



APPLICATION ACCEPTED: June 11, 2009
APPLICATION AMENDED: November 19, 2010
PLANNING COMMISSION: January 19, 2011
BOARD OF SUPERVISORS: TBD

County of Fairfax, Virginia

January 5, 2011

STAFF REPORT

APPLICATIONS

RZ 2009-BR-015, PCA C-83-2 and SEA 87-A-086-02

BRADDOCK DISTRICT

APPLICANT: College Town Associates, L.P.

PRESENT ZONING: R-1 [0.16 ac on 68-1((1)) 9A and 1.1 ac on 68-1((1)) 9 pt.]
C-6 [18.64 ac on 68-1((1)) 9 pt.]

REQUESTED ZONING: R-1 [1.1 ac on 68-1((1)) 9 pt.]
C-6 [18.8 ac on 68-1((1)) 9A and 68-1((1)) 9 pt.]

PARCEL(S): RZ: 68-1((1)) 9A
PCA: 68-1((1)) 9
SEA: 68-1((1)) 9A and 9 pt.

ACREAGE: RZ: 0.16 ac
PCA: 18.64 ac zoned C-6 and 1.10 ac zoned R-1
SEA: 18.8 ac
Overall Site: 19.9 ac

FAR: 0.24

OPEN SPACE: 27% for entire application area

PLAN MAP: Retail

SE CATEGORIES: Category 3: Quasi Public Use: Child Care Center
Category 5: Fast Food Restaurant
Category 5: Drive-In Financial Institution
Category 5: Service Station w/ mini-marts
Category 6: Increase in Building Height

William O'Donnell

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/



RZ PROPOSAL: The applicant seeks to rezone 0.16 acres from the R-1 District to the C-6 District to allow the land to develop consistently with land zoned C-6 and to permit commercial development associated with PCA C-083-02, with an overall FAR of 0.24.

PCA PROPOSAL: The applicant seeks approval of a PCA application to amend the proffers for RZ C-083, previously approved for commercial development to permit modifications to the approved proffers and to the approved General Development Plan (GDP). The proposal includes an expansion of the existing University Mall Shopping Center with 80,065 square feet of new construction, which would increase the existing FAR from 0.16 to 0.24 FAR (with a total of 206,338 gross square feet). This construction would include a major renovation of the main shopping center buildings and the addition of three freestanding buildings that would contain retail; office; veterinary hospital; eating establishments; child care center; fast food restaurant and financial institution uses.

SEA PROPOSAL: The applicant proposes to consolidate all of the previously approved special exceptions on the site into one application (which include a child care center with a maximum of 150 children; two drive-in financial institutions; and a service station with a mini-mart). The proposal also seeks to amend SE 87-A-086, previously approved for a child care center with 150 children; to modify and relocate the child care center; to add a fast food restaurant with a drive-in; and to add a drive-in financial institution within the University Mall Shopping Center. In addition, the applicant seeks approval of an increase in the allowable height in a C-6 district from 40 feet to 75 feet.

STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 2009-BR-015, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of PCA C-083-02, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of SEA 87-A-086-02, subject to development conditions contained in Appendix 2.

Staff recommends approval of a modification of the peripheral parking lot landscaping requirements (to provide a ten foot minimum distance along the frontage of the northern and western property lines) in favor of the landscaping shown on the GDP/ SEA Plat.

Staff recommends approval of a modification of the lot area, lot width and open space requirements for the property zoned R-1 (RZ 2009-BR-015) to permit the consolidation of this lot into the existing shopping center site.

Staff recommends approval of a modification of the transitional screening and barrier requirements along the western and southern property lines in favor the landscaping shown on the GDP/ SEA Plat.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

The approval of this rezoning 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.



Rezoning Application

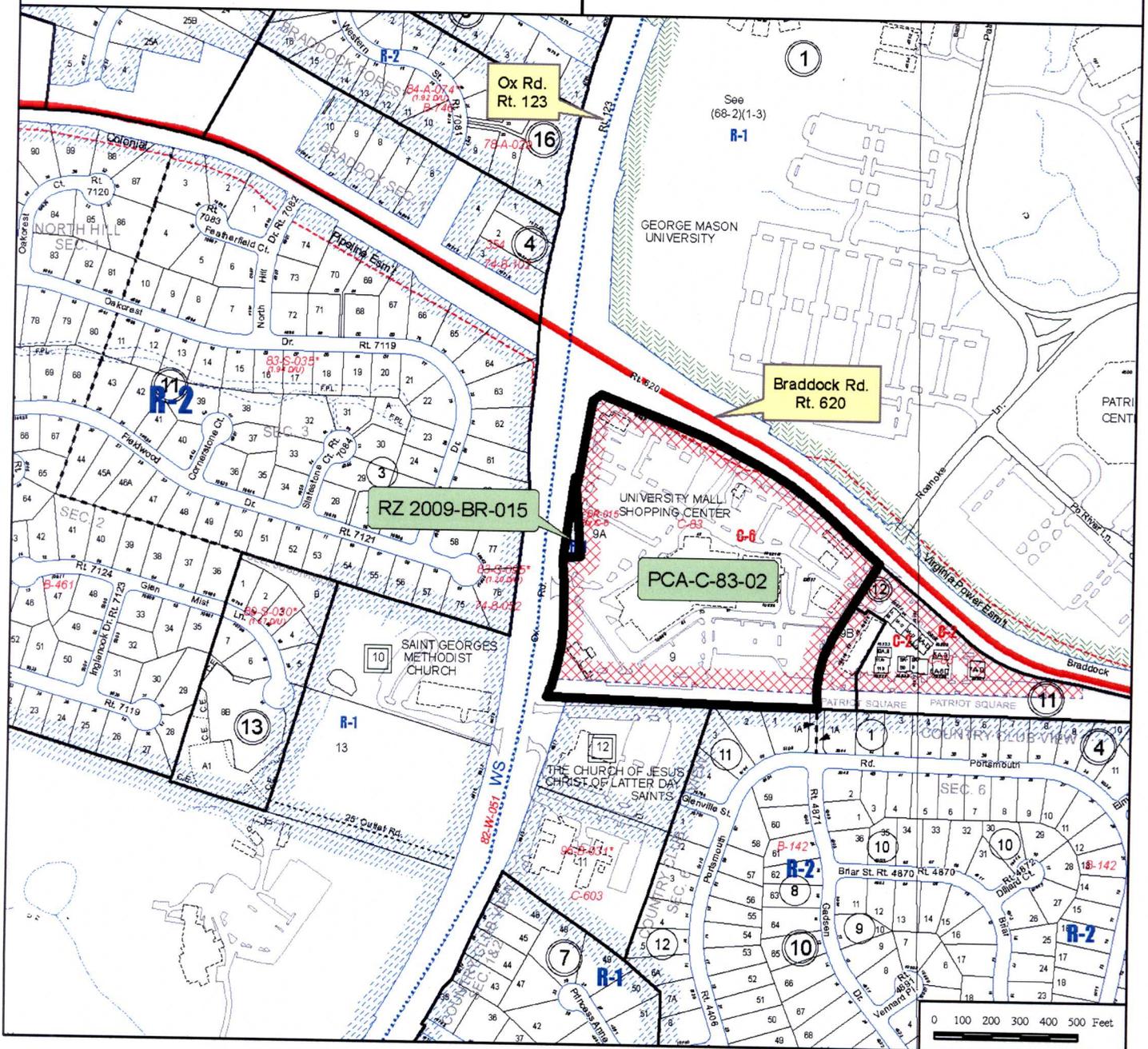
RZ 2009-BR-015

Applicant: COLLEGE TOWN ASSOCIATES, L.P.
 Accepted: 06/11/2009
 Proposed: COMMERCIAL
 Area: 6,795 SF OF LAND; DISTRICT - BRADDOCK
 Zoning Dist Sect:
 Located: EAST SIDE OF OX ROAD APPROXIMATELY 400 FEET SOUTH OF ITS INTERSECTION WITH BRADDOCK ROAD
 Zoning: FROM R- 1 TO C- 6
 Overlay Dist:
 Map Ref Num: 068-1- /01/ /0009A

Proffered Condition Amendment

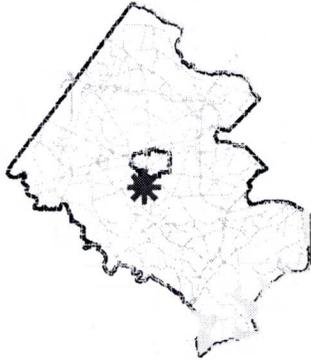
PCA -C -083-02

Applicant: COLLEGE TOWN ASSOCIATES, L.P.
 Accepted: 06/11/2009
 Proposed: AMEND RZ C-83 PREVIOUSLY APPROVED FOR COMMERCIAL DEVELOPMENT TO PERMIT SITE MODIFICATIONS
 Area: 19.74 AC OF LAND; DISTRICT - BRADDOCK
 Zoning Dist Sect:
 Located: SOUTHEAST QUADRANT OF INTERSECTION OF OX ROAD AND BRADDOCK ROAD
 Zoning: C- 6
 Overlay Dist:
 Map Ref Num: 068-1- /01/ /0009



Special Exception Amendment

SEA 87-A-086-02



Applicant:

COLLEGE TOWN ASSOCIATES, L.P.

Accepted:

06/11/2009- AMENDED 11/19/2010

Proposed:

AMEND SE 87-A-086 PREVIOUSLY APPROVED FOR CHILD CARE CENTER TO PERMIT INCREASE IN BUILDING HEIGHT, FAST FOOD RESTAURANT AND DRIVE IN FINANCIAL INSTITUTIONS, SERVICE STATION/MINI MART-MART AND SITE MODIFICATIONS

Area:

18.8 AC OF LAND; DISTRICT - BRADDOCK

Zoning Dist Sect: 04-060404-060409-060704-0604

Art 9 Group and Use: 3-10 5-11 6-03
5-06

Located:

10697 BRADDOCK ROAD

Zoning:

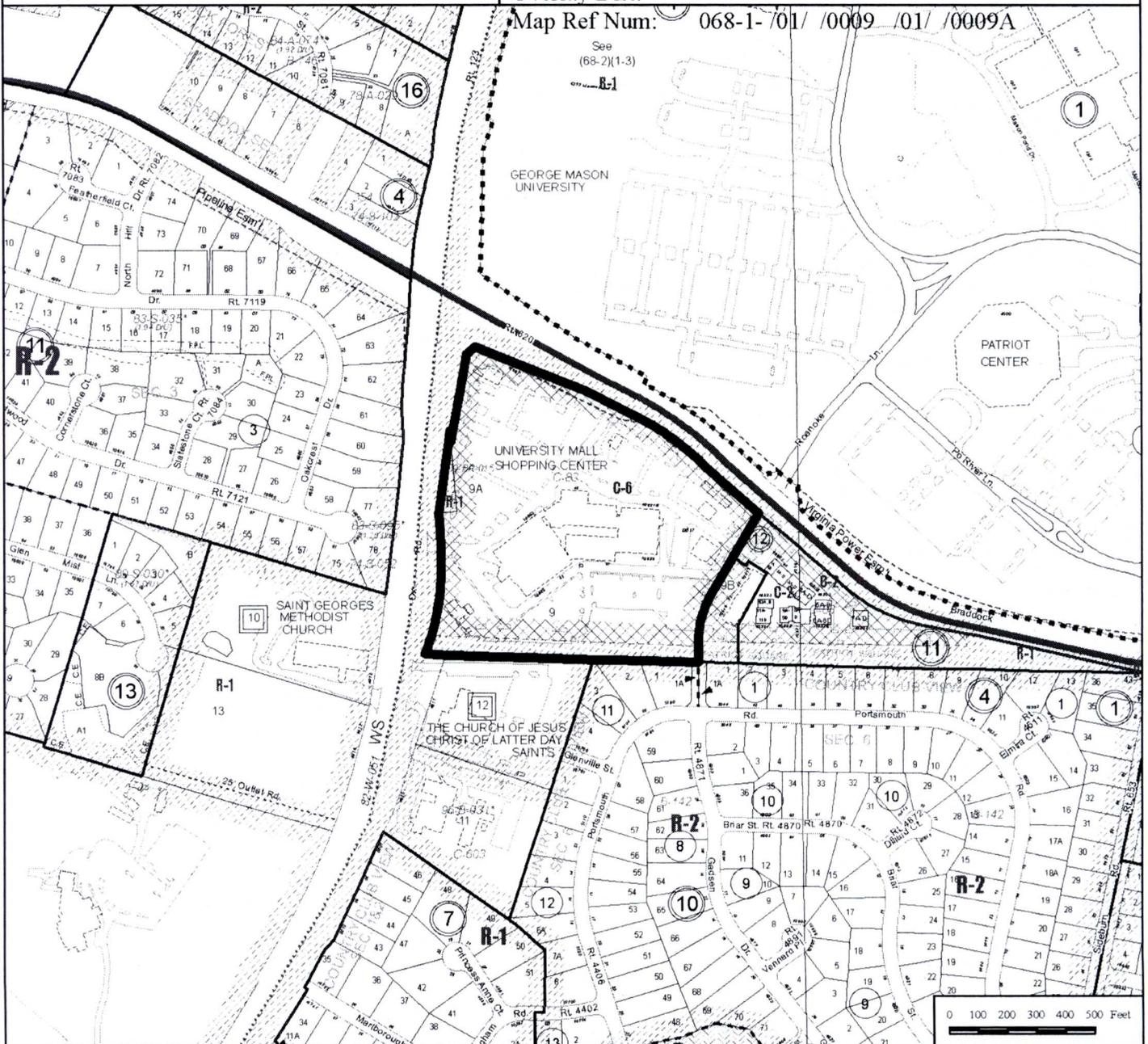
C- 6

Plan Area:

3,

Overlay Dist:

Map Ref Num: 068-1- /01/ /0009 /01/ /0009A





NO.	ARC	START	DELTA	INCRMENT	CURVED	CURVED BEARING
1	28.00	362.37	7°58'52"	143.68	288.32	N67°50'51"
2	12.00	307.94	0°0'0"	96.82	113.42	N92°52'51"
3	22.12	1208.52	1°10'50"	11.87	232.51	N67°18'05"
4	216.24	1272.34	14°18'20"	180.39	317.41	S46°18'52"
5	181.82	1062.67	20°45'38"	83.89	176.79	S18°18'47"

BOHLER ENGINEERING

1015 LITTLETON ROAD, SUITE 100, FARMERSVILLE, VA 22434
 (540) 821-1111
 FAX: (540) 821-1112

OWNER: _____
 DESIGNER: _____
 PROJECT MANAGER: _____
 ENVIRONMENTAL ENGINEER: _____
 LANDSCAPE ARCHITECT: _____

DATE: _____

REVISIONS

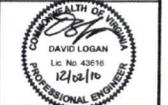
NO.	DATE	DESCRIPTION	BY
1	07/16/10	REV. PER ATTORNEY GENERAL'S REVIEW	RLB
2	08/09/10	REV. PER PRESIDENTIAL COMMENTS	RLB
3	08/03/10	REV. PER STATE COMMENTS	RLB
4	08/27/10	REV. PER ATTORNEY GENERAL'S REVIEW	RLB
5	08/27/10	REV. PER COUNTY COMMENTS	RLB
6	10/01/10	REV. PER COUNTY COMMENTS	RLB
7	10/01/10	REV. PER COUNTY COMMENTS	RLB

NOT APPROVED FOR CONSTRUCTION

PROJECT NO.: _____ SHEET NO.: _____
 DRAWN BY: _____
 CHECKED BY: _____
 DATE: _____
 SCALE: _____
 LOG ID: _____

PROJECT: GENERALIZED DEVELOPMENT PLAN
 SPECIAL EXCEPTION
 AMENDMENT PLAT
 FOR
 GENERALIZED DEVELOPMENT
 PLAN RZ 2006-BR-015
 PROFFER CONDITION
 AMENDMENT PCA C-063-02
 SPECIAL EXCEPTION
 AMENDMENT SEA ST-A-066-02
 COLLEGE TOWN
 ASSOCIATES, L.P.

UNIVERSITY MALL
 BRADDOCK DISTRICT
 FAIRFAX COUNTY, VIRGINIA



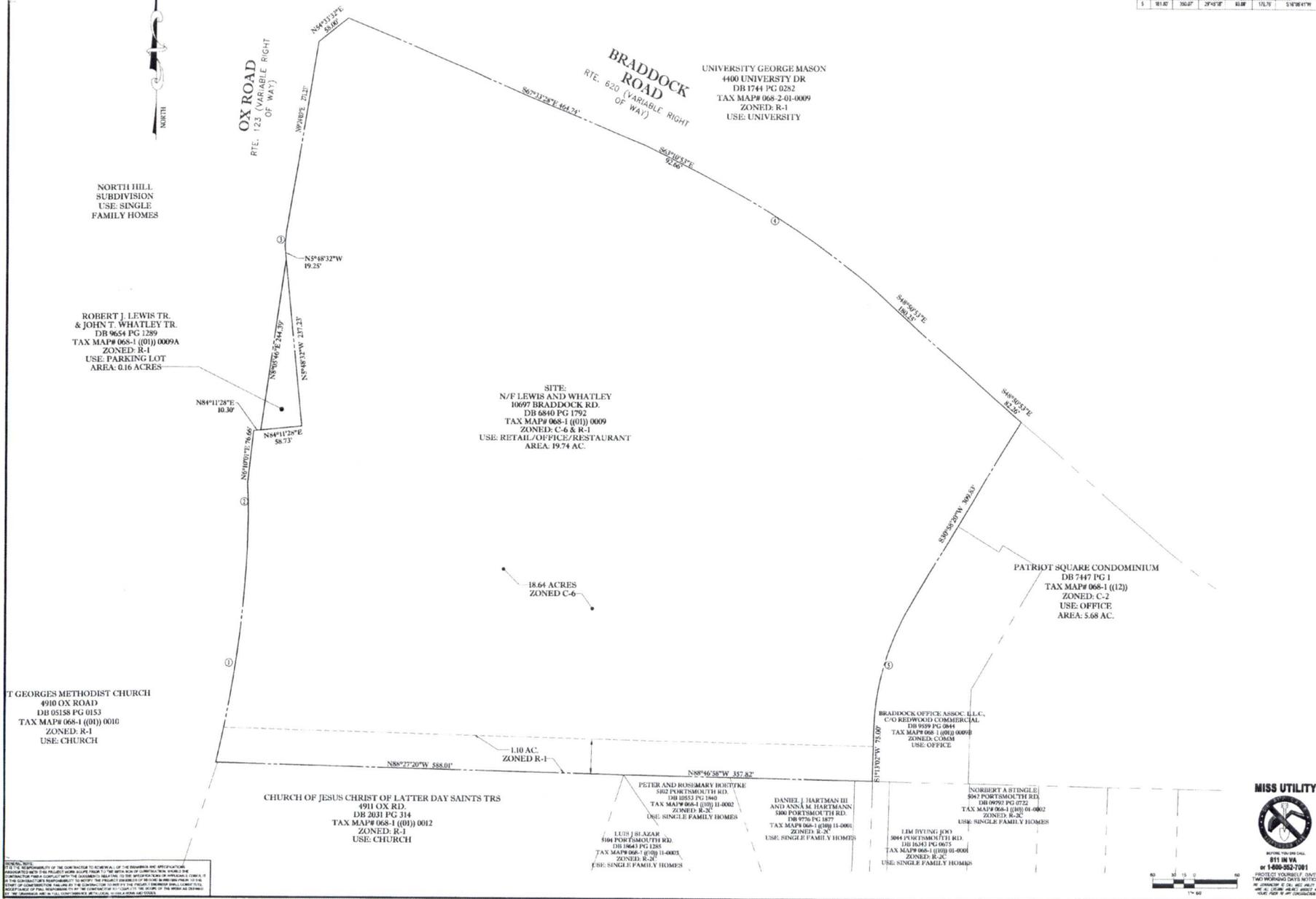
D. B. LOGAN

PROFESSIONAL ENGINEER
 NO. 43616
 EXPIRES 12/31/11

MISS UTILITY

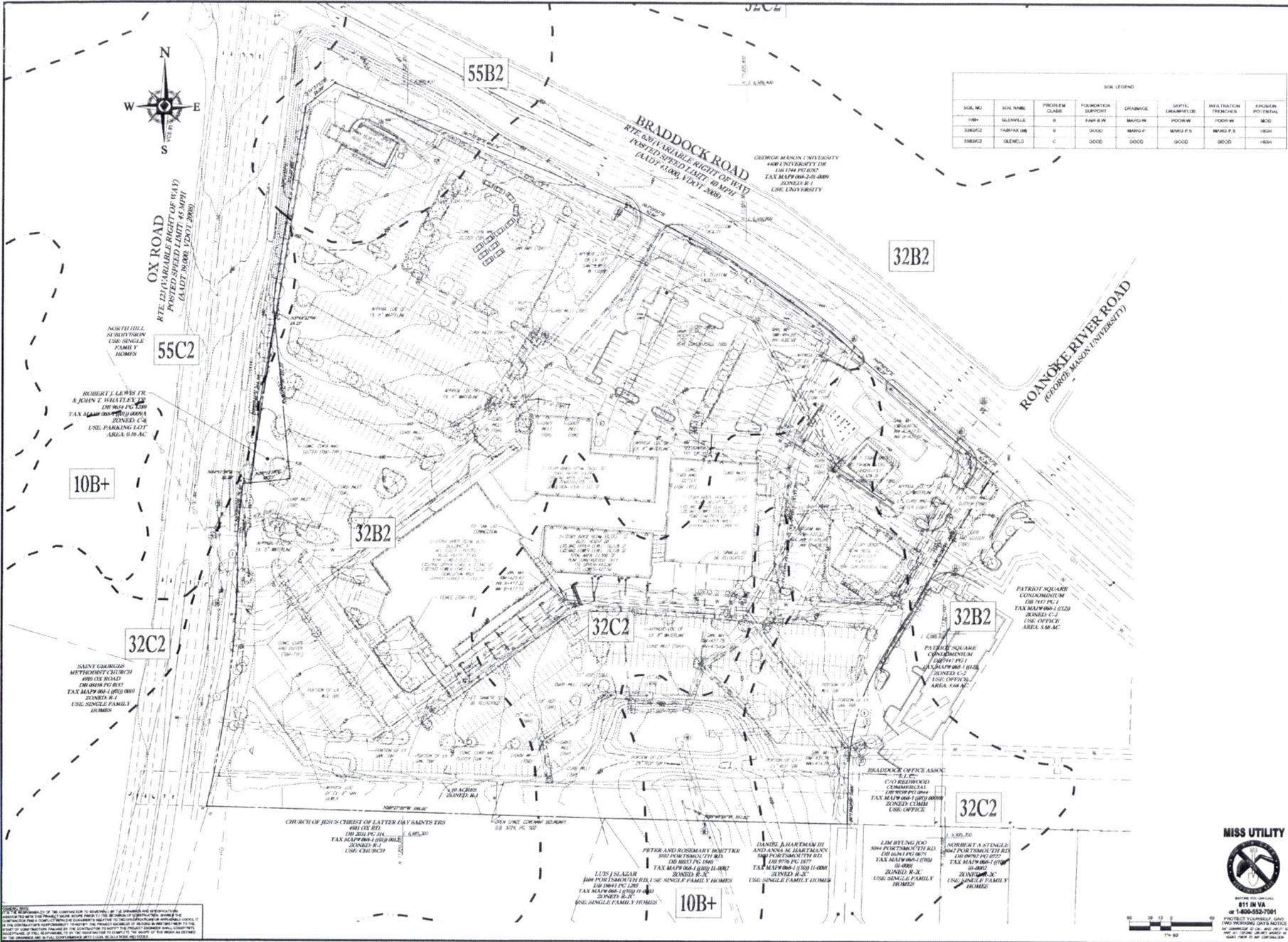
NO. 43616
 EXPIRES 12/31/11

SHEET TITLE: ZONING PLAT
 SHEET NUMBER: 2A
 OF 22



THE RESPONSIBILITY OF THE DRAFTSMAN TO REVIEW ALL OF THE DIMENSIONS AND SPECIFICATIONS SHOWN ON THIS PLAT SHALL BE SOLELY HIS OR HER OWN. THE DRAFTSMAN SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE DIMENSIONS AND SPECIFICATIONS SHOWN ON THIS PLAT. THE DRAFTSMAN SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE DIMENSIONS AND SPECIFICATIONS SHOWN ON THIS PLAT. THE DRAFTSMAN SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE DIMENSIONS AND SPECIFICATIONS SHOWN ON THIS PLAT.





SOIL LEGEND							
SOIL NO.	SOIL NAME	PROBLEM CLASS	FOUNDATION SUPPORT	DRAINAGE	SEPTIC/ENHANCED TREATMENT	INFILTRATION TRENCHES	EPUSION POTENTIAL
10B+	GLENNVILLE	B	FAIR B.W.	MARG W	POOR W	POOR W	MOD
32B2	FAIRFAX WBS	B	GOOD	MARG W	MARG P.S.	MARG P.S.	HIGH
32C2	GLENELO	C	GOOD	GOOD	GOOD	GOOD	HIGH

BOHLER ENGINEERING

CIVIL CONSULTING ENGINEERS
 1100 UNIVERSITY DR
 SUITE 100
 FAIRFAX, VA 22031
 (703) 271-1100
 WWW.BOHLER-ENG.COM

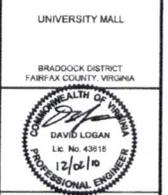
PROJECT NUMBER: 2009-08-015
 DATE: 12/01/10
 SCALE: AS SHOWN
 SHEET NO.: 4 OF 32

REV.	DATE	DESCRIPTION	BY
1	07/10	REV PER ATTORNEY COMMENTS	B.L.
2	08/10	REV PER PRELIMINARY COMMENTS	B.L.
3	09/10	REV PER SAV COMMENTS	B.L.
4	10/10	REV PER STATE COMMENTS	B.L.
5	10/10	REV PER COUNTY COMMENTS	B.L.
6	11/10	REV PER COUNTY COMMENTS	B.L.
7	12/10	REV PER COUNTY COMMENTS	B.L.

NOT APPROVED FOR CONSTRUCTION

PROJECT NO.: 2009-08-015
 DRAWN BY: B.L.
 CHECKED BY: B.L.
 DATE: 12/01/10
 SCALE: AS SHOWN
 SHEET NO.: 4 OF 32

GENERALIZED DEVELOPMENT PLAN
 SPECIAL EXCEPTION
 AMENDMENT PLAT
 FOR
 GENERALIZED DEVELOPMENT
 PLAN RZ 2009-08-015
 PROPER CONDITION
 AMENDMENT PCA C-08-02
 SPECIAL EXCEPTION
 AMENDMENT SEA 87-A-088-02
 COLLEGE TOWN
 ASSOCIATES, L.P.



D. B. LOGAN

PROFESSIONAL ENGINEER
 MISS UTILITY
 815 W VA
 1-800-552-7001
 PROJECT NUMBER: 2009-08-015
 SHEET NO.: 4 OF 32

THE SOILS INFORMATION ON THIS PLAN IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT AND THE RESULTS OF FIELD AND LABORATORY TESTS. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS AND TESTS OF THE SOILS AND HAS FOUND NO EVIDENCE OF CONTAMINATION OR OTHER HAZARDOUS CONDITIONS. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS AND TESTS OF THE SOILS AND HAS FOUND NO EVIDENCE OF CONTAMINATION OR OTHER HAZARDOUS CONDITIONS. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS AND TESTS OF THE SOILS AND HAS FOUND NO EVIDENCE OF CONTAMINATION OR OTHER HAZARDOUS CONDITIONS.



OX ROAD
 RTE. 121 (VARIABLE RIGHT OF WAY)
 POSTED SPEED LIMIT 45 MPH
 (ADT 19,000, LDPD 2000)

LIMIT OF CLEARING
 AND GRADING =
 794,836 SF (18.25 AC)

BRADDOCK ROAD
 RTE. 67 (VARIABLE RIGHT OF WAY)
 POSTED SPEED LIMIT 40 MPH
 (ADT 14,000, LDPD 2000)

ROANOKE RIVER ROAD
 (FORMER MASON UNIVERSITY)

BUILDING DEMOLITION LEGEND

[Hatched Box]	EXISTING BUILDING TO BE DEMOLISHED
[Dotted Box]	EXISTING CANOPY TO BE DEMOLISHED

EXISTING CONDITIONS

Building	Existing	Upper Level	Lower Level	Total
BUILDING A	21,965 SF	3,312 SF	28,255 SF	
BUILDING B	18,811 SF	11,022 SF	29,833 SF	
BUILDING C	2,868 SF	29,044 SF		
BUILDING D	10,718 SF	19,778 SF	23,006 SF	
BUILDING E	N/A			
BUILDING F	N/A			
BUILDING G	N/A			
BUILDING H	N/A			
BUILDING I	2,791 SF			
BUILDING J	2,829 SF			
BUILDING K	1,202 SF			
BUILDING L	6,487 SF	3,847 SF	9,334 SF	

BOHLER ENGINEERING

1000 N. GARDNER ST. SUITE 100
 ROANOKE, VA 24060
 TEL: 540-343-1100
 FAX: 540-343-1101
 WWW.BOHLER-ENG.COM

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REVISIONS

REV.	DATE	COMMENTS	BY
1	07/10	REV PER ATTORNEY COMMENTS	AB
2	08/10	REV PER FREIGHT REQUIREMENTS	AB
3	09/10	REV PER SPT COMMENTS	AB
4	09/10	REV PER CLSST ATTORNEY COMMENTS	AB
5	09/10	REV PER COUNTY COMMENTS	AB
6	10/10	REV PER COUNTY COMMENTS	AB
7	12/10	COUNTY COMMENTS	AB

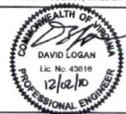
NOT APPROVED FOR CONSTRUCTION

PROJECT NO.	090214
DRAWN BY	BJS
CHECKED BY	AB
DATE	07/10/10
SCALE	1" = 40'
CAD ID	9487

GENERALIZED DEVELOPMENT PLAN
 AMENDMENT PLAN
 FOR
 GENERALIZED DEVELOPMENT
 PLAN RZ 2009-BR-015
 PROFESSIONAL CONCEPT
 AMENDMENT PCA C-083-02
 SPECIAL EXCEPTION
 AMENMENT SEA BY A-086-02
 COLLEGE TOWN
 ASSOCIATES, L.P.

UNIVERSITY MALL

BRADDOCK DISTRICT
 FAIRFAX COUNTY, VIRGINIA



D. B. LOGAN

PROFESSIONAL ENGINEER
 REG. NO. 60518
 EXPIRES 12/31/15
 1000 N. GARDNER ST. SUITE 100
 ROANOKE, VA 24060
 WWW.BOHLER-ENG.COM

SHEET TITLE
DEMOLITION PLAN

SHEET NUMBER

6

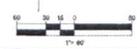
OF 32

NO.	ARC	RADIUS	DELTA	TANGENT	CHORD	CHORD BEARING
1	286.66'	286.66'	90°00'	0.00'	286.31'	N87°00'00"E
2	115.49'	1029.94'	87°00'	94.89'	113.43'	N87°00'00"E
3	23.21'	1288.56'	173°00'	11.61'	23.21'	N173°00'00"E
4	318.24'	1272.00'	14°00'	186.38'	317.44'	S85°00'00"E
5	181.80'	300.00'	29°00'	93.00'	175.76'	S17°00'00"W

MISS UTILITY



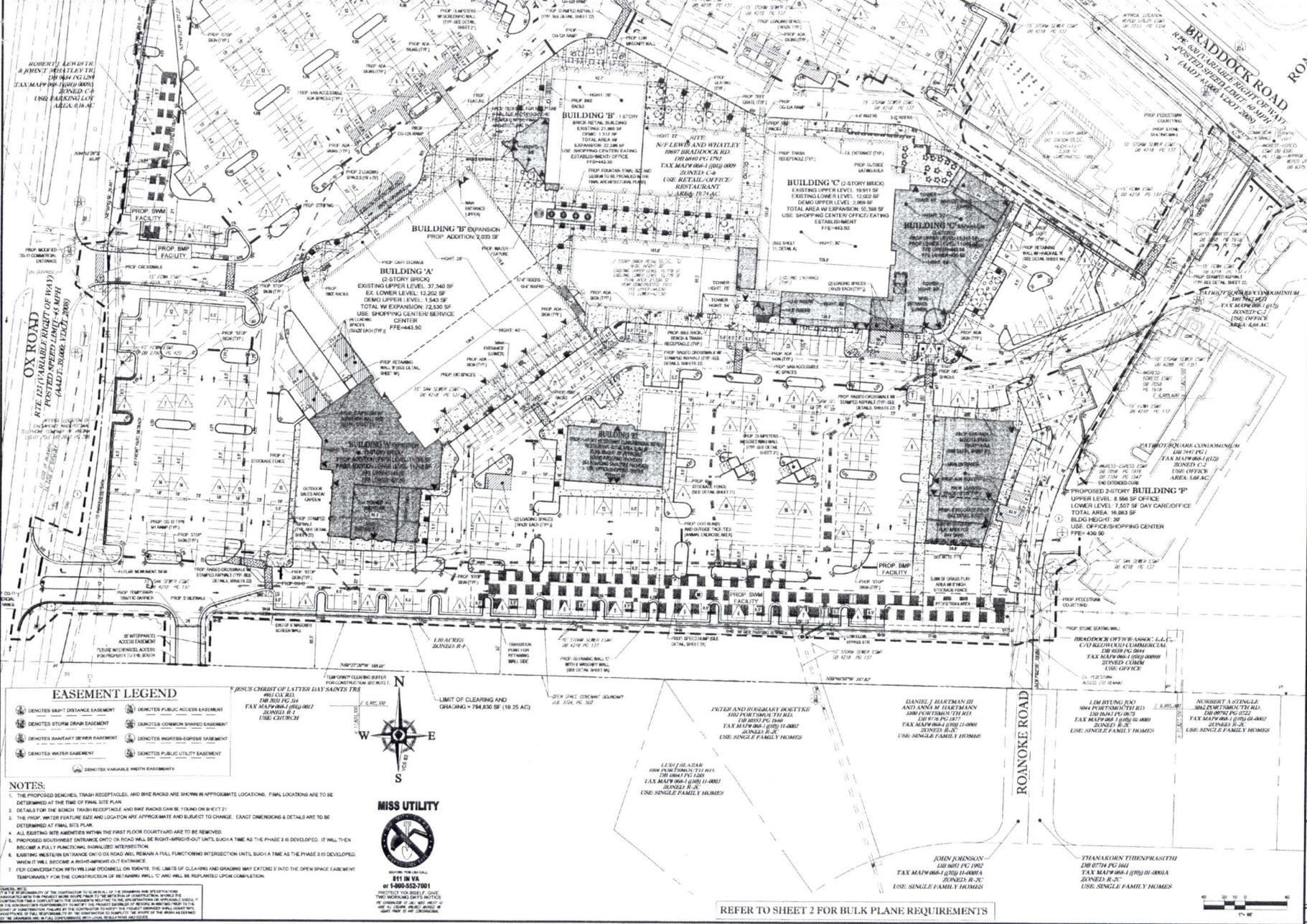
MISSISSIPPI VALLEY
 811 IN VA
 or 1-800-552-7001



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 TWO WORKING DAYS NOTICE
 MUST BE GIVEN TO THE USER
 OF THIS DRAWING TO BE USED
 FOR ANY OTHER PROJECT

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MATCHLINE SEE SHEET 9



EASEMENT LEGEND

	DENOTES RIGHT OF WAY EASEMENT		DENOTES PUBLIC ACCESS EASEMENT
	DENOTES STORM DRAIN EASEMENT		DENOTES COMMON SHARED EASEMENT
	DENOTES SANITARY SEWER EASEMENT		DENOTES SHORT-TERM EASEMENT
	DENOTES WATER EASEMENT		DENOTES PUBLIC UTILITY EASEMENT
	DENOTES VARIABLE WIDTH EASEMENTS		

- NOTES:**
1. THE PROPOSED BENCHES, TRASH RECEPTACLES, AND BIKE RACKS ARE SHOWN IN APPROXIMATE LOCATIONS. FINAL LOCATIONS ARE TO BE DETERMINED AT THE TIME OF FINAL SITE PLAN.
 2. DETAILS FOR THE BENCH, TRASH RECEPTACLE, AND BIKE RACKS CAN BE FOUND ON SHEET 7.
 3. THE PROPOSED WATER FEATURE SIZE AND LOCATION ARE APPROXIMATE AND SUBJECT TO CHANGE. EXACT DIMENSIONS & DETAILS ARE TO BE DETERMINED AT FINAL SITE PLAN.
 4. ALL EXISTING SITE UTILITIES WITHIN THE FIRST FLOOR COURTYARD ARE TO BE REMOVED.
 5. PROPOSED SIDEWALK ENTRANCE ON/OFF ON ROAD WILL BE RIGHT-OF-WAY R/W UNTIL SUCH A TIME AS THE PHASE 3 IS DEVELOPED. IT WILL THEN BECOME A FULLY FUNCTIONAL SIGNALIZED INTERSECTION.
 6. EXISTING WALKWAY ENTRANCE ON/OFF ON ROAD WILL REMAIN A FULL FUNCTIONING INTERSECTION UNTIL SUCH A TIME AS THE PHASE 3 IS DEVELOPED. WHEN IT WILL BECOME A RIGHT-OF-WAY ENTRANCE.
 7. FOR COORDINATION WITH WILLIAM O'DONNELL ON 10/6/2019, THE LIMITS OF CLEARING AND GRADING MAY EXTEND INTO THE OPEN SPACE EASEMENT TEMPORARILY FOR THE CONSTRUCTION OF RETAINING WALLS TO BE REPLACED UPON COMPLETION.



THESE NOTES ARE THE PROPERTY OF THE CONSULTING ENGINEER AND ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. THE CONSULTING ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED BY THE CONSULTING ENGINEER AND DOES NOT INCLUDE THE DESIGN OR CONSTRUCTION OF ANY STRUCTURE OR SYSTEM. THE CONSULTING ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED BY THE CONSULTING ENGINEER AND DOES NOT INCLUDE THE DESIGN OR CONSTRUCTION OF ANY STRUCTURE OR SYSTEM.

BOHLER ENGINEERING

OFFICE: 1000 N. BRADDOCK ROAD, SUITE 100, FARMASIDE, VIRGINIA 22124
 PHONE: (703) 433-8800
 FAX: (703) 433-8801
 WWW: WWW.BOHLER-ENG.COM

REVISIONS

REV.	DATE	DESCRIPTION	BY	CHKD.
1	08/14/19	ISSUE FOR PERMITS	DL	DL
2	08/14/19	REVISED PERMITS	DL	DL
3	08/14/19	REVISED PERMITS	DL	DL
4	08/14/19	REVISED PERMITS	DL	DL
5	08/14/19	REVISED PERMITS	DL	DL
6	08/14/19	REVISED PERMITS	DL	DL
7	08/14/19	REVISED PERMITS	DL	DL

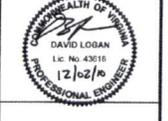
NOT APPROVED FOR CONSTRUCTION

PROJECT NO.: 1908114
 DRAWN BY: DL
 CHECKED BY: DL
 DATE: 08/14/19
 SCALE: AS SHOWN
 CADD: SET

GENERALIZED DEVELOPMENT PLAN SPECIAL EXCEPTION AMENDMENT PLAT

GENERALIZED DEVELOPMENT PLAN PZ 2008-08-015
 PROJECT LOCATION: AMENDMENT PZ C-08-07
 SPECIAL EXCEPTION AMENDMENT SEA 27-A-088-02
COLLEGE TOWN ASSOCIATES, L.P.

UNIVERSITY MALL
 BRADDOCK DISTRICT
 FAIRFAX COUNTY, VIRGINIA



D. B. LOGAN

PROFESSIONAL ENGINEER
 L.C. NO. 43316
 STATE OF VIRGINIA

SHEET TITLE: **GDP/PC/SEA SHEET 1 - PHASE 1**

SHEET NUMBER: **8**
 OF 32

REFER TO SHEET 2 FOR BULK PLANE REQUIREMENTS



OX ROAD
 RTE. 122 (VARIABLE RIGHT OF WAY)
 POSTED SPEED LIMIT - 45 MPH
 ADJUST 3000' (TYP. 2000')

PROP. BANK W/ DRIVE
 THRU LANES AND PROP. FAST FOOD W/ DRIVE THRU LANE
BUILDING 'C' (COMPRISED OF G1 AND G2)
 1-STORY
 TOTAL AREA 7,000 SF
 BLDG. HEIGHT 20'
 G1: 3,000 SF (224-FAST FOOD)
 FFE-451 40 (G1-BANK) 451 0 (G2-FAST FOOD)
 USE: SHOPPING CENTER/RETAILING ESTABLISHMENT W/ DRIVE THRU

BRADDOCK ROAD
 RTE. 501 (VARIABLE RIGHT OF WAY)
 POSTED SPEED LIMIT - 45 MPH
 ADJUST 1000' (TYP.)
 SEE AREA DETAIL 'D',
 SHEET II

ROANOKE RIVER ROAD
 (ROANOKE MASON UNIVERSITY)

SEE AREA DETAIL 'A',
 SHEET II

SEE AREA DETAIL 'B',
 SHEET II

SEE AREA DETAIL 'E',
 SHEET II

SEE AREA DETAIL 'C',
 SHEET II

BUILDING 'A'
 EXPANSION
 2-STORY BRICK
 PROP. ADDITION UPPER
 LEVEL 11,785 SF
 PROP. ADDITION LOWER
 LEVEL 11,746 SF
 111 UPPER 443.50
 FFE LOWER 427.50

BUILDING 'E' PROP. 1-STORY
 YETTER HARRY G. RING
 RETAIL/RESTAURANT
 TOTAL AREA 5,084 SF
 BLDG. HEIGHT 20' APPROX.
 SOUND PROOFING PROVIDED
 111 UPPER 443.50 (S-S BOARDING FACILITIES PROVIDED)
 USE: OFFICE, FFE#427.00

BUILDING 'B'
 1-STORY BRICK
 EXISTING 21,962 SF
 DEMO 1,332 SF
 TOTAL AREA W/
 EXPANSION 22,294 SF
 USE: SHOPPING CENTER (EST. RETAIL ESTABLISHMENT OFFICE)
 HEIGHT 20'

BUILDING 'C'
 1-STORY BRICK
 EXISTING 7,000 SF
 DEMO 1,000 SF
 TOTAL AREA W/ EXPANSION
 8,000 SF
 USE: SHOPPING CENTER OFFICE/STATION
 HEIGHT 20'

PROPOSED 2-STORY BUILDING 'F'
 UPPER LEVEL 8,568 SF OFFICE
 LOWER LEVEL 7,507 SF DAY CARWASH/FOOD
 TOTAL AREA: 16,075 SF
 BLDG. HEIGHT 30'
 USE: OFFICE/SHOPPING CENTER
 430.50

LEGEND



THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE DIMENSIONS AND SPECIFICATIONS.
 ALL DIMENSIONS SHALL BE TAKEN FROM THE CENTERLINE UNLESS OTHERWISE NOTED.
 DIMENSIONS SHALL BE TAKEN FROM THE CENTERLINE UNLESS OTHERWISE NOTED.
 DIMENSIONS SHALL BE TAKEN FROM THE CENTERLINE UNLESS OTHERWISE NOTED.
 DIMENSIONS SHALL BE TAKEN FROM THE CENTERLINE UNLESS OTHERWISE NOTED.
 DIMENSIONS SHALL BE TAKEN FROM THE CENTERLINE UNLESS OTHERWISE NOTED.

