office has reviewed the subject development plan application, and has no comments with respect to school acquisition.

Sincerely yours,



Weldon Spurling, II, PE

WS/vm

cc: Facilities Planning Services, FCPS, (w/attach.)
File



County of Fairfax, Virginia

MEMORANDUM

DATE: July 13, 2010

TO: Staff Coordinator
Zoning Evaluation Division
Department of Planning & Zoning

FROM: Lana Tran (Tel: 703 324-5008)
Wastewater Planning & Monitoring Division
Department of Public Works & Environmental Services

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. RZ2010-LE-005
Tax Map No. 090-4-/01/0006A, 0007

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

- The application property is located in the Long Branch (M-6) watershed. It would be sewerred into the Noman M. Cole Pollution Control Plant (NMCCPCP).
- Based upon current and committed flow, there is excess capacity in the NMCCPCP at this time. For purposes of this report, committed flow shall be deemed that for which fees have been 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.
- An existing 8" inch line located in the street is adequate for the proposed use at this time.
- 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 | — | — | — | — | — | — |

- Other pertinent information or comments:





FAIRFAX COUNTY WATER AUTHORITY
8560 Arlington Boulevard, Fairfax, Virginia 22031
www.fairfaxwater.org

**PLANNING & ENGINEERING
DIVISION**

Jamie Bain Hedges, P.E.
Director
(703) 289-6325
Fax (703) 289-6382

June 21, 2010

Ms. Regina Coyle, Director
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

Re: RZ 2010-LE-005
SE 2010-LE-009
Jennings Toyota
Tax Map: 90-4

Dear Ms. Coyle:

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

1. The property can be served by Fairfax Water.
2. Adequate domestic water service is available at the site from an existing 12-inch water main located in Loisdale Road in the southwest corner of the property. See the enclosed water system map.
3. Depending upon the configuration of the on-site water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

If you have any questions regarding this information please contact Dave Guerra at (703) 289-6343.

Sincerely,

A handwritten signature in blue ink that reads "Traci K. Goldberg".

Traci K. Goldberg, P.E.
Manager, Planning Department

Enclosure



County of Fairfax, Virginia

MEMORANDUM

DATE: June 29, 2010

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

FROM: Eric Fisher, GIS Analyst III
Information Technology Section
Fire and Rescue Department

SUBJECT: Fire and Rescue Department Preliminary Analysis of Rezoning Application
RZ 2010-LE-005 concurrent with Special Exception Application
SE 2010-LE-009

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 #422, **Springfield**
2. After construction programmed _____ this property will be serviced by the fire station _____
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.
 - X d. does not meet current fire protection guidelines without an additional facility. The application property is 0.9 of a mile outside the fire protection guidelines. No new facility is currently planned for this area.



Zoning Ordinance Requirements

Sect. 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.

Sect. 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:

Zoning Ordinance Requirements

1. Except as qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located.
2. All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan or photometric plan as may be required by Part 9 of Article 14.
3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

Sect. 9-518, Additional Standards for Vehicle Sale, Rental and Ancillary Service Establishments

1. Outdoor storage, parking and display areas shall be permitted only on the same lot with and ancillary to a sales room, rental office or service facility, which shall be entirely enclosed on all sides.
2. The outdoor area devoted to storage, loading, parking and display of goods shall be limited to that area so designated on an approved special exception plat. Such areas shall not be used for the storage or display of vehicles that are not in operating condition.
3. Notwithstanding the bulk regulations of the zoning district in which located, any such outdoor area that is located on the ground and is open to the sky may be located in any required yard but not nearer to any front lot line than ten (10) feet, except as may be qualified by the provisions of Article 13.
All structures shall be subject to the bulk regulations of the zoning district in which located, except structures which are completely underground may be located in any required yard, but not closer than one (1) foot to any lot line.
4. All such uses shall be provided with safe and convenient access to a street. If any outdoor area is located contiguous to a street, the street side thereof shall be curbed, and ingress and egress shall be provided only through driveway openings through the curb of such dimension, location and construction as may be approved by the Director in accordance with the Public Facilities Manual.
5. All outdoor areas, including aisles and driveways, shall be constructed and maintained with an approved surface in accordance with Par. 11 of Sect. 11-102, and shall be improved in accordance with construction standards presented in the Public Facilities Manual.
6. All lighting fixtures used to illuminate such outdoor areas shall be in conformance with the performance standards for outdoor lighting set forth in Part 9 of Article 14.

Zoning Ordinance Requirements

7. In the C-3, C-4, I-3, I-4, I-5, PDC, PRC and PRM Districts, only vehicle rental establishments may be allowed and such use shall be subject to Paragraphs 1 through 6 above and the following:

A. Vehicle rental establishments shall be limited to the rental of automobiles and passenger vans and the rental of trucks or other vehicles shall not be permitted.

B. There may be a maximum of twenty-five (25) rental vehicles stored on site and such vehicles shall be stored in a portion of the parking lot designated on the special exception plat for the storage of rental vehicles.

C. There shall be no maintenance or refueling of the rental vehicles on-site.

GLOSSARY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area; information such as topography, location and size of proposed structures, location of streets, trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may be function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

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

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

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

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

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

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

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

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

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

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code; includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

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