BOHLER ENGINEERING

CIVIL & CONSTRUCTION ENGINEERS

BOHLER ENGINEERING
 1000 N. W. 10TH AVE.
 SUITE 100
 BOCA RATON, FL 33432
 (561) 991-1111
 WWW.BOHLER-ENGINEERING.COM

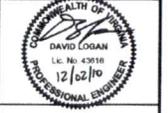
REV.	DATE	DESCRIPTION	BY	CHKD.
1	08/18/14	ISSUE FOR PERMIT	DLG	
2	09/05/14	REVISED PER COMMENTS	DLG	
3	09/15/14	REV. PER COMMENTS	DLG	
4	09/25/14	REV. PER COMMENTS	DLG	
5	10/05/14	REV. PER COMMENTS	DLG	
6	10/15/14	REV. PER COMMENTS	DLG	
7	10/25/14	REV. PER COMMENTS	DLG	

NOT APPROVED FOR CONSTRUCTION

PROJECT NO.	10002174
DRAWING BY	DLG
CHECKED BY	DLG
DATE	07/29/14
SCALE	1" = 40'
CAD D.	DLG

GENERALIZED DEVELOPMENT PLAN
 SPECIAL EXCEPTION
 AMENDMENT PLAN
 FOR
 GENERALIZED DEVELOPMENT
 PLAN #2 2009-081-015
 PROJECT LOCATION
 AMENDMENT #264 C-083-02
 SPECIAL EXCEPTION
 AMENDMENT #264 B-083-02
 COLLEGE TOWN
 ASSOCIATES, L.P.

UNIVERSITY MALL
 BRADDOCK DISTRICT
 FAIRFAX COUNTY, VIRGINIA



D. B. LOGAN

PROFESSIONAL ENGINEER
 43016
 STATE OF VIRGINIA
 LICENSED IN THE STATE OF VIRGINIA
 LICENSE NO. 43016

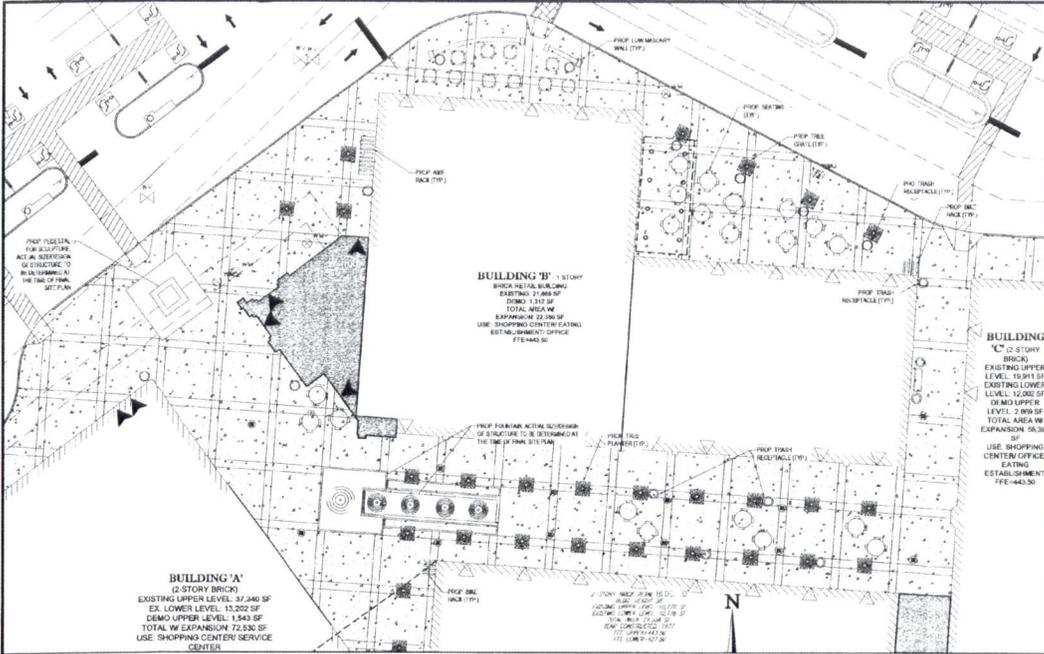
MISS UTILITY



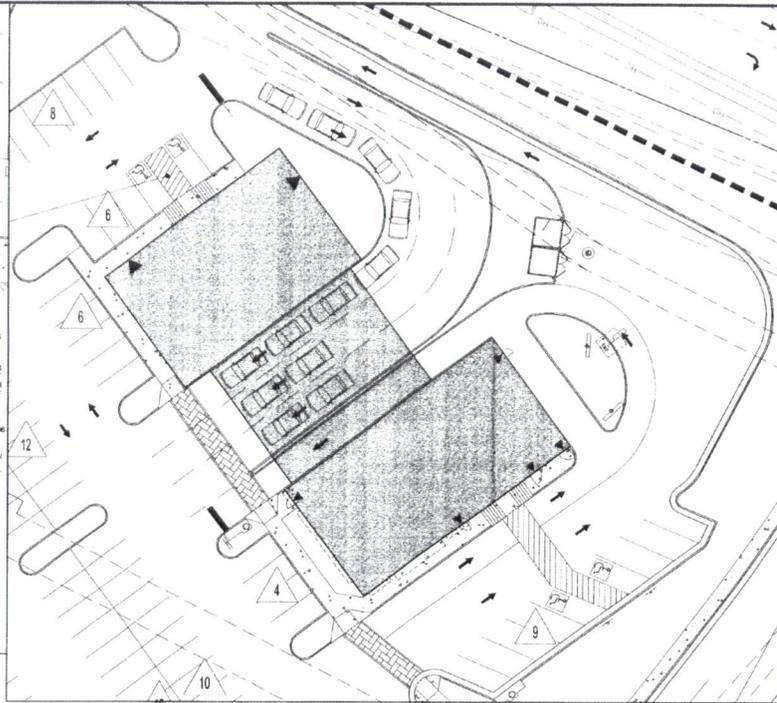
CALL BEFORE YOU DIG
 811 OR 811
 1-800-552-7001
 PROJECT YOU MUST DIG
 TWO WORKING DAYS
 BEFORE YOU START ANY
 WORK. WE WILL BE AT THE
 SITE TO ASSIST YOU AND
 TO MARK ALL UTILITIES.

SHEET TITLE:
**PEDESTRIAN ACCESS
 PLAN**

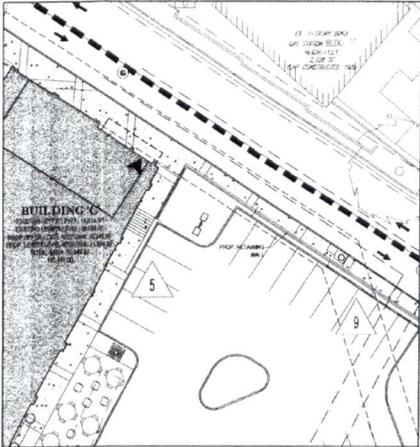
SHEET NUMBER:
10
 OF 32



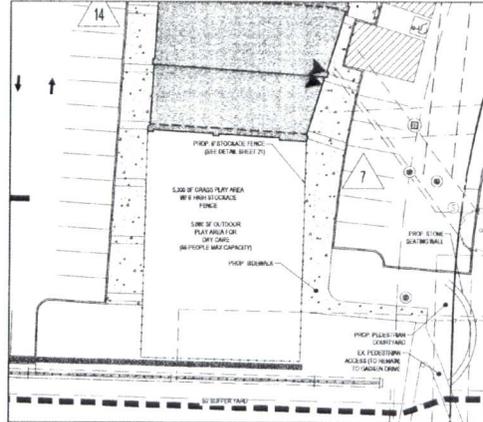
AREA DETAIL 'A'
1" = 20'



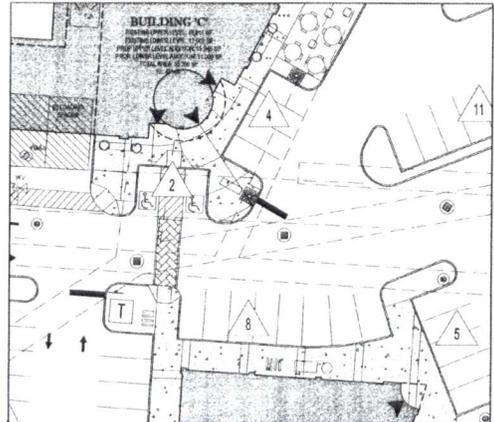
AREA DETAIL 'D'
1" = 20'



AREA DETAIL 'B'
1" = 20'



AREA DETAIL 'C'
1" = 20'



AREA DETAIL 'E'
1" = 20'



BOHLER ENGINEERING

EVIL & CONLEY, INC. ARCHITECTS
 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

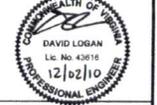
NO.	SIZE	REVISIONS	DATE
1	30" X 42"	ISSUED FOR PERMIT	08/11/10
2	30" X 42"	REVISED PER COMMENTS	08/13/10
3	30" X 42"	REVISED PER COMMENTS	08/13/10
4	30" X 42"	REVISED PER COMMENTS	08/13/10
5	30" X 42"	REVISED PER COMMENTS	08/13/10
6	30" X 42"	REVISED PER COMMENTS	08/13/10
7	30" X 42"	REVISED PER COMMENTS	08/13/10

NOT APPROVED FOR CONSTRUCTION

PROJECT NO.	080214
DATE	08/11/10
SCALE	1" = 20'
DATE	08/11/10
SCALE	1" = 20'

GENERALIZED DEVELOPMENT PLAN
 SPECIAL EXCEPTION
 AMENDMENT FLAT
 FOR
 GENERALIZED DEVELOPMENT
 PLAN NO. 2009-SR-015
 PROJECT CONSTRUCTION
 AMENDMENT FCA G-003-02
 SPECIAL EXCEPTION
 AMENDMENT SR-07-A-005-02
 COLLEGE TOWN
 ASSOCIATES, L.P.

UNIVERSITY MALL
 BRADDOCK DISTRICT
 FAIRFAX COUNTY, VIRGINIA



D. B. LOGAN

PROFESSIONAL ENGINEER
 STATE OF VIRGINIA
 LICENSE NO. 43818

MISS UTILITY



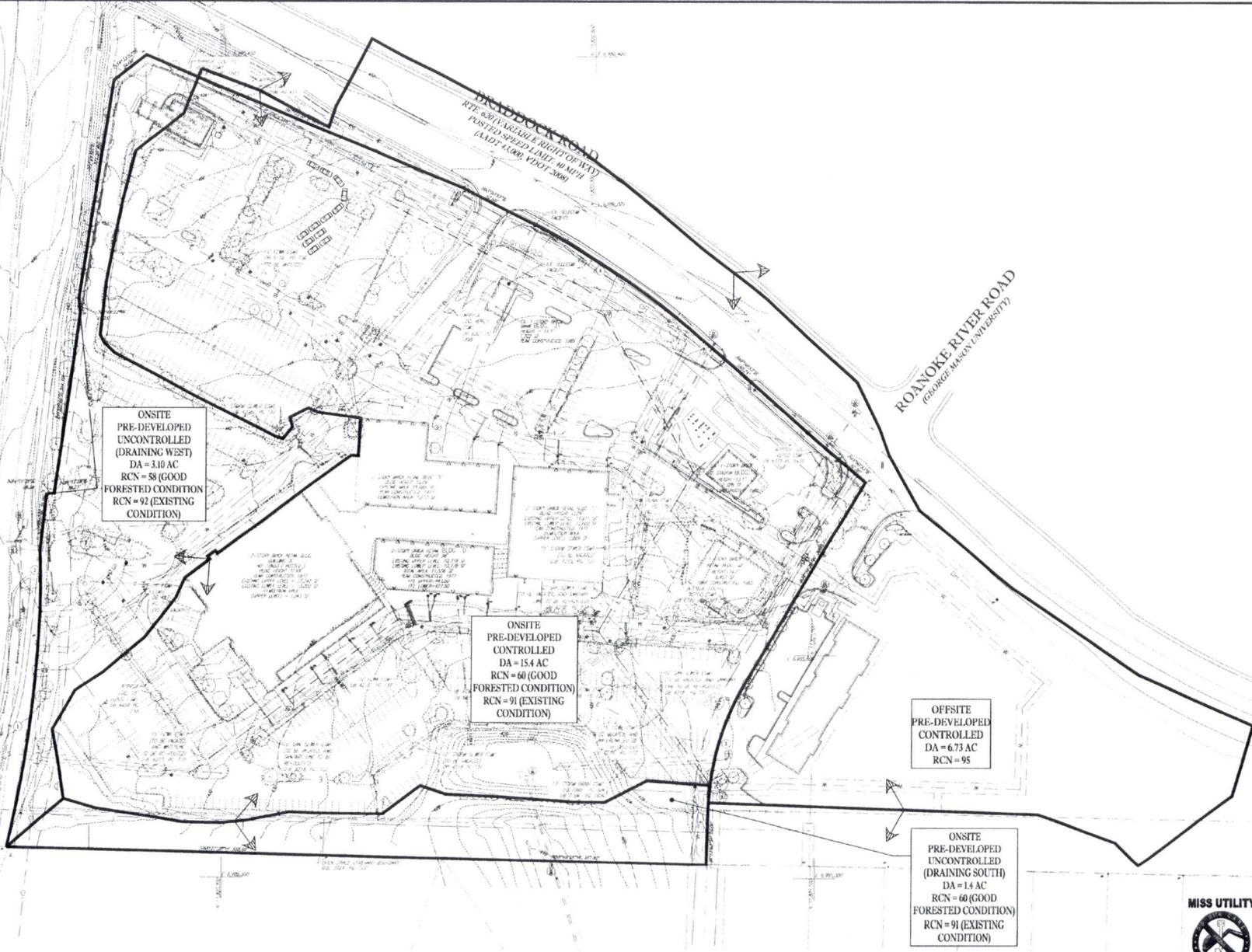
SHEET TITLE
**PEDESTRIAN ACCESS
 DETAILS**

SHEET NUMBER
11
 OF 32

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OX ROAD
 RTE 124 (VARIABLE RIGHT OF WAY)
 POSTED SPEED LIMIT 45 MPH
 (ADAPT 2006, TYPOT 2006)



ONSITE
 PRE-DEVELOPED
 UNCONTROLLED
 (DRAINING WEST)
 DA = 3.10 AC
 RCN = 58 (GOOD
 FORESTED CONDITION)
 RCN = 92 (EXISTING
 CONDITION)

ONSITE
 PRE-DEVELOPED
 CONTROLLED
 DA = 15.4 AC
 RCN = 60 (GOOD
 FORESTED CONDITION)
 RCN = 91 (EXISTING
 CONDITION)

OFFSITE
 PRE-DEVELOPED
 CONTROLLED
 DA = 6.73 AC
 RCN = 95

ONSITE
 PRE-DEVELOPED
 UNCONTROLLED
 (DRAINING SOUTH)
 DA = 14 AC
 RCN = 60 (GOOD
 FORESTED CONDITION)
 RCN = 91 (EXISTING
 CONDITION)

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 ENVIRONMENTAL ENGINEERING
 LANDSCAPE ARCHITECTURE
 CIVIL ENGINEERING

OFFICES:
 • FARMERSVILLE
 • BRIDGEVILLE
 • HARRISBURG
 • HUNTSVILLE
 • CHICKEN
 • CHARLOTTE

REV.	DATE	DESCRIPTION
1	07/18/10	REV PER ATTORNEY COMMENTS
2	08/04/10	REV PER PRELIMINARY COMMENTS
3	08/19/10	REV PER COUNTY COMMENTS
4	08/27/10	REV PER LEGAL COUNSEL COMMENTS
5	09/01/10	REV PER COUNTY COMMENTS
6	10/01/10	REV PER COUNTY COMMENTS
7	10/01/10	REV PER COUNTY COMMENTS

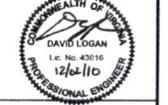
NOT APPROVED FOR CONSTRUCTION

PROJECT NO.	SS0214
DRAWN BY	JK
CHECKED BY	JK
DATE	07/18/10
SCALE	1" = 50'
SHEET NO.	12

GENERALIZED DEVELOPMENT PLAN
 SPECIAL EXCEPTION
 AMENDMENT PLAT

FOR
 GENERALIZED DEVELOPMENT
 PLAN #12-2008-00110
 PROFFER CONDITION
 AMENDMENT PCA C-083-02
 SPECIAL EXCEPTION
 AMENDMENT SE-A 87-A-0805-02
 COLLEGE TOWN
 ASSOCIATES, L.P.

UNIVERSITY MALL
 BRADDOCK DISTRICT
 FAIRFAX COUNTY, VIRGINIA



D. B. LOGAN

PROFESSIONAL ENGINEER
 VIRGINIA LICENSE NO. 42516
 EXPIRES 12/31/11

SHEET TITLE
 PRE-DEVELOPED
 DRAINAGE DIVIDE MAP

SHEET NUMBER
12
 OF 22



MISS UTILITY
 811 IN VA
 1-800-552-7001
 PROTECT YOURSELF. CALL
 TWO WEEKS BEFORE ANY
 EXCAVATION OR TRENCHING
 WORK. IT'S THE WAY TO
 SAFETY AND TO AVOID COSTLY
 DAMAGE.



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MISS UTILITY

811 IN VA
 1-800-551-7839
 PROJECT CONTACT: 410-221-1111

SHEET NUMBER: 13
 POST-DEVELOPED DRAINAGE DIVIDE MAP

D. B. LOGAN

DAVID LOGAN
 LICENSE NO. 4318
 STATE OF VIRGINIA

UNIVERSITY MALL
 COLLEGE TOWN
 ASSOCIATES, L.P.
 GENERALIZED DEVELOPMENT PLAN
 SPECIAL EXCEPTION
 AMENDMENT PLAT

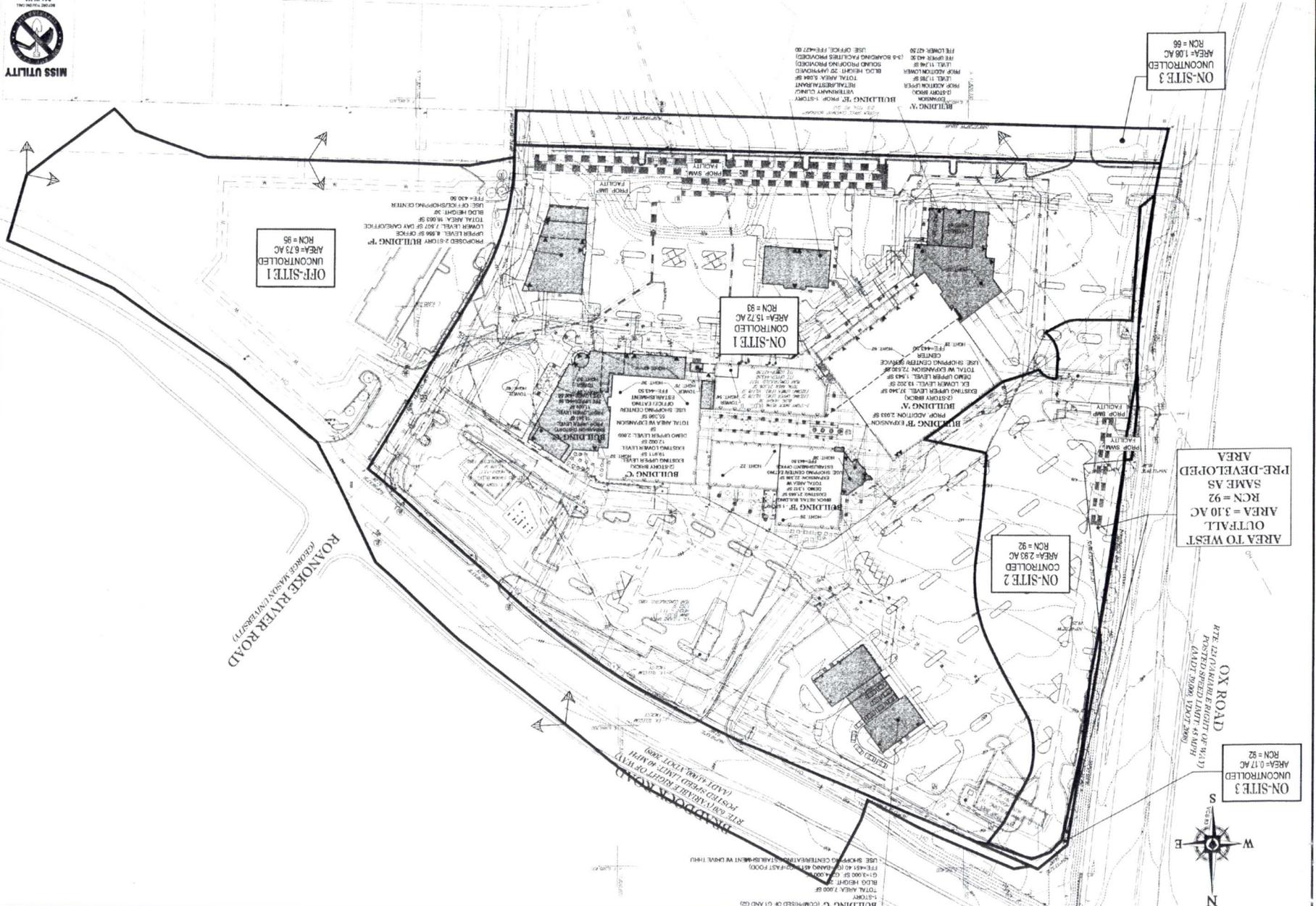
NOT APPROVED FOR CONSTRUCTION

NO.	DATE	REVISIONS
1	12/27/08	REVISED PER COMMENTS
2	01/08/09	REVISED PER COMMENTS
3	02/09/09	REVISED PER COMMENTS
4	03/09/09	REVISED PER COMMENTS
5	04/09/09	REVISED PER COMMENTS
6	05/09/09	REVISED PER COMMENTS
7	06/09/09	REVISED PER COMMENTS

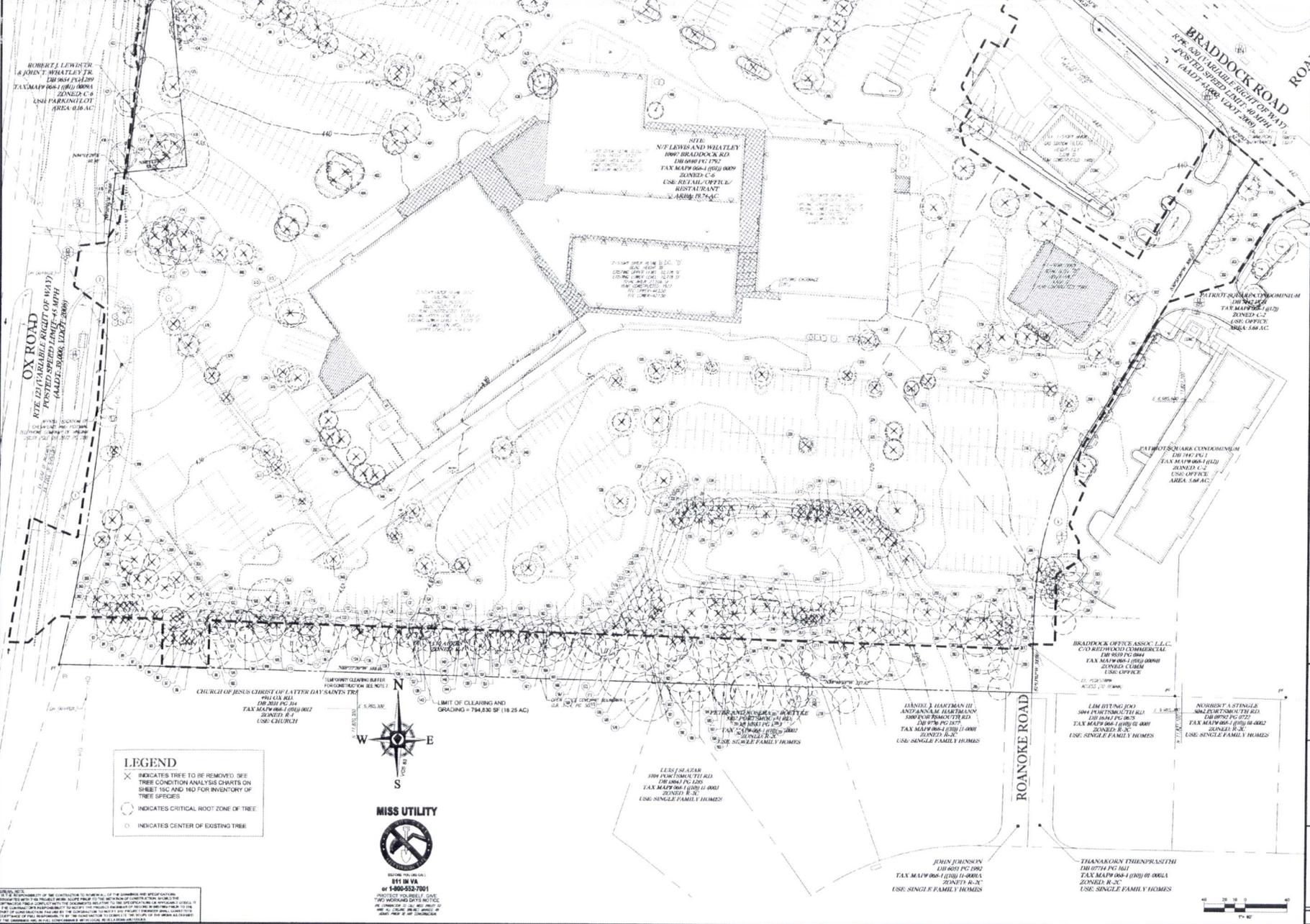
BOHLER ENGINEERING

REGISTERED PROFESSIONAL ENGINEERS
 CIVIL, ELECTRICAL, MECHANICAL, PLUMBING, SANITARY, STRUCTURAL, AND MECHANICAL ENGINEERS

OFFICES:
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 • FAYETTEVILLE, NC
 • GREENSBORO, NC
 • RALEIGH, NC
 • WASHINGTON, DC
 • WASHINGTON, VA
 • WASHINGTON, VA
 • WASHINGTON, VA



MATCHLINE SEE SHEET 16B



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- CHARLOTTE, NC
- RICHMOND, VA
- ROANOKE, VA
- FARMVILLE, VA
- FARMVILLE, VA
- FARMVILLE, VA
- FARMVILLE, VA

2021 CONSULTING ENGINEERS

- CIVIL ENGINEER
- ELECTRICAL ENGINEER
- ENVIRONMENTAL ENGINEER
- GEOTECHNICAL ENGINEER
- LANDSCAPE ARCHITECT
- MECHANICAL ENGINEER
- PLUMBING ENGINEER
- STRUCTURAL ENGINEER
- SURVEYOR
- THERMAL ENGINEER
- TRANSPORTATION ENGINEER
- WATER RESOURCES ENGINEER
- WIND ENGINEER

REV	DATE	DESCRIPTION	BY
1	07/16/20	NEW PERM AT-TOWN COMMENTS	RLS
2	08/04/20	NEW PERM FOR ENVIRONMENTAL COMMENTS	RLS
3	08/04/20	NEW PERM SHADY COMMENTS	RLS
4	08/04/20	NEW PERM LANDSCAPE COMMENTS	RLS
5	08/04/20	NEW PERM COUNTY COMMENTS	RLS
6	08/04/20	NEW PERM COUNTY COMMENTS	RLS
7	10/09/20	NEW PERM COUNTY COMMENTS	RLS

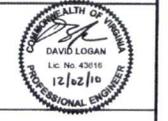
NOT APPROVED FOR CONSTRUCTION

PROJECT NO.	2002114
DRAWN BY	RLS
CHECKED BY	RLS
DATE	10/24/20
SHEET	16A
TOTAL SHEETS	16

PROJECT: GENERALIZED DEVELOPMENT PLAN SPECIAL EXCEPTION AMENDMENT PLAT FOR GENERALIZED DEVELOPMENT PLAN RZ 2008-BR-015 PROFFER CONDITION AMENDMENT PCA C-08-02 SPECIAL EXCEPTION AMENDMENT SEA ST-0808-02 COLLEGE TOWN ASSOCIATES, L.P.

UNIVERSITY MALL

BRADDOCK DISTRICT FAIRFAX COUNTY, VIRGINIA



D. B. LOGAN

PROFESSIONAL ENGINEER
No. 43616
12/02/10

SHEET TITLE: TREE CONDITION ANALYSIS

SHEET NUMBER: 16A OF 32

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NOT APPROVED FOR CONSTRUCTION

DATE: 01/11/2011
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO: [Number]

GENERAL DEVELOPMENT PLAN AMENDMENT

GENERAL DEVELOPMENT PLAN 12/2008/01/01
 AMENDMENT TO 12/2008/01/01
 AMENDMENT TO 12/2008/01/01
COLLEGE TOWN ASSOCIATES, L.P.

UNIVERSITY MALL



D. B. LOGAN

PROFESSIONAL ENGINEER
 LICENSE NO. 4318
 STATE OF COLORADO

TREE CONDITION ANALYSIS

SHEET NUMBER: **16C**

OF 32

The Condition Analysis for University Mall (Grading) Project (DB-1-0009)

Time Condition Analysis for University Mall (Grading) Project (DB-1-0009)

#	Species	Size (DBH) in inches	Condition Rating (%)	Spreads in feet	Preserve or Remove	Remarks
1	Red Oak	12	75%	0%	Preserve	
2	Red Oak	12	75%	0%	Preserve	
3	Red Oak	12	75%	0%	Preserve	
4	Red Oak	12	75%	0%	Preserve	
5	Red Oak	12	75%	0%	Preserve	
6	Red Oak	12	75%	0%	Preserve	
7	Red Oak	12	75%	0%	Preserve	
8	Red Oak	12	75%	0%	Preserve	
9	Red Oak	12	75%	0%	Preserve	
10	Red Oak	12	75%	0%	Preserve	
11	Red Oak	12	75%	0%	Preserve	
12	Red Oak	12	75%	0%	Preserve	
13	Red Oak	12	75%	0%	Preserve	
14	Red Oak	12	75%	0%	Preserve	
15	Red Oak	12	75%	0%	Preserve	
16	Red Oak	12	75%	0%	Preserve	
17	Red Oak	12	75%	0%	Preserve	
18	Red Oak	12	75%	0%	Preserve	
19	Red Oak	12	75%	0%	Preserve	
20	Red Oak	12	75%	0%	Preserve	
21	Red Oak	12	75%	0%	Preserve	
22	Red Oak	12	75%	0%	Preserve	
23	Red Oak	12	75%	0%	Preserve	
24	Red Oak	12	75%	0%	Preserve	
25	Red Oak	12	75%	0%	Preserve	
26	Red Oak	12	75%	0%	Preserve	
27	Red Oak	12	75%	0%	Preserve	
28	Red Oak	12	75%	0%	Preserve	
29	Red Oak	12	75%	0%	Preserve	
30	Red Oak	12	75%	0%	Preserve	
31	Red Oak	12	75%	0%	Preserve	
32	Red Oak	12	75%	0%	Preserve	
33	Red Oak	12	75%	0%	Preserve	
34	Red Oak	12	75%	0%	Preserve	
35	Red Oak	12	75%	0%	Preserve	
36	Red Oak	12	75%	0%	Preserve	
37	Red Oak	12	75%	0%	Preserve	
38	Red Oak	12	75%	0%	Preserve	
39	Red Oak	12	75%	0%	Preserve	
40	Red Oak	12	75%	0%	Preserve	
41	Red Oak	12	75%	0%	Preserve	
42	Red Oak	12	75%	0%	Preserve	
43	Red Oak	12	75%	0%	Preserve	
44	Red Oak	12	75%	0%	Preserve	
45	Red Oak	12	75%	0%	Preserve	

The Condition Analysis for University Mall (Grading) Project (DB-1-0009)

Time Condition Analysis for University Mall (Grading) Project (DB-1-0009)

#	Species	Size (DBH) in inches	Condition Rating (%)	Spreads in feet	Preserve or Remove	Remarks
46	Red Oak	12	75%	0%	Preserve	
47	Red Oak	12	75%	0%	Preserve	
48	Red Oak	12	75%	0%	Preserve	
49	Red Oak	12	75%	0%	Preserve	
50	Red Oak	12	75%	0%	Preserve	
51	Red Oak	12	75%	0%	Preserve	
52	Red Oak	12	75%	0%	Preserve	
53	Red Oak	12	75%	0%	Preserve	
54	Red Oak	12	75%	0%	Preserve	
55	Red Oak	12	75%	0%	Preserve	
56	Red Oak	12	75%	0%	Preserve	
57	Red Oak	12	75%	0%	Preserve	
58	Red Oak	12	75%	0%	Preserve	
59	Red Oak	12	75%	0%	Preserve	
60	Red Oak	12	75%	0%	Preserve	
61	Red Oak	12	75%	0%	Preserve	
62	Red Oak	12	75%	0%	Preserve	
63	Red Oak	12	75%	0%	Preserve	
64	Red Oak	12	75%	0%	Preserve	
65	Red Oak	12	75%	0%	Preserve	
66	Red Oak	12	75%	0%	Preserve	
67	Red Oak	12	75%	0%	Preserve	
68	Red Oak	12	75%	0%	Preserve	
69	Red Oak	12	75%	0%	Preserve	
70	Red Oak	12	75%	0%	Preserve	
71	Red Oak	12	75%	0%	Preserve	
72	Red Oak	12	75%	0%	Preserve	
73	Red Oak	12	75%	0%	Preserve	
74	Red Oak	12	75%	0%	Preserve	
75	Red Oak	12	75%	0%	Preserve	
76	Red Oak	12	75%	0%	Preserve	
77	Red Oak	12	75%	0%	Preserve	
78	Red Oak	12	75%	0%	Preserve	
79	Red Oak	12	75%	0%	Preserve	
80	Red Oak	12	75%	0%	Preserve	
81	Red Oak	12	75%	0%	Preserve	
82	Red Oak	12	75%	0%	Preserve	
83	Red Oak	12	75%	0%	Preserve	
84	Red Oak	12	75%	0%	Preserve	
85	Red Oak	12	75%	0%	Preserve	
86	Red Oak	12	75%	0%	Preserve	
87	Red Oak	12	75%	0%	Preserve	
88	Red Oak	12	75%	0%	Preserve	
89	Red Oak	12	75%	0%	Preserve	
90	Red Oak	12	75%	0%	Preserve	
91	Red Oak	12	75%	0%	Preserve	
92	Red Oak	12	75%	0%	Preserve	
93	Red Oak	12	75%	0%	Preserve	
94	Red Oak	12	75%	0%	Preserve	
95	Red Oak	12	75%	0%	Preserve	
96	Red Oak	12	75%	0%	Preserve	
97	Red Oak	12	75%	0%	Preserve	
98	Red Oak	12	75%	0%	Preserve	
99	Red Oak	12	75%	0%	Preserve	
100	Red Oak	12	75%	0%	Preserve	

The Condition Analysis for University Mall (Grading) Project (DB-1-0009)

Time Condition Analysis for University Mall (Grading) Project (DB-1-0009)

#	Species	Size (DBH) in inches	Condition Rating (%)	Spreads in feet	Preserve or Remove	Remarks
101	Red Oak	12	75%	0%	Preserve	
102	Red Oak	12	75%	0%	Preserve	
103	Red Oak	12	75%	0%	Preserve	
104	Red Oak	12	75%	0%	Preserve	
105	Red Oak	12	75%	0%	Preserve	
106	Red Oak	12	75%	0%	Preserve	
107	Red Oak	12	75%	0%	Preserve	
108	Red Oak	12	75%	0%	Preserve	
109	Red Oak	12	75%	0%	Preserve	
110	Red Oak	12	75%	0%	Preserve	
111	Red Oak	12	75%	0%	Preserve	
112	Red Oak	12	75%	0%	Preserve	
113	Red Oak	12	75%	0%	Preserve	
114	Red Oak	12	75%	0%	Preserve	
115	Red Oak	12	75%	0%	Preserve	
116	Red Oak	12	75%	0%	Preserve	
117	Red Oak	12	75%	0%	Preserve	
118	Red Oak	12	75%	0%	Preserve	
119	Red Oak	12	75%	0%	Preserve	
120	Red Oak	12	75%	0%	Preserve	
121	Red Oak	12	75%	0%	Preserve	
122	Red Oak	12	75%	0%	Preserve	
123	Red Oak	12	75%	0%	Preserve	
124	Red Oak	12	75%	0%	Preserve	
125	Red Oak	12	75%	0%	Preserve	
126	Red Oak	12	75%	0%	Preserve	
127	Red Oak	12	75%	0%	Preserve	
128	Red Oak	12	75%	0%	Preserve	
129	Red Oak	12	75%	0%	Preserve	
130	Red Oak	12	75%	0%	Preserve	
131	Red Oak	12	75%	0%	Preserve	
132	Red Oak	12	75%	0%	Preserve	
133	Red Oak	12	75%	0%	Preserve	
134	Red Oak	12	75%	0%	Preserve	
135	Red Oak	12	75%	0%	Preserve	
136	Red Oak	12	75%	0%	Preserve	
137	Red Oak	12	75%	0%	Preserve	
138	Red Oak	12	75%	0%	Preserve	
139	Red Oak	12	75%	0%	Preserve	
140	Red Oak	12	75%	0%	Preserve	
141	Red Oak	12	75%	0%	Preserve	
142	Red Oak	12	75%	0%	Preserve	
143	Red Oak	12	75%	0%	Preserve	
144	Red Oak	12	75%	0%	Preserve	
145	Red Oak	12	75%	0%	Preserve	
146	Red Oak	12	75%	0%	Preserve	
147	Red Oak	12	75%	0%	Preserve	
148	Red Oak	12	75%	0%	Preserve	
149	Red Oak	12	75%	0%	Preserve	
150	Red Oak	12	75%	0%	Preserve	

The Condition Analysis for University Mall (Grading) Project (DB-1-0009)

Time Condition Analysis for University Mall (Grading) Project (DB-1-0009)

#	Species	Size (DBH) in inches	Condition Rating (%)	Spreads in feet	Preserve or Remove	Remarks
151	Red Oak	12	75%	0%	Preserve	
152	Red Oak	12	75%	0%	Preserve	
153	Red Oak	12	75%	0%	Preserve	
154	Red Oak	12	75%	0%	Preserve	
155	Red Oak	12	75%	0%	Preserve	
156	Red Oak	12	75%	0%	Preserve	
157	Red Oak	12	75%	0%	Preserve	
158	Red Oak	12	75%	0%	Preserve	
159	Red Oak	12	75%	0%	Preserve	
160	Red Oak	12	75%	0%	Preserve	
161	Red Oak	12	75%	0%	Preserve	
162	Red Oak	12	75%	0%	Preserve	
163	Red Oak	12	75%	0%	Preserve	
164	Red Oak	12	75%	0%	Preserve	
165	Red Oak	12	75%	0%	Preserve	
166	Red Oak	12	75%	0%	Preserve	
167	Red Oak	12	75%	0%	Preserve	
168	Red Oak	12	75%	0%	Preserve	
169	Red Oak	12	75%	0%	Preserve	
170	Red Oak	12	75%	0%	Preserve	
171	Red Oak	12	75%	0%	Preserve	
172	Red Oak	12	75%	0%	Preserve	
173	Red Oak	12	75%	0%	Preserve	
174	Red Oak	12	75%	0%	Preserve	
175	Red Oak	12	75%	0%	Preserve	
176	Red Oak	12	75%	0%	Preserve	
177	Red Oak	12	75%	0%	Preserve	
178	Red Oak	12	75%	0%	Preserve	
179	Red Oak	12	75%	0%	Preserve	
180	Red Oak	12	75%	0%	Preserve	
181	Red Oak	12	75%	0%	Preserve	
182	Red Oak	12	75%	0%	Preserve	
183	Red Oak	12	75%	0%	Preserve	
184	Red Oak	12	75%	0%	Preserve	
185	Red Oak	12	75%	0%	Preserve	
186	Red Oak	12	75%	0%	Preserve	
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189	Red Oak	12	75%	0%	Preserve	
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193	Red Oak	12	75%	0%	Preserve	
194	Red Oak	12	75%	0%	Preserve	
195	Red Oak	12	75%	0%	Preserve	
196	Red Oak	12	75%	0%	Preserve	
197	Red Oak	12	75%	0%	Preserve	
198	Red Oak	12	75%	0%	Preserve	
199	Red Oak	12	75%	0%	Preserve	
200	Red Oak	12	75%	0%	Preserve	

The Condition Analysis for University Mall (Grading) Project (DB-1-0009)

Time Condition Analysis for University Mall (Grading) Project (DB-1-0009)

#	Species	Size (DBH) in inches	Condition Rating (%)	Spreads in feet	Preserve or Remove	Remarks
201	Red Oak	12	75%	0%	Preserve	
202	Red Oak	12	75%	0%	Preserve	
203	Red Oak	12	75%	0%	Preserve	
204	Red Oak	12	75%	0%	Preserve	
205	Red Oak	12	75%	0%	Preserve	
206	Red Oak	12	75%	0%	Preserve	
207	Red Oak	12	75%	0%	Preserve	
208	Red Oak	12	75%	0%	Preserve	
209	Red Oak	12	75%	0%	Preserve	
210	Red Oak	12	75%	0%	Preserve	
211	Red Oak	12	75%	0%	Preserve	
212	Red Oak	12	75%	0%	Preserve	
213	Red Oak	12	75%	0%	Preserve	
214	Red Oak	12	75%	0%	Preserve	
215	Red Oak	12	75%	0%	Preserve	



OX ROAD
 RTE. 6291 (VALE RIGHT OF WAY)
 POSTED SPEED LIMIT 45 MPH
 (ADT 28,000, VDOT 2008)

PROP. BANK DRIVE
 THRU LANES AND PROP. FAST FOOD W/ W/VE THRU LANE
BUILDING 'G' (COMPRISED OF G1 AND G2)
 1-5 STORY
 TOTAL AREA: 7,000 SF
 BLDG HEIGHT: 20'
 G1-3,000 SF, G2-4,000 SF
 FFE#451 40 (G1+HARK) 40.0 (G2+AST FOOD)
 USE: SHOPPING CENTER/FAST FOODS ESTABLISHMENT W/ DRIVE THRU

BRADDOCK ROAD
 RTE. 6291 (VALE RIGHT OF WAY)
 POSTED SPEED LIMIT 40 MPH
 (ADT 14,000, VDOT 2008)

PROP. TREES IN EASEMENT NOT TO RETAIN CANOPY CREDIT EXCLUDED FROM CANOPY CALCULATIONS (TYP)

BUILDING 'A' EXPANSION
 2-3 STORY BRICK
 PROP. ADDITION UPPER LEVEL: 37,340 SF
 EX. LOWER LEVEL: 13,200 SF
 DEMO UPPER LEVEL: 1,543 SF
 TOTAL W/ EXPANSION: 72,830 SF
 USE: SHOPPING CENTER/ SERVICE CENTER
 FFE#443.50
 HEIGHT: 40'

BUILDING 'B' EXPANSION
 2-3 STORY BRICK
 PROP. ADDITION UPPER LEVEL: 21,865 SF
 DEMO: 1,112 SF
 TOTAL AREA W/ EXPANSION: 42,977 SF
 USE: SHOPPING CENTER/ SERVICE CENTER
 FFE#443.50
 HEIGHT: 22'

BUILDING 'C' EXPANSION
 2-3 STORY BRICK
 EXISTING UPPER LEVEL: 18,911 SF
 EXISTING LOWER LEVEL: 13,662 SF
 DEMO UPPER LEVEL: 2,866 SF
 TOTAL AREA W/ EXPANSION: 55,395 SF
 USE: SHOPPING CENTER/ OFFICE/EATING ESTABLISHMENT
 FFE#443.50
 HEIGHT: 20'

PROPOSED 2 STORY **BUILDING 'E'**
 UPPER LEVEL: 6,556 SF OFFICE
 LOWER LEVEL: 7,607 SF DAY CARE/OFFICE
 TOTAL AREA: 14,163 SF
 BLDG HEIGHT: 30'
 USE: OFFICE/SHOPPING CENTER
 FFE#430.50

BUILDING 'A' EXPANSION
 2-3 STORY BRICK
 PROP. ADDITION UPPER LEVEL: 11,785 SF
 PROP. ADDITION LOWER LEVEL: 11,748 SF
 FFE UPPER: 443.50
 FFE LOWER: 421.50

BUILDING 'E' PROP. 1-5 STORY
 VETERINARY CLINIC
 METAL RESTAURANT
 TOTAL AREA: 5,084 SF
 BLDG HEIGHT: 20' (APPROVED SOUND PROOFING PROVIDED)
 (3-5 BOARDING FACILITIES PROVIDED)
 USE: OFFICE FFE#427.00

ALL PROPOSED PLANT MATERIAL ON SOUTH SIDE OF SCREENING WALL IS PLANTED 10-12 IN. FROM EDGE OF WALL (BARRIER AND OUTSIDE OF THE CRITICAL ROOT ZONE OF TREES) TO BANK SIDE SHEET IS FOR CRITICAL ROOT ZONES OF TREES TO REMAIN.

NOTE
 SEE SHEETS 16-16D FOR EVM AND EXISTING TREE CONDITION ANALYSIS

LANDSCAPE SCHEDULE

KEY	QTY	SIZE	STOCK TYPE	REMARKS	10 YR. TREE CANOPY (SF)	SUB-TOTAL (SF)
CATEGORY IV DECIDUOUS TREES						
120	2 1/2"-3" CAL.	B#B			200	24,000
10	2 1/2"-3" CAL.	B#B	NATIVE		200	3,200
81	2 1/2"-3" CAL.	B#B				
277						27,200
CATEGORY II DECIDUOUS TREES						
20	2 1/2"-3" CAL.	B#B	NATIVE		150	3,000
23	2 1/2"-3" CAL.	B#B			150	3,450
						6,450
CATEGORY II DECIDUOUS TREES						
13	2 1/2"-3" CAL.	B#B				
CATEGORY II EVERGREEN TREES						
28	2 1/2"-3" CAL.	B#B			100	2,800
CATEGORY I EVERGREEN TREES						
52	8'-10'	B#B				2,600
6	6'-7'	B#B				
EVERGREEN SHRUBS						
247	30"-36"			TO BE DETERMINED AT TIME OF SITE PLAN		

*39,050 SF OF PROPOSED CANOPY
 NOTE: SEE TABLE 12.12 ON SHEET 18 FOR OVERALL 10 YEAR CANOPY TOTAL.

- NOTES:
- USE SHEET 19 FOR COMPLIANCE CHARTS
 - DAYCARE TENANT TO PROVIDE AMENITIES IN OUTDOOR PLAY AREA DETAILS TO BE PROVIDED AT SITE PLAN.
 - PRIOR TO ANY PLANT INSTALLATION THE LANDSCAPE CONTRACTOR IS REQUIRED TO PROVIDE A LETTER TO THE FAIRFAX COUNTY URBAN FORESTRY MANAGEMENT DIVISION CERTIFYING THAT ALL TREES MARKED AS NATIVE SPECIES ON THIS PLAN HAVE BEEN PROPAGATED FROM SEED OR NON-GENETICALLY MODIFIED GERMPLASM COLLECTED WITHIN THE MID-ATLANTIC REGION.

LANDSCAPE LEGEND

- ⊙ CATEGORY IV DECIDUOUS TREE (200 SF CANOPY CREDIT) (INTERIOR PARKING LOT (PRIMARY))
- ⊙ CATEGORY IV DECIDUOUS TREE (200 SF CANOPY CREDIT) (PERIMETER LANDSCAPE (PRIMARY))
- ⊙ CATEGORY IV DECIDUOUS TREE (NO CANOPY CREDIT TAKING PLANTER BOX TREES/TREES IN EASEMENT)
- ⊙ CATEGORY II DECIDUOUS TREE (150 SF CANOPY CREDIT) (INTERIOR PARKING LOT)
- ⊙ CATEGORY II DECIDUOUS TREE (150 SF CANOPY CREDIT) (SUPPLEMENTAL BUFFER PLANTING)
- ⊙ CATEGORY II DECIDUOUS TREE (NO CANOPY CREDIT) (PERIMETER LANDSCAPE)
- ⊙ CATEGORY I EVERGREEN TREE (100 SF CANOPY CREDIT) (SUPPLEMENTAL BUFFER PLANTING)
- ⊙ CATEGORY I EVERGREEN TREE (50 SF CANOPY CREDIT) (SUPPLEMENTAL BUFFER PLANTING)
- ⊙ CATEGORY I EVERGREEN TREE (NO CANOPY CREDIT TAKEN) (SCREENING BUFFER)
- ⊙ EVERGREEN SHRUB
- ⊙ VEGETATION TO BE PRESERVED AND COUNTED TOWARDS 10-YEAR TREE CANOPY

BOHLER ENGINEERING

12345 MAIN ST. SUITE 100
 FAIRFAX, VA 22030
 (703) 555-1234

OWNER: BOHLER ENGINEERING
 PROJECT MANAGER: BOHLER ENGINEERING
 ENVIRONMENTAL ENGINEER: BOHLER ENGINEERING
 LANDSCAPE ARCHITECT: BOHLER ENGINEERING

REVISIONS

NO.	DATE	DESCRIPTION	BY
1	01/15/24	ATTORNEY CORNER 3	RLC
2	01/15/24	REV PER PRELIM CORNERS	RLC
3	01/15/24	REV PER EAST CORNER 5	RLC
4	01/15/24	REV PER WEST CORNER 5	RLC
5	01/15/24	REV PER COURT CORNERS	RLC
6	01/15/24	REV PER COURT CORNERS	RLC
7	01/15/24	QUANTITY CORNERS	RLC

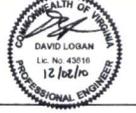
NOT APPROVED FOR CONSTRUCTION

PROJECT NO.: 240214
 DRAWN BY: RLK
 CHECKED BY: JSC
 DATE: 01/15/24
 SCALE: 1"=40'
 CAD ID: 587

GENERALIZED DEVELOPMENT PLAN
 SPECIAL EXCEPTION
 AMENDMENT PLAN
 FOR
 GENERALIZED DEVELOPMENT
 PLAN RZ 2000-PB-015
 PRELIMINARY CONSTRUCTION
 AMENDMENT PCA C-083-02
 SPECIAL EXCEPTION
 AMENDMENT SEA 87-A-086-02
 COLLEGE TOWN ASSOCIATES, L.P.

UNIVERSITY MALL

BRADDOCK DISTRICT
 FAIRFAX COUNTY, VIRGINIA



D. B. LOGAN

PROFESSIONAL ENGINEER
 No. 43918
 State of Virginia

MISS UTILITY



PROTECT YOURSELF!
 PROTECT YOURSELF!
 PROTECT YOURSELF!
 811 OR 811
 1-800-882-7001

SHEET TITLE
LANDSCAPE PLAN

SHEET NUMBER
17
 OF 32

THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTIONS AND AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTIONS AND AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTIONS AND AGENCIES.



OX ROAD
RTE. 122 (VARIABLE RIGHT OF WAY)

PROF. BANK W/ DRIVE
THRU LANES AND PROP. FAST FOOD WORVE THRU LANE
BLDG. G (COMPRESSED OF G1 AND G2)
1-STORY
TOTAL AREA: 7,500 SF
BLDG. HEIGHT: 20'
G1=3,000 SF G2=4,500 SF
FFE=451.621 (3) (BANK) 451.621 (3) (FAST FOOD)
USE: SHOPPING CENTER/RETAIL ESTABLISHMENT W/ DRIVE THRU

SITE:
N/E LEWIS AND WHATLEY
10977 BRADDOCK RD.
D/E 0840 PG. 1792
TAX MAP# 068-1 (01) 0009
ZONED: C-6
USE: RETAIL/OFFICE/RESTAURANT
AREA: 19.74 AC.

**INTERIOR PARKING LOT
LANDSCAPING CALCULATIONS**

AREA TO BE COUNTED: 493,299 S.F.
INTERIOR LANDSCAPING REQUIRED (5%): 24,665 S.F.
TOTAL SHADE TREE CANOPY PROVIDED:
112 TREES @ 200 S.F. EACH: 22,400 S.F.
16 TREES @ 150 S.F. EACH: 2,400 S.F.
TOTAL AREA REQUIRED = 24,800 S.F.
TOTAL AREA PROVIDED = 24,800 S.F.
*NOTE: NO MULTIPLIER APPLIED TO ANY INTERIOR
PARKING LOT TREES.

10% TREE CANOPY CALCULATIONS

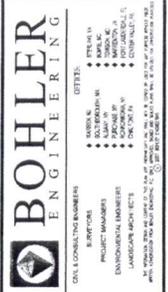
SITE AREA: 1833,936 S.F.
CANOPY REQUIRED (10%): 183,394 S.F.
TOTAL TREE CANOPY PROVIDED:
136 TREES @ 200 S.F. EACH: 27,200 S.F.
39 TREES @ 150 S.F. EACH: 5,850 S.F.
28 TREES @ 100 S.F. EACH: 2,800 S.F.
52 TREES @ 50 S.F. EACH: 2,600 S.F.
*EXISTING CANOPY (FROM C10 ON
SHEET 17A): 46,325 S.F.
TOTAL AREA PROVIDED = 84,775 S.F.
*NOTE: MULTIPLIER TAKEN ONLY FOR THE EXISTING
CANOPY TO REMAIN WITHIN THE SOUTHERN BUFFER

- MAJOR VDOT IMPROVEMENTS**
- 1 PROVIDE 6 LANES FOR BRADDOCK ROAD AND ROUTE 123
 - 2 PROVIDE 2 LEFT TURN LANES INTO GEORGE MASON ON REANOKO RIVER ROAD
 - 3 PROVIDE RIGHT TURN LANE INTO UNIVERSITY MALL ON EAST BOUND BRADDOCK ROAD
 - 4 PROVIDE 2 LEFT TURN LANES AND 1 RIGHT TURN LANE ON NORTHBOUND ROUTE 123 AT BRADDOCK ROAD INTERSECTION
 - 5 CLOSE RIGHT ENTRANCE TO EXISTING GAS STATION ON BRADDOCK ROAD

UNIVERSITY MALL PARKING TABULATIONS (OVERALL)

1. EXISTING	STANDARD SPACES	932
	ADA SPACES	15
	TOTAL SPACES	947
2. PHASE 2		
	STANDARD SPACES	1,040
	ADA SPACES	1,078 (+131 NET)
	TOTAL SPACES	
3. REQUIRED WITH THIS DEVELOPMENT		
	STANDARD SPACES	959
	ADA SPACES	276
	TOTAL SPACES	1,235

STARTING AREA (SF)	DEDICATION AREA (SF)	REMAINING SITE AREA (SF)	OPEN SPACE AREA PROVIDED (SF)	OPEN SPACE REQUIRED (SF)
PHASE 1 (859,878)		859,878	228,402 (26.56%)	128,898
PHASE 2 (859,878)	26,949	832,929	227,730 (27.34%)	125,891



REV.	DATE	DESCRIPTION	BY
1	07/06	REV PER ATTORNEY COMMENTS	RL
2	08/06	REV PER RE-CONSTRUCTION COMMENTS	RL
3	09/09	REV PER S&P COMMENTS	RL
4	02/14	REV PER CLARIFICATION COMMENTS	RL
5	06/19	REV PER CLARIFICATION COMMENTS	RL
6	11/05	REV PER CLARIFICATION COMMENTS	RL
7	11/09	REV PER CLARIFICATION COMMENTS	RL

NOT APPROVED FOR CONSTRUCTION

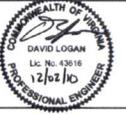
PROJECT NO.: 080714
DRAWN BY: RL
CHECKED BY: RL
DATE: 12/01/10
SCALE: 1/4" = 1'-0"
SHEET NO.: 19 OF 32

**GENERALIZED DEVELOPMENT PLAN
SPECIAL EXCEPTION
AMENDMENT PLAN**

GENERALIZED DEVELOPMENT PLAN NO. 2008-08-016
PROFFER CONSTRUCTION AMENDMENT FOR C-683-02
SPECIAL EXCEPTION AMENDMENT SEA 07-04-080-02
COLLEGE TOWN ASSOCIATES, L.P.

UNIVERSITY MALL

BRADDOCK DISTRICT
FAIRFAX COUNTY, VIRGINIA



D. B. LOGAN

PROFESSIONAL ENGINEER
EXPIRES 12/31/11
1111 N. VA. HWY. #1400-553-7001
PROFFER CONSTRUCTION AMENDMENT FOR C-683-02
SPECIAL EXCEPTION AMENDMENT SEA 07-04-080-02
COLLEGE TOWN ASSOCIATES, L.P.

MISS UTILITY



SHEET TITLE: **PHASE 2 PLAN**

SHEET NUMBER: **19**
OF 32

- NOTES:**
1. ALL PROPOSED PHASE 2 AND PHASE 3 LANDSCAPING PLANTING MEET CURRENT TREE CANOPY REQUIREMENTS AND PERIMETER LANDSCAPE REQUIREMENTS. THE DEVELOPER RESERVES THE RIGHT TO ADD PLANTINGS TO SUPPLEMENT REQUIREMENTS.
 2. THIS INFORMATION IS BASED ON EXHIBITS FROM VDOT'S CONSULTING ENGINEER DATED 10/06/09 SHOWING THE CURRENT PLAN FOR INTERSECTION '91' IMPROVEMENTS.
 3. A SHARED PARKING AGREEMENT OR A PARKING REDUCTION AGREEMENT WILL BE PREPARED AT THE SITE PLAN PHASE IF NECESSARY FOR THE PHASE 2 AND/OR PHASE 3.

PROPOSED 2-STORY BUILDING 'I'
UPPER LEVEL: 8,556 SF OFFICE
LOWER LEVEL: 7,507 SF DAY CARE/OFFICE
TOTAL AREA: 16,063 SF
BLDG HEIGHT: 30'
USE: OFFICE SHOPPING CENTER
FFE= 430.50

VEGETATION TO BE PRESERVED
AND COUNTED TOWARDS
10-YEAR TREE CANOPY

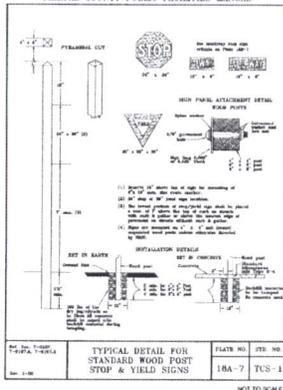
BUILDING 'A'
EXPANSION
(2-STORY BRICK)
PROP. ADDITION UPPER
LEVEL: 11,785 SF
PROP. ADDITION LOWER
LEVEL: 11,785 SF
TOTAL W/ EXPANSION: 23,570 SF
USE: SHOPPING CENTER SERVICE CENTER
FFE=443.50

BUILDING 'I' PROP. 1-STORY
VETERINARY CLINIC
RESTAURANT
TOTAL AREA: 8,084 SF
BLDG HEIGHT: 20' APPROVED
SOUND PROOFING PROVIDED
LEVEL: 11,785 SF
TOTAL W/ EXPANSION: 13,5-BORING FACILITIES PROVIDED
USE: OFFICE: FFE=427.00

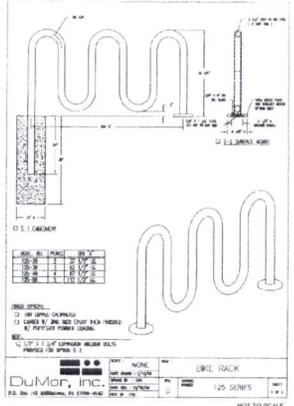


THE DEVELOPER OF THIS PROJECT HAS BEEN ADVISED THAT THE USE OF THIS PLAN FOR ANY OTHER PROJECT OR FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ENGINEER IS STRICTLY PROHIBITED. THE ENGINEER ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY TO PERSONS OR PROPERTY ARISING FROM THE USE OF THIS PLAN FOR ANY OTHER PROJECT OR FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.

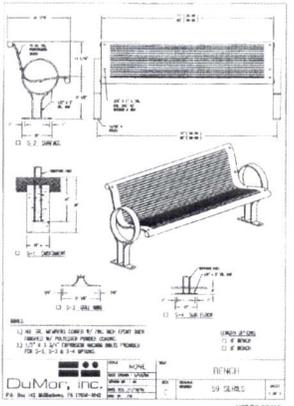
FAIRFAX COUNTY PUBLIC FACILITIES MANUAL



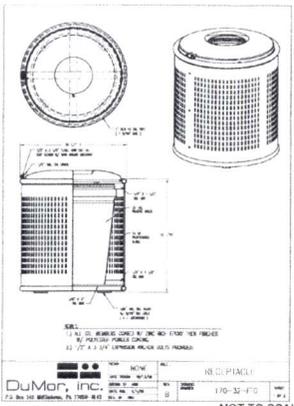
TYPICAL DETAIL FOR STANDARD WOOD POST STOP & YIELD SIGNS
 DRAWING NO. 18A-7
 SHEET NO. TUS-1
 NOT TO SCALE



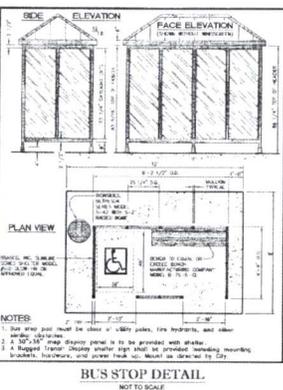
BIKE RACK
 DRAWING NO. 123 SERIES
 SHEET NO. 1
 NOT TO SCALE



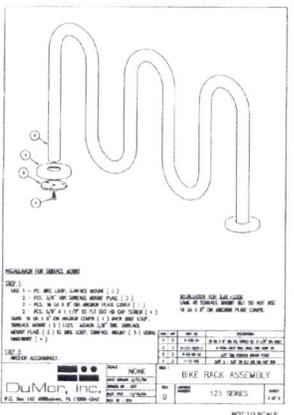
BENCH ASSEMBLY
 DRAWING NO. 59 SERIES
 SHEET NO. 1
 NOT TO SCALE



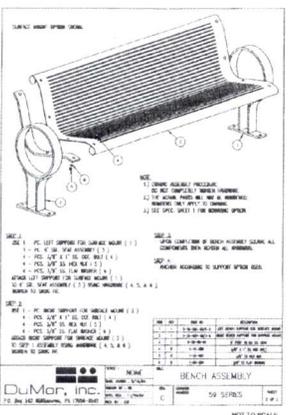
RECEPTACLE ASSEMBLY
 DRAWING NO. 170-39-F10
 SHEET NO. 1
 NOT TO SCALE



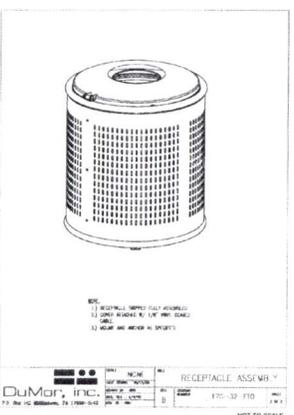
BUS STOP DETAIL
 NOT TO SCALE



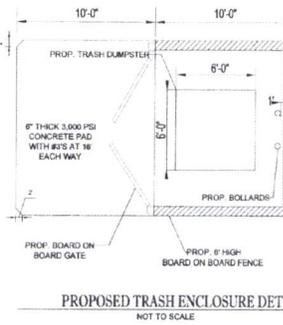
BIKE RACK ASSEMBLY
 DRAWING NO. 123 SERIES
 SHEET NO. 1
 NOT TO SCALE



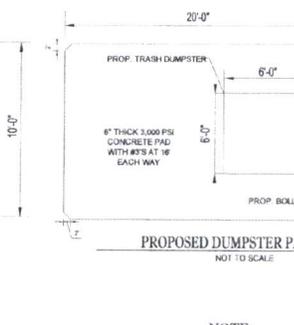
BENCH ASSEMBLY
 DRAWING NO. 59 SERIES
 SHEET NO. 1
 NOT TO SCALE



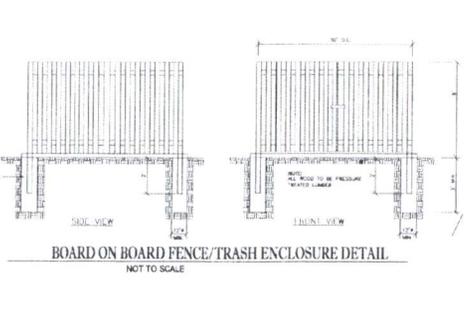
RECEPTACLE ASSEMBLY
 DRAWING NO. 170-39-F10
 SHEET NO. 1
 NOT TO SCALE



PROPOSED TRASH ENCLOSURE DETAIL
 NOT TO SCALE



PROPOSED DUMPSTER PAD
 NOT TO SCALE

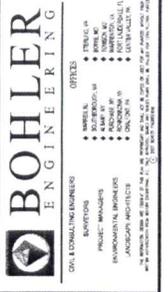


BOARD ON BOARD FENCE/TRASH ENCLOSURE DETAIL
 NOT TO SCALE



THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN ALL OF THE NECESSARY AND APPROPRIATE PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND AGENCIES IS THE CONTRACTOR'S RESPONSIBILITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND AGENCIES.

NOTE: ARCHITECTURAL REFERENCES AND MATERIAL SPECIFICATIONS PROVIDED UNDER SEPARATE COVER



REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	08/10	ISSUE FOR PERMITS	DL
2	08/10	REVISED FOR PERMITS	DL
3	08/10	REVISED FOR PERMITS	DL
4	08/10	REVISED FOR PERMITS	DL
5	08/10	REVISED FOR PERMITS	DL
6	08/10	REVISED FOR PERMITS	DL
7	08/10	REVISED FOR PERMITS	DL

NOT APPROVED FOR CONSTRUCTION

PROJECT NO.	2009-015
DRAWN BY	DL
CHECKED BY	DL
DATE	08/10/10
SCALE	AS SHOWN
CAD FILE	18A-7

GENERALIZED DEVELOPMENT PLAN
 SPECIAL EXCEPTION
 AMENMENT PLAN
 FOR
 GENERALIZED DEVELOPMENT
 PLAN RZ 2009 015
 PROFFER CONSTRUCTION
 AMENMENT PLAN L-083-02
 SPECIAL EXCEPTION
 AMENMENT PLAN R-083-02
 COLLEGE TOWN
 ASSOCIATES, LP

UNIVERSITY MALL
 BRADDOCK DISTRICT
 FAIRFAX COUNTY, VIRGINIA



D. B. LOGAN
 PROFESSIONAL ENGINEER
 LICENSE NO. 43618
 STATE OF VIRGINIA

SHEET TITLE
 SITE DETAILS

SHEET NUMBER
 21
 OF 32



OX ROAD
RTE. 124 (PAVED RIGHT OF WAY)
POSTED SPEED 15 MPH
(ADDT. 2000, 1700, 2000)

NORTH SIDE
STADIUM
LANDSCAPE ARCHITECTS
P. 2000
HUMES

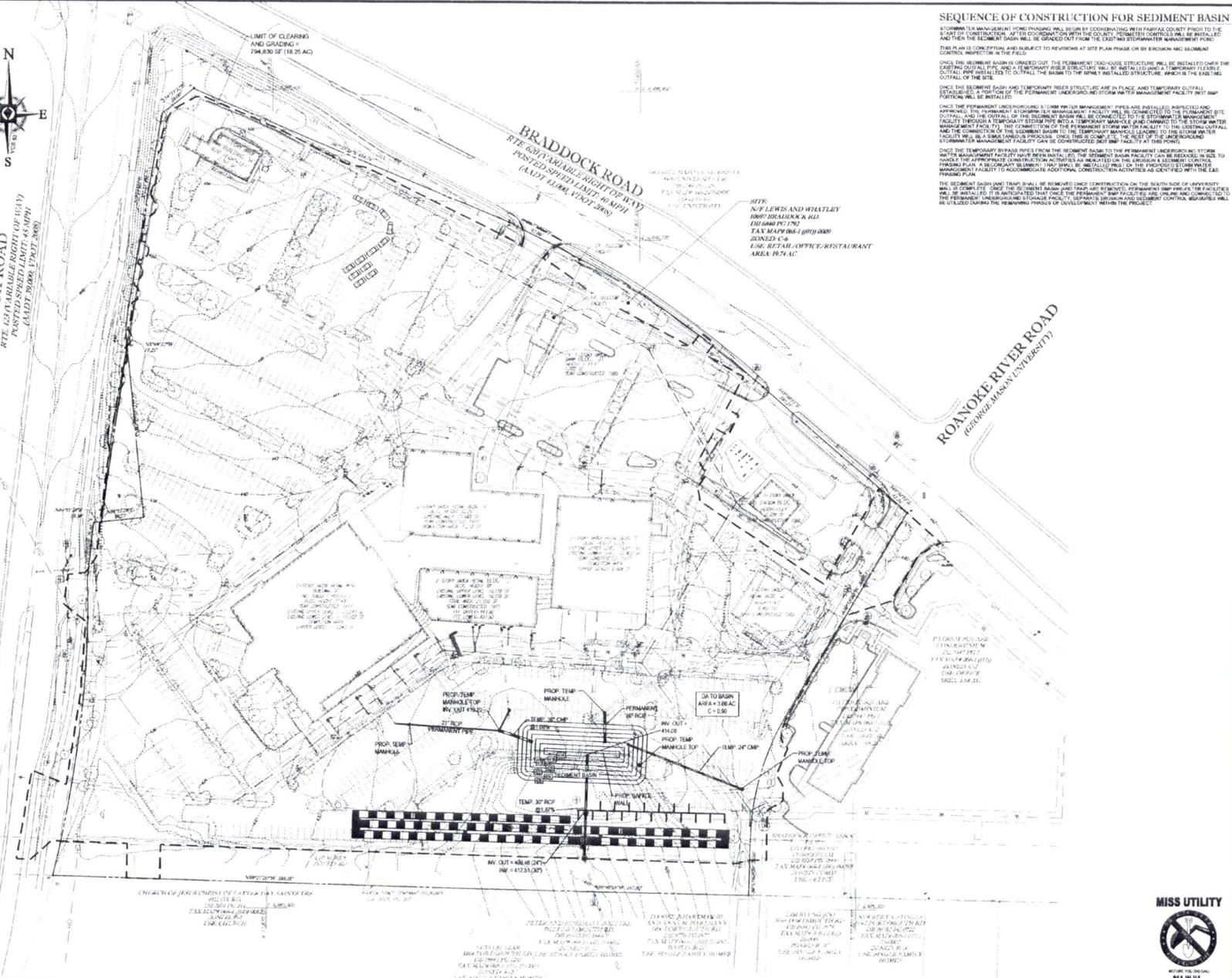
ROBERT J. LEWIS JR.
JOHN T. WHITTLE, JR.
DORIS FICKNER
TAYLOR WARD, III
JANET CA.
L.S. PARKING LOT
AREA 10-11

SANTO DOMINGO
INTERIOR CONTRACTOR
PROJECT NO. 02
1300 W. 10TH ST.
SUITE 101
DENVER, CO 80202

CHURCH OF CHRIST OF LEXINGTON SAINTERS
1001 N. 10TH ST.
TAYLOR WARD, III
L.S. CHURCH

PETER J. COOPER
1001 N. 10TH ST.
TAYLOR WARD, III
L.S. CHURCH

JOHN J. LEWIS JR.
1001 N. 10TH ST.
TAYLOR WARD, III
L.S. CHURCH



SEQUENCE OF CONSTRUCTION FOR SEDIMENT BASIN

- 1. STORMWATER MANAGEMENT FROM PHASING WILL BEGIN BY COORDINATING WITH FAIRFAX COUNTY PRIOR TO THE START OF CONSTRUCTION. AFTER COORDINATION WITH THE COUNTY, PERMITS CONTROL'S WILL BE INSTALLED AND THEN THE SEDIMENT BASIN WILL BE GRADED OUT FROM THE EXISTING STORMWATER MANAGEMENT FORD.
- 2. THIS PLAN IS CONSTRUCTION AND SUBJECT TO REVISIONS AT SITE PLAN PHASE OR BY EROSION AND SEDIMENT CONTROL INSPECTOR IN THE FIELD.
- 3. ONCE THE SEDIMENT BASIN IS GRADED OUT, THE PERMANENT 3000-GAL STRUCTURE WILL BE INSTALLED OVER THE EXISTING OUTFALL PIPE, AND A TEMPORARY PIPE STRUCTURE WILL BE INSTALLED OVER IT THROUGH EXISTING OUTFALL PIPE TO OUTFALL THE BASIN TO THE EXISTING STORMWATER MANAGEMENT FACILITY.
- 4. ONCE THE PERMANENT UNDERGROUND STORMWATER MANAGEMENT PIPES ARE INSTALLED, INSPECTED AND APPROVED, THE PERMANENT UNDERGROUND FACILITY WILL BE CONNECTED TO THE EXISTING STORMWATER MANAGEMENT FACILITY. THE DETAIL OF THE PERMANENT UNDERGROUND FACILITY TO THE EXISTING OUTFALL AND THE CONNECTION OF THE SEDIMENT BASIN TO THE TEMPORARY MANHOLE LEADING TO THE EXISTING STORMWATER MANAGEMENT FACILITY WILL BE A BIDDING PROCESS. ONCE THIS IS COMPLETE, THE REST OF THE UNDERGROUND STORMWATER MANAGEMENT FACILITY CAN BE CONSTRUCTED PER THIS PLAN AT THE POINT.
- 5. ONCE THE TEMPORARY BYPASS PIPES FROM THE SEDIMENT BASIN TO THE PERMANENT UNDERGROUND STORMWATER MANAGEMENT FACILITY HAVE BEEN INSTALLED, THE SEDIMENT BASIN FACILITY CAN BE REGRADED TO BE TO THE APPROVED CONSTRUCTION. THE APPROVED CONSTRUCTION SHALL BE THE SEDIMENT BASIN CONTROL FACILITY. THE PERMANENT UNDERGROUND STORMWATER FACILITY, SEPARATE EROSION AND SEDIMENT CONTROL MEASURES WILL BE INSTALLED DURING THE REMAINING PHASES OF DEVELOPMENT WITHIN THE PROJECT.

SITE:
N. F. LEWIS AND WHATLEY
1007 BRADDOCK AVE.
DU 0400 P1 170
TAX MAP 100-1 (01) 000
ZONED C-6
USE: RETAIL OFFICE/RESTAURANT
AREA 10-11

ROANOKE RIVER ROAD
(ROANOKE COMMONS UNIVERSITY)

BOHLER ENGINEERING

PROJECT NO. 02
PROJECT NAME: 12/01/10
PROJECT NUMBER: 12/01/10
PROJECT LOCATION: 12/01/10
PROJECT DATE: 12/01/10

REV.	DATE	REVISIONS	BY
1	12/01/10	REV. PER ATTORNEY COMMENTS	DL
2	12/01/10	REV. PER ARCHITECT COMMENTS	DL
3	12/01/10	REV. PER LSI COMMENTS	DL
4	12/01/10	REV. PER ARCHITECT COMMENTS	DL
5	12/01/10	REV. PER COUNTY COMMENTS	DL
6	12/01/10	REV. PER COUNTY COMMENTS	DL
7	12/01/10	REV. PER COUNTY COMMENTS	DL

NOT APPROVED FOR CONSTRUCTION

PROJECT NO. 02
CHECKED BY: DL
DATE: 12/01/10
SCALE: 1" = 40'
SHEET: 23 OF 27

GENERALIZED DEVELOPMENT PLAN
SPECIAL EXCEPTION
AMENDMENT PLAT

FOR GENERALIZED DEVELOPMENT
PLAN PC 2008-BR-015
PROPOSED CONSTRUCTION
AMENDMENT PCA-C-063-02
SPECIAL EXCEPTION
AMENDMENT SEA-87-4086-02
COLLEGE TOWN ASSOCIATES, L.P.

UNIVERSITY MALL

BRADDOCK DISTRICT
FAIRFAX COUNTY, VIRGINIA

DAVID LOGAN
Lic. No. 43518
12/01/10
PROFESSIONAL ENGINEER

D. B. LOGAN

PROFESSIONAL ENGINEER
1001 N. 10TH ST.
SUITE 101
DENVER, CO 80202

MISS UTILITY

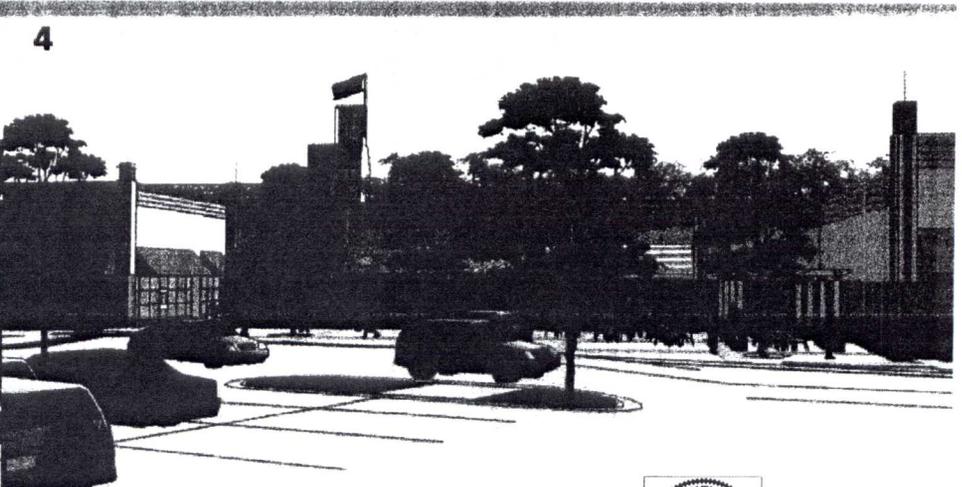
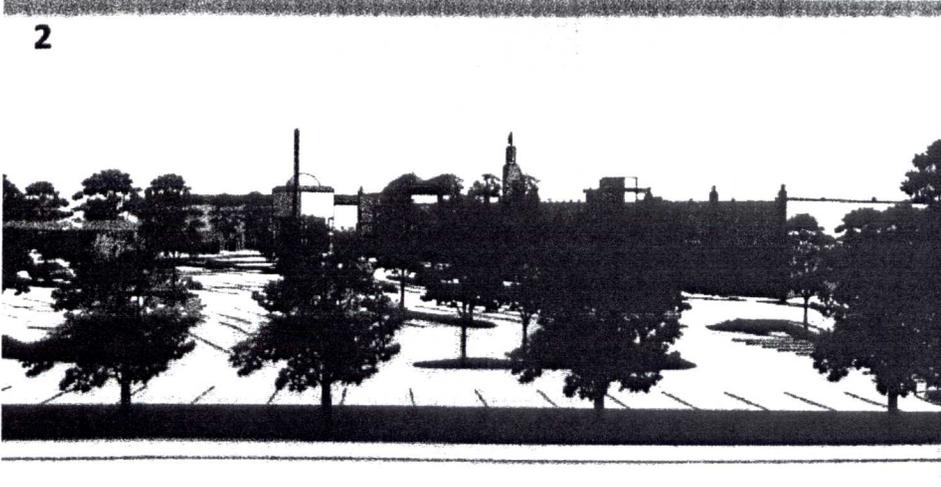
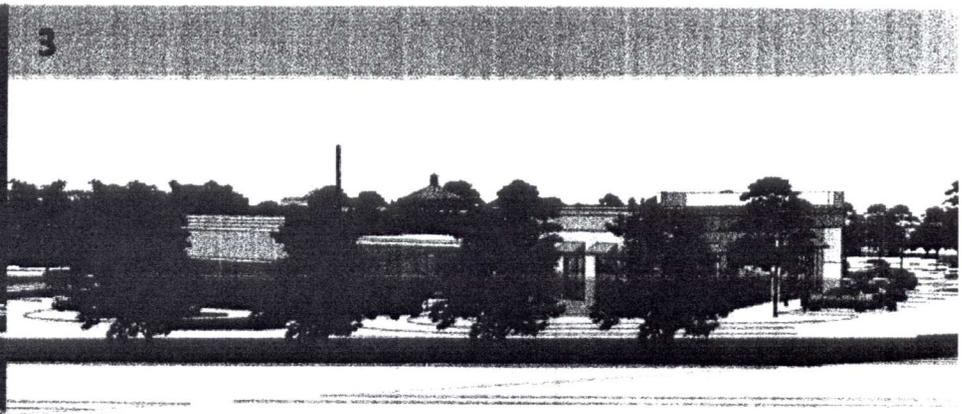
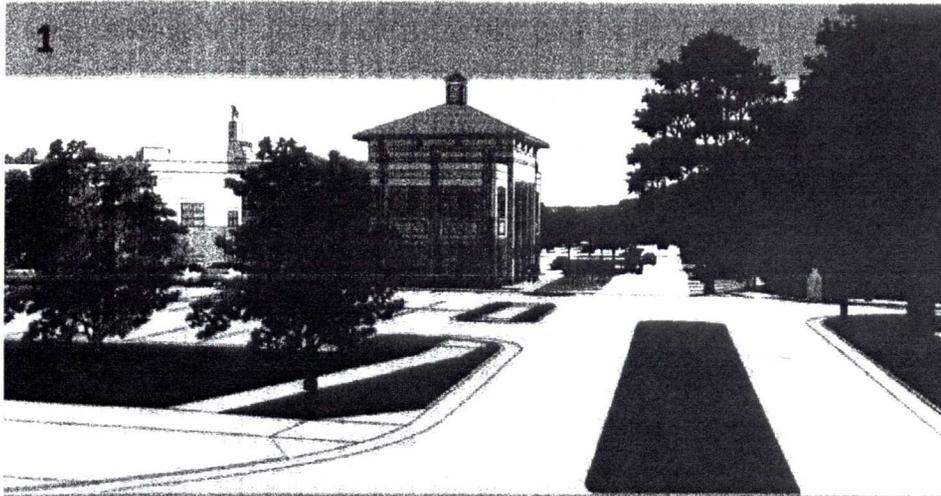
PROJECT LOCATION: 811 IN VA
OR 1-800-552-7001

PROJECT TOUGHEN UP
TWO PREPARING DAYS NOTICE
BEFORE ANY WORK BEGINS
IF YOU ARE A CONTRACTOR, YOU MUST
CALL 811 AT LEAST 48 HOURS BEFORE
ANY EXCAVATION OR OTHER WORK
IS TO BE PERFORMED.

SHEET TITLE:
EROSION & SEDIMENT CONTROL PLAN

SHEET NUMBER:
23
OF 27





COLLEGE TOWN ASSOCIATES LP SAMAHA

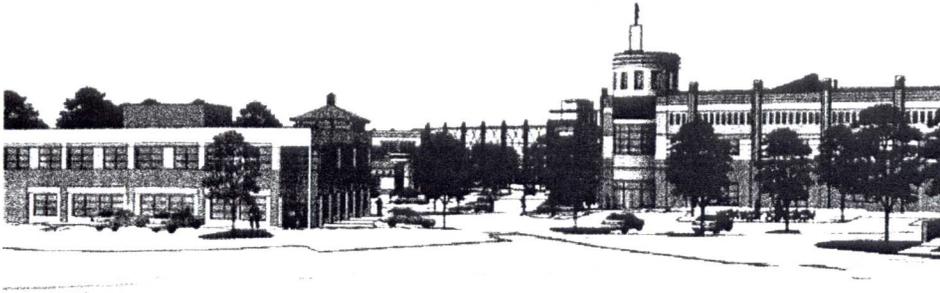
FOR INFORMATIONAL PURPOSES ONLY

OCTOBER 15, 2010 PAGE 2

25 OF 32



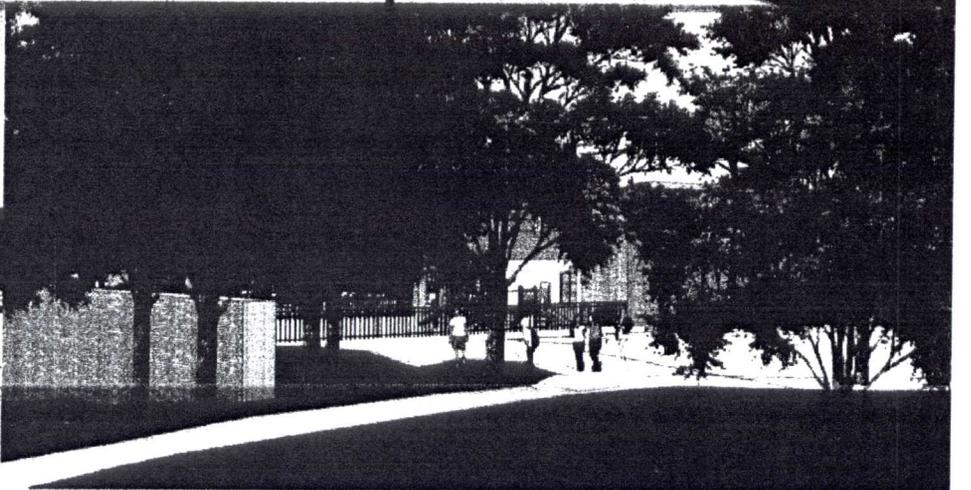
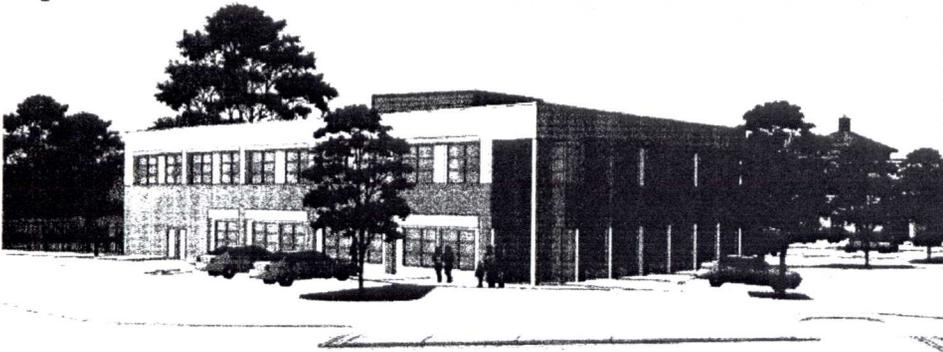
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COLLEGE TOWN ASSOCIATES LP  SAMAHA

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OCTOBER 15, 2010 PAGE 3

26 OF 32



I HEREBY CERTIFY THE SEALS ARE PART OF THE PLANS SET ONLY.



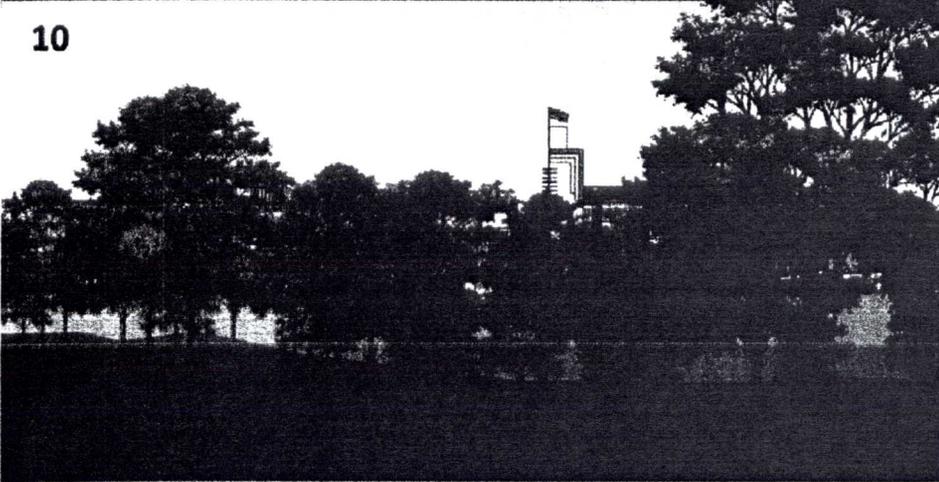
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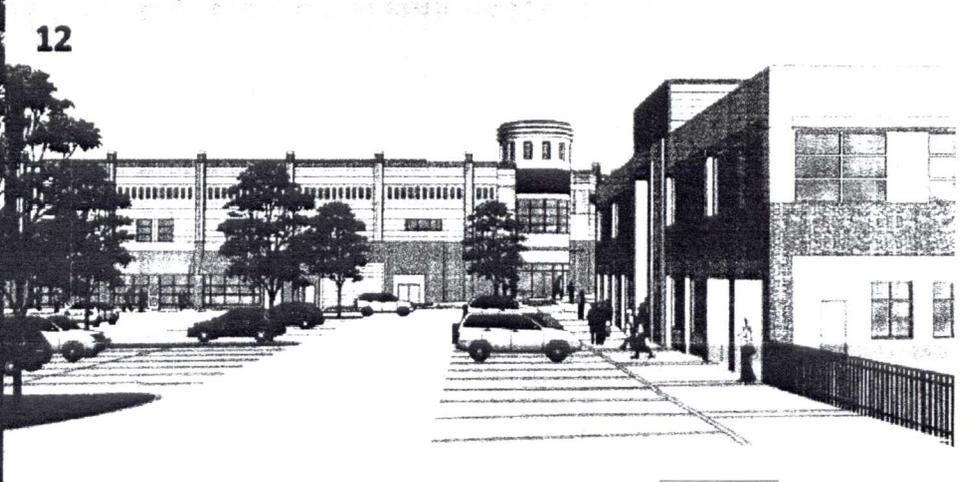
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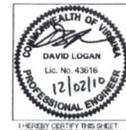


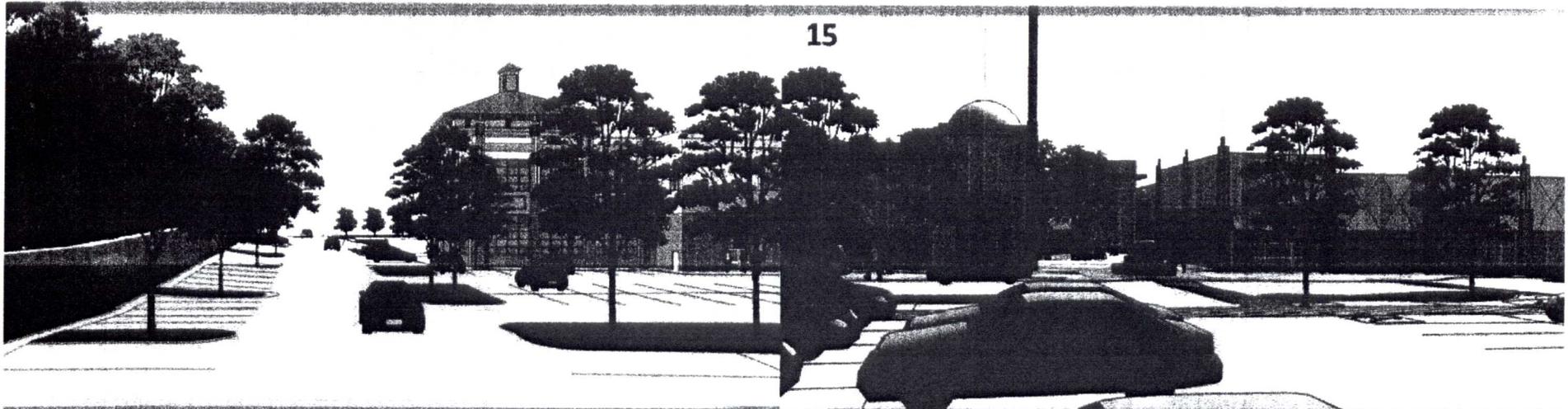
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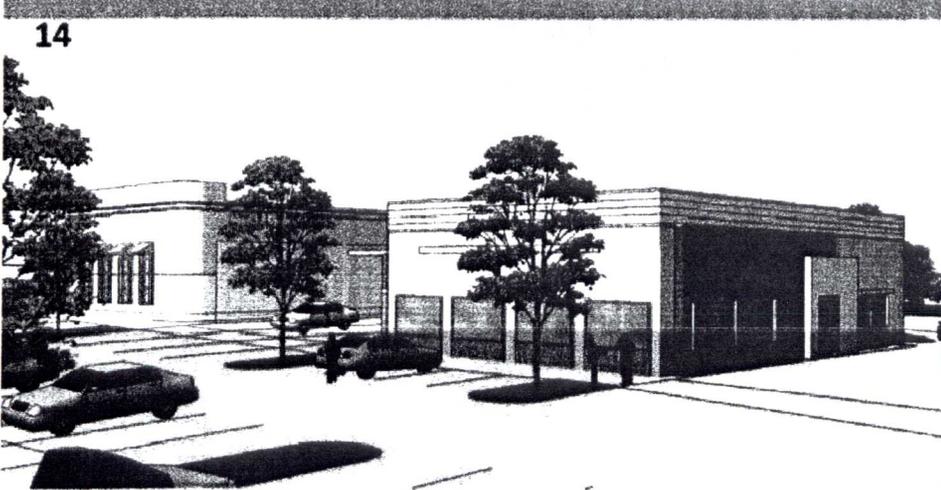
OCTOBER 15, 2010 PAGE 4

27 OF 32

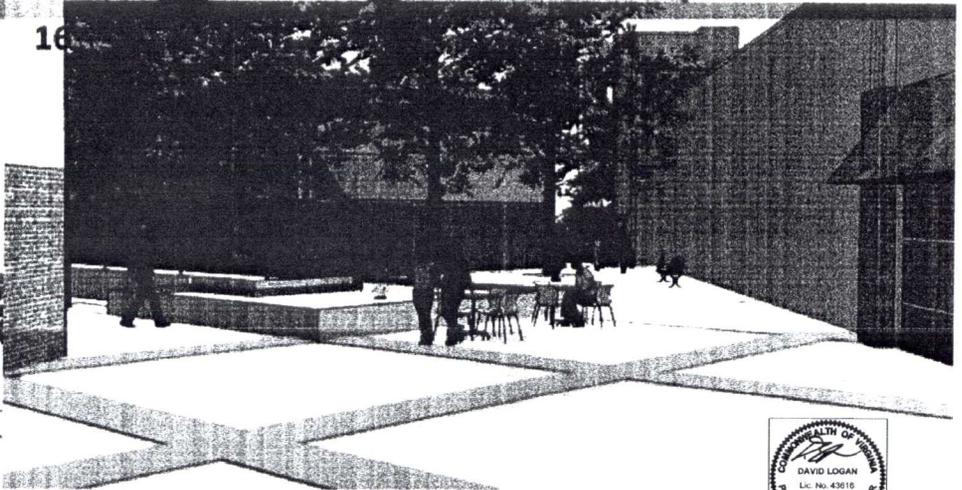




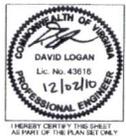
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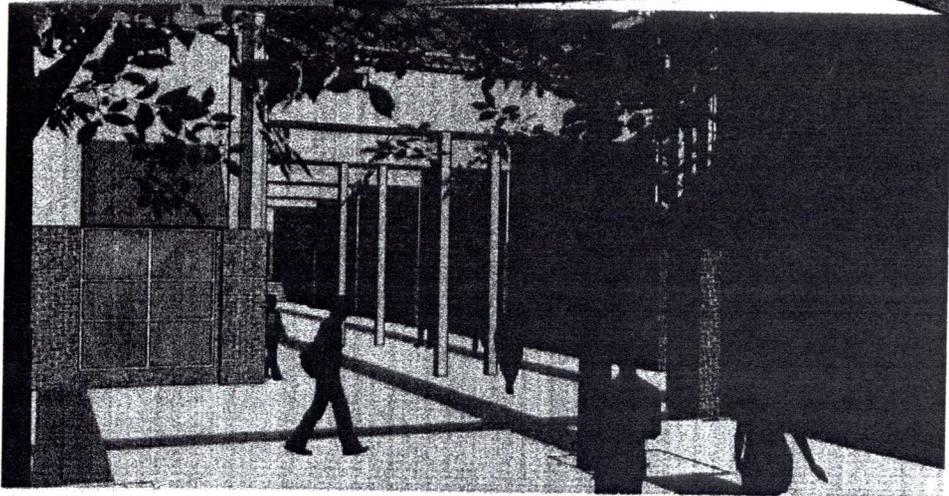
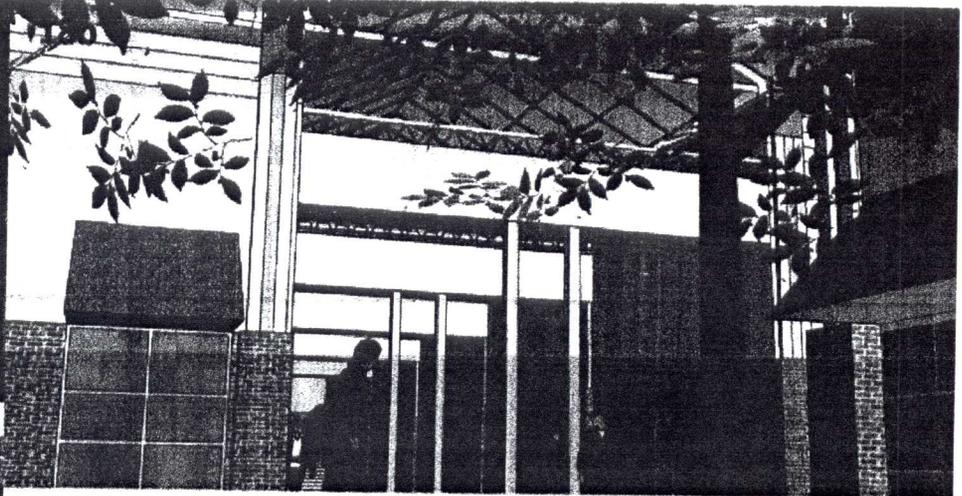
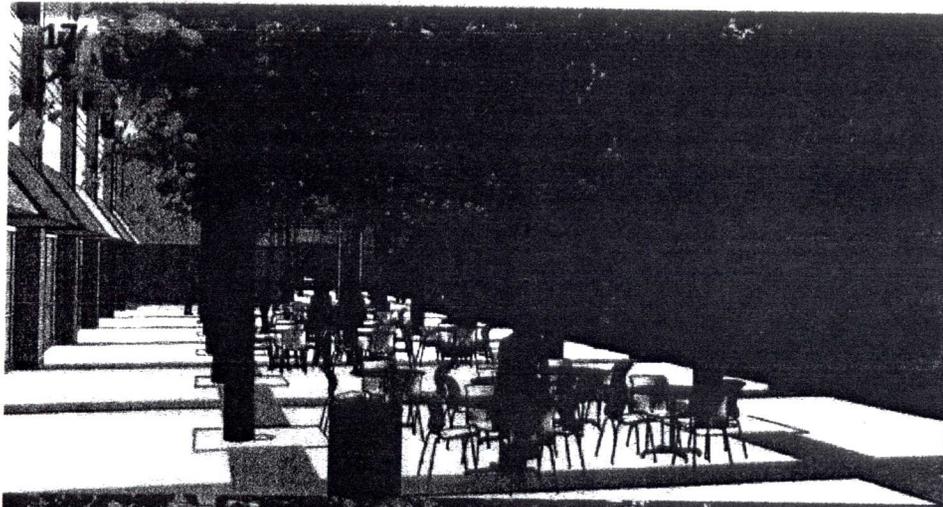


COLLEGE TOWN ASSOCIATES LP SAMAHA

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OCTOBER 15, 2010 PAGE 5

28 OF 32

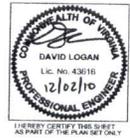


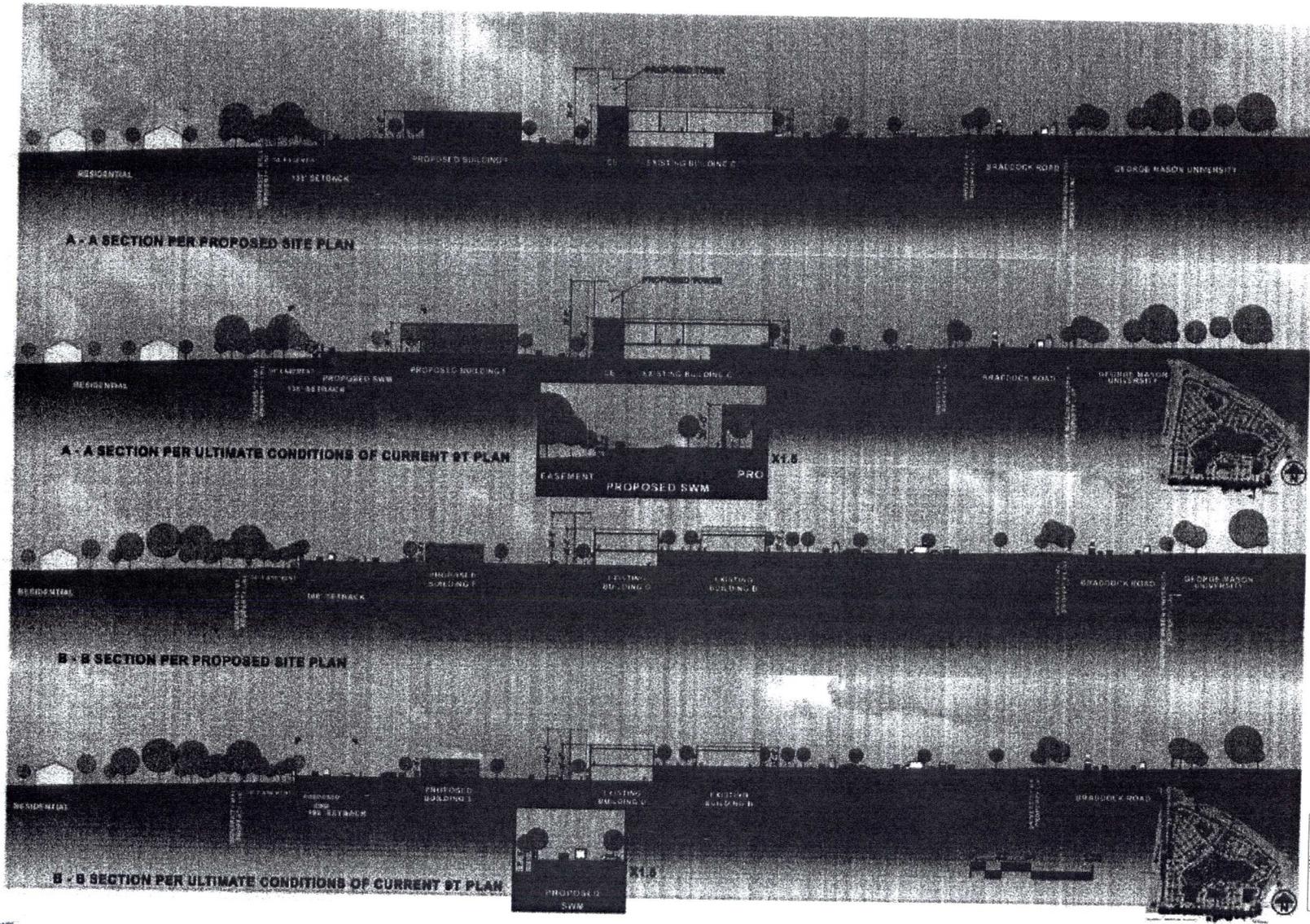
COLLEGE TOWN ASSOCIATES LP SAMAHA

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OCTOBER 15, 2018 PAGE 6

29 OF 32





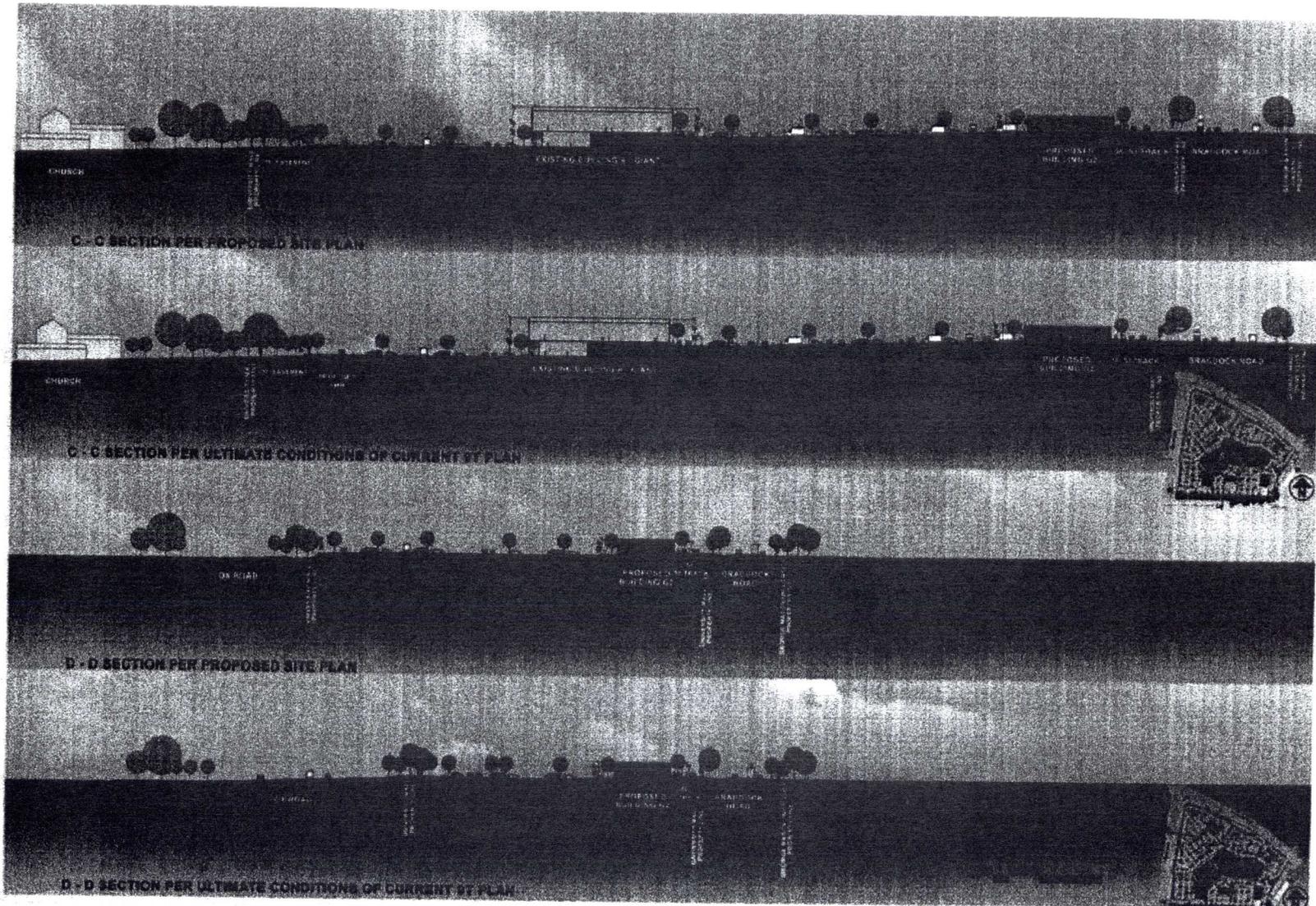
SITE SECTIONS

COLLEGE TOWN ASSOCIATES LP SAMAHA

FOR INFORMATIONAL PURPOSES ONLY

OCTOBER 15, 2010 PAGE 7

30 OF 32

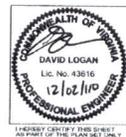
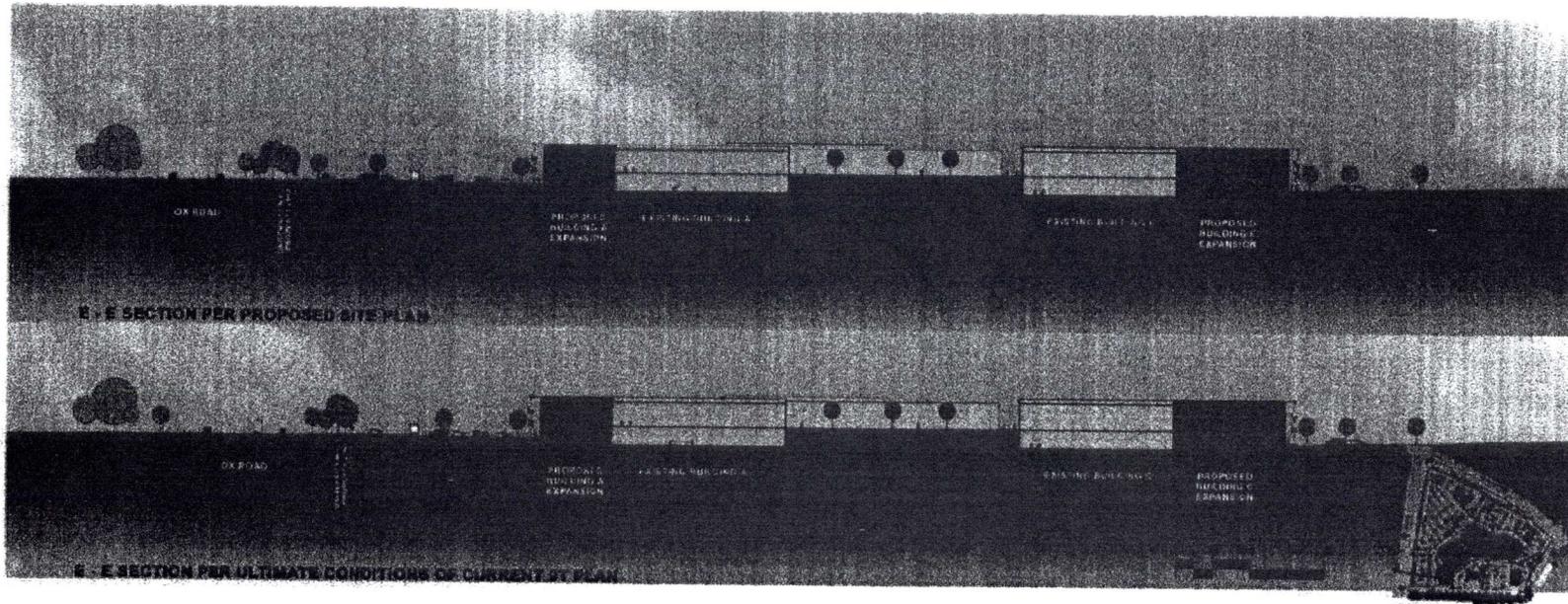


SITE SECTIONS

COLLEGE TOWN ASSOCIATES LP **SAMAHA**

FOR INFORMATIONAL PURPOSES ONLY

OCTOBER 15, 2010 PAGE 8
31 OF 32



SITE SECTIONS

COLLEGE TOWN ASSOCIATES LP SAMAHA

FOR INFORMATIONAL PURPOSES ONLY

OCTOBER 15, 2010 PAGE 9

32 OF 32

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

DESCRIPTION OF THE APPLICATIONS

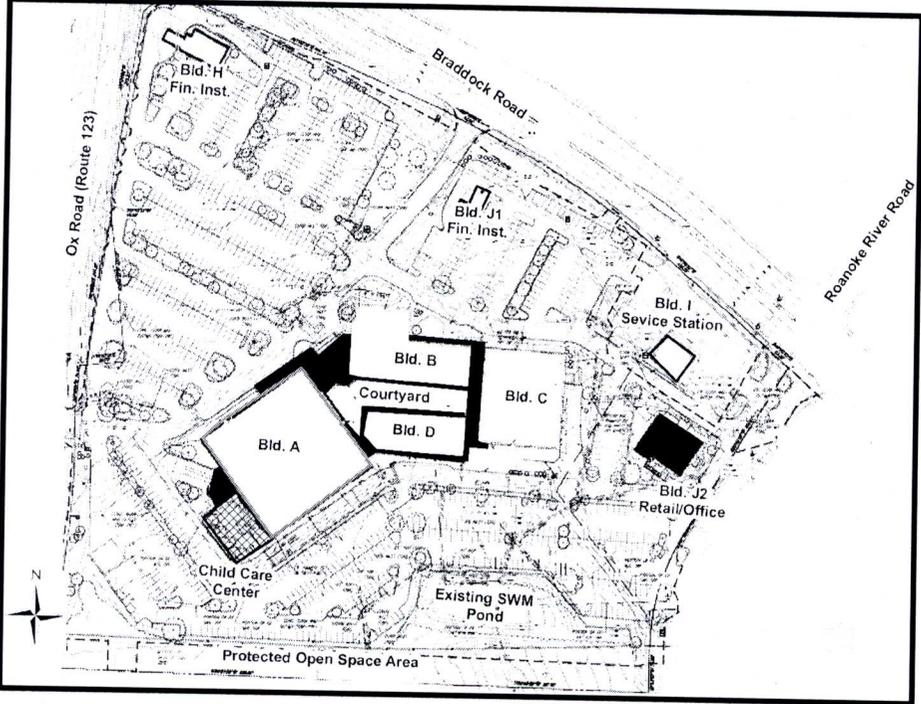
The applicant, College Town Associates, L.P., has submitted three applications (**PCA C-83-2, SEA 87-A-086-2, and RZ 2009-BR-015**) on Tax Map Parcels 68-1((1)) 9 and 68-1((1)) 9A) to renovate the University Mall Shopping Center located in the southeast quadrant of the intersection of Ox Road (Route 123) and Braddock Road, immediately south of the George Mason University (GMU) campus. The proposed renovation includes an expansion of the existing main shopping center buildings; renovation of the courtyard and facades; demolition of an existing freestanding retail/ office building; addition of three new freestanding buildings and the continuation of the child care center; service station; and drive-in financial institutions previously approved as individual special exceptions. In total, the applicant proposes approximately 80,065 square feet of new construction, which would increase the existing gross square footage of the shopping center from 138,454 (a 0.16 floor area ratio (FAR)) to 206,338 (a 0.24 FAR). These applications are more specifically described in the following sections.

PCA C-83-02

The applicant seeks approval of a Proffered Condition Amendment (PCA) application on Tax Map 68-1((1)) 9, to amend the proffers for RZ C-83 and PCA C-83, previously approved for commercial development, to permit modifications to the approved proffers and the General Development Plan (GDP) associated with the University Mall Shopping Center. University Mall is currently developed as a large L-shaped shopping center with 138,454 square feet (0.16 FAR), which is comprised of four main buildings connected by a central courtyard and four existing freestanding buildings. The existing freestanding buildings include a retail/office building; two freestanding drive-in financial institutions; and a service station/ mini-mart. The applicant proposes to expand the existing main shopping center buildings; renovate the courtyard and facades; demolish the existing freestanding retail/ office building; and construct three additional freestanding buildings (Buildings E, F and G listed below in Graphic 1 and Chart 1). Graphic 1 identifies the location of the existing and proposed buildings as depicted on Sheet 7 of the GDP/ SEA Plat. Chart 1 summarizes the proposal by building and compares the square footage of existing buildings with the proposed renovation, which includes demolition and expansion shown on Sheets 6 and 7 of the proposed GDP/ SEA Plat.

Graphic 1: Existing Conditions and Proposed Changes to Shopping Center

Existing Shopping Center



Proposed Changes to Shopping Center

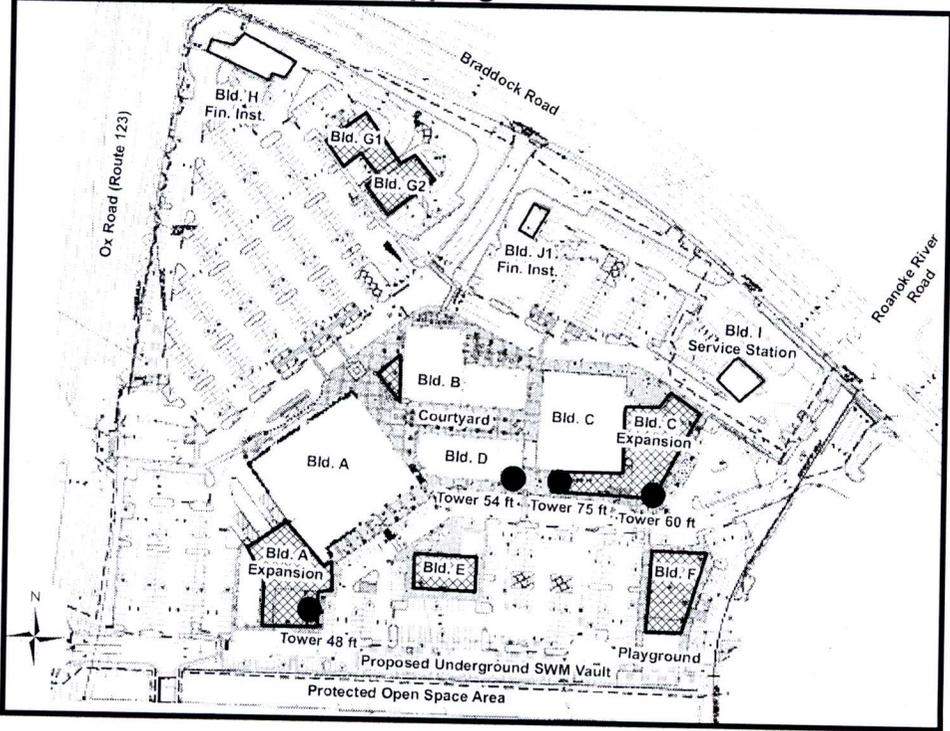


Chart 1: Existing Conditions and Proposed Changes

Buildings	Condition	General Use	Proposal	Existing GSF	Proposed Demolition GSF	Proposed Expansion GSF	Proposed Overall GSF
A	Existing	Main Shopping Center	Expansion/ Renovation w/ minor Demolition	50,542	-1,543	23,531	72,530
B	Existing	Main Shopping Center	Expansion/ Renovation w/ minor Demolition	21,665	-1,312	2,033	22,386
C	Existing	Main Shopping Center	Expansion/ Renovation w/ minor Demolition	31,913	-2,869	26,354	55,398
D	Existing	Main Shopping Center	Expansion/ Renovation w/ minor Demolition	21,556	0	0	21,556
E	Proposed	Retail/ Veterinary Clinic/ Restaurant	New Construction	0	0	5,084	5,084
F	Proposed	Office/ Child Care Center	New Construction	0	0	16,063	16,063
G	Proposed	G1 Fast Food Restaurant and G2 Financial Institution	New Construction	0	0	7,000	7,000
H	Existing	Financial Institution	No Change*	2,791	0	0	2,791
I	Existing	Service Station	No Change	2,328	0	0	2,328
J1	Existing	Financial Institution	No Change	1,202	0	0	1,202
J2	Existing	Retail/ Office	Demolition	6,457	-6,457	0	0
Total				138,454	-12,181	80,065	206,338

*Building H would be demolished in the future with the construction of the future Ox Road/Braddock Road interchange shown on Sheet 20 of the GDP/ SEA Plat

In addition, the applicant proposes to reserve and dedicate right-of-way for transportation improvements associated with Fairfax County Department of

Transportation's (FCDOT) Option 9T, for the future Ox Road/Braddock Road interchange, which is planned to occur in three phases (see the Analysis Section of this Staff Report). The construction of the interchange would require the demolition of the drive-in financial institution (Building H). Other modifications to the existing center include a proposal to replace the existing above ground stormwater management (SWM) pond located along the southern boundary with an underground detention basin. Surface parking would be provided above this facility.

Copies of the draft proffers, affidavit, and statement of justification for PCA C-83-02 are contained in Appendices 1, 3 and 6, respectively.

SEA 80-A-086-02

Several uses on the subject property were approved as individual special exceptions in the C-6 District, including a child care center with a maximum of 150 children (Building A); two drive-in financial institutions (Buildings H and J1); and a service station/ mini-mart (Building I). The applicant seeks approval of an SEA application to consolidate all of these previously approved special exceptions on the site into one application (**SEA 80-A-086-02**). The proposal seeks to amend SE 87-A-086 previously approved for a child care center with 150 children to modify and relocate the child care center into a new freestanding building (Building F). In addition, the applicant proposes to

- 1) add a fast food restaurant with a drive-in and a drive-in financial institution in a new freestanding building (Building G),
- 2) retain the existing service station/ mini-mart (Building I), and
- 3) increase the allowable height in a C-6 district from 40 feet to allow four building accent towers (a 46 foot tower on Building A, 60 and 75 foot towers on Building C and a 54 foot tower on Building D as well as a 42 foot building height for a portion of Building C).

Graphic 1 (above) shows the locations of the proposed accent towers as well as the existing buildings and proposed new freestanding buildings on the site.

Copies of the draft development conditions, affidavit, and statement of justification for SEA 80-A-086-02 are contained in Appendices 2, 4 and 6, respectively. The proposed development conditions would supersede all previously approved conditions on the site and would carry forward several conditions from the previous approvals. See the Background section and Appendix 2 for additional details about the previous approvals.

RZ 2009-BR-015

The applicant seeks to rezone 0.16 acres located adjacent to Ox Road (Rt. 123) on Tax Map 68-1((1)) 9A, from the R-1 District to the C-6 District to allow the land to develop consistently with the existing shopping center (zoned C-6) to permit commercial development associated with PCA C-083-02, with an overall FAR of 0.24. This land area would primarily serve as parking for the shopping center.

Copies of the draft proffers, affidavit, and statement of justification for RZ 2009-BR-015 are contained in Appendices 1, 5 and 6, respectively.

Waivers and Modifications:

Modification of the peripheral parking lot landscaping requirements (which require a ten foot minimum distance along the frontage of the northern and western property lines and off-street parking) in favor of the landscaping shown on the GDP/ SEA Plat.

Modification of the lot area, lot width and open space requirements for the property zoned R-1 (associated RZ 2009-BR-015). This lot would be consolidated into the existing shopping center site.

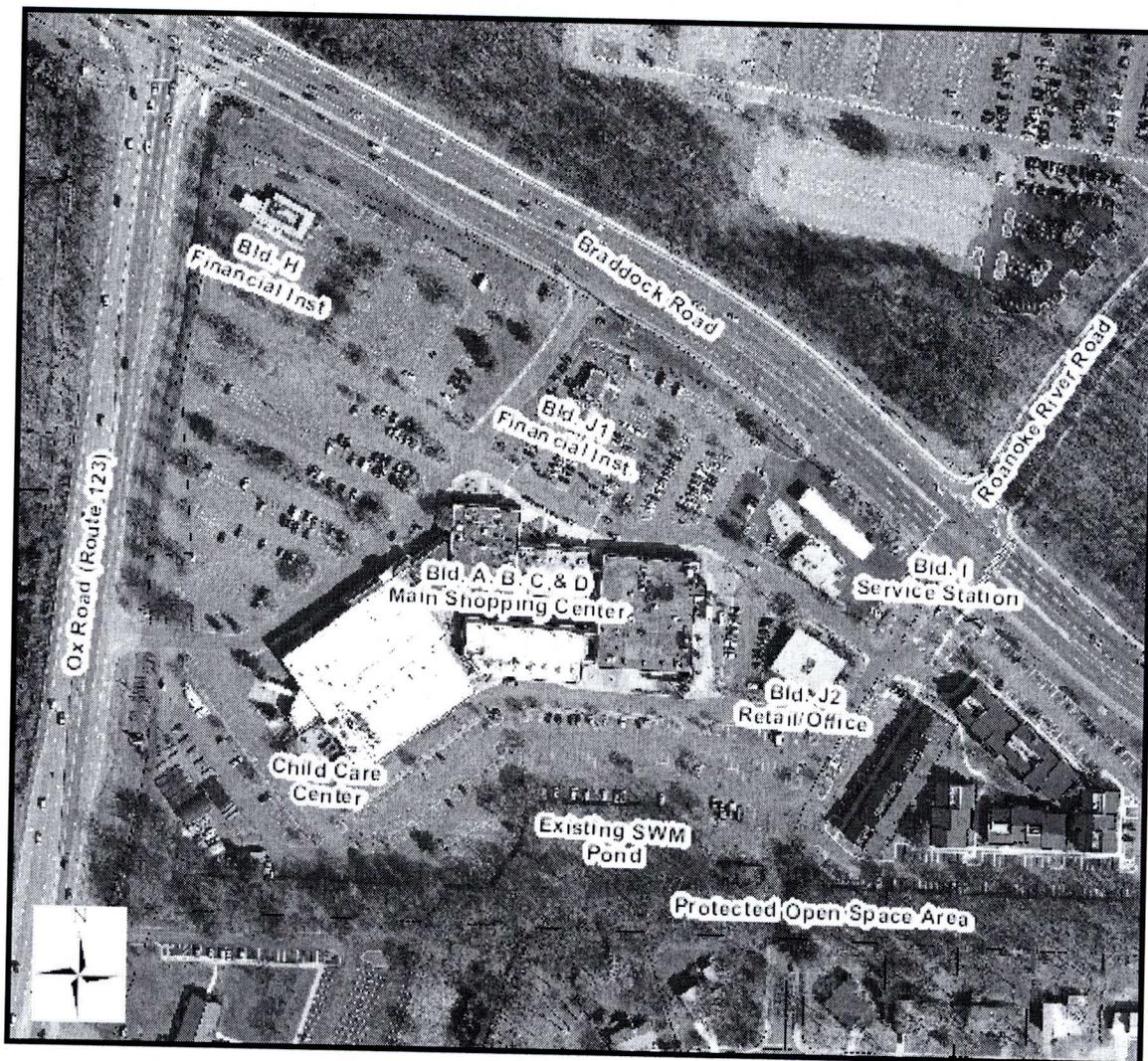
Modification of the transitional screening and buffer requirements along the western and southern property lines in favor the landscaping shown on the GDP/ SEA Plat.

LOCATION AND CHARACTER

Site Description:

The subject property is located at the southeast corner of the intersection of Ox Road and Braddock Road on Tax Map Parcels 68-1((1)) 9 and 68-1((1)) 9A immediately south of George Mason University. The site is currently developed as a shopping center with 138,454 gross square feet in eight buildings; four buildings grouped together in the center of the site comprise the main shopping center area and four existing freestanding buildings (including a service station/ mini-mart) surround the main shopping center building. The general location of these buildings is shown in the aerial in Graphic 2 below.

Graphic 2: Locator map



Four access points are provided to the site: three from Braddock Road and one from Ox Road. Surface parking is provided around the entire perimeter of the site. Good quality vegetation exists in several locations on the site, including areas located along Braddock Road and Ox Road and the southern boundary line, within a 50 foot wide buffer that consists of 1.10 acres zoned R-1 and referenced in an Open Space Covenant (DB 3724, PG 502).

Chart 2: Surrounding Area Description

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Institutional – George Mason	R-1	Public Facilities
South	Institutional and Single Family Detached	R-2	Residential @ 1 to 2 du/ac & Church use
East	Office Townhouses	C-2	Retail and Other
West	Institutional and Single Family Detached and Church	R-2	Residential @ 1 to 2 du/ac & Church use

BACKGROUND

Rezoning Case History

On October 28, 1972, the Board of Supervisors approved RZ C-83 to rezone approximately 27.99 acres from the RE-1 District (now R-1) to the C-D District (now C-6); C-OL (now C-2); and the RE-1 (now R-1) Districts. The C-6, C-2 and R-1 Districts were granted for 19.44 acres; 5.14 acres; and 3.5 acres, respectively. The C-6 portion was approved for 123,803 gross square feet at a 0.15 FAR and the C-2 portion was approved for 111,949 gross square feet at a 0.50 FAR (which is not included in the pending applications).

On May 24, 1982, the Board of Supervisors approved SE 82-A-019, to amend S-51-76, previously approved for a service station and quick service food store, located on the northeast corner of Tax Map 68-1((1)) 9, to allow exterior and interior modifications to the service station that included construction of a small (160 square foot) area within the building to be used as a quick service food store, as well as to permit relocation of the pump island and construction of a canopy. The development conditions were superseded by conditions associated with SEA 82-A-019, which is being amended as part of this application package.

On September 27, 1982, the Board of Supervisors denied SE 82-A-052, which was a request for a fast food restaurant located to the west of the shopping center's western access point from Braddock Road on Tax Map 68-1((1)) 9. On November 1, 1982, the applicant withdrew SE 82-A-056, which requested permission to operate a drive-in bank.

On June 6, 1983, the Board of Supervisors approved SEA 82-A-019, to amend SE 82-A-019 to add a third pump island to the previously approved service station and quick service food store. The development conditions were superseded by conditions associated with SEA 82-A-019-2.

On December 10, 1984, the Board of Supervisors approved SEA 82-A-019-2 to amend SEA 82-A-019, to permit the replacement of the old service station facility with a newer building and to add another pump island (resulting in a total of four islands) under the canopy and to increase the area of the quick service food store to 403 square feet. The development conditions were superseded by conditions associated with SEA 82-A-019-3.

On October 15, 1984, the Board of Supervisors approved SE 84-A-072, concurrent with PCA C-83-1 and SE 84-A-071, on 28.10 acres to amend the approved GDP/ SEA Plat to permit the construction of four additional freestanding buildings on the C-6 portion of the shopping center at an overall 0.16 FAR and townhouse style offices on the C-2 portion of the site at an overall 0.37 FAR. These buildings included a four-story office structure (Building D); two drive-in banks (Building A and B); and a training center. This application currently governs the site. Copies of the proffers associated with PCA C-83-1 and the development conditions associated with the special exceptions are included in Appendix 7.

On December 15, 1987, the Board of Zoning Appeals approved SP 87-A-068 for a child care center with a maximum of 99 children on Tax Map 68-1((1)) 9 pt. This application was superseded by SE 87-A-086 in 1988.

On August 3, 1987, the Board of Supervisors approved SEA 82-A-019-3 to amend SEA 82-A-019-2 to permit a new pump island on the east side, and a 30 foot extension of the canopy to cover the pump island. No change to the building footprint or square footage was proposed. Copies of the approved development conditions are contained in Appendix 8.

On February 8, 1988, the Board of Supervisors approved SE 87-A-086 to replace the previously approved special permit for a child care center on Tax Map 68-1((1)) 9 pt., with a special exception for a child care center and nursery school for a maximum of 150 children to be located in the rear and on the first floor of Building A. The child care center is proposed to be relocated to Building F in the current application.

On March 27, 1995 the Board of Supervisors approved SEA 87-A-086 to amend SE 87-A-086 to permit expanded hours of operation for the child care center. No other changes were proposed or approved. The approved SEA development conditions superseded the previous SE conditions and are contained in Appendix 9. As part of the PCA application mentioned above, the applicant seeks to amend this SEA application to relocate the child care center with a maximum of 150 children from the first floor of existing Building A to the first floor of proposed Building F.

Covenant to Protect Open Space

At the time of the approval of the original rezoning application in 1972, the applicant and the land owners of 10 adjacent properties to the south entered into a covenant (dated October 28, 1972) to retain 3.5 acres zoned RE-1 (now zoned R-1), and located along the southern boundary of the shopping center, as "open area". This "open area" was intended to serve as screening and buffering in lieu of the standard screening requirements of Fairfax County and to protect the adjacent land owners from adverse effects of the commercial development. The covenant was amended on September 15, 1984, prior to the approval of PCA C-83-1, to continue the protection of the open area and to provide a masonry wall in lieu of a proposed chain link fence along the northern boundary of the open area. The amended covenant also referenced the approved GDP and proffers associated with PCA C-83-1. The applicant will be required to amend the 1984 amended covenant prior to site plan approval for the proposed rezoning applications and has proffered accordingly. Copies of this current covenant are contained in Appendix 10.

COMPREHENSIVE PLAN PROVISIONS (See Appendix 11)

Plan Area:	Area III
Planning Sector:	Pohick Planning District, P2-Main Branch Community Planning Sector
Plan Map:	Retail and Other
Plan Text:	No Site Specific Plan Text

ANALYSIS

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

Title of GDP/ SEA Plat: College Town Associates, L.P. Generalized Development Plan, Special Exception Amendment, University Mall

Prepared By: Bohler Engineering

Dates: Sealed on December 2, 2010

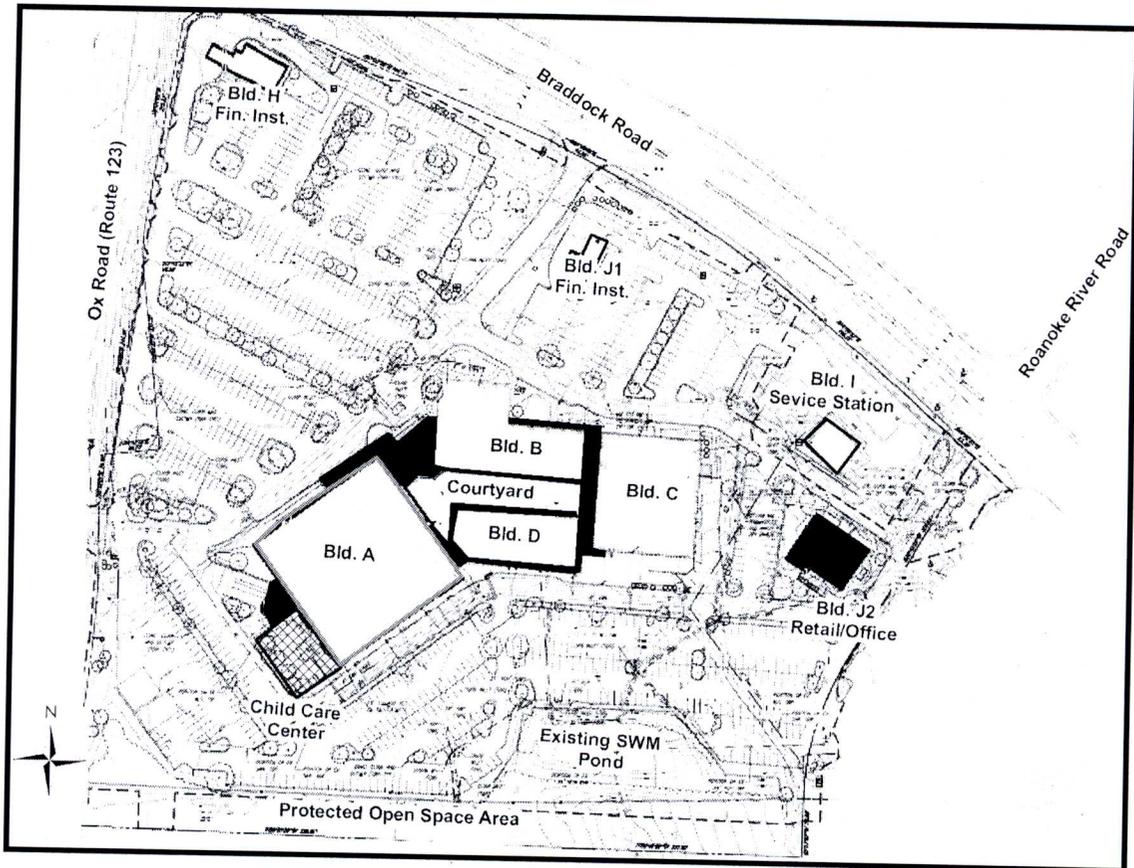
The GDP/ SEA Plat consists of 38 sheets. A Sheet Index is included on Sheet 1 of the GDP/ SEA Plat. The following features are depicted on the proposed GDP/ SEA Plat:

Intensity: As previously discussed, the applicant proposes to increase the existing gross square footage of the University Mall Shopping Center by 80,056 square feet from 138,454 (0.16 FAR) to 206,338 (0.24 FAR). A detailed summary of the proposal is provided in Chart 1 (above) which lists each building and compares the existing square footage within the buildings with the proposed renovation (which includes demolition and expansion shown on Sheet 5, 6 and 7 of the proposed GDP/ SEA Plat) and in Graphics 3 and 4 below. The proposal generally includes:

- 12,181 square feet of demolition (of which 5,000 square feet would be removed from the main shopping center and a 7,000 square foot freestanding retail and office building would be demolished)
- 53,000 square feet of additional space in the main shopping center building;
- Three new freestanding buildings (which include a 16,063 square foot two-story office building containing a child care center; a 5,084 square foot, one-story retail/eating establishment/veterinary clinic building; and a 7,000 square foot, one-story building with two separate uses (one fast food restaurant with a drive-in and one drive-in financial institution)); and
- Other associated modifications to site design and layout.

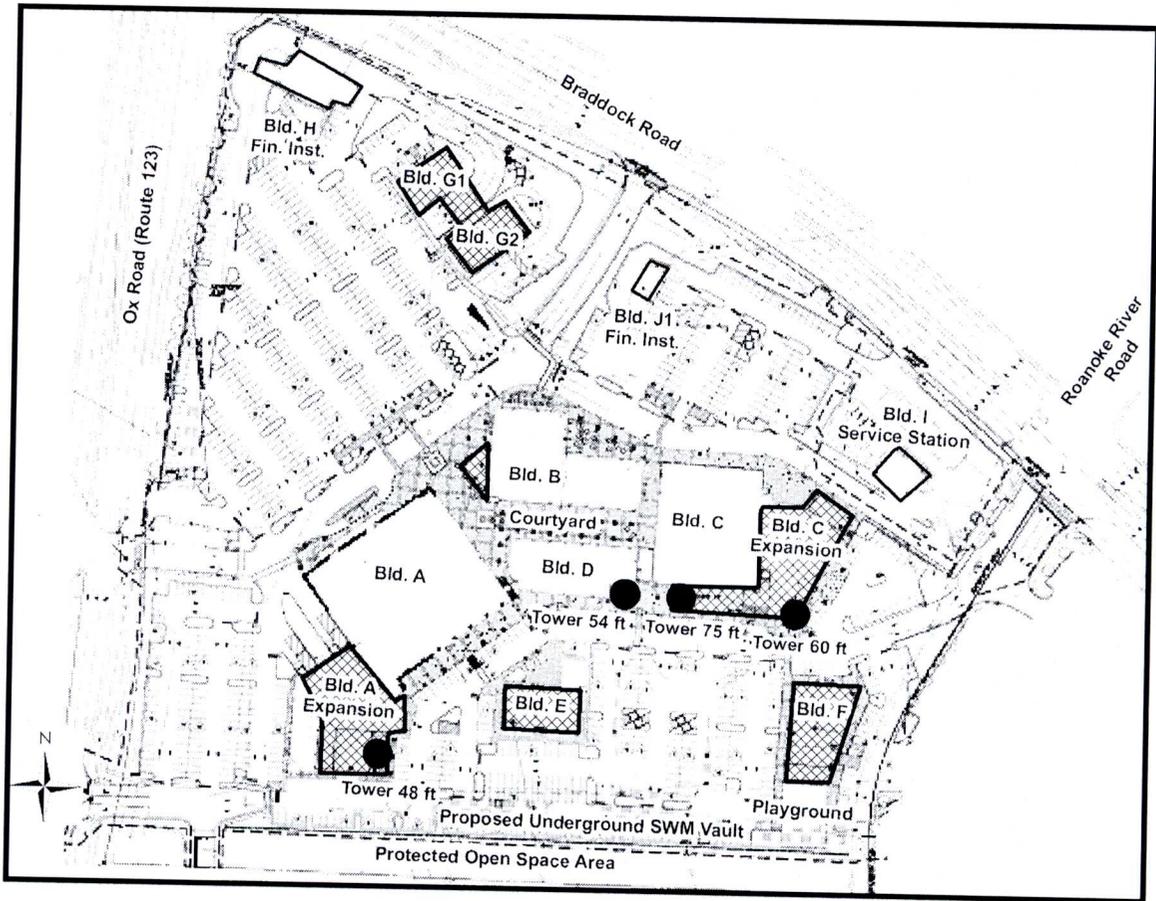
Site Layout:

Graphic 3: Proposed Demolition Plan



As highlighted in black on Graphic 3 and listed earlier in Chart 1, the applicant is proposing to remove approximately 5,000 square feet from Buildings A and B; to remove the courtyard canopies over Buildings C and D; and to demolish the 6,457 square foot Building J2. The existing child care center and playground area in Building A (shown in cross hatch) is proposed to be relocated to the new proposed freestanding office building (Building F). Graphic 4 shows the proposed expansion and renovation.

Graphic 4: Proposed Renovation and Expansion



Main Shopping Center Building Expansions and Renovations (Buildings A, B, C and D)

As outlined in crosshatches in Graphic 4 and listed in Chart 1, Buildings A, B and C of the main shopping center are proposed to expand by a total of 53,000 gross square feet. Building A would expand to the south of the existing Giant grocery store, with a two-story expansion of 23,531 square feet containing retail uses. Building B would expand to the northwest, with a one-story expansion of 2,033 square feet and contain eating establishments and retail uses. An outdoor seating area is proposed to the northeast portion of Building B. Building C would expand to the east, with a two-story expansion of 26,354 square feet of retail, office and eating establishment uses. Outdoor seating areas are proposed to the north of Building C between the expansion and the existing building. The canopies covering the courtyard in the center of the main shopping center are proposed to be renovated and updates to the courtyard would include new surfaces, landscaping, water features, and outdoor dining areas. Four accent towers shown as black circles are also proposed: one 48 foot tall tower on the

south side of Building A; one 54 foot tall tower on the south side of Building D; and two towers on the south side of Building C (60 and 75 feet tall). The southern portion of the Building C expansion area is also proposed to be 42 feet tall to accommodate elevator equipment.

New Freestanding Buildings (Buildings E, F and G)

Three new freestanding buildings are proposed: Buildings E, F and G as shown in Graphic 4. Building E is located to the south of the existing Building A, and is proposed to be a rectangular-shaped one-story freestanding building. This building is proposed to include 5,084 square feet of retail, veterinary clinic or restaurant uses. Building F is located to the east of Building E and southeast of the proposed Building C expansion. This building is proposed to be a two-story, 16,063 square foot, rectangular-shaped building with office use and a child care center (with a 5,000 square foot play area located on the south side). Building G is located in the northwest corner of the site and combines two one-story buildings (Buildings G1 and G2) with a total of 7,000 square feet. These buildings would be connected by a canopy over four drive-in lanes. Building G1 would include a one-story 3,000 square foot financial institution with three drive-in lanes and Building G2 would include a one-story, 4,000 square foot fast food restaurant with one drive-in lane.

Community Room

In addition, the applicant has proffered to provide at no cost to the County, a community meeting space of not less than 1,000 square feet in the shopping center to be used by Fairfax County and the surrounding communities.

Phasing, Roads, Right-of-Way, and Vehicular Access: The applicant proposes to provide 80,065 square feet of new construction in one phase shown on Sheets 7, 8 and 9 of the GDP/ SEA Plat. However, the application property is impacted by planned future road improvements to the Ox Road and Braddock Road intersection. This intersection is proposed for widening to provide additional capacity and then ultimately to be re-constructed as an interchange. To address the impacts and ensure that right-of-way is available when needed, the GDP/ SEA Plat shows three phases of development. Phase I would allow the applicant to construct the proposed expansion while utilizing the area to be dedicated in the future for parking and to allow the existing drive-in financial institution (Building H) in the area of the future dedication to continue to operate. Right-of-way along Braddock Road and Ox Road frontages would be dedicated and provided in Phase II and Phase III (shown on Sheets 19 and 20 of the GDP/ SEA Plat) for FCDOT's Option 9T for the future Ox Road/Braddock Road interchange and interim transportation improvements. In Phase I, the applicant has proffered to:

- 1) reserve right-of-way needed for the VDOT transportation improvements;
- 2) construct a new entrance from Ox Road at the southwest corner of the site;
- 3) provide an inter-parcel connection to Tax Map 68-1((1)) 12 to the south and record a public access easement;
- 4) lengthen the throat to the existing entrance on Ox Road;
- 5) widen the entrance/exit along Braddock Road to provide a left turn exit, through exit and right turn exit lanes; and
- 6) lengthen the westbound left turn lane at Roanoke River Road and Braddock Road.

The transportation improvements in Phase I would be completed by FCDOT and/or Virginia Department of Transportation (VDOT) and include: 1) close the full access to the western-most entrance from Braddock Road; 2) provide three westbound lanes on Braddock Road; 3) provide an extended turn lane onto Roanoke River Road from east bound Braddock Road; and 4) provide extended left turn lanes and right turn lanes on northbound Ox Road onto Braddock Road.

In Phase II, the applicant would dedicate 25,940 square feet of right-of-way along Braddock Road and Ox Road and VDOT would provide six lanes for Braddock Road and Ox Road; two left turn lanes into George Mason University on Roanoke River Road; a right turn lane into the University Mall Shopping Center on eastbound Braddock Road; two left turn lanes and one right turn lane on northbound Ox Road (Route 123) at the Braddock Road intersection; close the right entrance to the existing service station (Building I) and seek an SEA application to reconfigure the fuel pumps for the service station/ mini-mart.

The applicant would dedicate an additional 77,686 square feet of right-of-way along Braddock Road and Ox Road to facilitate VDOT's construction of a full grade separated interchange and close the northwestern entrance into University Mall from Ox Road in Phase III. During Phase III, the existing financial institution with a drive-in (Building H) located on the northwest corner of the site would be demolished and the service station (Building I) layout located on northeast corner would be modified with an SEA application.

Proffer 15 in Appendix 1 indicates that the applicant shall reserve land for future dedication and convey in fee simple to the Board the right-of-way needed to widen Ox Road and Braddock Road across the Property's frontage as a grade-separated interchange (shown on Sheet 20 of the GDP/ SEA Plat). The applicant also agreed to dedicate the right-of-way needed to the County upon request from VDOT or Fairfax County. The exact location and amount of right-of-way to be dedicated would be determined in relation to the final engineering

design of option 9T of the Ox Road/Braddock Road Interchange as determined by DPWES and VDOT. A Deed of Reservation will be recorded among the land records at the time of the first site plan approval for new development on the site.

The applicant will dedicate the land specified in the Deed of Reservation and shown on Sheet 20 of the GDP/ SEA Plat upon request in the future from VDOT or Fairfax County in a Deed of Dedication. In addition, the applicant has agreed to vacate and demolish any structures in the reservation/ dedication area at their expense. In the event that the applicant receives written notice to dedicate the Braddock Road and Ox Road right-of-way prior to the expiration of the leases governing the financial institution in Building H and the service station in Building I, the Applicant has agreed to request the County to acquire the right-of-way or easements by means of its condemnation powers, at the applicant's expense. If not previously approved by the Board of Supervisors, the applicant will file an SEA application for the service station (Building I) to reflect Phase II and III improvements as shown on the GDP/SEA Plat.

Parking: Adequate surface parking is provided to meet the Zoning Ordinance requirements for the uses in the main shopping center buildings and the existing and proposed freestanding buildings. Sheet 3 of the GDP/ SEA Plat provides a parking tabulation by building and use highlighting the Zoning Ordinance requirement for the existing and proposed uses in Phase I. The Zoning Ordinance requires 975 parking spaces for all uses on the site and the applicant proposes 1,125 parking spaces. For Phase II, the Zoning Ordinance requires 979 parking spaces for all uses and the applicant proposes 1,078 parking spaces. For Phase III, the Zoning Ordinance requires 966 spaces; however, the GDP/ SEA Plat shows 881 spaces, which would not meet the current requirement. At the time of dedication of right-of-way for Phase II and Phase III, the applicant has proffered to submit a shared parking study and/or parking reduction study that demonstrates that adequate parking is available for the entire shopping center to address this issue. If it is determined in review of the shared parking and/or parking reduction study that the parking is not adequate for the shopping center, the Applicant has proffered to provide additional parking spaces on the Property (which may occur without a proffered condition amendment, provided that open space is not reduced) or the number of uses may be reduced to adhere to the limits specified by Department of Public Works and Environmental Services (DPWES).

Pedestrian Access: Pedestrian access to the proposed development would be provided through a comprehensive pedestrian access plan, which includes both existing and proposed sidewalks throughout the subject property as shown on Sheets 10 and 11 of the GDP/ SEA Plat and as proffered. This pedestrian access plan includes:

- crosswalks with brick pavers connecting sidewalks around Buildings G1 and G2 to the existing sidewalk along the western Braddock Road entrance, and to the main shopping center building;
- crosswalks with brick pavers leading to the Building C expansion from the Roanoke River Road entrance throat and Buildings E and F;
- a new landing area with brick pavers and a knee wall at the center's entrance at Roanoke River Road, that would align with the crosswalks from George Mason University;
- new sidewalks along the south side of Building A and along the south and east sides of Building C;
- a pedestrian sidewalk along Building F, located on the southeast portion of the site, which would include a raised crosswalk connection to the neighborhood along the southern property line;
- new sidewalks along the northern access point from Ox Road that connect to existing eight foot wide sidewalks along Ox Road; and a
- a renovated courtyard with new walkways, water features and dining areas

In addition to these improvements, the applicant has proffered to pay for modifications to the timing of the existing pedestrian signal at the intersection of Braddock Road and Roanoke River Road after the completion of the Phase II and/or Phase III transportation improvements, subject to the approval of VDOT. The applicant has also agreed to provide a minimum of one bicycle storage space per 7,500 square feet of total commercial gross floor area on the site unless demonstrated that a minimum of 28 bicycle storage spaces have been provided on the site.

Landscaping and Open Space: A minimum of 15% open space is required for the site; 27% open space would be provided in Phase I and Phase II, and 31% in Phase III, which includes the open space area (zoned R-1) along the southern property line. The difference in open space in each phase results from the amount of right-of-way dedicated for VDOT's Option 9T for the future Ox Road/Braddock Road interchange.

The applicant has proffered to provide landscaping as generally shown on Sheets 17, 18, 19 and 20 of the GDP/ SEA Plat. All new deciduous trees would be a minimum of 2 to 2.5 inches in caliper at the time of planting. All new evergreen trees used in peripheral screening and landscaping areas and public

spaces would be a minimum of six feet in height at the time of planting. The proposed landscaping includes retention of the existing trees and landscaping located along the southern boundary in the covenant open space and in various locations on the site identified on Sheets 16A and 16B of the GDP/ SEA Plat. Additional landscaping is proposed to be planted in the five foot area that would be cleared and graded for construction of a retaining wall within the covenant open space as approved by Urban Forest Management (UFM), as soon as construction activities in the retaining wall area are completed and planting conditions are appropriate. Any existing trees located in this area which are damaged or destroyed by construction activity would be replaced, as determined by UFM.

The applicant has also proffered to conform to the limits of clearing and grading as shown on the GDP/ SEA Plat (which includes a five foot wide clearing area within the covenant open space area on the southern boundary line to allow construction of the retaining walls) and to provide a tree preservation plan as part of the site plan(s) and/or demolition plan(s) for development, that includes the areas of "tree save" as shown on the GDP/ SEA Plat.

For parking lot landscaping, the Zoning Ordinance requires 5 percent of the parking area to be landscaped. The applicant meets the requirement for each phase as shown on Sheets 18, 19 and 20 of the GDP/ SEA Plat. Final determination would be made at the time of site plan review.

Stormwater Management: The stormwater narrative on Sheet 15 of GDP/ SEA Plat indicates that the site has two outfalls: one to the south to Pohick Creek and one to the west to Popes Head Creek. The applicant proposes to replace the existing above ground stormwater management basin located along the southern boundary line with an underground detention basin and to construct additional smaller underground detention basins along the western boundary. Since the existing stormwater facility also provided stormwater management for off-site development, the applicant proposes to provide an upstream overflow weir structure to preclude backup onto offsite properties. To meet adequate outfall requirements, the applicant proposes to over-detain based on the detention method by providing 24-hour extended detention of the 1-year storm and to reduce the 2-year and 10-year discharge rate from the site below the peak rate for the site in good forested condition. For Best Management Practices (BMP), the applicant proposes to provide a stormfilter and sandfilter shown on the GDP/ SEA Plat to remove 50% to 60% of the phosphorous heading to Pohick and Popes Head Creeks, respectively. The applicant has proffered to meet Public Facilities Manual standards.

Land Use Analysis (Appendix 11)

The subject property is planned for retail and other uses according to the adopted Comprehensive Plan map. There is no site specific Plan guidance for this property. The proposed redevelopment of the subject property should be done in a manner which maintains the character of the surrounding area while also providing infrastructure improvements which may be required to develop the property based on current guidance for stormwater management, transportation, site design and green building practices. The proposal to renovate the shopping center and increase the intensity of the site from 0.16 FAR to 0.24 FAR is generally consistent with the Comprehensive Plan and is compatible with uses in the surrounding area. Staff also finds the special exception requests to consolidate all of the previously approved special exceptions on the site into one application; to relocate the child care center; and to add a fast food restaurant with a drive-in and a drive-in financial institution within the University Mall Shopping Center do not raise any significant issues. Staff also finds the request to increase the maximum building height in the C-6 District from 40 feet to allow four building accent towers with a 46 foot tower on Building A, 60 and 75 foot towers on Building C and a 54 foot tower on Building D, as well as a 42 foot building height for a portion of Building C, do not raise any significant issues. The proposed increase in building heights are centrally located and designed in a manner that is compatible with the character of the surrounding area. See the Zoning Ordinance section of the staff report for additional analysis of each special exception request.

No other significant land use issues have been raised. The proposed redevelopment is in general conformance with the basic land use recommendations of the Comprehensive Plan guidance for this area. Staff will continue to encourage the applicant to consider additional landscaping and design measures for the proposed redevelopment.

Environmental Analysis (Appendix 11)

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. Staff has encouraged the applicant to incorporate green building practices in this proposed redevelopment in order to attain Leadership in Energy and Environmental Design (LEED) or equivalent certification for individual buildings. The applicant has provided commitments to achieve LEED silver certification under the Core and Shell (CS) program established by the United States Green Building Council (USGBC) for the proposed new freestanding buildings (Buildings E, F and G).

As an alternative to these LEED silver certification commitments, the applicant has the option to pursue basic LEED certification for these buildings and will post a green building escrow. The applicant has also committed to a number of green building measures for the proposed fast food restaurant in Building G2.

Urban Forest Management Analysis (Appendix 12)

The Urban Forest Management Division (UFM) of the Department of Public Works and Environmental Services (DPWES) has indicated that the applicant addressed most of their comments on previous plan submissions and listed a couple of outstanding issues which include the following requests:

- A commitment acknowledging that the existing covenant on the subject property must be amended prior to site plan approval to allow proposed modifications to the site;
- A commitment requiring that any supplemental planting in the covenant open space easement along the retaining wall on the southern boundary on the GDP/ SEA Plat be subject to review and approval of UFM; and
- Clarification of the 10-year canopy requirements for all three phases during site plan review.

The applicant has since submitted new proffers, which address these issues. Additional planting is now shown in the covenant open space easement along the retaining wall on the southern boundary and will be subject to review and approval of UFM. Proffer 41 indicates that the applicant must provide evidence of the recordation of an Amended Covenant. Tree preservation plans and tree bonding proffers have been revised. For the last comment, the tree preservation target calculations are shown on Sheets 18, 19 and 20 of the GDP/ SEA Plat for Phase I, II and III. Approximately 75,000 to 86,000 square feet of tree canopy is required by the Public Facility Manual from Phase I to Phase III (the requirement decreases as land is dedicated for right-of-way). The applicant meets the requirement by proposing 79,000 to 88,475 square feet. The applicant also meets the 5% interior parking lot landscaping requirements of the Zoning Ordinance for all three phases. No credit would be taken for trees located in the utility easements in any phase. Final determinations would be made at site plan review.

Transportation Analysis (Appendix 13)

The Comprehensive Plan identifies a future interchange at the Ox Road/ Braddock Road intersection and the County has also recommended several interim transportation improvements for the corridor prior to construction of the

interchange. All of these improvements were listed in the description of the GDP/ SEA Plat that was previously discussed.

The Fairfax County Department of Transportation (FCDOT) has reviewed the applications and had the following concerns.

Issue: Right-of-Way Dedication for interchange improvements at Ox Road and Braddock Road

According to the VDOT's Plan Option 9T for the interchange at Braddock Road and Ox Road, the interchange is proposed to be a grade-separated, over-and-under intersection in the future, requiring new turn lanes and six lanes of through traffic for Braddock Road and Ox Road. Sheet 20 of the GDP/ SEA Plat shows preliminary concepts for this project; however, staff is concerned that there are significant right-of-way impacts for two existing uses on the subject property. Building H, a financial institution located at the northwest corner of the site, would have to be demolished and Building I, a service station located at the northeast corner of the site, would need to reorient the existing fuel pumps and canopy to accommodate the improvements. In addition, an existing right in/ right out access point from Braddock Road to the service station would need to be closed. The applicant would like to maintain these existing uses as long as possible.

Resolution:

As an alternative to dedicating land area now, the applicant has proposed reservation of the necessary right-of-way area in order to maintain these existing uses until the land area would be needed and dedicated for construction of the transportation improvements upon request from the County or VDOT. Staff acknowledged their request and recommends that the applicant maintain responsibility for the future demolition of structures, vacation of existing uses, and reconfiguration of land bays as needed to accommodate transportation improvements before dedication occurs. Staff also recommends that if condemnation on behalf of the County is required to dedicate the area, the applicant should reimburse the County for all associated costs.

The applicant has proffered to reserve land for future dedication and to convey in fee simple to the Board the right-of-way needed to widen Ox Road and Braddock Road across the Property's frontage as a grade separated interchange shown on Sheet 20 of the GDP/ SEA Plat. The applicant also agreed to dedicate the right-of-way needed to the County upon request from VDOT or Fairfax County. The exact location and amount of right-of-way to be dedicated would be determined in relation to the final engineering design of Option 9T of the Ox Road/Braddock Road Interchange as determined by DPWES and VDOT. A Deed of Reservation

is to be recorded among the land records at the time of the first site plan approval for new development on the site. The applicant will dedicate the land specified in the Deed of Reservation and shown on Sheet 20 of the GDP/ SEA Plat upon request in the future from VDOT or Fairfax County in a Deed of Dedication. In addition, the applicant has agreed to vacate and demolish any structures in the reservation/ dedication area at their expense. In the event that the applicant receives written notice to dedicate the Braddock Road and Ox Road right-of-way prior to the expiration of the leases governing the financial institution in Building H and the service station in Building I, the Applicant has agreed to request the County to acquire the right-of-way or easements by means of its condemnation powers, at their expense as well. If not previously approved by the Board of Supervisors, the applicant will file an SEA application for the service station (Building I) to reflect Phase II and III improvements as shown on the GDP/SEA Plat.

Issue: Traffic Signal on Ox Road (Route 123)

A traffic signal near the applicant's new Ox Road entrance located at the southwest corner of the site may be warranted prior to the construction of interchange improvements due to increased vehicle trips and turning movements attributed to the shopping center. The applicant has proffered to conduct a traffic signal warrant study prior to final bond release and to install or fully fund a traffic signal if found warranted. If VDOT determines that a traffic signal is warranted prior to the construction of the Ox Road/Braddock Road Interchange Option 9T (shown as Phase III on the GDP/ SEA Plat), the applicant has agreed to fund a portion of the traffic signal or a pro rata share of the cost. Since the subject property is the primary reason for regulating turning movements at this location, staff recommends that the applicant fund or construct a traffic signal regardless of whether it is warranted at the time the study is completed. Staff continues to work with the applicant to address this issue.

Issue: Inter-parcel access

Since the exact location of the traffic signal on Ox Road cannot be determined until the interchange is fully designed, staff considers it to be imperative for the applicant to work with property owners to the south to ensure mutual access to any future traffic signal via the proposed inter-parcel access point located in the southwest corner, once the location of the signal has been finalized.

Resolution:

The applicant has proffered to construct an inter-parcel access connecting the new entrance to the southern property line as shown on Sheets 7, 8, 19 and 20 of the GDP/SEA Plat, with the flexibility to slightly shift the inter-parcel to

accommodate access from the south, and to record a public access easement in order to provide properties to the south access to an entrance along Ox Road. The applicant will seek approval of an SEA application to allow the inter-parcel access/driveway in an R-1 District and will coordinate with the southern property owners to the south to facilitate access to any future signal. Any physical barriers will be removed at the applicant's expense. Staff finds this issue has been addressed.

Other transportation concerns included:

- A need for a more direct pedestrian connection between 1) Roanoke River Road and the shopping center; and 2) the shopping center and the residential community to the south, because of the close proximity to George Mason University and residential neighborhoods.
- Potential conflicts with vehicles traveling along the drive aisle between the south side of Building C and the north side of Building F.
- Potential vehicular conflicts between the drive-in lane of Building G1 and the bypass lane of Building G2.

To address the first two concerns, the applicant has provided a comprehensive pedestrian access plan showing existing and proposed sidewalks throughout the subject property on Sheets 10 and 11 of the GDP/ SEA Plat and proffers. This pedestrian access plan includes: a new landing area with brick pavers and knee wall at the center's entrance at Roanoke River Road that would align with the crosswalks from George Mason University and a new a pedestrian sidewalk along Building F with a raised crosswalk connection to the neighborhood along the southern property line. The applicant has also proffered to pay for modifications to the timing of the existing pedestrian signal at the intersection of Braddock Road and Roanoke River Road, subject to the approval of VDOT. Staff recommends a development condition to ensure that clear pedestrian paths from George Mason University and the residential community to the south are provided during site plan review, as generally shown on the GDP/ SEA Plat. Staff also recommends a development condition to remove/relocate the eight parking spaces located on the north side of Building F.

For the last concern, the applicant revised the GDP/ SEA Plat and created a separate bypass lane for the drive-in lane for Building G2 from the drive-in lane for Building G1 to address potential vehicle conflicts identified in their previous plan submission. Staff does not object to the revised GDP/ SEA Plat but continues to encourage the applicant to enhance the overall site design for Building G (which includes Buildings G1 and G2).

Public Facility Analyses

Fairfax County Park Authority (Appendix 14)

No issues were identified. These applications create no adverse impacts on land or resources of the Park Authority.

Stormwater Analysis (Appendix 15)

As previously discussed, the stormwater narrative on Sheet 15 of GDP/ SEA Plat indicates that the site has two outfalls: one to the south to Pohick Creek and one to the west to Popes Head Creek. The applicant proposes to replace the existing above ground stormwater management basin (which outfalls to Pohick Creek and is located along the southern boundary line) with an underground detention basin and to construct additional smaller underground detention basins along the western boundary. Since the existing stormwater facility provided stormwater management for off-site development, the applicant proposes to provide an upstream overflow weir structure to preclude backup onto offsite properties. To meet adequate outfall requirements, the applicant proposes to over-detain based on the detention method, by providing 24-hour extended detention of the 1 year storm and to reduce the 2 year and 10 year discharge rates from the site below the peak rate for the site in good forested condition. For Best Management Practices (BMP), the applicant proposes to provide a stormfilter and sandfilter shown on the GDP/ SEA Plat to remove 50% to 60% of the phosphorous heading to Pohick and Popes Head Creeks, respectively. Final determination of the adequacy of this stormwater management system would be made at site plan review.

Fairfax County Water Authority (Appendix 16)

The Fairfax County Water Authority has reviewed the applications and indicated that adequate domestic water service is available at the site from existing 12-inch and 8-inch water mains located on the property. No issues with the proposed development were identified.

Fire and Rescue Analysis (Appendix 17)

The application property is serviced by the Fairfax County Fire and Rescue Department Station 432, Fairview. No issues were identified.

Sanitary Sewer Analysis (Appendix 18)

The subject property is located within the Pohick Creek watershed and would be sewered into the Noman M. Cole Pollution Control Plant (NMCCPCP). There is an

existing 10-inch line located on the subject property, which is adequate for the proposed use.

ZONING ORDINANCE PROVISIONS

The proposed applications must fulfill all applicable provisions of the Zoning Ordinance. The applicable sections are attached in Appendix 19 and include:

- General Standards (Section 9-006),
- Standards for All Category 3 and 5 Uses (Section 9-304 and 503),
- Provisions for approving an increase in Building Heights Standards (Section 9-607),
- Additional Standards for Child Care Centers (Section 9-309),
- Additional Standards for Drive-In Financial Institution, Fast Food Restaurants, and Service Stations with Mini-Marts (Section 9-505).

The following chart depicts how the subject property meets the C-6 District zoning requirements:

Standard	Required (C-6)	Provided
Lot Size	40,000 sq ft	PCA [68-1((1)) 9]: 19.74 acres SEA [68-1((1)) 9 pt.]: 18.8 acres RZ [68-1((1)) 9A]: 0.16 acres*
Lot Width	200 ft	<u>PCA and SEA [68-1((1)) 9 and 9 pt]</u> Braddock Road = greater than 200 ft Ox Road = greater than 200 ft <u>RZ [68-1((1)) 9A]</u> Braddock Road = ~100 ft*
Building Height	40 ft maximum which may be increased by the BOS subject to approval of an SE application**	Building A = 34 ft, Accent tower = 46 ft** Building B = 36 ft Building C = 42ft, Accent towers = 60 and 75 ft** Building D = 38 ft, Accent tower = 54** Building E = 20 ft Building F = 30 ft Building G = 20 ft Building H = 13.1 ft Building I = 11.1 ft

Standard	Required (C-6)	Provided
Front Yard	Controlled by 45 degree angle but not less than 40 feet	Closest Building: Building H Braddock Road = 40 ft Ox Road = 35.8 ft*** Next Closest Buildings: Building G: Braddock Road = 40 ft Building A: Ox Road = 195 ft
Rear Yard	Controlled by 20 degree angle but not less than 25 feet	Greater than 25 ft for all buildings
FAR	0.4	0.24
Open Space	15%	<u>PCA and SEA</u> Phase I = 27% Phase II = 27% Phase III = 31% RZ: not provided*
Parking Spaces	Shopping Center with more than 100,000 sq ft and several other uses: Phase I = 975 total Phase II = 979 total Phase III = 966 total	Phase I = 1,125 total Phase II = 1,078 total Phase III = 881 total
Loading Spaces	15 Total In no instance shall more than five (5) off-street loading spaces be required for a given use or building except as may be determined by the Director.	15 total

* Tax Map 68-1((1)) 9A is the 0.16 acre property, which is zoned R-1 and the subject of the current RZ 2009-BR-015 application. This property was shown in error as parking on the original GDP associated with RZ C-83 and has been developed with parking for 20 years. The applicant seeks to rezone this property from the R-1 District to the C-6 District to consolidate 0.16 acres with the bulk of the shopping center to permit commercial development. Section 9-610 of the Zoning Ordinance (Provisions for Waiving Minimum Lot Size Requirements)

allows the Board of Supervisors to waive the minimum district size and/or lot width requirements for a C district in conjunction with the approval of a rezoning application provided that:

- 1) Such lot has not been reduced in width or area since the effective date of this Ordinance to a width or area less than required by this Ordinance.
- 2) The applicant shall demonstrate that the waiver results in a development that preserves existing vegetation, topography, historic resources and/or other environmental features; provides for reduced impervious surface; maintains or improves stormwater management systems; and/or similar demonstrable impact.
- 3) It shall be demonstrated that development of the subject lot will not have any deleterious effect on the existing or planned development of adjacent properties or on area roadways.
- 4) Such waiver shall be approved only if the remaining provisions of this Ordinance can be satisfied.

Since this lot has been developed as a parking lot serving the University Mall Shopping Center since the 1970s, is bounded by Ox Road to the west and the shopping center to the east, and does not adversely impact surrounding neighborhoods, staff does not object to the waiver requests.

** The maximum is 40 feet in the C-6 District, which could increase as may be permitted by the Board in accordance with the provisions of Sect. 9-607 of the Zoning Ordinance. The applicant seeks approval of an increase in the allowable height as part of SEA 87-A-086-02. See the special exception analysis section below for more analysis.

*** Sheets 2, 3, 7, 19 and 20 of the GDP/ SEA Plat provide the proposed setbacks and angle of bulk plane diagrams (Sheet 3) and show that each building meets the minimum yard requirements of the Zoning Ordinance for Phases I, II and III except for Building H. Building H is located at the northwest corner of the site and the drive-in canopy encroaches within the required front yard requirement. During site plan review, the applicant will have two options to address this issue: 1) provide evidence that the existing building has been taxed for a period of 15 years pursuant to Section 15.2307 of the Code of Virginia, which would deem the building a legal nonconforming use, without ability to expand; or 2) apply for a modification of yard requirement based on Section 2-419 of the Zoning Ordinance for a Reduction in Minimum Yard Requirements Based on Error in Building Location. This section provides authority to the Zoning Administrator to approve a reduction in the minimum yard requirements for any existing building, provided that the error does not exceed a 10 percent reduction of the yard requirement and that

the noncompliance occurred in good faith, among other conditions. As shown in the chart, the modification of the yard requirement would fall below the 10% threshold. The applicant has proffered to vacate and demolish Building H when right-of-way identified in Phase III shown on Sheet 20 of the GDP/ SEA Plat is needed. If the applicant does not address the current setback issue during site plan review, the drive-in canopy on Building H may need to be removed. Staff recommends imposition of a development condition which ensures that an accurate setback for Building H be provided during site plan review.

Additional Waivers and Modifications:

Modification of the peripheral parking lot landscaping requirements

When a property line abuts the right-of-way of a street, the Zoning Ordinance requires 1) a landscaping strip ten feet in width, which shall not include a sidewalk or trail and shall be located between the parking lot and the property line; and 2) at least one tree for each forty feet shall be planted in the landscaping strip. Par. 3 of Section 13-203 of the Zoning Ordinance indicates that the Board may approve a waiver or modification of the requirements of this Section and the requirement to provide a ten foot minimum distance between a front lot line and an off-street parking space set forth in Par. 8 of Sect. 11-102, if the waiver or modification will not have any deleterious effect on the existing or planned development of adjacent properties. The GDP/ SEA Plat shows a row of existing trees along the western property line and parking that abuts the property lines along Braddock Road and Ox Road. The distance between the existing parking along Ox Road and the property line ranges between one to four feet. Since the applicant has agreed to: 1) reserve a large portion of land along the Braddock Road and Ox Road frontage for right-of-way for future dedication in Phase II and III; and 2) provide a landscaping plan that shows trees and shrubs along both frontages, staff does not object to the requested modification and finds that the parking currently exists and will not have a deleterious effect to surrounding neighborhoods. The applicant also proposes to provide additional landscaping along the Braddock Road and Ox Road frontages.

Modification of transitional screening and a waiver of the barrier requirements

The subject property was originally rezoned prior to ordinance revisions which now require transitional screening. A commitment, via a covenant, to a 1.10 acre R-1 zoned strip (50 feet wide) along the adjacent residential subdivision to the south was provided to protect that community. The Zoning Ordinance now requires a 50-foot wide transitional screening area and a barrier wall or fence adjacent to the property lines bordering the residential communities of Country Club View to the south and North Hill to the west and would be required within the portion of the site zoned to the C-6 District (Par. 2; Sect. 13-302). Given the

existence of the 50-foot wide R-1 District along the southern property line, staff would not object to a modification of the screening requirement to allow this area to serve as transitional screening. The applicant proposes to reconstruct a portion of the eight foot wall located along the southern portion of the property line and has proffered to provide additional landscaping along the wall to provide screening for the residential communities. In addition, the applicant requested a modification of these requirements to allow the planting of one row of deciduous trees along Ox Road in keeping with a more urban-style street presence. Staff finds that the overall site is adequately screened from the North Hill residential community located to the west across Ox Road and supports the requested modifications in favor of the proposed landscaping plan.

Special Exception Requirements

Category 3 and 5 Standards (Sect. 9-304 and 9-503)

The Category 3 and 5 Standards require that the proposed development meet lot size and bulk requirements for the Zoning District, comply with performance standards, and be subject to site plan review. As previously discussed in the Bulk Requirements chart, the proposed use meets the bulk requirements with approval of the requested modifications. Staff supports the requested modifications associated with RZ 2009-BR-015. The proposal is also subject to site plan review.

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

Provision 1 allows an increase in height only where such will be in harmony with the policies embodied in the adopted Comprehensive Plan. No specific Comprehensive Plan text pertains to the site. The applicant seeks an increase in the allowable height in a C-6 district from 40 feet to allow four building accent towers and an increase in height for a portion of Building C. The proposed increase in building height consists of:

- 46 foot tower on Building A;
- 60 and 75 foot towers on Building C;
- 54 foot tower on Building D; and
- 42 foot building height for a portion of Building C.

An existing open space area, 50 feet in width, is provided between the parking area and the northern boundary line of the Country Club View residential community. An additional 300 feet of parking and parking lot landscaping is provided between the proposed accent towers on Buildings C and D and the northern portion of the open space area. An additional 80 feet is provided between Building A and the open space area. Good quality trees and

landscaping are proposed to be preserved in the 50 foot open space area. A minor five foot encroachment into this open space area is proposed to allow the reconstruction of the six foot tall masonry wall to the south of the parking area. The applicant has proffered not to disturb this area by clearing and grading (with the exception of the five foot encroachment to construct the wall) to retain it as a buffer between the Application Property and Country Club View. Supplemental landscaping is proffered to be planted in this area and along the masonry wall as recommended and approved by Urban Forest Management (UFM). The applicant has also proffered to provide landscaping as shown on the GDP/ SEA Plat. With these proffers, staff has concluded that the proposal is in harmony with the recommendations of the Comprehensive Plan to protect stable residential neighborhoods and will enhance the visibility and viability of University Mall.

Provision 2 allows an increase in height only in those locations where the resultant height would not be detrimental to the character and development of adjacent lands. The subject property is primarily surrounded by George Mason University to the north, a church and single family residential to the south and west, and office townhouses to the east. Several tall buildings currently exist in the center of the George Mason University. The applicant proposes to construct the accent towers as architectural elements with no useable square footage to help facilitate the appearance of a "front door" from Ox Road and Braddock Road to the rear of the shopping center. Since the accent towers are located primarily in the center of the site and set back far enough from the property lines, staff finds that the proposal would not create any significant impacts to the adjacent residential properties. Staff also believes that the proposed accent towers would help break up the bulk of the main shopping center buildings, add visual interest and provide identity to the shopping center. Staff concludes that this provision is satisfied.

Provision 3 allows an increase in height only in those instances where the remaining regulations for the zoning district can be satisfied. As shown in the Bulk Regulations Chart above, the proposal conforms to all other minimum bulk regulations for the C-6 District as proffered. Staff feels that this provision is satisfied.

General Special Exception Standards (Sect. 9-006)

As previously discussed, the applicant proposes the following:

- 1) Consolidation of all of the previously approved special exceptions on the site into one application;
- 2) Relocation of the child care center from Building A to a new freestanding Building F;

- 3) Addition of a fast food restaurant with a drive-in and a drive-in financial institution within the University Mall Shopping Center in Building G;
- 4) Retention of the existing service center/ mini-mart (Building I); and
- 5) Increase in the allowable height in a C-6 district.

Par. 1 states that the proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan. The subject property is planned for retail and other uses according to the adopted Comprehensive Plan map. There is no site specific Plan text for this property. As stated in the Land Use Analysis, the proposal to renovate the shopping center and increase the intensity of the site from 0.16 FAR to 0.24 FAR is generally consistent with the Comprehensive Plan and is compatible with uses in the surrounding area. Staff finds the special exception requests to retain the existing service station/ mini-mart, relocate the child care center from Building A to Building F, and to add a fast food restaurant with a drive-in and a drive-in financial institution within the University Mall Shopping Center do not raise any significant issues. Staff also finds the request to increase the maximum building height in the C-6 District from 40 feet to allow four building accent towers with a 46 foot tower on Building A, 60 and 75 foot towers on Building C and a 54 foot tower on Building D as well as a 42 foot building height for a portion of Building C does not raise any significant issues.

Par. 2 states that the proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations. As conditioned and with approval of the requested modifications, the proposal would be in harmony with the general purpose and intent of the C-6 District (which was established to provide locations for retail commercial and service uses oriented to serve several neighborhoods), and finds that this standard is satisfied. With the draft proffers and the proposed development conditions, staff finds that the proposed special exception uses meet the Use Limitations for the C-6 District. See additional special exception analysis below.

Par. 3 requires that the proposed use be harmonious with and not adversely affect the use or development of neighboring properties in accordance with applicable zoning district regulations and the adopted Comprehensive Plan. It further states that 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. The applicant proposes to renovate the University Mall Shopping Center, which has been an existing use since the 1970s. A 50 foot wide open space area and six foot tall masonry wall, protected via a covenant established with the original rezoning application, serves as transitional screening and buffering and protects the adjacent residential community to the south. A combination of existing and proposed landscaping is provided along Ox Road to screen the parking from the

adjacent residential community to the west. The maximum height proposed for the main shopping center buildings is 40 feet, which is in accordance with the Zoning Ordinance provisions for the C-6 District. The applicant seeks an increase in the allowable height in a C-6 district from 40 feet to allow four building accent towers with a 46 foot tower on Building A, 60 and 75 foot towers on Building C and a 54 foot tower on Building D as well as a 42 foot building height for a portion of Building C. In staff's opinion, the proposed increases in building heights are designed in a manner that is compatible with the character of the surrounding area with George Mason University to the north and the Church of Jesus Christ of Latter Day Saints to the southwest. The proposed increase in heights are also limited to small separated accent towers that visually break up the bulk of the shopping center and minimize the impact of the overall development on adjacent residential neighborhoods. Staff finds that the proposed applications and modifications do not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof. Therefore, this standard has been met.

Par. 4 states that 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. The applicant proposes to expand and renovate the existing University Mall Shopping Center with several uses requiring special exception (listed above) and to provide several proposed pedestrian and vehicular improvements. The applicant has also agreed to reserve and later dedicate a significant amount of right-of-way to implement a major VDOT transportation improvement project at the intersection of Braddock Road and Ox Road in the future. As discussed in the transportation analysis, staff is concerned about the need for a traffic signal at the southwest corner of the site and recommends that the applicant fund or provide the traffic signal if VDOT determines it to be necessary. The applicant has only agreed to fund the traffic signal if it is determined to be warranted through a traffic warrant study conducted prior to final bond release and partially fund a signal if VDOT determines it to be necessary prior to the construction of interchange in Phase III. Staff continues to work with the applicant to address this concern.

Par. 5 requires that landscaping and screening be provided in accordance with the provisions of Article 13. The applicant requests a modification of the peripheral parking lot landscaping along Braddock Road and Ox Road, and the transitional screening and barrier requirements along the western and southern boundaries, as approved pursuant to PCA C-83. Since the proposed building additions are internal to the site and are set back far enough from the property lines, staff believes that the proposal would not create any additional impacts to the adjacent residential properties. The applicant has proffered to retain and supplement the existing trees and landscaping located along the southern boundary line in the open space area which will continue to be zoned R-1 and to

provide additional landscaping along Ox Road for the benefit of the North Hill residential community. Staff supports the modification requests and feels that this standard has been addressed. Prior to site plan approval, the applicant will be required to amend an existing covenant protecting the 50 foot wide open space area along the southern boundary to allow supplemental landscaping and reconstruction of the brick wall in the open space area.

Par. 6 states that open space should be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located. The open space requirement for the C-6 zone is 15 percent; 27 percent has been provided for Phases I and II, and 31 percent for Phase III (the difference in open space in each phase results from the amount of right-of-way dedicated for VDOT's Option 9T for the future Ox Road/Braddock Road interchange, which increases as land is dedicated for right-of-way). Therefore, this standard has been met.

Par. 7 states that adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. As previously discussed, the applicant intends to relocate an existing SWM pond underground to meet the SWM/BMP requirements. The applicant also proposes to over detain based on the detention method permitted in the Public Facility Manual. Adequacy of the proposed SWM facilities will be determined at the time of site plan review.

During Phases I and II, the applicant exceeds the minimum parking requirements for each use in the shopping center. For Phase III (the construction of the interchange), the applicant proposes to meet the parking requirement through a shared parking agreement among the uses on the site. At the time of dedication of right-of-way for the Phase II and III plans shown on the GDP/ SEA Plat, the applicant has proffered to submit a shared parking study in accordance with the Zoning Ordinance that demonstrates that adequate parking is available. If adequate parking is not available, the applicant has agreed to reduce the number of uses as specified by DPWES. In addition, adequate utilities and loading are provided on the site. As proffered, this standard would be met.

Par. 8 states that 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. The applicant has proffered to comply with Article 12 of the Zoning Ordinance and to not install any pole mounted signage on the site. Staff also recommends a development condition to ensure that any signs with lights that face the residential developments to the south and west be dimmed after 10 PM. With imposition of the development conditions, this standard has been met.

Additional Standards for Child Care Centers and Nursery Schools (Sect. 9-309)

The applicant proposes to relocate an existing child care center for 150 children from Building A to the first floor of Building F.

Par. 1 requires that 100 square feet of outdoor recreational area be available for each child who may use the space at any one time. The GDP/ SEA Plat shows a 5,000 square foot play area located on the south side of Building F, which is would be bounded by a six foot wooden stockade fence. Development conditions have been written to ensure noise levels do not exceed 65 dBA Ldn within the play area and that no more than 50 children are in the play area at any one time. With imposition of the development conditions, staff finds this standard has been addressed.

Par. 2 requires the use to have direct access to a public street sufficient to accommodate the estimated traffic. Access is provided through the shopping center with one entrance from Braddock Road and two from Ox Road. This standard has been addressed.

Par. 3 requires that the use be located so as to allow the loading and un-loading of all children on the site. Adequate drop off space is available to the east, west and north sides of building. Staff has carried forward a previously approved development condition which required that a minimum of 24 parking spaces be provided for this use and that the a parking tabulation of all uses in the shopping center be recalculated prior to site plan approval. With these conditions, this standard has been addressed.

Paragraph 4 reiterates that Child Care Centers are subject to the regulations of Chapter 30 of *the Fairfax County Code* or Title 63.1 Chapter 10 of *the Code of Virginia*.

Additional Standards for Drive-In Financial Institutions, Fast Food Restaurants, and Service Stations with a mini-mart (Section 9-505)

The applicant proposes to retain two drive-in financial institutions (Buildings H and J1) and a service station/ mini-mart (Building I) and to add a fast food restaurant with a drive-in and a drive-in financial institution in a new freestanding building (Building G). No changes are proposed to the service station/ mini-mart in Building I or the financial institutions in Buildings H and J1 in Phases I or II. A new freestanding building (Building G) would consist of 7,000 square foot one-story building located to the east of Building H located at the northwest corner of the site. This building would include two new separate uses (a 4,000 square foot fast food restaurant with a drive-in and a 3,000 square foot financial institution

with a drive-in). The applicant has proffered to demolish Building H when right-of-way in Phase III is dedicated and to remove the drive-in component of the existing financial institution in Building J1 when its lease expires.

Par. A requires that all sides of the proposed building include the same architectural features or shall be architecturally compatible with the building group or neighborhood with which it is associated. The applicant has proffered to design all buildings in the shopping center in substantial conformance with the general type, quality and proportion of materials depicted in the illustrative perspectives, elevations and sections shown on Sheets 24 through 32 of the GDP/ SEA Plat. These illustrations include building materials with combinations of masonry and Exterior Insulation Finishing System (EIFS) materials that are compatible within the existing shopping center. This standard has been satisfied.

Par. B requires the shopping center to be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties. The Roanoke River Road access point from Braddock Road is proposed to better align with the access to George Mason University to the north with two ingress lanes and two egress lanes. A new access point from Ox Road with future inter-parcel access to the south is proposed at the southwest corner of the site. Significant right-of-way along the Braddock Road and Ox Road frontages is also proposed to be reserved for future dedication needed with the Braddock Road and Ox Road interchange improvement. In addition, the applicant has proffered to provide a comprehensive pedestrian access plan showing existing and proposed sidewalks throughout the subject property as shown on Sheets 10 and 11 of the GDP/ SEA Plat. Staff recommends a development condition to ensure clear pedestrian paths to the George Mason University and to the residential community to the south are provided during the first phase of the development. As proffered and conditioned, this standard has been satisfied.

Par. C requires the use to be designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation. Parking and stacking spaces shall be provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the site. During the review process, staff was concerned about the number of drive-in uses in the shopping center. To address the concern, the applicant has proffered to demolish Building H (an existing financial institution with a drive-in) when right-of-way in Phase III is dedicated and to remove the drive-in component of the existing financial institution in Building J1 when the current lease expires. To improve existing on-site circulation, the applicant proposes to extend the entrance throats from the Braddock Road and Ox Road access points into the site to facilitate traffic movements within the shopping center. However, staff recommends that eight parking spaces located to the north of Building F

and south of Building C should be removed or relocated to prevent potential vehicle conflicts. A development condition has been written to address staff's concern.

In addition, the applicant proposes to provide three drive-in lanes for Building G1 (financial institution) and one drive-in lane for Building G2 (fast food restaurant). To address stacking requirements, the applicant has proposed drive-in lanes to accommodate a minimum of eight spaces for the drive-in financial institution and a minimum of eleven stacking spaces for the drive-in fast food restaurant as required by the Zoning Ordinance. Sheet 3 of the GDP/ SEA Plat indicates that 45 spaces would be provided for both uses in Building G. These spaces are shown to the south, west and east of the buildings. A development condition has been imposed to require a parking tabulation of all uses in the shopping center be recalculated prior to site plan approval. As previously discussed, the applicant proposes to submit a shared parking study when right-of-way for Phases I and II is dedicated.

Par. D requires sufficient area and width to accommodate the use and that any such use will not adversely affect any nearby existing or planned residential areas as a result of the hours of operation, noise generation, parking, glare or other operational factors. A development condition has been written to ensure that the proposed lighting is in conformance with Part 9 of Article 14 of the Zoning Ordinance to prevent glare and any signs with lights that face the residential developments to the south and west be dimmed after 10 PM.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The application seeks to rezone 0.16 acres on Tax Map 68-1((1)) 9A from the R-1 District to the C-6 District to consolidate 0.16 acres with land zoned C-6. The applicant also seeks to amend the proffers for RZ C-83 previously approved for commercial development to permit modifications to the approved proffers and the General Development Plan (GDP) associated with the University Mall Shopping Center. This proposal includes an expansion of the existing main shopping center buildings; renovation of the courtyard and facades; demolition of an existing freestanding retail/ office building; and the addition of three new freestanding buildings. In total, these applications propose approximately 80,065 square feet of new construction, which would increase the existing gross square footage of the shopping center from 138,454 (0.16 FAR) to 206,338 (0.24 FAR).

In addition, the applicant proposes to amend SE 87-A-086 previously approved for a child care center to 1) consolidate all of the previously approved special

exceptions on the site into one application, which include: 1) a child care center with a maximum of 150 children (Building A), two drive-in financial institutions (Buildings H and J1) and a service station/ mini-mart (Building I); 2) relocate the child care center from Building A to a new freestanding Building F; 3) add a fast food restaurant with a drive-in and a drive-in financial institution within the University Mall Shopping Center in Building G; and 4) increase the allowable height in a C-6 district from 40 feet to allow four building accent towers with a 46 foot tower on Building A, 60 and 75 foot towers on Building C and a 54 foot tower on Building D, as well as a 42 foot building height for a portion of Building C.

Staff has noted a concern with the installation of a traffic signal at the proposed access point located at the southwest corner of the site. The applicant has proffered to conduct a traffic signal warrant study prior to final bond release and install or fully fund a traffic signal if found warranted. If VDOT determines that a traffic signal is warranted prior to the construction of the Ox Road/Braddock Road Interchange Option 9T (shown as Phase III on the GDP/ SEA Plat), the applicant has agreed to fund a portion of the traffic signal or a pro rata share of the cost. Since the subject property is the primary reason for regulating turning movements at this location, staff recommends that the applicant fund or construct a traffic signal regardless of whether it is warranted at the time the study is completed. Staff will continue to work with the applicant to further refine the application. It is staff's evaluation that the proposed development is in harmony with the use and intensity recommendations of the Comprehensive Plan and with the applicable Zoning Ordinance requirements.

Staff Recommendations

Staff recommends approval of RZ 2009-BR-015, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of PCA C-083-02, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of SEA 87-A-086-02, subject to development conditions contained in Appendix 2.

Staff recommends approval of a modification of the peripheral parking lot landscaping requirements (to provide a ten foot minimum distance along the frontage of the northern and western property lines) in favor of the landscaping shown on the GDP/ SEA Plat.

Staff recommends approval of a modification of the lot area, lot width and open space requirements for the property zoned R-1 (RZ 2009-BR-015) to permit the consolidation of this lot into the existing shopping center site.

Staff recommends approval of a modification of the transitional screening and barrier requirements along the western and southern property lines in favor the landscaping shown on the GDP/ SEA Plat.

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

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

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

APPENDICES

1. Draft Proffers
2. Proposed SEA 87-A-086-02 Development Conditions
3. Affidavit for PCA C-83-2
4. Affidavit for SEA 87-A-086-02
5. Affidavit for RZ 2008-BR-015
6. Statement of Justification
7. Previously Approved Proffers for PCA C-83 and Development Conditions for concurrent applications (SE 84-A-071 and SE 84-A-072)
8. Previously Approved Development Conditions for SEA 82-A-019-3
9. Previously Approved Development Conditions SEA 87-A-086
10. Amended Covenant associated with PCA C-83
11. Comprehensive Plan Land Use Analysis and Environmental Assessment
12. Urban Forest Management Analysis
13. Transportation Analysis
14. Fairfax County Park Authority Analysis
15. Stormwater Management (DPWES) Analysis
16. Fairfax County Water Authority Analysis
17. Fire and Rescue Analysis
18. Sanitary Sewer Analysis
19. Zoning Ordinance Provisions
20. Glossary of Terms

PROFFERS
College Town Associates, L.P.
RZ 2009-BR-015
PCA C-83-02

December 21, 2010

Pursuant to Section 15.2-2303(a) of the Code of Virginia, 1950, as amended, the property owners and Applicant in this Rezoning and Proffer Condition Amendment (PCA) proffer that the development of the parcel under consideration and shown on the Fairfax County Tax Maps as Tax Map Reference No. 68-1((1))9A (rezoning parcel) and Tax Map Reference No. 68-1((1))9 (PCA Parcel) (hereinafter referred to as the "Property") will be in accordance with the following conditions if, and only if, said rezoning request for the C-6 District and PCA C-83-02 are granted by the Board of Supervisors of Fairfax County, Virginia (the "Board"). In the event said application requests are denied or the Board's approval is overturned by a court of competent jurisdiction, these proffers shall be null and void. The Owners and the Applicant ("Applicant"), for themselves, their successors and assigns, agree that these proffers shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board, in accordance with applicable County and State statutory procedures. The Applicant hereby reaffirms the Proffered Development Conditions approved with PCA C-83-1 subject to the following amended Proffered Conditions that amend paragraph B of the Proffered Development Conditions dated September 11, 1984, and the proffers associated with the C-2 zoned portion (Tax Map 68-1((112))9B) of PCA C-83-1 shall remain in effect.

GENERAL

1. Substantial Conformance. Subject to the proffers and the provisions of Article 18 of the Zoning Ordinance, under which minor modifications to an approved development plan are permitted, development of the Property shall be in substantial conformance with the Generalized Development Plan/Special Exception Amendment Plat ("GDP/SEA Plat") entitled "College Town Associates, L.P.....University Mall" (hereinafter referred to as GDP/SEA Plat), prepared by Bohler Engineering Inc., and dated June 19, 2009 as revised through November 30, 2010.

2. Minor Modifications. In addition to that described above, pursuant to Paragraph 4 of Section 18-403 of the Zoning Ordinance, minor modifications to the GDP/SEA Plat and these proffers may be permitted as determined by the Zoning Administrator.

3. Maximum Density. The maximum floor area ratio ("FAR") permitted on the Property shall be .24. Based on the maximum FAR, the maximum gross floor area ("GFA") that may be constructed shall be 206,338 square feet. The Applicant reserves the right to construct a lesser amount of GFA provided that the buildings and Property remain in substantial conformance with that shown on the GDP/SEA Plat as determined by the Zoning Administrator.

4. Architecture. A. The final architectural design shall be in substantial conformance with the general type, quality and proportion of materials depicted in the illustrative perspectives, elevations, and section shown on sheets 24 through 32 of the GDP/SEA Plat. Rooftop mechanical equipment will be shielded from view using parapet walls and designed to not exceed roof coverage limitations of the Zoning Ordinance.

B. Rooftop Equipment. Telecommunications and other related equipment may be placed on the proposed Buildings' rooftops. Any such facilities must comply with the applicable requirements of the Zoning Ordinance. Other screening measures may be used such as including the facilities as part of the architecture of the buildings, utilizing compatible colors, or employing telecommunication screening material and flush mounted antennas.

C. The following colors and materials shall be used on the main shopping center building and shall be compatible with each other and with the illustrations shown on Sheets 24 to 32 of the GDP/SEA Plat as determined by the Department of Public Works and Environmental Services (DPWES):

Materials - Color Palette:

- Masonry – Rusty Red-browns
- EIFS (Exterior Finish and Insulation System) – Earth Tones
- Aluminum Storefront and Curtain wall - Silver
- Fabric Awnings – Varied Accent Colors and Patterns

- Corrugated Metal - Gray
- Decorative metal work elements – Black and Silver
- Sidewalk Paving - Buff and Brown
-

D. Retaining walls shall be constructed in substantial conformance with those shown on sheet 7, 8 and 9A of the GDP/SEA Plat and shall meet Public Facilities Manual ("PFM") requirements.

E. The outdoor play area for the child care center in Building F shall be a minimum area of 5000 s.f. and shall be screened with a solid fence or wall a minimum of 6 feet in height, as shown on the GDP/SEA Plat.

5. Unifying Elements. All street furniture, including garbage cans, benches and lamp posts, shall be consistent, both in terms of materials and design, throughout the development. Such street furniture shall be consistent in quality and character with the illustrative examples included in Site Details Sheet 21 of the GDP/SEA Plat.

6. Signage. All signage provided on the Property shall comply with Article 12 of the Zoning Ordinance. Any permanent freestanding signs shall be monument type and shall be generally located as shown on the GDP/SEA Plat. Pole signs shall not be permitted on the Property. All directional and wayfinding signage shall be consistent, both in terms of materials and design, throughout the development.

7. Building Height Increase. The accompanying Special Exception application seeks an increase in building height from 40 feet to 75, 60, 54 and 50 feet for 4 accent towers on Buildings A and C and 42 feet on a portion of Building C as depicted on the GDP/SEA Plat.

8. Building J1. Building J1 is currently occupied by a drive-in financial institution. At least 90 days prior to the expiration of the existing lease, the applicant shall inform the occupant of the building that upon expiration of the lease, the drive-in window and associated

driveway will be removed and additional landscaping shall be provided per the recommendation of Urban Forest Management (UFM). If the current occupant leaves the building, the drive-in window and associated driveway shall be removed and additional landscaping shall be provided per the recommendation of UFM. In any event, the drive-in window shall be removed prior to the issuance of a Non-residential (Non-Rup) for a new occupant.

GREEN BUILDING PRACTICES

9. The applicant will include, as part of the site plan/subdivision plan submission and building plan submission for Buildings E, F and G1 to be constructed, a list of specific credits within the most current version of the U.S. Green Building Council's (USGBC's) Leadership in Energy and Environmental Design—Core and Shell rating system (LEED®-CS) that the applicant anticipates attaining. A LEED-accredited professional who is also a professional engineer or architect licensed to practice in the Commonwealth of Virginia will provide certification statements at both the time of site plan/subdivision plan review and the time of building plan review confirming that the items on the list will meet at least the minimum number of credits necessary to attain LEED Silver certification of the project.

10. In addition, prior to site plan approval for Buildings E, F and G1, the applicant will designate the Chief of the Environment and Development Review Branch of the Department of Planning and Zoning (DPZ) as a team member in the USGBC's LEED Online system. This team member will have privileges to review the project status and monitor the progress of all documents submitted by the project team, but will not be assigned responsibility for any LEED credits and will not be provided with the authority to modify any documentation or paperwork.

11. Prior to building plan approval for buildings E, F and G1, the applicant will submit, to the Environment and Development Review Branch of DPZ, documentation from the U.S. Green Building Council demonstrating that LEED Silver precertification under the Core and Shell program has been attained for that building. Prior to release of the bond for the project, the applicant shall provide documentation to the Environment and Development Review

Branch of DPZ demonstrating the status of attainment of LEED Certification from the U.S. Green Building Council for each building on the property.

12. As an alternative to the actions outlined in the above paragraphs, or if the applicant fails to attain LEED Silver precertification prior to building plan approval, the applicant will execute a separate agreement and post, for each building, a "green building escrow," in the form of cash or a letter of credit from a financial institute acceptable to DPWES as defined in the Public Facilities Manual, in the amount of \$2.00 per gross square foot of building. This escrow will be in addition to and separate from other bond requirements and will be released upon demonstration of attainment of certification, by the U.S. Green Building Council, under the most current version of the LEED-CS rating system or other LEED rating system determined, by the U.S. Green Building Council, to be applicable to each building. The provision to the Environment and Development Review Branch of DPZ of documentation from the U.S. Green Building Council that each building has attained LEED certification will be sufficient to satisfy this commitment. If the applicant fails to provide documentation to the Environment and Development Review Branch of DPZ demonstrating attainment of LEED certification within one year of issuance of the RUP/non-RUP for the building, the escrow will be released to Fairfax County and will be posted to a fund within the county budget supporting implementation of county environmental initiatives.

13. In the event building G2 is a Fast Food Restaurant the following measures shall be taken in lieu of LEED certification:

a. Prior to the issuance of the Non-Residential Use Permit, verification shall be provided to the Department of Planning and Zoning that the following green building elements have been completed. These elements shall be verified either by letter from a LEED-AP or other equivalent green building certified professional who is also a licensed architect or engineer but not a Fast Food Restaurant employee.

b. The purchase of renewable energy credits to offset up to 35% of the restaurant electrical demand.

c. The use of rooftop HVAC units with an 11 EER (Energy Efficiency Rating) for the 15 Ton Unit and a 13 SEER (Seasonal Energy Efficiency Rating) for the 4 Ton Unit.

d. The use of compact fluorescent light fixtures as the predominant fixture in the dining room.

e. The use of high efficiency fluorescent light fixtures in kitchen area.

f. The use of low flow water closets, urinals and lavatories.

g. The use of automatic faucets for restroom hand sinks (lavatories) and kitchen area hand sinks, as allowed by the Health Department.

h. The use of low volatile organic compound (VOC) adhesives, paints, and sealants, with the exception of fire caulking, mastic products used to seal the roof membrane and any flues used to weld PVC piping together. Specifically, architectural paints and coatings applied to interior walls and ceilings shall not exceed the VOC contents limits established in Green Seal Standard GS-11, Paints, 1st Edition, May 20, 1993. Anti-Corrosive and anti-rust paints applied to interior ferrous metal substrates shall not exceed the VOC content limit of 250 g/l established in Green Seal Standard GC-03, Anti-Corrosive Paints, 2nd Edition, January 7, 1997. Clear wood finishes, floor coatings, stains, primers, and shellacs applied to interior elements shall not exceed the VOC content limits established in South Coast Air Quality Management District (SCAM) Rule 1113, Architectural Coatings, rules in effect on January 1, 2004. Finally, adhesives, sealants, and sealant primers, with the exception of fire caulking, mastic products used to seal the roof membrane and glues used to weld PVC piping together, shall comply with South Coast Air Quality Management District (SCAM) Rule #1168.

i. The use of highly reflective (White Thermoplastic Polyolefin Membrane) building roof to include an initial solar reflectivity index (SRI) equal to or greater than 78.

j. Develop and implement a construction and demolition waste program which provides for, at a minimum, construction waste management recycling for the existing building demolition, consisting of storefront windows, glass window lights in exterior doors, structural steel (columns, lintels, etc.), storefront glass window frames, hollow metal doors/frames, and steel supports from dining room seating/tables.

14. Prior to the issuance of any permits for building signs for Building G, verification shall be provided to DPZ that LED illumination shall be used within the signs. The use of LED illumination shall be verified either by letter from a LEED-AP or other equivalent green building certified professional who is also licensed architect or engineer but not employed by the applicant.

TRANSPORTATION

15. Reservation/Dedication for Ox Road and Braddock Road. The Applicant shall reserve for future dedication for public street purposes and conveyance in fee simple to the Board of Supervisors, for no additional consideration, monetary or otherwise, the right-of-way needed to widen Ox Road and Braddock Road across the Property's frontage as a grade separated interchange as shown on sheet 20 of the GDP/SEA Plat. The Applicant shall then dedicate the right-of-way as specified in Proffers 15B and 15C. Such right-of-way shall be of variable width, and shall be located within the Property in the areas as generally shown on Sheet 20 of the GDP/SEA Plat. The exact location and amount of right-of-way to be dedicated shall be determined in relation to the final engineering design of option 9T of the Ox Road/Braddock Road Interchange as determined by DPWES and VDOT. Reservation and Dedication of such right-of-way shall be made as follows:

A. A Deed of Street Reservation to the Board of right-of-way along the Property's Braddock Road and Ox Road frontages as shown on sheet 20 entitled Phase 3 Plan shall be recorded among the land records at time of the first site plan approval for new development. The Deed shall be in conformance with that which is proffered. The Applicant shall provide a copy of the Deed to the Fairfax County Department of Transportation before recordation.

B. At such time in the future as VDOT or Fairfax County, whichever occurs first, shall demand, the Applicant shall prepare, submit for approval, and then execute a Deed of Dedication to the Board of Supervisors that conveys in fee simple and dedicates for public street purposes, for no additional consideration, monetary or otherwise, the land areas as shown on

Sheet 19 of the GDP/SEA Plat or as determined by the final designs of the interim transportation improvements for the Ox Road/Braddock Road corridor. The Applicant shall vacate and demolish any structures in the dedication area and reconfigure land bays as necessary prior to dedication at their own expense.

C. At such time in the future as VDOT or Fairfax County, whichever occurs first, shall demand, the Applicant shall prepare, submit for approval, and then execute a Deed of Dedication to the Board of Supervisors that conveys in fee simple and dedicates for public street purposes, for no additional consideration, monetary or otherwise, the land area as shown on Sheet 20 of the GDP/SEA Plat or as determined by the final designs of option 9T for the Ox Road/Braddock Road interchange. The Applicant shall vacate and demolish any structures in the dedication area and reconfigure land bays as necessary prior to dedication at their own expense.

D. In the event the Applicant receives written notice to dedicate the Braddock Road and Ox Road right-of-way pursuant to paragraphs C. and D. above prior to the expiration of the leases governing Building "H" and the "Gas Station Building" lessees, (i) the Applicant shall request the County to acquire the necessary property rights held by Building "H" and the "Gas Station Building" lessees by means of its condemnation powers, at the Applicant's expense. The Applicant's request will not be considered until it has forwarded, in writing, to the appropriate County agency accompanied by: (1) plans and profiles showing the necessary right-of-way or easements to be acquired, including all associated details of the proposed transportation improvements to be located on said property; (2) an independent appraisal of the leasehold value of the right-of-way easements to be acquired and of all damages and benefits to the residue of the affected property; (3) a sixty (60) year title search certificate of the right-of-way or easements to be acquired; and (4) Letter of Credit or cash (at the Applicant's discretion) in an amount equal to the appraised value of the right-of-way or easements to be acquired and of all damages to the residue, which Letter of Credit can be drawn upon by the County. In the event the property owner and Lessees of the right-of-way or easements to be acquired are awarded more than the appraised value of same and of the damages to the residue in a condemnation suit, the amount of the award in excess of the Letter of Credit or cash posted amount shall be paid to the County by the Applicant within fifteen (15) days of said award. All

other costs incurred by the County in acquiring the right-of-way, including relocation costs and attorney's fees associated with condemnation, shall be paid to the County by the Applicant on demand. The Applicant agrees to waive its condemnation award for its fee simple interests in the condemned right-of-way.

E. The Applicant shall not renew the leases for Building H and the Service Station and shall not enter into any new leases that would convey any leasehold interest in the reservation area described above. All new leases of leasehold interests outside the reservation area shall include full disclosure of the reserved right-of-way and shall include a lease termination paragraph upon dedication.

F. If not previously approved by the Board of Supervisors, an SEA will be required for the service station to reflect Phase II and III improvements as shown on the GDP/SEA Plat.

16. Bike Parking. At the time of each site plan for new construction, the Applicant shall provide and install a minimum of one (1) bicycle storage space per 7,500 square feet of total commercial gross floor area unless demonstrated that a minimum of twenty-eight (28) bicycle storage spaces have been provided on-site. The design and placement of bicycle storage spaces shall be done in consultation with the Fairfax County Department of Transportation.

17. New Southern Entrance on Ox Road.

A. Prior to the issuance of the first new Non-RUP, the Applicant shall construct a right in/right out only with a median island entrance along Ox Road generally as shown on sheet 7 and sheet 19 of the GDP/SEA Plat with the flexibility to slightly shift the entrance to accommodate the interparcel access to the south specified in Proffer 17B.

B. Applicant shall construct an interparcel access travelway connecting the new entrance to the southern property line generally as shown on Sheets 7, 8, 19 and 20 of the GDP/SEA Plat with the flexibility to slightly shift the interparcel to accommodate access from the south and record a public access easement in order to provide properties to the south access to an entrance along Ox Road. The applicant shall seek approval of an SEA application to allow the interparcel access/driveway in an R-1 District and coordinate with southern property owners

to facilitate access to any future signal. Any physical barriers will be removed at the applicant's expense.

18. Existing Ox Road Entrance. Prior to the issuance of the first new NON-Rup, the Applicant shall lengthen the throat to the entrance on Ox Road, construct a sidewalk connection to Ox Road and paved crosswalks connecting to Building A as shown on sheet 7 and 8. It is understood that this entrance will be eliminated by VDOT with the interchange improvements as shown on sheet 20 of the GDP/SEA Plat. At such time, the Applicant shall reconfigure the parking area and plant additional landscaping along Ox Road to conform with the landscaping on either side at their own expense.

19. Eastern Braddock Road Entrance. Prior to the issuance of the first new Non-RUP, the Applicant shall widen the entrance/exit along Braddock Road to provide a left turn exit, through exit and right turn exit lanes as shown on sheets 7, 8, 19 and 20 of the GDP/SEA Plat.

20. Westbound Left Turn on Braddock Road. Prior to the issuance of the first new Non-RUP the Applicant shall lengthen the westbound left turn lane at the Roanoke River Road and Braddock Road intersection to provide a 335 foot turn lane, with a 200 foot taper as shown on the GDP/SEA Plat sheet number 7.

21. Shared Parking Study/Parking Reduction Study. At the time of dedication of right-of-way for the "Phase 2 Plan" and/or "Phase 3 Plan", a shared parking study and/or parking reduction study that demonstrates that adequate parking is available for the entire shopping center shall be submitted for approval in accordance with the Zoning Ordinance. If it is determined in review of the revised shared parking and/or parking reduction study that the parking is not adequate for the shopping center, the Applicant shall be permitted to provide additional parking spaces on the Property without a proffered condition amendment, provided that open space is not reduced, or to reduce the number of uses and adhere to the limits specified by DPWES.

22. Pedestrian Signal Timing. Subsequent to completing the improvements outlined in paragraphs 19 and 20, the Applicant shall submit a pedestrian signal study to VDOT seeking an increase in the amount time allocated for pedestrians using the crosswalks at the intersection

of Braddock Road and Roanoke River Road and pay for any modifications to the timing of the pedestrian signal at the intersection of Braddock Road and Roanoke River Road, as approved and determined to be necessary by VDOT.

23. Traffic Signal in general vicinity of New Ox Road Entrance. Prior to final bond release, the applicant shall conduct a signal warrant study for a traffic signal in the general vicinity of the New Ox Road Entrance as shown on Sheet 7. If found warranted and acceptable to VDOT, Applicant shall install or fully fund the installation of the signal. If VDOT determines that a signal is warranted prior to the construction of the Braddock Road/Route 123 interchange, the Applicant shall contribute its pro rata share towards the cost of the installation of a signal at the New Ox Road entrance as determined by FCDOT.

STORMWATER MANAGEMENT

24. Stormwater Management ("SWM") Facilities. The Applicant will fulfill such requirements through the use of an underground system shown on the GDP/SEA Plat in accordance with the stormwater management narrative and Fairfax County requirements in the Public Facilities Manual. SWM and outfall shall be reviewed for adequacy by DPWES at the time of site plan approval. If determined not adequate, a PCA may be required.

25. Interim SWM Facilities. Concurrent with the construction of the underground system during the first phase of development, the Applicant shall phase construction of SWM facilities as approved by DPWES.

LANDSCAPING

26. Landscaping and Landscaped Open Space. The site plan submitted for the development shall include a landscape plan consistent with that on Sheets 17, 18, 19 and 20 of the GDP/SEA Plat. The Applicant shall maintain the existing landscaping on site and the proposed landscaping as shown on the GDP/SEA Plat. All new deciduous trees provided as shown on such landscape plan, shall be a minimum of 2 to 2.5 inches in caliper at the time of planting. All new evergreen trees used in peripheral screening and landscaping areas and public spaces shall be a minimum of six (6') feet in height at the time of planting. Such landscape plan

shall be provided in substantial conformance with the landscaping concepts shown on the GDP/SEA Plat as determined and approved by UFM.

27. Location of Utilities. Along all existing and proposed public rights-of-way, utility lines shall be generally located so as to not interfere with the landscaping concepts shown on the GDP/SEA Plat. The Applicant reserves the right to make minor modifications to relocate such landscaping to reasonably accommodate utilities lines provided such relocated landscaping shall retain a generally equivalent number of plantings and continues to reflect the concepts illustrated on the GDP/SEA Plat and shall conform to the tree canopy calculations specified in the County Public Facility Manual (PFM). For all other areas of the Property, in the event that, during the process of site plan review any landscaping shown the GDP/SEA Plat cannot be installed in order to locate utility lines, as determined by DPWES, then an area of additional landscaping consisting of equivalent flora generally consistent with that displaced shall be substituted at an alternate location on the Property, subject to approval by UFM.

28. 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 or Landscape Architect, and shall be subject to the review and approval of the Urban Forest Management Division DPWES.

A. The tree preservation plan shall include a tree inventory that identifies the location, species, critical root zone, size, crown spread 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 limits of clearing and grading shown on the GDP/SEA 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, mulching, fertilization, and others as necessary, shall be included in the plan.

29. Tree Preservation Walk-Through. The Applicant shall retain the services of a certified arborist or Registered Consulting 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, the Applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with an UFM, 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 that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions.

30. Limits of Clearing and Grading. The Applicant shall conform strictly to the limits of clearing and grading as shown on the GDP/SEA Plat, subject to a 5 foot clearing area along the southern property line to allow construction of the retaining walls. A replanting plan shall be developed and implemented, subject to approval by the UFM for the 5 foot wide area protected by the limits of clearing and grading that must be disturbed for the retaining wall.

31. Tree Preservation Fencing.

A. All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. 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 demolition Plan, as may be modified by the "Root Pruning" development condition below.

B. 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 or landscape architect, 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, UFM 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 UFM.

32. Root Pruning. The Applicant shall root prune, as needed to comply with the tree preservation requirements of these development conditions. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the site plan submission. The details for these treatments shall be reviewed and approved by UFM and 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 or landscape architect.
- A UFM representative shall be informed when all root pruning and tree protection fence installation is complete.

33. Site Monitoring. During any clearing or tree/vegetation/structure removal on the Applicant Property, 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 UFM. The Applicant shall retain the services of a certified arborist or Registered Consulting Arborist or landscape

architect to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffer development conditions, and UFM approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan , and reviewed and approved by the UFM.

34. Bonding.

A. A professional with experience in plant appraisal, such as a certified arborist or landscape architect, shall be retained to determine the replacement value of trees noted "to be saved" on the tree preservation plan including both on-site trees and off-site trees 8 inches in diameter and greater, and 25 feet from the limits of clearing and grading. These trees and their value shall be identified on the tree preservation plan at the time of the first submission of the site plan. The replacement value shall take into consideration the age and size of the trees and shall be determined by the so called "Trunk Formula Method" contained in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture, subject to review and approval by UFM.

B. The Applicant shall practice due diligence to preserve healthy trees determined worthy of saving by Urban Forestry Management. At the time of site plan approval, a cash bond or letter of credit payable to the County of Fairfax shall be posted to ensure preservation and/or replacement of the designated trees that die or are dying due to unauthorized construction activities. The letter of credit shall be equal to fifty percent (50%) of the replacement value of the bonded trees. The cash bond shall consist of thirty-three percent (33%) of the amount of the letter of credit. At the time of the issuance of the Non-RUP, the Applicant shall be entitled to request a release of any monies remaining in the cash bond and a reduction in the letter of credit to any amount up to twenty percent (20%) of the total amounts originally committed. The amount of funds to be releases shall be determined by UFM. Any funds remaining in the letter of credit or cash bond will be released concurrently with the site performance bond release, or sooner, if approved by UFM.

C. If at the time of final bond release, trees are found to be dead or dying despite adherence to approved construction activities by UFM, the cash bond or letter of credit

shall be used as necessary to plant similar size and species, or species appropriate to the site, in consultation with UFM, and the Applicant's certified arborist or landscape architect. The cash bond or letter of credit shall not be used for the removal of the dead/dying trees normally required by the PFM. In addition to the replacement obligation, the Applicant shall also make a payment to Fairfax County equal to the value of any tree shown to be preserved on the GDP Plat that is determined by UFM to be dead or dying due to unauthorized construction activities. This payment shall be based on the "Trunk Formula Method" noted above and be paid to a Tree Preservation and Planting Fund established by the County for furtherance of tree preservation objectives in the Braddock District.

35. Native Trees. Native species of trees shall be used within the landscaping, streetscape and parking lot landscaping space areas as determined appropriate by the County Urban Forester per the County PFM.

36. Supplemental Landscaping in the R-1 zoned area. At the time of planting, the minimum size of deciduous canopy and understory trees shall be 2"-2 ½" caliper, and the minimum height of evergreen trees shall be 8 feet per the County PFM. Areas that are cleared and graded for construction of the retaining wall next to the 50 foot buffer shall be replanted by the Applicant with native species more typically found at the edges of forests, such as *Acer rubrum* (Red maple), *Amelanchier arborea* (Serviceberry), *Cercis canadensis* (Redbud), *Carpinus caroliniana* (American Hornbeam), *Carya glabra* (Pignut hickory), *Cornus florida* (Dogwood), *Hamamelis virginiana* (Witchhazel), *Juniperus virginiana* (Redcedar), *Ilex opaca* (American holly), and *Quercus coccinea* (Scarlet oak), as determined and approved by UFM, as soon as construction activities in the retaining wall area are completed and planting conditions are appropriate, but in no instance shall this occur later than the issuance of a Final NonRUP for any structure adjacent to a cleared area.

MISCELLANEOUS

37. Pedestrian Elements.

A. The Applicant shall construct pedestrian walk-ways and crosswalks as sheet shown on sheets 10 and 11 of the GDP/SEA Plat as follows:

- Paver crossways connecting Buildings G1 and G2 and to sidewalk from Braddock Road entrance. See Area Detail "D" sheet 11.
- Paver crosswalk leading to Building C. See Area Detail "B" Sheet 11.
- A paver landing area with a knee wall at the center's entrance on Roanoke River Road aligned with the crosswalks from George Mason University connecting to the center's interval sidewalk system. See Sheet 10.
- A pedestrian sidewalk with a raised crosswalk connection to the neighborhood along the southern property line. See Area Detail "C" Sheet 11.
- Each pedestrian element shall be constructed concurrently during building construction in closest proximity, and the entire pedestrian circulation plan must be provided with the first site plan.

B. The Applicant shall maintain sidewalks and/or trails located outside the public right-of-way.

38. Trash. All outdoor trash receptacles shall conform to the standards set forth in the Public Facilities Manual for the screening of such receptacles. The Applicant shall: (a) provide trash cans in the general vicinity of each outdoor seating and patio area; (b) provide for the removal of the trash daily from this area to reduce used cooking oil/food orders; and (c) generally clean and clear each outdoor seating and patio area of trash daily. The Applicant shall arrange for trash pick ups to occur, no earlier than 7 a.m. and no later than 9 p.m.

39. Parking Enforcement. The Applicant shall prohibit illegal parking of vehicles by people not visiting the shopping center. The Applicant shall maintain a contract with a towing service and have illegally parked vehicles towed from the Property at the violator's expense.

40. Security Cameras. The Applicant shall install and maintain 24 hour surveillance cameras recording outdoor activity within all parking lots of the shopping center.

41. Community Room. The Applicant shall construct at no cost to the County, a community meeting space of not less than 1000 square feet in the shopping center for uses coordinated by the Applicant. The Applicant shall provide utilities, cleaning services and general maintenance at no cost to the County. The Applicant shall also provide basic office furniture including desks, chairs and tables.

42. Amended Covenant. Prior to approval of any site plan, the Applicant shall provide evidence satisfactory to the County Attorney that the private covenant encumbering the subject property has been amended to permit development in conformance with the GDP/SEA Plat.

43. Escalator Clause; Escalation in Contribution Amounts. All proffers specifying contribution amounts, the contribution amount shall escalate on a yearly basis from the base year of 2010 and change effective each January 1 thereafter, based on changes in the Consumer Price Index for all urban consumers (not seasonally adjusted) ("CPI-U"), both as permitted by Virginia State Code Section 15.2-2303.3.

44. Successors and Assigns. These proffers shall bind and inure to the benefit of the Applicant and its successors and assigns. Each reference to "Applicant" in these proffers shall include and be binding upon the Applicant's successor(s) in interest and/or developer(s) of any portion of the Property.

45. Counterparts. These proffers may be executed in one or more counterparts, each of which when so executed shall be deemed an original document and all when taken together shall constitute but one and the same instrument.

College Town Associates Limited Partnership
Applicant/Groundlessee

By: Geo. H. Rucker Realty Corporation its
General Partner

By: _____
Richard C. Wolff, its President

TITLE OWNERS/LESSOR

Robert J. Lewis, Trustee

John T. Whatley, Trustee

APPENDIX 2

PROPOSED DEVELOPMENT CONDITIONS

SEA 87-A-086-02

January 5, 2011

If it is the intent of the Board of Supervisors to approve SEA 87-A-086-02 on Tax Maps 68-1((1)) 9A and 9 pt. previously approved for a child care center with the University Mall Shopping Center to permit a relocation of the child care center, a fast food restaurant with a drive-in, drive-in financial institutions, an increase in building height from 40 feet up to a maximum of 75 feet, a service station with a mini-mart, and other site modifications pursuant to Sect. 4-604 and 9-607 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions, which supersede all previously approved conditions as they pertain to this site (those conditions carried forward from the previous approval are marked with an asterisk*).

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.*
2. This Special Exception Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception amendment plat approved with the application, as qualified by these development conditions.*
3. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans. Any plan submitted pursuant to the special exception shall be in substantial conformance with the approved Special Exception Amendment (SEA) Plat entitled "College Town Associates, L.P....University Mall," prepared by Bohler Engineering dated and sealed on December 2, 2010. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. A copy of this Special Exception Amendment and the Non Residential Use Permits SHALL BE POSTED in a conspicuous place on the property of the use and made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
5. All exterior lighting, including streetlights, security lighting, signage lighting and pedestrian or other incidental lighting shall be in accordance with the Performance Standards contained in Part 9, of Article 14 of the Zoning Ordinance. Any signage lighting that faces the residential communities to the west and south shall be dimmed at least 50 percent from 10 PM to dawn.
6. Parking spaces shall meet the provisions of Article 11 of the Zoning Ordinance and the geometric design standards in the Public Facilities Manual, as

determined by DPWES; a parking tabulation which demonstrates that parking requirements are met for every use in the shopping center shall be submitted and approved by DPWES prior to issuance of a Non-Residential Use Permit (Non-Rup) for any additional uses on the property.

7. The eight parking spaces located to the north of Building F shall be removed, relocated or redesigned as approved by FCDOT to minimize potential pedestrian and vehicular conflicts in the travel-way leading to the eastern access point from Braddock Road. Additional landscaping and/or an expanded sidewalk may replace these parking spaces.
8. Pedestrian sidewalks and crosswalks located along the access point leading from George Mason University on Roanoke River Road to the north and the residential community to the south as shown on the GDP/ SEA Plat shall be depicted on the first site plan and shall be completed prior to the issuance of the first Non-residential Use Permit (Non-RUP).
9. Notwithstanding that shown on the GDP/ SEA Plat, an accurate setback from Ox Road for Building H shall be measured and provided on all site plan submissions. If the setback is determined to not meet the Zoning Ordinance requirement of 40 feet in a C-6 District, the applicant shall 1) provide evidence that the existing building has been taxed for a period of 15 years pursuant to Section 15.2307 of the Code of Virginia (which would deem the building as a legal nonconforming use without the ability to expand), or 2) apply for a modification of yard requirement during the first submission of the site plan. In the event that these options fail, the applicant may need to remove the drive-in canopy on Building H to comply with the setback requirement.

Child Care Center

10. The maximum daily enrollment shall be limited to 150 students.*
11. The maximum number of staff for the child care center shall not exceed eighteen (18) persons on site at any one time.*
12. The hours of operation of the child care center shall be limited to 6:00 AM to 7:00 PM, Monday through Friday.*
13. The play area shall include a wooden stockade fencing as shown on the SEA Plat.
14. Cautionary signage shall be provided on or near Building F to enhance safety for pedestrian access to the child care center.
15. The parking area shall not be used for recreational purposes.

16. Based on the minimum required square footage of outdoor play area per child, no more than 50 children shall be in the outdoor play area at any one time.*

Fast Food Restaurant with Drive-in

17. There shall be a maximum of one fast food restaurant in Building G2 which may have a drive-in lane as shown on the SEA Plat.

Building Heights

18. The height of the accent towers on Buildings A, C, and D shall not exceed the maximum heights shown on the GDP/ SEA Plat. No gross square footage as defined by the Zoning Ordinance shall be permitted in the towers. In addition, no flagpoles or temporary signage shall be displayed on the towers.

Service Station

19. There shall be no separate free standing sign associated with the proposed service station/ mini-mart.*
20. The hours of operation shall be limited to 6:00 A.M. to Midnight, seven days a week.*
21. Landscaping shall be provided as shown on the SEA Plat. The service station bay entrance screening shall be evergreen and graduated in height to provide for safety and good visual buffer.*

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty-six (36) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted for one of the buildings in the proposed development options. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

REZONING AFFIDAVIT

DATE: November 30, 2010
 (enter date affidavit is notarized)

I, Keith C. Martin, 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 104948d

in Application No.(s): PCA C-83-2
 (enter County-assigned application number(s), e.g. RZ 88-V-001)

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

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

(NOTE: All relationships to the application listed above in **BOLD** print must 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)
Robert J. Lewis, Trustee John T. Whatley, Trustee Ann Farr Lewis, Beneficiary Kathleen E. Whatley, Beneficiary Laura E. Behm, Beneficiary	2911 Hunter Mill Road, #300 Oakton, VA 22124	Title Owners/Lessor
College Town Associates Limited Partnership Richard C. Wolff	2911 Hunter Mill Road, #300 Oakton, VA 22124	Applicant/Ground Lessee Agent
Sack Harris & Martin, P.C. Keith C. Martin Wanda S. Suder	8270 Greensboro Drive, #810 McLean, VA 22102	Former Attorneys/Agents Agent/Attorney Former Agent
Bohler Engineering VA, LLC Lance K. Kilby	22630 Davis Drive, Suite 200 Sterling, VA 20164	Engineers/Agents Agent

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

Rezoning Attachment to Par. 1(a)

DATE: November 30th, 2010
(enter date affidavit is notarized)

104948 d

for Application No. (s): PCA C-83-02
(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)
Tramonte, Yeonas & Roberts, P.C.	8221 Old Courthouse Rd. #300 Vienna, VA 22182	Attorneys/Agents
Keith C. Martin		Agent

(check if applicable)

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

REZONING AFFIDAVIT

DATE: November 30, 2010
(enter date affidavit is notarized)

104948d

for Application No. (s): PCA C-83-2
(enter County-assigned application number(s))

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

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

CORPORATION INFORMATION

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

Geo. H. Rucker Realty Corporation
2911 Hunter Mill Road, Suite 300
Oakton, VA 22124

DESCRIPTION OF CORPORATION: (check one statement)

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

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

John R. Jones, Jr.
Marilyn M. Jones
Derek P. Rucker

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

Michael P. Rucker - Chairman/Asst. Secy. Charles D. Mason - V.P./Asst. Secy. Thomas B. Light - Asst. Secy.
Richard C. Wolff - President/COO Suzanne Stone Brannan - Asst. Secy. Carol L. Major - Asst. Secy.
Susan J. Cooper - V.P./Secretary/Treasurer Marilyn M. Jones - Asst. Secy.
John R. Jones, Jr. - V.P./Asst. Secy. Margaret Jones O'Grady - Asst. Secy.

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

*** All listings which include partnerships, 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.

Rezoning Attachment to Par. 1(b)

DATE: November 30, 2010
(enter date affidavit is notarized)

104948a

for Application No. (s): PCA C-83-2
(enter County-assigned application number (s))

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

Sack Harris & Martin, P.C.
8270 Greensboro Drive, #810
McLean, Virginia 22012

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

James M. Sack
Robert A. Harris, IV
Keith C. Martin

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

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

Bohler Engineering VA, LLC
22630 Davis Drive, Suite 200
Sterling, VA 20164

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)

Adam J. Volanth
Daniel M. Duke
Mark R. Joyce

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

James A. Soltesz - Pres./CEO/Treasurer
Stephen J. Spano - Exec. V.P./COO
R. Gregory Kirkwood - V.P./Sec.

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

Rezoning Attachment to Par. 1(b)

DATE: November 30, 2010
(enter date affidavit is notarized)

104948d

for Application No. (s): PCA C-83-2
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Tramonte, Yeonas & Roberts, P.C.
8221 Old Courthouse Road #300
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 SHAREHOLDER: (enter first name, middle initial, and last name)
Vincent A. Tramonte II
George P. Yeonas
Jill J. Roberts

=====

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

=====

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

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)

=====

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

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

REZONING AFFIDAVIT

DATE: November 30, 2010
(enter date affidavit is notarized)

104048d

for Application No. (s): PCA C-83-2
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

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

College Town Associates Limited Partnership
2911 Hunter Mill Road, Suite 300
Oakton, VA 22124

(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**)

Geo. H. Rucker Realty Corporation - General Partner
Ann Farr Lewis, Kathleen E. Whatley, Laura E. Behm - Limited Partners

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

*** All listings which include partnerships, 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.

REZONING AFFIDAVIT

DATE: November 30, 2010
(enter date affidavit is notarized)

104948d

for Application No. (s): PCA C-83-2
(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 “Rezoning Attachment to Par. 2” form.

REZONING AFFIDAVIT

DATE: November 30, 2010
(enter date affidavit is notarized)

104948d

for Application No. (s): PCA C-83-2
(enter County-assigned application number(s))

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.)

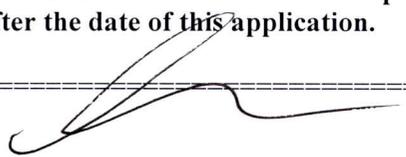
None.

(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 "Rezoning 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.

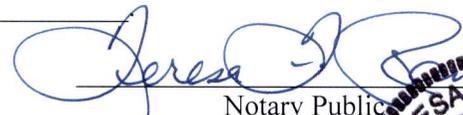
WITNESS the following signature:



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

Keith C. Martin, Agent
(type or print first name, middle initial, last name, and title of signer)

Subscribed and sworn to before me this 30th day of November 2010, in the State/Comm. of Virginia, County/City of Fairfax



Notary Public

My commission expires: 1-31-2011



SPECIAL EXCEPTION AFFIDAVIT

DATE: November 30, 2010
 (enter date affidavit is notarized)

I, Keith C. Martin, 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

104947d

in Application No.(s): SEA 87-A-086-02
 (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)
Robert J. Lewis, Trustee John T. Whatley, Trustee Ann Farr Lewis, Beneficiary Kathleen E. Whatley, Beneficiary Laura E. Behm, Beneficiary	2911 Hunter Mill Road, #300 Oakton, VA 22124	Title Owners/Lessor
College Town Associates Limited Partnership Richard C. Wolff	2911 Hunter Mill Road, #300 Oakton, VA 22124	Applicant/Ground Lessee Agent
Sack Harris & Martin, P.C. Keith C. Martin Wanda S. Suder	8270 Greensboro Drive, #810 McLean, VA 22102	Former Attorneys/Agents Agent/Attorney Former Agent
Bohler Engineering VA, LLC Lance K. Kilby	22630 Davis Drive, Suite 200 Sterling, VA 20164	Engineers/Agents 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: November 30, 2010
(enter date affidavit is notarized)

104947d

for Application No. (s): SEA 87-A-086-02
(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)
Tramonte, Yeonas & Roberts, P.C.	8221 Old Courthouse Rd. #300 Vienna, VA 22182	Attorneys/Agents
Keith C. Martin		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: November 30, 2010
(enter date affidavit is notarized)

104947d

for Application No. (s): SEA 87-A-086-02
(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)
Geo. H. Rucker Realty Corporation
2911 Hunter Mill Road, Suite 300
Oakton, VA 22124

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Michael P. Rucker - Chairman/Asst. Secy. Charles D. Mason - V.P./Asst. Secy.
Richard C. Wolff - President/COO Thomas B. Light - Asst. Secy.
Susan J. Cooper - V.P./Secy./Treas. Margaret Jones O'Grady - Asst. Secy.
John R. Jones, Jr. - V.P. Asst. Secy. Marilyn M. Jones. - Asst. Secy.
Carol L. Major - Asst. Secy. Suzanne Stone Brannan - Asst. Secy.

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

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

Special Exception Attachment to Par. 1(b)

DATE: November 30, 2010
(enter date affidavit is notarized)

104947d

for Application No. (s): SEA 87-A-086-02
(enter County-assigned application number (s))

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

Sack Harris & Martin, P.C.
8270 Greensboro Drive, #810
McLean, Virginia 22012

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)

James M. Sack
Robert A. Harris, IV
Keith C. Martin

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

Bohler Engineering VA, LLC
22630 Davis Drive, Suite 200
Sterling, VA 20164

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)

Adam J. Volanth
Daniel M. Duke
Mark R. Joyce

(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: November 30, 2010
(enter date affidavit is notarized)

104977d

for Application No. (s): SEA 87-A-086-02
(enter County-assigned application number (s))

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

Tramonte, Yeonas & Roberts, P.C.
8221 Old Courthouse Road, #300
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)

Vincent A. Tramonte II
George P. Yeonas
Jill J. Roberts

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

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: November 30, 2010
(enter date affidavit is notarized)

104947d

for Application No. (s): SEA 87-A-086-02
(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)
College Town Associates Limited Partnership
2911 Hunter Mill Road, Suite 300
Oakton, VA 22124

(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)

Geo. H. Rucker Realty Corporation -
General Partner
Ann Farr Lewis, Kathleen E. Whatley,
Laura E. Behm - Limited Partners

(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: November 30, 2010
(enter date affidavit is notarized)

104947a

for Application No. (s): SEA 87-A-086-02
(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:

[x] 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: November 30, 2010
(enter date affidavit is notarized)

104947d

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

Keith C. Martin, Agent
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 30th day of November 20 10, in the State/Comm. of Virginia, County/City of Fairfax

Teresa F. Rankin
Notary Public

My commission expires: 1-31-2011



REZONING AFFIDAVIT

DATE: November 30, 2010
 (enter date affidavit is notarized)

I, Keith C. Martin, 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 *104945d*

in Application No.(s): RZ 2009-BR-015
 (enter County-assigned application number(s), e.g. RZ 88-V-001)

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

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

(NOTE: All relationships to the application listed above in **BOLD** print must 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)
Robert J. Lewis, Trustee John T. Whatley, Trustee Ann Farr Lewis, Beneficiary Kathleen E. Whatley, Beneficiary Laura E. Behm, Beneficiary	2911 Hunter Mill Road, #300 Oakton, VA 22124	Title Owners/Lessor
College Town Associates Limited Partnership Richard C. Wolff	2911 Hunter Mill Road, #300 Oakton, VA 22124	Applicant/Ground Lessee Agent
Sack Harris & Martin, P.C. Keith C. Martin Wanda S. Suder	8270 Greensboro Drive, #810 McLean, VA 22102	Former Attorneys/Agents Agent/Attorney Former Agent
Bohler Engineering VA, LLC Lance K. Kilby	22630 Davis Drive, Suite 200 Sterling, VA 20164	Engineers/Agents Agent

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

Rezoning Attachment to Par. 1(a)

DATE: November 30th, 2010
(enter date affidavit is notarized)

104945d

for Application No. (s): RZ 2009-BR-015
(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)
Tramonte, Yeonas & Roberts, P.C.	8221 Old Courthouse Rd. #300 Vienna, VA 22182	Attorneys/Agents
Keith C. Martin		Agent

(check if applicable)

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

REZONING AFFIDAVIT

DATE: November 30, 2010
(enter date affidavit is notarized)

104945d

for Application No. (s): RZ 2009-BR-015
(enter County-assigned application number(s))

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

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

CORPORATION INFORMATION

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

Geo. H. Rucker Realty Corporation
2911 Hunter Mill Road, Suite 300
Oakton, VA 22124

DESCRIPTION OF CORPORATION: (check one statement)

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

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

John R. Jones, Jr.
Marilyn M. Jones
Derek P. Rucker

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

Michael P. Rucker - Chairman/Asst. Secy. Charles D. Mason - V.P./Asst. Secy. Thomas B. Light - Asst. Secy.
Richard C. Wolff - President/COO Suzanne Stone Brannan - Asst. Secy. Carol L. Major - Asst. Secy.
Susan J. Cooper - V.P./Secretary/Treasurer Marilyn M. Jones - Asst. Secy.
John R. Jones, Jr. - V.P./Asst. Secy. Margaret Jones O'Grady - Asst. Secy.

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

*** All listings which include partnerships, 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.

Rezoning Attachment to Par. 1(b)

DATE: November 30, 2010
(enter date affidavit is notarized)

104945d

for Application No. (s): RZ 2009-BR-015
(enter County-assigned application number (s))

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

Sack Harris & Martin, P.C.
8270 Greensboro Drive, #810
McLean, Virginia 22012

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

James M. Sack
Robert A. Harris, IV
Keith C. Martin

=====

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

=====

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

Bohler Engineering VA, LLC
22630 Davis Drive, Suite 200
Sterling, VA 20164

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)

Adam J. Volanth
Daniel M. Duke
Mark R. Joyce

=====

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

James A. Soltesz - Pres./CEO/Treasurer
Stephen J. Spano - Exec. V.P./COO
R. Gregory Kirkwood - V.P./Sec.

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

Rezoning Attachment to Par. 1(b)

DATE: November 30, 2010

1049452

(enter date affidavit is notarized)

for Application No. (s): RZ 2009-BR-015

(enter County-assigned application number (s))

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

Tramonte, Yeonas & Roberts, P.C.
8221 Old Courthouse Road, #300
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 SHAREHOLDER: (enter first name, middle initial, and last name)

Vincent A. Tramonte II
George P. Yeonas
Jill J. Roberts

=====

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

=====

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

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)

=====

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

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

REZONING AFFIDAVIT

DATE: November 30, 2010
(enter date affidavit is notarized)

104945d

for Application No. (s): RZ 2009-BR-015
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

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

College Town Associates Limited Partnership
2911 Hunter Mill Road, Suite 300
Oakton, VA 22124

(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**)

Geo. H. Rucker Realty Corporation - General Partner
Ann Farr Lewis, Kathleen E. Whatley, Laura E. Behm - Limited Partners

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

*** All listings which include partnerships, 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.

REZONING AFFIDAVIT

DATE: November 30, 2010
(enter date affidavit is notarized)

104945d

for Application No. (s): RZ 2009-BR-015
(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 "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: November 30, 2010
(enter date affidavit is notarized)

104945d

for Application No. (s): RZ 2009-BR-015
(enter County-assigned application number(s))

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 "Rezoning Attachment to Par. 3" form.

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

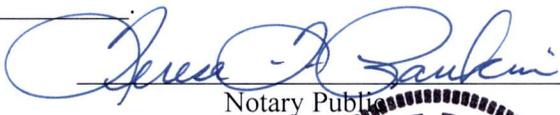
WITNESS the following signature:



(check one) Applicant Applicant's Authorized Agent

Keith C. Martin, Agent
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 30th day of November 2010, in the State/Comm. of Virginia, County/City of Fairfax



Notary Public

My commission expires: 1-31-2011



NOV 16 2010

Zoning Evaluation Division

November 16, 2010

Ms. Regina Coyle
Department of Planning & Zoning
12055 Government Center Parkway
Suite 801
Fairfax, Virginia 22035

Re: Proffered Condition Amendment PCA C-83-2 Tax Map 68-1((1))9, and Special Exception to relocate existing Child Care Center and add a Fast Food Restaurant with a drive-through window and increase in building height and reaffirm two existing drive-in Financial Institutions and a Service Station with a Mini-Mart on property identified as Tax Map 68-1((1))9 Part and 9A ("Property")
Applicant: College Town Associates, L.P.

Dear Ms. Coyle:

The following is an amended Statement of Justification for the above referenced Proffered Condition Amendment ("PCA") and Special Exception ("SE") applications. The Property known as University Mall is currently zoned C-6 and subject to proffers dated September 28, 1984. Paragraph B. of the Proffers states: "The additional development of that portion of the Property zoned C-6 shall be in accordance with the GDP unless an amendment thereto is mutually agreed upon by the Board of Supervisors and the undersigned." The remainder of the Proffers deal with property currently zoned C-2 and developed as office.

The Applicant is the developer and manager of University Mall located at the corner of Ox Road and Braddock Road. The PCA and SE propose a modernization of the mall which includes reconstruction of the central mall buildings, relocation of the existing Child Care Center to a free-standing building and the addition of new buildings, including a Fast Food Restaurant with a drive-through window and a Drive-in Bank which are oriented to face the main center and are connected by a central roof over the stacking lanes. There will be approximately 76,185 square feet of new structures for a total development of 202,458 square feet equating to a 0.235 FAR. The SEA also requests an increase in building height for the proposed towers measuring 80 feet, 60 feet, 46 feet and 54 feet in height. One section of Building C is proposed to be 42 feet in height. The maximum building height in the C-6 District is 40 feet.

There are seven buildings that comprise the existing shopping center. Three remain unchanged: the gas station on Braddock Road, the Cardinal Bank on Braddock Road, and the M&T Bank on the corner at Ox and Braddock. Four new buildings and two large additions are proposed, and one building is demolished to make way for parking on the east side of the site. The existing "mall" buildings are labeled "A", "B", "C", and "D" on the plans.

Building "A" is primarily occupied by Giant Food on the upper level with multiple tenants on the lower level. The parking area on the lower level will be changed to provide the tenants with at grade entrances. We propose adding a two-story approximately 20,531 sf addition to the southwest corner of building "A". It is envisioned that a hardware store will occupy the lower level with an outdoor display area of approximately 2,500 sf. Offices will be located on the upper level that are accessed by an entrance lobby on the east side of the addition. Giant is expected to renovate their existing store and relocate their entrance to the northeast corner by the courtyard entrance. Giant has lease rights to the 300 parking spaces in front of its store along the Ox Road frontage.

The existing building "B" has multiple tenants including McDonald's which is relocated to the fast food pad site on Braddock Road labeled building "G1". Building "B" remains primarily unchanged in area except at the west side which is partially demolished to create a more substantial entrance to the courtyard. The storefronts are transformed giving the center a fresh new look to attract new customers and tenants.

The existing building "C" has multiple tenants including Brion's Grille on the upper level and University Mall Theater on the lower level. We propose to add a 2,000 square foot outdoor dining area to Brion's on the northeast side of building "C", and a large one and a half story approximately 15,345 sf upper level addition and a 10,129 sf lower level addition to the east side of the existing building. We anticipate a restaurant occupying the lower level with the entrance at the southeast corner and outdoor dining area on the east side. A bookstore is proposed for the upper level of the addition. The existing "mini-mall" accessed from the east side of the existing courtyard is transformed with the addition of a glass roof extending the courtyard to extend into the building and terminating at the proposed bookstore.

The existing building "D" will remain unchanged in area with multiple tenants both facing the courtyard and on the lower level on grade with the rear parking lot. The storefronts are replaced and the look is freshened up to attract new customers and tenants. On either side of building "D" are the entrances to the upper level courtyard. They are renovated with the addition of a tower to serve as a marker to the center and the entrance to the theaters.

All of the existing canopy roofs on buildings "A", "B", "C", and "D" are completely removed to open up the access points to the courtyard and increase the natural light in the stores. The renovated courtyard will become a destination with all new surfaces, landscaping, a water feature, a sculpture to mark the entrance, and outdoor dining areas under shade trees that enliven the space creating a focal area for the center.

The proposed building "E" is a one story 5,084 square foot structure located on the southern center of the site that will either be a veterinary office or general retail. It is anticipated that buildings E, F and G1 building will achieve LEED silver certification.

The proposed building "F" is a two-story structure of approximately 16,063 sf with children's medical offices on the upper floor and a day care center with an outdoor play area on the lower level.

The proposed building "G1" located on Braddock Road is a fast food restaurant with a drive-thru. Currently we are negotiating with McDonald's for this pad site. The proposed building "G2" located on Braddock Road is a bank pad site with drive-thru.

The entire site is transformed by the improvements into a new pedestrian friendly life-style center. It will be linked by easily identifiable pedestrian walkways which connect to the adjacent neighborhood located to the south and to George Mason University across Braddock Road. We propose all new paving, landscaping, and lighting and are adding bicycle racks, seating, and trash receptacles to enhance its appearance. Trash dumpsters are enclosed and distributed throughout the property rather than in one central location. There will be four locations for shared facilities while the proposed fast food restaurant, hardware store, Giant and the restaurant in building "C" will have individual dumpsters and loading areas.

Transportation improvements will include a new southern entrance on Ox Road which is initially is a right-in right-out only. The existing entrance on Ox Road will remain. On Braddock Road, the western entrance will remain while the eastern entrance across from George Mason University will be widened to accommodate 3 lanes exiting the mall. An enhanced pedestrian landing is proposed at this entrance to invite George Mason pedestrians.

The Applicant has coordinated with the Office of Transportation and VDOT on revised access points on Ox Road. The existing entrance will be reconfigured to a right in – right out design and a new entrance approximately 300 feet to the South will be signalized, when the interchange is constructed by VDOT.

The following is a description of the two existing Drive-in Banks and Service Station with a Mini-Mart that shall remain and were the subject of SE 84-A-071, SE 84-A-072 and SEA 82-A-019-3.

- A. Type of use:
Drive-in Bank
Service Station with a Mini-Mart

- B. Hours of operation:
Drive-in Bank: Monday – Friday: 9 a.m. to 7 p.m.;
Saturday and Sunday: 9 a.m. to 4 p.m.

- Service Station/Mini-Mart: Seven days a week: 6 a.m. to 10 p.m.
- C. Estimated number of patrons:
Bank: approximately 150 each per weekday
Service Station: Approximately 300 per day
 - D. Number of employees:
approximately 6 employees per bank
approximately 6 employees for service station
 - E. Estimate of traffic impact:
0 a.m. peak hour trips per bank
10 p.m. peak hour trips per bank
50 a.m. and p.m. peak hour trips for service station.
 - F. Vicinity to be served by use:
Two mile radius
 - G. Description of building façade:
Predominately masonry and EFIS
 - H. There are no known hazardous or toxic substances to be stored unutilized, other than petroleum.
 - I. The uses conform to all applicable standards and conditions.

The following is a description of the three Special Exception uses of Child Care and Fast Food Restaurant with drive-through window:

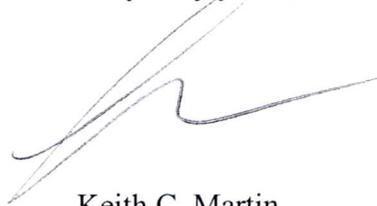
- A. Type of use:
Child Care Center
Fast Food Restaurant with drive-through window
- B. Hours of Operation:
Child Care Center: 6:00 a.m. to 7:00 p.m. Mon-Fri
Fast Food Restaurant with drive-through window: 24 hours a day, 7 days a week
- C. Estimated number of patrons/pupils:
Child Care Center: 150 children
Fast Food Restaurant with drive-through window: 300/day
- D. Proposed Number of Employees:
Child Care Center: 18
Fast Food Restaurant with drive-through window: 10

Service Station: 1 in kiosk

- E. Estimate of Traffic Impact:
Child Care Center: 350 trips per day; 50 a.m. peak 100 p.m. peak
Fast Food Restaurant with drive-through window: 700 trips per day; 30 a.m. peak
100 p.m. peak
- F. Vicinity to be served by use: five mile radius
- G. Description of Building Façade: Predominantly masonry.
- H. There are no known hazardous or toxic substances to be stored or to be utilized.
- I. The proposed uses conform with all applicable standards and conditions. There are no waivers sought.

It is submitted that the proposed uses are consistent with the recommendations of the Comprehensive Plan for the Property. It is further submitted that the proposed uses and construction are in conformance with the attached Covenant and Amended Covenant which govern development of the Property.

Very truly yours,



Keith C. Martin

cc: Richard Wolff

SACK HARRIS & MARTIN, P.C.

ATTORNEYS AT LAW

SUITE 810
8270 GREENSBORO DRIVE
MCLEAN, VIRGINIA 22102
TELEPHONE (703) 883-0102
FACSIMILE (703) 883-0108

October 7, 2010

Mr. William O'Donnell
Department of Planning and Zoning
12055 Government Center Planning, Suite 801
Fairfax, Virginia 22035

Re: University Mall Height Increase Special Exception

Dear Mr. O'Donnell:

The following provides further justification for the proposed 75 foot high tower. First of all, the Applicant managed to reduce the height from 80 feet to 75 feet in height. Furthermore, the proposed 75 foot tower at University Mall serves as a beacon to the community drawing attention to the "new front" of the center on the south side of the mall. Housing the elevator providing access to the courtyard, the tower is subtly lit marking the entrance to the courtyard and to University Mall theaters. It is a key unifying architectural element to the transformed mall anchoring the middle and flanked by secondary towers on the east and west sides of the south façade.

Very truly yours,

SACK HARRIS & MARTIN, P.C.



Keith C. Martin

SACK HARRIS & MARTIN, P.C.
ATTORNEYS AT LAW

SUITE 810
8270 GREENSBORO DRIVE
MCLEAN, VIRGINIA 22102
TELEPHONE (703) 883-0102
FACSIMILE (703) 883-0108

September 16, 2010

RECEIVED
Department of Planning & Zoning
SEP 21 2010
Zoning Evaluation Division

Mr. William O'Donnell
Department of Planning and Zoning
12055 Government Center Planning, Suite 801
Fairfax, Virginia 22035

Re: College Town Special Exception for Increase in Building Height

Dear Mr. O'Donnell:

Please accept this as an addendum to my September 14, 2010 Statement of Justification. It is submitted that the proposed increases in building heights satisfy the criteria set forth in Section 9-607 of the Zoning Ordinance as follows:

1. An increase in height may be approved only where such will be in harmony with the policies embodied in the adopted comprehensive Plan.

The increases are in harmony with the Policies of the Comprehensive Plan in that the revitalization of University Mall promotes an outstanding quality of life through:

- Economic prosperity and expanding opportunity.
- A pleasing physical and cultural environment in which to live and work.
- Encourage and facilitate the revitalization of older commercial uses.

2. An increase in height may be approved only in those locations where the resultant height will not be detrimental to the character and development of adjacent lands.

The increases in heights are located on the portions of the site farther away from residential properties and are adequately screened by an existing vegetative buffer.

3. An increase in height may be approved only in those instances where the remaining regulations for the zoning district can be satisfied.

SACK HARRIS & MARTIN, P.C.

Mr. William O'Donnell
September 16, 2010
Page 2 of 2

All remaining regulations of the C-6 District will be satisfied.

Very truly yours,

SACK HARRIS & MARTIN, P.C.

A handwritten signature in blue ink, appearing to read 'Keith C. Martin', is written over the printed name. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Keith C. Martin



COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX

4100 CHAIN BRIDGE ROAD
 FAIRFAX, VIRGINIA 22030



October 24, 1984

Mr. Robert W. Haas
 Light and Harrison, P.C.
 Post Office Box 6625
 McLean, Virginia 22106

Re: Proffered Condition Amendment
 Number PCA C-83-1
 (Concurrent with SE 84-A-071 and
 SE 84-A-072)

Dear Mr. Haas:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on October 15, 1984, approving Proffered Condition Amendment PCA C-83-1 in the name of College Town Associates, on subject parcels 68-1 ((1)) 9 consisting of approximately 28.10 acres in Annandale District.

The Board of Supervisors granted a modification of the transition screening in accordance with the landscape plan submitted as Exhibit B on September 27, 1984.

In addition, the Board of Supervisors directed that the site plan for any development on PCA C-83-1 be returned to the Planning Commission.

Very truly yours,

Ethel Wilcox Register, CMC
 Clerk to the Board of Supervisors

EWR:mg

cc: Samuel A. Patteson, Jr.
 Supervisor of Assessments
 Gilbert R. Knowlton, Deputy
 Zoning Administrator
 Richard D. Faubion, Acting Division Director
 Zoning Evaluation Division
 Ted Austell, III
 Executive Assistant to the County Executive

November 28, 1984

MEMORANDUM OF UNDERSTANDING

College Town Associates was the applicant for PCA-C-83-1.

Mobil Oil Corporation is the applicant in SEA-82-A-019-2.

In negotiations with the Planning Staff and neighboring citizens with respect to the College Town application, it was represented and understood that the Mobil Station site would be subjected to further construction and design modifications for use in conjunction with the Mobil Training Center which is to be housed in an office building to be constructed nearby.

The current application by Mobil (SEA-82-A-019-2) was filed and pending prior to the Board of Supervisors decision in PCA-C-83-1. This application complies with said representations and is, therefore, consistent with the spirit and intent of the Board's action in approving the College Town Associates application PCA-C-83-1.

The purpose of this memorandum is to assure, in writing, that the approval of SEA-82-A-019-2, as proposed by the applicant, will not set a precedent, in any way, as to future changes to the proffers and conditions of PCA-C-83-1, SE-84-A-071 or SE-84-A-072.

Any further changes to said proffers and conditions shall be subject to the Fairfax County amendment procedures and to the covenants recorded in Deed Book 6040 at Page 971 among the land records of Fairfax County, Virginia.

COLLEGE TOWN ASSOCIATES
By GEO. H. KUGLER *General Manager*
By William D. Miller
MOBIL OIL CORPORATION
By Robert D. Lawrence

TO THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY

UNIVERSITY MALL SHOPPING CENTER

PROFFERED DEVELOPMENT CONDITIONS

Pursuant to Section 15.1-491.6 of the 1950 Code of Virginia, as amended, the following statement is hereby submitted as part of the Rezoning Application to Amend the Generalized Development Plan for the property located at 10625 Braddock Road, Fairfax, Virginia, at Tax Map #68-1-001-9, known as University Mall Shopping Center (the "Property"):

A. The Applicant shall install and maintain a six (6) to eight (8) foot high masonry wall with brick facing on the south side (residential side) as shown on the Generalized Development Plan prepared by Dewberry & Davis, dated June 25, 1984 including the May 31, 1984 Landscape Plan which is a part thereof also referred to as Exhibit B of the Amended Covenant (the "GDP"), proffered with this application. This wall is to be constructed in two phases as shown thereon, the first phase to be completed before any occupancy permits are issued for any additional uses constructed on that portion of the Property zoned C-6, and the second phase to be completed before the first occupancy permit is issued for any building on that portion of the Property zoned C-2. The wall, by taking an irregular course as needed, shall be constructed so as to avoid the removal of trees with diameters of six (6) inches or greater. The Applicant shall maintain the wall.

B. The additional development of that portion of the Property zoned C-6 shall be in accordance with the GDP unless an amendment thereto is mutually agreed upon by the Board of Supervisors and the undersigned.

C. The development of that portion of the Property zoned C-2 shall be in accordance with the GDP, unless an amendment thereto is mutually agreed upon by the Board of Supervisors and the undersigned and, further, shall be in accordance with the following conditions:

1. All businesses, services, storage, and display of goods shall be conducted within a completely enclosed building or buildings;

2. No accessory service uses permitted by Article 10 of the Fairfax County Zoning Ordinance shall be permitted;

3. The buildings to be constructed on the C-2 portion of the Property shall be individual townhouse offices, located as shown on the GDP;

4. The exterior facade of the townhouse offices shall be of brick or of brick and siding. Roofs shall be peaked;

5. The maximum height of the townhouse offices shall be thirty (30) feet including peaked roof providing the first floor elevation for the townhouse office closest to the Residential Lots (as hereinafter defined) shall be no higher than 438 feet, and the first floor elevation for all other townhouse offices shall be no higher than 449 feet above sea level;

6. The floor area ratio of the C-2 zoned portion of the Property shall not exceed 0.37, as shown on the GDP; .5~~0~~32

7. The landscaped open space on the C-2 zoned portion of the Property shall be a minimum of thirty (30) percent, as shown on GDP;

8. The townhouse offices shall be located at least one hundred and twenty (120) feet from the common property line with the residential lots along Portsmouth Road (the "Residential Lots");

9. The height of lights erected along the southern boundary of the C-2 portion of the Property shall not exceed twelve (12) feet. The light fixtures shall be designed (shielded) to contain illumination within the commercial area. Security lights, which may be affixed to the southern side of the townhouse offices, also shall be designed to contain illumination within the commercial area;

10. Any commercial signs on the south side of the Property shall be affixed to the buildings and not located above the first story of the building(s);

11. All refuse shall be completely contained in enclosed facilities, and those facilities shall not be located within two hundred (200) feet of the common property line with the Residential Lots adjoining the southern boundary of the University Mall Shopping Center;

12. Loading dock(s) shall not be located on the south side of the Property. Loading area(s) may be demarcated in that area, however, vehicles, trailers, containers, etc. to be unloaded from that area(s) shall not remain overnight; and

13. A screen consisting of supplemental plantings, pursuant to the Landscaping Plan provided with the GDP, shall be provided along the 75-foot wide RE-1 residential buffer strip (on

that portion of the Property zoned C-2) on the side facing the Residential Lots, complementing the natural existing vegetation which shall be preserved and protected during construction of the Wall. Such plantings which die within two (2) years of initial planting shall be removed and replaced by the Grantors.

D. The Applicant has agreed to the Amended Covenant with the owners of the Residential Lots dated September 15, 1984 (the "Amended Covenant") attached hereto as Exhibit C which Covenant shall run with the land.

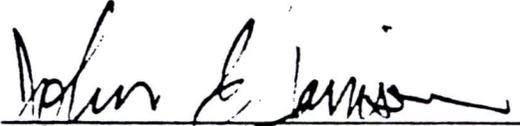
E. The Amended Covenant shall be recorded in the land records of Fairfax County within seven (7) working days after the Fairfax County Board of Supervisors have granted this Proffered Condition Amendment.

The applicant hereby proffers that the development of the Property shall be in accordance with the conditions set forth herein, unless an amendment hereto is mutually agreed upon by the Board of Supervisors and the undersigned.

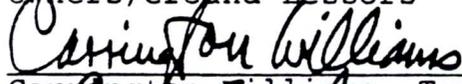
Respectfully submitted,

Developer/Ground Lessee

COLLEGE TOWN ASSOCIATES
by Geo. H. Rucker Realty Corp.
General Partner

By: 
John E. Harrison
Chairman of the Board

Owners/Ground Lessors


Carrington Williams, Trustee


H. J. Elliott, Jr., Trustee

COMMONWEALTH OF VIRGINIA)
COUNTY OF FAIRFAX) to-wit:

The foregoing Proffer Statement was acknowledged by me, the undersigned Notary Public, in my County and State aforesaid, by John E. Harrison, Chairman of the Board of Geo. H. Rucker Realty Corp., on behalf of College Town Associates as Developer/Ground Lessee, this 3rd day of October, 1984.

Cathy Strickland
Notary Public

My Commission Expires: 3/22/88

COMMONWEALTH OF VIRGINIA)
COUNTY OF FAIRFAX) to-wit:

The foregoing Proffer Statement was acknowledged by me, the undersigned Notary Public, in my County and State aforesaid, by Carrington Williams, Trustee and H. J. Elliott, Jr. as Owners/Ground Lessors, this 2nd day of October, 1984.

William R. At
Notary Public

My Commission Expires:
8/24/89

TO THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY
UNIVERSITY MALL SHOPPING CENTER

PCA C-83-1

ADDITIONAL PROFFERED DEVELOPMENT CONDITION

Pursuant to Section 15.1-491.6 of the 1950 Code of Virginia, as amended, the Applicants hereby proffer that if the referenced Application to Amend the Generalized Development Plan is approved as requested for the Property located at 10601 Braddock Road, Fairfax, Virginia, at Tax Map #68-1-001-9, known as University Mall Shopping Center (the "Property"), it shall be developed in accordance with the following condition:

The Applicants hereby agree to dedicate for public street purposes, if needed, a portion of the C-2 and R-1 zoned Property along Braddock Road for a depth of 45 feet from the centerline of the existing Roadway.

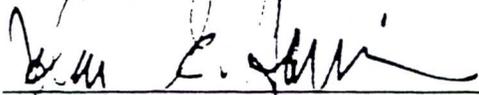
The applicants hereby proffer that the development of the Property shall be in accordance with the conditions set forth above, unless an amendment hereto is mutually agreed upon by the Board of Supervisors and the Applicants.

Respectfully submitted
By Applicant

Developer/Ground Lessee

Collegetown Associates
by: Geo. H. Rucker Realty
Corp.
General Partner

By:


John E. Harrison
Chairman of the Board

Owners/Ground Lessors

Carrington Williams

Carrington Williams, Trustee

H. J. Elliott, Jr.

H. J. Elliott, Jr., Trustee

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX, to-wit:

The foregoing Proffered Statement was acknowledged by me, the undersigned Notary Public, in my County and State aforesaid, by John E. Harrison, Chairman of the Board of Geo. H. Rucker Realty Corp., on behalf of Collegetown Associates as Developer/Ground Lessee, this 15th day of October, 1984.

Ann S. Rimmer
Notary Public

My commission expires: August 30, 1986

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX, to-wit:

The foregoing Proffered Statement was acknowledged by me, the undersigned Notary Public, in my County and State aforesaid, by Carrington Williams, Trustee and H.J. Elliott, Jr., Trustee, as Owners/Ground Lessors, this 15th day of October, 1984.

Ann S. Rimmer
Notary Public

My commission expires: August 30, 1986

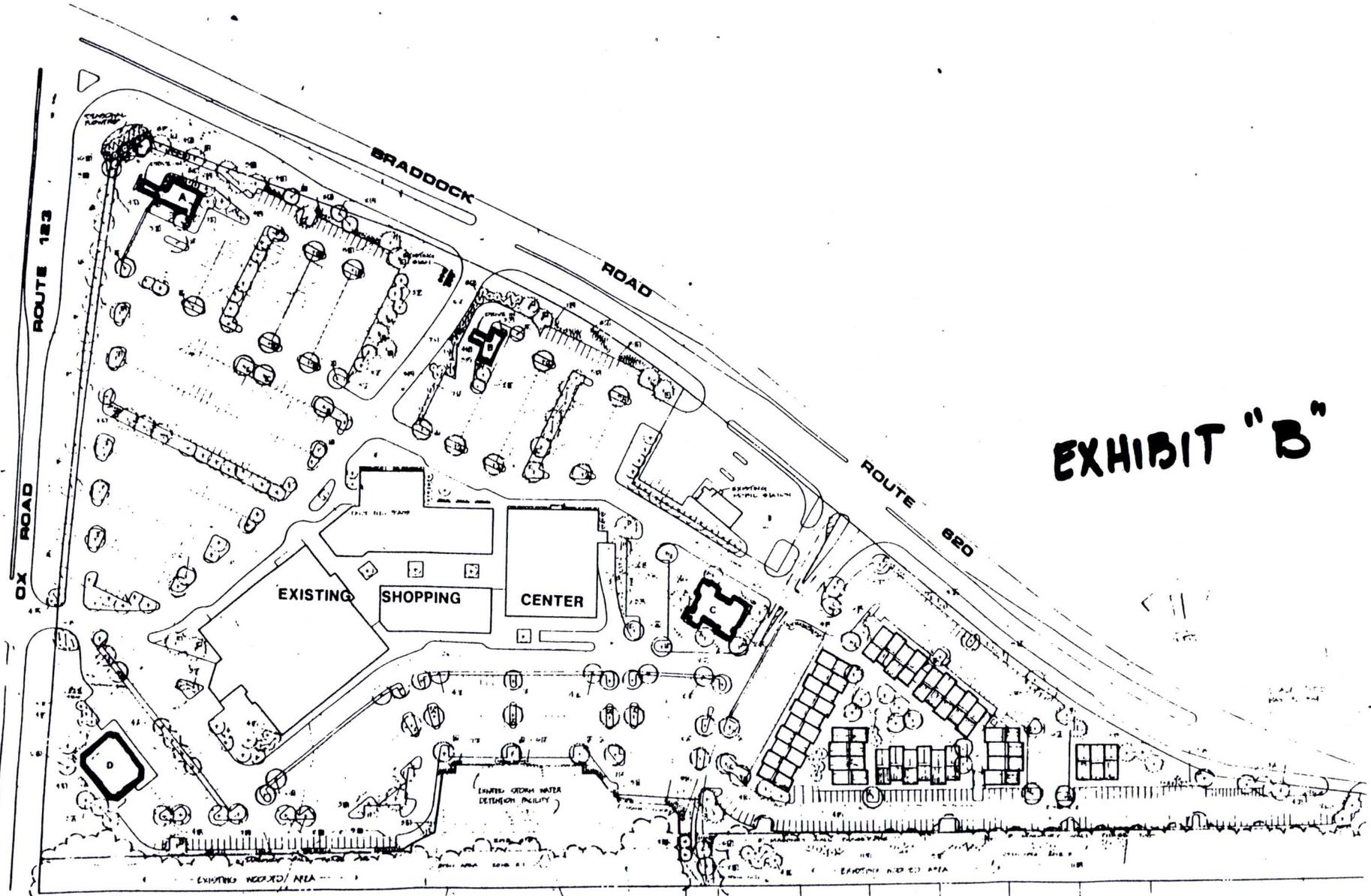


EXHIBIT "B"



COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX

4100 CHAIN BRIDGE ROAD
FAIRFAX, VIRGINIA 22030



October 19, 1984

Mr. John E. Harrison
1403 North Courthouse Road
Arlington, Virginia 22201

Re: Special Exception
Number SE 84-A-072
Concurrent with
PCA-C-83-1 & SE 84-A-071

Dear Mr. Harrison:

At a regular meeting of the Board of Supervisors held on October 15, 1984, the Board approved Special Exception Number SE 84-A-072, in the name of College Town Associates, located as Tax Map 68-1 ((1)) Part 9 for use as a Drive-in Bank pursuant to Section 4-604 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans. Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception Plat and these conditions.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

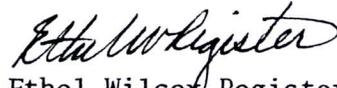
SE 84-A-072
October 19, 1984

Under Section 9-015 of the Zoning Ordinance, this Special Exception shall automatically expire, without notice, eighteen (18) months after the approval date of the Special Exception unless the activity authorized has been established, or unless construction has commenced, and is diligently pursued, or unless additional time is approved by the Board of Supervisors because of the occurrence of conditions unforeseen at the time of the approval of this Special Exception. A request for additional time shall be justified in writing, and must be filed with the Zoning Administrator prior to the expiration date.

The Board of Supervisors also approved the modification of the transition screening, in accordance with the landscape plan submitted as Exhibit B on September 27, 1984.

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

Very truly yours,



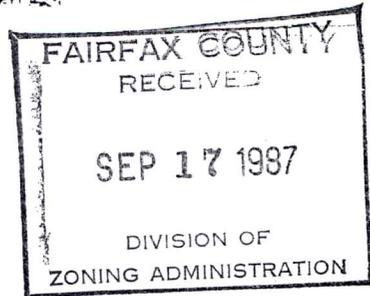
Ethel Wilcox Register, CMC
Clerk to the Board of Supervisors

EWR/mmg

cc: Samuel A. Patterson, Jr.
Supervisor of Assessments
Gilbert R. Knowlton, Deputy
Zoning Administrator
Wallace S. Covington, Jr., Chief
Permit, Plan Review Branch
Richard D. Faubion, Acting Division Director
Zoning Evaluation Division
✓ Ted Austell, III
Executive Assistant to the County Executive



COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX
 4100 CHAIN BRIDGE ROAD
 FAIRFAX, VIRGINIA 22030



August 13, 1987

Robert A. Lawrence, Esquire
 Hazel, Beckhorn, Thomas,
 Fiske and Hanes
 4084 University Drive
 Post Office Box 547
 Fairfax, Virginia 22030

Re: Special Exception Amendment
 Number SEA 82-A-019-3
 (AMENDED LETTER)

Dear Mr. Lawrence:

At a regular meeting of the Board of Supervisors held on August 3, 1987, the Board approved Special Exception Number Amendment SEA 82-A-019-3, in the name of Mobil Oil Corporation, located at Tax Map 68-1 ((1)) 9 for use as amendment to SEA 82-A-019-2 to extend the existing pump islands and to add a new dispenser to each extended island, and to extend the existing canopy over a new pump island with dispensers for an existing service station with a quick service food store, pursuant to Section 4-604 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions. These conditions will supersede all previous Special Exception Amendment conditions:

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Amendment Plat approved with the application, as qualified by these development conditions.
3. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans. Any plan submitted pursuant to this Special Exception Amendment shall be in substantial conformance with the approved Special Exception Amendment Plat and these conditions.

-2-

4. A permit shall be obtained prior to the installation, removal, repair or abandonment of any tanks containing flammable-combustible-hazardous material in compliance with Article 29 of the BOCA Fire Code. Information shall be provided to the Fire Prevention Division of the Fire and Rescue Department, Suite 400, 4031 University Drive, Fairfax, Virginia 22030, as to the condition of any removed storage tanks and a leak detection survey of the surrounding soil shall be conducted as required by Article 29 of the BOCA Fire Code.
5. The petroleum products stored at this location shall be transported in vehicles which meet all applicable local, state and federal regulations. In the event any toxic and/or hazardous substances are used on the property, all pertinent state, local and federal regulations shall be satisfied prior to their use, storage, treatment and/or disposal to include compliance with all provisions of Chapter 62 of the Fairfax County Code.
6. Snack items sold in the quick service food area shall be limited to: coffee, cupcakes, fruit pies, soft drinks, juices, chips, cookies, candy, gum, tobacco products, individual milk containers, and similarly packaged food products normally sold in vending machines.
7. The proposed addition of the pump islands and canopy shall match the existing design of the pump islands and the existing canopy.
8. There shall be no separate free standing sign associated with the proposed use.
9. The hours of operation shall be limited to 6:00 A.M. to Midnight, seven days a week.
10. All free standing lights shall be directional, no higher than the existing lights and shall be located only as exists today.
11. Landscaping shall be provided as shown on the Special Exception Amendment Plat. The service station bay entrance screening shall be evergreen and graduated in height to provide for safety and good visual buffer.

12. Under Section 9-015 of the Zoning Ordinance, this Special Exception Amendment shall automatically expire, without notice, eighteen (18) months after the approval date of the Special Exception Amendment unless the activity authorized has been established, or unless construction has commenced and is diligently pursued, or unless additional time is approved by the Board of Supervisors because of the occurrence of conditions unforeseen at the time of the approval of this Special Exception Amendment. A request for additional time shall be justified in writing, and must be filed with the Zoning Administrator prior to the expiration date. Completion of the scope of the work shown as Phase I (i.e., the extension of two existing outer pump islands to 28' and the addition of one MPD dispenser to each new island) and compliance with these Development Conditions shall constitute fulfillment of the requirements of the Special Exception Amendment. Completion of the scope of work shown as Phase II (i.e., extend existing canopy 30' and install one new 28' pump island with two dispensers) shall be at applicant's option. However, if the Phase II work is not commenced within thirty-six (36) months after the approval date of this Special Exception Amendment, then this Special Exception Amendment permit shall automatically expire insofar as it relates to the Phase II work. In the event that Phase II is built all Development Conditions shall apply.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception Amendment shall not be valid until this has been accomplished.

The Board also waived the minimum lot size requirements for the C-6 District in accordance with the provisions of Section 9-610 of the Zoning Ordinance.

August 17, 1987

-4-

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

Very truly yours,



Ethel W. Register, CMC, Agency Director
Office of the Clerk to the Board

EWR/ns

cc: Joseph T. Hix
Real Estate Division, Assessments
Gilbert R. Knowlton, Deputy
Zoning Administrator
Donald D. Smith
Permit, Plan Review Branch
Seldon H. Garnet, Chief
Inspection Services Division
Building Plan Review Branch
Barbara A. Byron, Director
Zoning Evaluation Division



FAIRFAX COUNTY

APPENDIX 9

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

Tel: 703-324-3151 Fax: 703-324-3926

V I R G I N I A

April 20, 1995

Richard C. Wolff, Vice President
George H. Rucker Realty Corporation
1355 Beverly Road - Suite 215
McLean, Virginia 22101

RE: Special Exception Amendment
Number SEA 87-A-086
(Amended - Addressee Only)

Dear Mr. Wolff:

At a regular meeting of the Board of Supervisors held on March 27, 1995, the Board approved Special Exception Amendment Number SEA 87-A-086 in the name of College Town Associates, located at Tax Map 68-1 ((1)) 9, for a child care center pursuant to Section 4-604 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions which supersede all previous conditions:

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Plat approved with the application SEA 87-A-086, as qualified by these development conditions.
3. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans, if so determined by the Department of Environmental Management (DEM). Any plan submitted pursuant to this Special Exception Amendment shall be in substantial conformance with the approved Special Exception Amendment Plat and these conditions.
4. The maximum daily enrollment shall be limited to 150 children.
5. The maximum number of staff shall not exceed 18 persons on site at any one time.

6. The hours of operation shall be limited to 6:00 AM to 7:00 PM, Monday through Friday.
7. The play area shall be fenced with wooden stockade fencing so as to ensure noise levels within the play area do not exceed 65 dBA Ldn.
8. The ground-level transformer shall be fenced or walled out of the play area. Such fencing shall be flush with the ground so that children can not crawl under it. Any and all measures as determined by the Director of the Department of Environmental Management necessary to ensure the safety of the children with respect to the transformer shall be fully implemented.
9. Children shall not be picked up nor discharged from vehicles in the fire lane.
10. Any sign identifying this facility shall be located within the limits of the Special Exception Amendment as shown on the submitted Plat and shall conform to the specifications delineated in Article 12 or the Zoning Ordinance.
11. The existing landscaping within the play area shall not be disrupted and shall be maintained in accordance with Article 13.
12. Twenty-four (24) parking spaces shall be provided for this use and the parking requirement for the entire shopping center shall be recalculated prior to Site Plan approval to show that the requirement for the shopping center can be met.
13. Based upon the minimum required square footage of outdoor play area per child, there shall be no more than 46 children in the outdoor play area at any one time.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception Amendment shall not be valid until this has been accomplished.

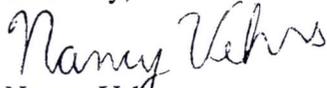
Under Section 9-015 of the Zoning Ordinance, this Special Exception Amendment shall automatically expire, without notice, thirty (30) months after the approval date of the Special Exception Amendment unless the activity authorized has been established, or unless additional time is approved by the Board of Supervisors because of the occurrence of conditions unforeseen at the time of the approval of this Special Exception Amendment. A request for additional time shall be justified in writing, and must be filed with the Zoning Administrator prior to the expiration date.

April 20, 1995
SEA 87-A-086

3.

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

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

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

CEIVED

APR 20 1995

1995

APR 20 1995

AMENDED COVENANT

THIS AMENDED COVENANT, made and entered this 15th day of September, 1984, by and between CARRINGTON WILLIAMS, ESQ. and H. J. ELLIOTT, JR., TRUSTEES (successors in interest to EDITH FARR ELLIOTT and H. JOHN ELLIOTT, and ANN FARR LEWIS and ROBERT LEWIS), hereinafter referred to as "Grantors"; and COLLEGE TOWN ASSOCIATES, a Virginia Limited Partnership, hereinafter referred to as Lessee and MORRIS B. BOWLES and AUDREY BOWLES, JANE A. WILKINS (successors in interest to RICHARD WILKINS and JANE WILKINS), JAMES L. WATKINS and PEGGY P. WATKINS, FRANCIS R. FILIATREAU and PATRICIA D. FILIATREAU, JAMES M. HILDRETH and MARTHA J. HILDRETH (successors in interest to VICTOR MUZZI and MARLENE MUZZI), RAYMOND J. BERNERO and VIRGINIA E. BERNERO, NORBERT A. STINGLE and ANN A. STINGLE (successor in interest to REGINALD NEWMAN and JANET NEWMAN), JOHN JOHNSON, EDWIN L. SHANNON and DOROTHY L. SHANNON (successors in interest to JOHN KUESTERS and MAUREEN KUESTERS), and LOUIS VASALY and SHIRLEY VASALY, hereinafter referred to collectively as "Grantees":

WITNESSETH,

WHEREAS, Grantors are the owners of a certain tract of land situate in the County of Fairfax, consisting of a total of 28.12 acres, 19.45 acres zoned C-6, 5.15 acres zoned C-2, and the remainder zoned RE-1 (all hereinafter referred to as the "Property"), more particularly described by metes and bounds on Exhibit A-1 attached hereto and made a part hereof, and

WHEREAS, Lessees are the Ground Lesses of said Property pursuant to the certain Lease Agreement dated January 13, 1974 a short form of which is recorded at Deed Book 4299 page 164 of the land records of Fairfax County, and

WHEREAS, the Grantees are the owners of certain improved residential lots in the subdivision known as Section VI, Country Club View (hereinafter collectively referred to as "Residential Lots"), said lots being more particularly described as follows:

Morris B. Bowles and Audrey Bowles,
 Lot 9, Block 1
 5028 Portsmouth Road

Jane A. Wilkins
 Lot 7, Block 1
 5032 Portsmouth Road

STATE TAX
 COUNTY TAX
 TRANSFER FEE
 CLERK'S FEE 30.00
 GRANTOR TAX
 CONS.

James L. Watkins and Peggy P. Watkins
 Lot 6, Block 1
 5034 Portsmouth Road

Francis R. Filiatreau and Patricia D. Filiatreau
 Lot 5, Block 1
 5036 Portsmouth Road

James M. Hildreth and Martha J. Hildreth
 Lot 4, Block 1
 5038 Portsmouth Road

Raymond J. Bernero and Virginia E. Bernero
 Lot 3, Block 1
 5040 Portsmouth Road

Norbert A. Stingle and Ann A. Stingle
 Lot 2, Block 1
 5042 Portsmouth Road

John Johnson
 Lot 1, Block 11
 5100 Portsmouth Road

Edwin L. Shannon and Dorothy E. Shannon
 Lot 3, Block 10
 5043 Portsmouth Road

Louis Vasaly and Shirley Vasaly
 Lot 4, Block 10
 5041 Portsmouth Road; and

WHEREAS, the parties hereto (or their respective predecessors in interest) have entered into a Covenant, running with the land until January 1, 2023 dated October 28, 1972 and recorded at Deed Book 3724 at page 496 among the land records of Fairfax County, Virginia; and

WHEREAS, the Covenant provided inter alia in paragraph 3 for the installation of a chain-link fence as provided therein; and

WHEREAS, the parties hereto desire to amend said Covenant to provide for a masonry wall as hereinbelow provided in lieu of the chain-link fence; and

WHEREAS, the Grantees have agreed to support the Grantors additional development as provided on the Generalized Development Plan prepared by Dewberry & Davis and dated June 25, 1984, including the May 31, 1984 Landscape Plan which is a part hereof, more particularly described on Exhibit B attached hereto and made a part hereof; and

WHEREAS, the Grantors agree as hereinbelow provided to further amend said Covenant to include the same conditions regarding present and future development of the Property, as are provided in the Proffered Development Conditions* dated September 28, 1984 as submitted with Grantor's Application for an Amended Development Plan #PCA C-83-1 with Fairfax County and corresponding Special Exception #SE84A071 and SE84A072. Any variance between said Proffered Development

Conditions dated June 25, 1984 and submitted to Fairfax County with Grantor's Application for an Amended Development Plan #PCA C-83-1 with Fairfax County and corresponding Special Exception #SE84A071 and SE84A072 and this Agreement is not intentional and this Agreement shall be construed as consistent with the terms of said Proffered Development Conditions, as submitted, but not any future amendments thereto, if any, unless specifically approved by Grantees (or their successors in interest named in this Agreement) and adopted by an amendment hereto.

NOW, THEREFORE, in consideration of the Grantees supporting with Fairfax County the Application of College Town Associates for the above referenced Generalized Development Plan #PCA C-83-1 and Application for Special Exceptions #SE 84-A-071 and SE 84-A-072 to allow drive-in bank facilities, the parties do hereby covenant and agree that the Property, more particularly described on Exhibit A-1 attached hereto and made a part hereof, shall be subjected to the following covenants, limitations and restrictions in lieu of those required in paragraph 3 of the Covenant and which shall be construed as covenants running with the land and shall be binding upon all parties until January 1, 2023 unless modified or vacated by agreement of the parties, and shall be enforceable by the Grantees, their heirs, devisees and assigns:

PARAGRAPH 3 of the Covenant is hereby deleted in its entirety and the following inserted in lieu thereof:

"3. The Grantors or other Successors shall cause to be constructed a masonry wall (hereinafter referred to as the 'Wall,' the location of which is shown on Exhibit B), with brick facing on its south side (toward the Residential Lots), in lieu of and at approximately the same location as the existing chain link fence. The Wall, by taking an irregular course as needed, shall be constructed so as to avoid the removal of trees with diameters of six (6) inches or greater. The integrity and maintenance of the Wall, including any needed repairs, shall be the responsibility of the Grantors, and shall be done at no cost to the Grantees. Maintenance of the wall shall include the removal of graffiti (provided such removal shall not require replacement of the Wall). The Wall shall be constructed in two phases, as follows:

Phase I. From a point beginning on the southwest corner of the Property to a point fifty (50) feet from the west edge of existing Gadsen Drive, the Wall shall be six (6) feet in height; from that point to the west

edge of Gadsen Drive, the Wall shall increase gradually in height to eight (8) feet and continue at that height along the northern boundary of the seventy-five (75) foot R-1 buffer strip to a point representing the intersection with the projection of the common property line between 5040 and 5038 Portsmouth Road. The Wall shall have an opening of four (4) feet located within the presently existing Gadsen Drive right-of-way to allow only pedestrian and bicycle traffic. Existing sections of chain-link fence shall be relocated to run at approximately ninety (90) degrees to the Wall on both sides of the present Gadsen Drive right-of-way through the R-1 buffer strip to the residential property lines. Phase I shall be completed before any occupancy is allowed to the first additional use of new buildings constructed on that portion of the Property zoned C-6. During the construction of the Wall and until Phase II has begun, the remaining chain-link fence shall remain undisturbed, and upon completion of Phase I, shall be attached securely to the Wall to form a continuous barrier to its present eastern termination.

Phase II. The Wall shall be continued from the termination of Phase I, at the same height (eight (8) feet) and utilizing the same building materials, to a point representing the intersection with the projection of the residential common property line between 5028 and 5026 Portsmouth Road. Existing sections of chain-link fence shall be relocated to run from the eastern termination of the Wall to the edge of Braddock Road as allowed by the Virginia Department of Highways and Transportation. Phase II shall be completed before any occupancy is allowed for buildings constructed on that portion of the Property zoned C-2."

THE PARTIES FURTHER COVENANT AND AGREE that the property, more particularly described on Exhibits A-1 and B attached hereto and made a part hereof, shall be subject to the following limitations and restrictions which shall be construed as covenants running with the land and shall be binding upon all parties until January 1, 2023, unless modified or vacated by agreement of the parties, and shall be enforceable by the Grantees, their heirs, devisees, and assigns:

A. The additional development of that portion of the Property zoned C-6 shall be in conformity with the Generalized Development Plan shown on Exhibit B, subject to engineering adjustments.

B. The development of that portion of the Property zoned C-2 shall be in conformity with the Generalized Development Plan shown on Exhibit B, subject to engineering adjustments, and in accordance with the following:

1. All businesses, services, storage, and display of goods shall be conducted within a completely enclosed building or buildings;
2. No accessory service uses permitted by Article 10 of the Fairfax County Zoning Ordinance shall be permitted;
3. The buildings constructed on the C-2 portion of the Property shall be individual townhouse offices, and located as shown on Exhibit B;
4. The exterior facade of the townhouse offices shall be of brick or of brick and siding. Roofs shall be peaked;
5. The maximum height of the townhouse offices shall be thirty (30) feet including peaked roof; providing the first floor elevation for the townhouse office closest to the residential lots shall be no higher than 438 feet, and the first floor elevation for all other townhouse offices shall be no higher than 449 feet above mean sea level.
6. The density of the use of the portion of the property that is zoned C-2 shall not be greater than that shown on Exhibit B. In particular, the floor area ratio shall not exceed 0.37. Floor area ratio shall be defined and calculated as set forth in the following sections of the Fairfax County Zoning Ordinance in effect on the date of this Amended Covenant: §§ 2-307, 2-308, and 2-300.
7. The landscaped open space on the C-2 zoned portion of the Property shall be no less than thirty percent (30%) as shown on Exhibit B;
8. The townhouse offices shall be located at least one hundred and twenty (120) feet from the common property line with the Residential Lots;
9. The height of lights erected along the southern boundary of the C-2 portion of the Property shall not exceed twelve (12) feet. The light fixtures shall be designed (shielded) to contain illumination within the commercial area. Security lights which may be affixed to the southern side of the townhouse offices also shall be designed to contain illumination within the commercial area;
10. Any commercial signs on the south side of the Property shall be affixed to the buildings and not located above the first story of the building(s);
11. All refuse shall be completely contained in enclosed facilities, and those facilities shall not be

located within two hundred (200) feet of the common property line with the Residential Lots; and

12. Loading dock(s) shall not be located on the south side of the Property. Loading area(s) may be demarcated in that area, however vehicles, trailers, containers, etc. to be unloaded from that area(s) shall not remain overnight.

C. Screen consisting of supplemental plantings, pursuant to the Landscaping Plan which is a part of the Generalized Development Plan, attached as Exhibit "B", shall be provided along the 75-foot wide RE-1 residential buffer strip (along the C-2 zoned portion of the Property) on the side facing the Residential Lots, complementing the natural existing vegetation which shall be preserved and protected during construction of the Wall. Such plantings which die within two (2) years of initial planting shall be removed and replaced by the Grantors.

Except as provided herein, all other terms, conditions and restrictions of the original Covenant shall remain in full force and effect.

This Amended Covenant shall be binding upon the successors, heirs, devisees, assigns and grantees of all parties hereto.

WITNESS the following signatures and seals:

Carrington Williams (SEAL)
Carrington-Williams Trustee

H. J. Elliott, Jr. (SEAL)
H. J. Elliott, Jr., Trustee

Collegetown Associates
By: Gep. H. Rucker Realty Corp.

By: John E. Harrison (SEAL)
John E. Harrison
Chairman of the Board

COMMONWEALTH OF VIRGINIA,
COUNTY OF FAIRFAX, to-wit:

I, Charlotte R. Katz, a Notary Public in and for the Commonwealth and County aforesaid, whose said commission expires on the 24th day of August, ~~1984~~, 1987, do hereby certify that this day personally appeared before me in my said Commonwealth and County CARRINGTON WILLIAMS, Esq. and H. J. ELLIOTT, Jr., Trustees, whose names are signed to the foregoing Amended Covenant dated the 15th day of ~~June~~, September, 1984, and acknowledged the same.

GIVEN under my hand this 15th day of September, 1984.

Charlotte R. Katz
Notary Public

My Commission expires 8/24/87

COMMONWEALTH OF VIRGINIA,
COUNTY OF FAIRFAX, to-wit:

I, Cathy Strayhorn, a Notary Public
in and for the Commonwealth and County aforesaid, whose said
commission expires on the 22nd day of March, 1988,
do hereby certify that this day personally appeared before
me in my said Commonwealth and County JOHN E. HARRISON,
Chairman of the Board for Geo. H. Rucker Realty Corp., whose
name is signed to the foregoing Amended Covenant dated the
15th day of ~~June~~ ^{September}, 1984, and acknowledged the same.

GIVEN under my hand this 15th day of ~~June~~ ^{September}, 1984.

Cathy Strayhorn
Notary Public



County of Fairfax, Virginia

MEMORANDUM

DATE October 27, 2010

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: Land Use Analysis and Environmental Assessment: RZ 2009-BR-015
PCA C-83-2
SEA 87-A-086-02
University Mall

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 October 15, 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 19.7-acre subject property is located at the southeast corner of the intersection of Braddock Road and Ox Road. The applicant, College Town Associates, L.P., seeks to rezone portions of the subject property from the R-1 and C-2 Zoning Districts to the C-6 Zoning District, which already exists on the majority of the subject property. The C-6 portion of the property is subject to existing proffers, requiring a proffered condition amendment (PCA). A special exception is being requested to permit an increase in building height on a portion of the property. The site is the location of University Mall totaling 138,454 square feet of retail and office uses in multiple buildings at an overall floor area ratio (FAR) of .17. The applicant proposes to demolish 12,181 square feet of existing development and add 80,065 square feet of new development, resulting in a total of 206,338 square feet of development at an FAR of 0.24. The SEA for an increase in building height is needed to permit proposed 46 foot tower for Building A, 60 foot and 75 foot towers for Building C as well as 42 building height for a portion of Building C. The maximum building height permitted in the C-6 District is 40 feet. Two existing drive-in banks will remain. The application includes a request for a fast food with drive-in and a childcare center. The childcare center will have a maximum enrollment of 150 children. The applicant is proposing to provide 1,132 parking spaces while the Zoning

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/



Ordinance would require 975 spaces. The applicant has also provided green building commitments for the proposed freestanding structures.

LOCATION AND CHARACTER OF THE AREA

The subject property is located at the southeast corner of the intersection of Braddock Road and Ox Road (Route 123). This site is immediately south of the main campus for George Mason University. Properties to the east are zoned C-2 with existing commercial townhouse office development. A portion of the Country Club View subdivision, zoned R-2, residential development to the south, a place of worship located south of this site on the east side of Ox Road and another place of worship located south and west of Ox Road. To west of Ox Road, opposite a portion of the subject property, is Section 3 of the North Hill residential development zoned R-2. Located to the northwest of the subject property are the Braddock and Braddock Forest subdivisions, which are north of Braddock Road and on the west side of Ox Road.

COMPREHENSIVE PLAN CITATIONS:

Land Use

Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Land Use section as amended through September 22, 2008, pages 9 and 10:

- “Objective 14:** Fairfax County should seek to achieve a harmonious and attractive development pattern which minimizes undesirable visual, auditory, environmental and other impacts created by potentially incompatible uses. . .
- Policy c. Achieve compatible transitions between adjoining land uses through the control of height and the use of appropriate buffering and screening. . . .
 - Policy e. Stabilize residential neighborhoods adjacent to commercial areas through the establishment of transitional land uses, vegetated buffers and/or architectural screens, and the control of vehicular access.
 - Policy f. Utilize urban design principles to increase compatibility among adjoining uses. . .
 - Policy i. Minimize the potential adverse impacts of the development of frontage parcels on major arterials through the control of land use, circulation and access.

Policy l: Regulate the amount of noise and light produced by non-residential land uses to minimize impacts on nearby residential properties.”

Environment

Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through July 27, 2010, page 7-9:

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

Policy k. For new development and redevelopment, apply better site design and low impact development (LID) 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. . . .”

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through July 27, 2010, page 19-21:

“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."

COMPREHENSIVE PLAN MAP: Retail and other

LAND USE ANALYSIS

The subject property is planned for retail and other uses according to the adopted Comprehensive Plan map. There is no site specific Plan text guidance for this property. The proposed redevelopment of the subject property should be developed in a manner which maintains the character of the surrounding area while also providing infrastructure improvements which may

be required to develop the property based on current guidance for stormwater management, transportation, site design and green building practices. The intersection of Braddock Road and Ox Road is planned for a major interchange improvement in the near future and the redevelopment of the subject property should be managed in a manner which will not result in conflict with this project. Specific guidance for the development of the subject property consistent with the future right-of-way improvements has been provided by staff from the Fairfax County Department of Transportation.

The proposed retail and office uses and increase in intensity of the site from .17 FAR to .24 FAR are generally consistent with the Comprehensive Plan and are compatible with uses in the surrounding area. Staff also finds the request for an increase to building height to allow building towers of 46 foot tower for Building A, 60 foot and 75 foot towers for Building C as well as 42 building height for a portion of Building C does not raise any significant issues. The proposed increase in building heights are generally located and designed in a manner that is compatible with the character of the surrounding area. However, staff feels that the proposed site improvements and landscaping could be enhanced. Staff continues to encourage the applicant to consider additional landscaping and design measures for the proposed redevelopment. While staff feels that the application as currently presented could be improved in some areas, the proposed redevelopment is in general conformance with the basic land use recommendations of the Comprehensive Plan for this area.

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. Staff has encouraged the applicant to incorporate green building practices in this proposed redevelopment in order to attain Leadership in Energy and Environmental Design (LEED) certification for individual buildings. The applicant has provided commitments to achieve LEED silver certification under the Core and Shell (CS) program established by the United States Green Building Council (USGBC) for Buildings E, F and G1. As an alternative to these LEED silver certification commitments, the applicant has the option to pursue basic LEED certification for these buildings and will post a green building escrow. The applicant has also committed to a number of green building measures for the proposed fast food restaurant

Water Quality Control

The applicant has proposed an underground detention vault which appears to provide detention which will meet or exceed runoff control requirements for the proposed development. However, it should be noted that any final determination regarding the adequacy and design of any stormwater management facilities will be made by staff in Department of Public Works and Environmental Services.

PGN: JRB



County of Fairfax, Virginia

MEMORANDUM

November 8, 2010

TO: Mr. William J. O'Donnell Jr. AICP, Planner II
Department of Planning and Zoning, ZED

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

SUBJECT: University Mall, RZ 2009-BR-015, PCA C-083-02, SEA 87-A-086-02

The following comments are based on a review of the above referenced, RZ, PCA and SEA request stamped as received by the Department of Planning and Zoning, Zoning Evaluation Division, November 3, 2010.

Most Urban Forest Management Division's previous comments have been addressed in this submission. UFMD would like to address a few outstanding issues.

1. **Comment:** It appears from the language of the covenant that no change to the area protected by the covenant is allowed without the express written permission of all original participants. This includes grading within the 50' protected area, even for the installation of the retaining wall.

Recommendation: Covenant language should be revised and approved by all original signees prior to any clearing and grading within the 50', otherwise it will be in violation of the covenant. UFMD recommends including a proffer that requires proof of the revised, signed covenant prior to site plan approval.

2. **Comment:** Many additional plantings have been shown within the 50 foot area that serves as transitional screening. The density of these plantings appears to be excessive. It is unclear if all the material can be planted and will be able to grow in the locations shown on the plan.

Recommendation: UFMD recommends including proffer language that requires supplemental plantings within the 50 foot buffer subject to review and approval of UFMD.

3. **Comment:** The tree cover calculations for Phase 2 appear to be incorrect. Credit has been taken for 48,510 sf of existing vegetation to remain in Phase 2 even though Phase 1 only preserves 46,325 sf.



Recommendation: The 10-year tree cover calculations should be updated to correctly show the tree preservation areas in all phases.

Please let me know if you have any questions.

AID/
UFMID #: 146601

cc: RA File
DPZ File





County of Fairfax, Virginia

MEMORANDUM

DATE: November 4, 2010

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

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

FILE: 3-4(RZ 2009-BR-015)

SUBJECT: RZ 2009-BR-015, PCA C-83-2, and SEA 87-A-086-02; University Mall
Land Identification Map: 68-1-((1))-9A and 68-1-((1))-9

This department has reviewed the rezoning plat revised through November 3, 2010 and proffers dated November 3, 2010. We offer the following comments.

The Comprehensive Plan identifies a future interchange at Braddock Road and Route 123/Ox Road. The County has also recommended several interim transportation improvements for the corridor prior to the construction of the interchange. Consequently, there are significant right-of-way impacts for the subject property. The applicant has proposed reservation of the necessary right-of-way area in order to maintain the existing uses until the land area is needed for construction of the transportation improvements at which time the land will be dedicated at no cost to the County. This is agreeable if the applicant maintains responsibility for the future demolition of structures, vacation of existing uses, and reconfiguration of land bays as needed to accommodate transportation improvements before dedication occurs. Furthermore, if condemnation on behalf of the County is required to dedicate the area, the applicant should reimburse the County for all associated condemnation costs.

A signal to serve the property from Ox Road may be warranted prior to the construction of the interchange due to increased vehicle trips and turning movements attributed to the shopping center that would occur along the heavily trafficked corridor. The applicant has thus proffered to conduct a signal warrant analysis and install or fully fund a signal if found warranted. The applicant, however, has only agreed to fund a portion of the signal in the event VDOT deems a signal necessary at this location. Since the subject property will still be the primary reason for regulating turning movements at this location the applicant should be responsible for signal installation in this circumstance. Also, while the exact location of the signal has yet to be determined, it is imperative that once the location of the signal has been finalized the applicant work with southern property owners to ensure mutual access to any future signal via a constructed interparcel access drive.

Other issues identified during the review:

- Parking spaces located along the main rear drive aisle may conflict with vehicles exiting the northern parking area or travelling along the drive aisle. These spaces should be removed or relocated.
- There are conflicting vehicular movements between the drive thru and bypass lane of the northern pad sites.
- Because of the applicant's close proximity to residential neighborhoods and George Mason University, pedestrian access should be prominent throughout the site. A more direct pedestrian connection between Roanoke River Road, the shopping center, and the pedestrian path to the southern residential community is desirable.

AKR/MEC



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

4975 Alliance Drive
Fairfax, Virginia 22030

Gregory Whirley
COMMISSIONER

November 23, 2010

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

Re: RZ 2009-BR-015 / PCA C-083-2, SEA 87-A-086-2, University Mall
Tax Map No.: 106-4 /01/ /0058

Dear Ms. Coyle:

This office has reviewed the referenced revised application and we have no objection to approval of the referenced application subject to the following comment.

1. OX Road (Rt. 123) is part of the National Highway System, thus all improvements must meet minimum AASHTO standards, and VDOT Access Management standards for intersection spacing and turn-lane lengths.

For any additional information please contact this office.

Sincerely,

A handwritten signature in dark ink, appearing to read "T. B. Walker", written over a horizontal line.

Thomas B. Walker
Senior Transportation Engineer

cc: Ms. A. Rodeheaver



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

DAVID S. EKERN, P.E.
COMMISSIONER

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

October 29, 2009

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

Re: PCA C-83-02 RZ 2009-BR-015 University Mall

Dear Ms. Coyle:

In accordance with the Virginia Traffic Impact Analysis Regulations, 24 VAC 30-155, the referenced application was submitted to the Virginia Department of Transportation (VDOT) for review on September 17, 2009. It was anticipated the Rezoning and Proffer Condition Amendment application would create a substantial impact or change to the existing transportation network of state highways.

In general, the Traffic Impact Analysis is found acceptable. We have evaluated the application and related supplemental traffic analysis and prepared comments on the results of our evaluation. The comments present our key findings as well as detailed comments on the future transportation improvements which will be needed to support the current and planned development in the study area. Our comments are attached to assist the Fairfax County Board of Supervisors in their decision making process regarding the Rezoning and Proffer Condition Amendment. Please arrange to have these comments included in the official public records, and to have both this letter and the VDOT comments placed in the official file for this application. VDOT will make these documents available to the public through various means, and may post them to the VDOT website.

Please contact me if you have any further questions regarding this report.

Sincerely,

A handwritten signature in dark ink, appearing to read "T. B. Walker", written over a horizontal line.

Thomas B. Walker
Senior Transportation Engineer

Cc: Angela Rodeheaver, Fairfax County Office of Transportation

EVALUATION REPORT OF University Mall TRAFFIC IMPACT ANALYSIS

Summary of the Key Findings:

The subject site is located in the southeast quadrant of the Braddock Road and Ox Road intersection. The triangular shaped property generally is bounded by Ox Road to the west and Braddock Road to the north and east. The southern property edge borders the Church of Jesus Christ of Latter Day Saints and a single family home community. The overall project consists of renovation and modernization of an existing 139,090 square foot (SF) University Mall. As part of the renovation, two out parcels totaling 9,248 SF and a small portion of the main building totaling 3,908 SF will be razed. Three new out parcels totaling 36,180 SF will be constructed along with additions to the main building totaling 41,177 SF. The overall square footage on the site will increase from 139,090 SF to 203,391 SF. Access to the proposed redevelopment would be provided via the existing full-movement, signalized driveway and the existing right-in/right-out driveway on Braddock Road. The western-most full-movement, un-signalized driveway on Braddock Road may be converted to a right-in/right-out driveway. The existing full-movement driveway on Ox Road will be converted to a right-in/ right-out driveway and a new full-movement, signalized driveway would be constructed on Ox Road approximately 300 feet south of the existing full movement driveway.

Accuracy of the Traffic Impact Analysis:

The methodologies and assumptions used in the traffic impact analysis are based upon the results of a scope of work meeting held by VDOT and the locality. The following are the comments for the traffic impact analysis.

1. The revised report does not include a graphic showing centerline to centerline distances between the study intersections required under item #2 of the "Notes on Assumptions" in the final scoping document and despite our comment #3 on the 1st submittal. However, it will not have any significant impact on results and recommendations.

Comments on the Recommended Improvements:

1. The change in configuration of NB approach may need signal modification plan for intersection #4.
2. The recommendations should include LT and RT lanes proposed at the new intersection #7.
3. The recommendation on a new roadway connection is purely based on inconsistency with the development. However, no traffic analysis has been performed to show the traffic impact of the connection on the existing intersections with approaches suffering from poor level of service.
4. Retiming of individual signals can be an option; however, the impact of such action should be analyzed for the entire corridor or network.
5. Although a signal may be intuitively warranted for the proposed intersection #7; we will require a full signal warrant analysis no earlier than one year prior to build out of the project. The signal warrant study needs to be provided in a separate booklet and alternatives other than a traffic signal should be provided in the study. As of July 1, 2009, all warrant studies should be signed and sealed by a professional engineer registered in the Commonwealth of Virginia.

Additional VDOT Recommendations/Comments:

1. We do not see any real purpose for the Gas Station driveway (intersection #3) when the gas station is served adequately with full access to Braddock Road from the internal driveways along Roanoke River Road. Therefore, we are recommending closing the driveway at intersection #3.

2. We concur with the recommendation to close the median across Intersection #2 and convert the University Mall driveway to right-in and right-out movement only for year 2013 and there after.
3. The right-in /right-out driveway (Intersection #5) is not 400' from the proposed Intersection #7 as referenced on Page 100 of study, but is about 300' if measured in the site plan. Therefore, it would require an exception to the VDOT Access Management Regulations even without an interchange.

Additional VDOT Recommendations/Concerns:

1. We have serious concerns about adding another access (Intersection #7) without the consolidation of other driveways along Ox Road. It is a good idea to close the driveways at Intersections #8 and #9 and close the median at Intersection #6 (to convert from full access to right-in and right-out) to funnel the traffic into the proposed new Intersection #7 for shared use of driveways. Our concerns are based on following reasons:
 - It is not clear whether these improvements are feasible or not as it involves properties not owned by University Mall. In such cases, transportation improvements should be included in the study only if the improvements are programmed or impacted parties have an agreement.
 - The site plan shows an inter-parcel access east of Intersection #7 for the existing church south of University Mall. This inter-parcel access seems to be too close to the intersection and needs a larger throat as the relocated access is used by the church as well as other businesses south of the church.
2. If the above recommendation of closing the driveways is not implemented then, at that time, a revised analysis of the scenario is required to be submitted to VDOT to evaluate the impacts.
3. New Ox Road (Intersection #7) is required to meet the Access Management Regulations and Road Design Manual Appendix F standards for principal arterials.

Conclusions:

In general, the TIA is found acceptable.



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: July 28, 2009

SUBJECT: RZ 2009-BR-015, College Town Associates
Tax Map Number(s): 68-1 ((1)) 9&9A

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

FCPA Reviewer: Andy Galusha
DPZ Coordinator: William O'Donnell

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



County of Fairfax, Virginia

MEMORANDUM

DATE: October 26, 2010

TO: William O'Donnell, 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 2009-BR-015, PCA C-83-2 and SEA 87-A-086-02, University Mall, Generalized Development Plan sealed October 15, 2010, LDS Project #8974-ZONA-001-5, Tax Map #68-1-01-0009 and -0009A, Braddock District

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

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on this site.

Water quality controls are required for this development (PFM 6-0401.2A). Since a portion of this project is in the Water Supply Protection Overlay District (WSPOD), a reduction of the phosphorus load by 50% will be required for the area in the Popes Head Creek Watershed adjacent to Ox Road (PFM 6-0401.1). A StormFilter has been proposed for the WSPOD area; an innovative BMP form should accompany the site plan submittal (LTI 01-11). Water quality controls for the majority of the site, in the Pohick Creek Watershed, will be provided by a sand filter.

Floodplain

There are no regulated floodplains on the property.

Downstream Drainage Complaints

There are numerous downstream drainage complaints on file. There are recent complaints to the west at the cul-de-sac at Fieldwood Drive. There are also recent complaints along the southern outfall between Portsmouth Road and Gadsen Drive.

Stormwater Detention

Stormwater detention is required, if not waived (PFM 6-0301.3). Two underground detention facilities, one in each of the two watersheds, are shown on the plan. The facility in the Pohick

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



William O'Donnell, Staff Coordinator
Rezoning Application #RZ 2009-BR-015, University Mall
October 26, 2010
Page 2 of 2

Creek watershed is currently depicted as an in-line facility. Since off-site areas will drain to this facility, only an off-line facility will be acceptable at site plan (PFM 6-1306.3L).

Site Outfall

The narratives for the outfalls do not include a description of their adequacy and capacity (ZO 18-202 paragraph 10.F(2)(c)). The applicant has stated that the detention method will be used to meet the adequate outfall requirements of the PFM.

Stormwater Planning

The watershed plans for both Pohick Creek and Popes Head Creek have been completed. The Pohick Creek Watershed Plan recommends stream restoration projects downstream of this project. More information on these projects is available from the Stormwater Planning Division.

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

BF/

cc: Craig Carinci, Director, Stormwater Planning Division, DPWES
Russell Smith, Stormwater Engineer, Stormwater Planning Division, DPWES
Jeremiah Stonefield, Chief, Stormwater & Geotechnical Section, ESRD, DPWES
Elfatih Salim, Stormwater Engineer, S&G Section, ESRD, DPWES
Zoning Application File



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

July 9, 2009

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

Re: RZ 09-BR-015
PCA C-083-02
SEA 87-A-086-02
University Mall

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 is served by Fairfax Water.
2. Adequate domestic water service is available at the site from existing 12-inch and 8-inch water mains located at this property. See the enclosed water system map. The Generalized Development Plan has been forwarded to Plan Control for distribution to the Engineering Firm.
3. Relocation of water facilities necessary to accommodate this development plan are at the owners expense, and must be approved by Fairfax Water.

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

Sincerely,

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

Traci K. Goldberg, P.E.
Manager, Planning and Engineering

Enclosure



County of Fairfax, Virginia

MEMORANDUM

DATE: June 29, 2009

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, Proffered Condition Amendment and Special Exception Amendment Application RZ 2009-BR-015 concurrent with PCA C-83-2 and SEA 87-A-086-02

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 #432, **Fairview**
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.
 - d. does not meet current fire protection guidelines without an additional facility. The application property is _____ of a mile outside the fire protection guidelines. No new facility is currently planned for this area.





County of Fairfax, Virginia

MEMORANDUM

DATE: August 25, 2009

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. RZ2009-BR-015
Tax Map No. 068-1- /01/ /0009A, 0009

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 Pohick Creek (N-1) watershed. It would be sewerred into the Noman M. Cole Pollution Control Plant (NMCPCP).
- Based upon current and committed flow, there is excess capacity in the (NMCPCP) 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 10" 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:

Department of Public Works and Environmental Services
Wastewater Planning & Monitoring Division
12000 Government Center Parkway, Suite 358
Fairfax, VA 22035-0052
Phone: 703-324-5030, Fax: 703-324-3946



9-006 General Standards

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

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

9-607 Provisions for Approving an Increase in Building Heights

As set forth in the C-3, C-4, C-6, C-7, C-8, C-9, I-1, I-2, I-3, I-4, I-5, I-6 and Sully Historic Overlay Districts, and as applicable to all Group 3, Institutional Uses and Category 3, Quasi-Public Uses, the Board may approve a special exception for an increase in height above the maximum building height regulations specified for the zoning district or a given use, but only in accordance with the following provisions:

- 1) An increase in height may be approved only where such will be in harmony with the policies embodied in the adopted comprehensive plan.
- 2) An increase in height may be approved only in those locations where the resultant height will not be detrimental to the character and development of adjacent lands.
- 3) An increase in height may be approved in only those instances where the remaining regulations for the zoning district can be satisfied.
- 4) An increase in height up to 60 feet may be approved in the Sully Historic Overlay District when located within the historic district and within 500 feet of the Sully Historic Overlay District perimeter boundary and when it can be demonstrated by the applicant that the proposed structures, including all rooftop structures excluded from the maximum height regulations pursuant to Sect. 2-506 and those portions of the roof excluded from the building height calculations in accordance with the definition, are compatible with and do not have detrimental impacts on the Sully property in terms of mass, scale, color and visual impact and when such increase in height is in compliance with Federal Aviation Administration standards. Other factors to be considered when determining the impact of an increase in height may include, but not be limited to, changes to existing topography, presence of existing vegetation and the building lighting and signage. The actual building height as measured from the grade to the top of any roof or rooftop structure shall not exceed 65 feet.

9-309 Additional Standards for Child Care Centers and Nursery Schools

- 1) In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area shall be of such size that 100 square feet of usable outdoor recreation area shall be provided for each child that may use the space at any one time. Such area shall be delineated on a plat submitted at the time the application is filed.

For the purpose of this provision, usable outdoor recreation area shall be limited to:

 - a. That area not covered by buildings or required off-street parking spaces.
 - b. That area outside the limits of the minimum required front yard, unless specifically approved by the Board in commercial and industrial districts only.
 - c. Only that area which is developable for active outdoor recreation purposes.
 - d. An area which occupies no more than eighty (80) percent of the combined total areas of the required rear and side yards.

- 2) All such uses shall be located so as to have direct access to an existing or programmed public street of sufficient right-of-way and cross-section width to accommodate pedestrian and vehicular traffic to and from the use as determined by the Director. To assist in making this determination, each applicant, at the time of application, shall provide an estimate of the maximum expected trip generation, the distribution of these trips by mode and time of day, and the expected service area of the facility. As a general guideline, the size of the use in relation to the appropriate street type should be as follows, subject to whatever modification and conditions the Board deems to be necessary or advisable:

Number of Persons	Street Type
1-75	Local
76-660	Collector
660 or more	Arterial

- 3) All such uses shall be located so as to permit the pick-up and delivery of all persons on the site.
- 4) Such use shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.

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

- 1) In all districts where permitted by special exception:
 - A. Such a use shall have on all sides the same architectural features or shall be architecturally compatible with the building group or neighborhood with which it is associated.
 - B. Such a use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties.
 - C. The site shall be designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation. Parking and stacking spaces shall be provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the site.
 - D. In reviewing such a use or combination of uses, it shall be determined that the lot is of sufficient area and width to accommodate the use and that any such use will not adversely affect any nearby existing or planned residential areas as a result of the hours of operation, noise generation, parking, glare or other operational factors.
 - E. For a drive-through pharmacy, signs shall be required to be posted in the vicinity of the stacking area stating the limitations on the use of the window service and/or drive-through lane. Such signs shall not exceed

two (2) square feet in area or be located closer than five (5) feet to any lot line.

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

- A. There shall be no outdoor storage or display of goods offered for sale except for the outdoor storage or display of goods permitted at a service station or service station/mini-mart.
- B. Service stations and service station/mini-marts shall not be used for the performance of major repairs, and shall not include the outdoor storage of more than two (2) abandoned, wrecked or inoperable vehicles on the site for more than seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, in no event shall any one (1) abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding seventy-two hours.

GLOSSARY

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

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

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

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

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

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

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

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

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

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted 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 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		