



APPLICATION ACCEPTED: July 8, 2011
PLANNING COMMISSION: October 6, 2011
BOARD OF SUPERVISORS: October 18, 2011 @ 4:30 pm

County of Fairfax, Virginia

September 21, 2011

WS

STAFF REPORT

APPLICATION PCA/FDPA 2009-SU-020

SULLY DISTRICT

APPLICANT: Pender, LLC

PRESENT ZONING: PDC, WS, HC

PARCEL(S): 46-3 ((1)) 15A3

ACREAGE: 9.99 acres

FAR: 0.25

OPEN SPACE: 45%

PLAN MAP: Residential, Office, Retail, and Institutional

PROPOSAL: The application seeks to amend the proffers and final development plan for RZ/FDP 2009-SU-020 previously approved on December 21, 2009, for mixed use development to permit additional principal and secondary uses.

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 2009-SU-020, subject to the execution of proffers consistent with those contained Appendix 1.

Staff recommends approval of FDPA 2009-SU-020.

Staff recommends reaffirmation of a waiver of the transitional screening requirements to the west and south.

Brent Krasner

Staff recommends reaffirmation of a waiver of the barrier requirements to the south.

Staff recommends reaffirmation of a waiver of the service drive along Route 50.

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 proffered condition amendment does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

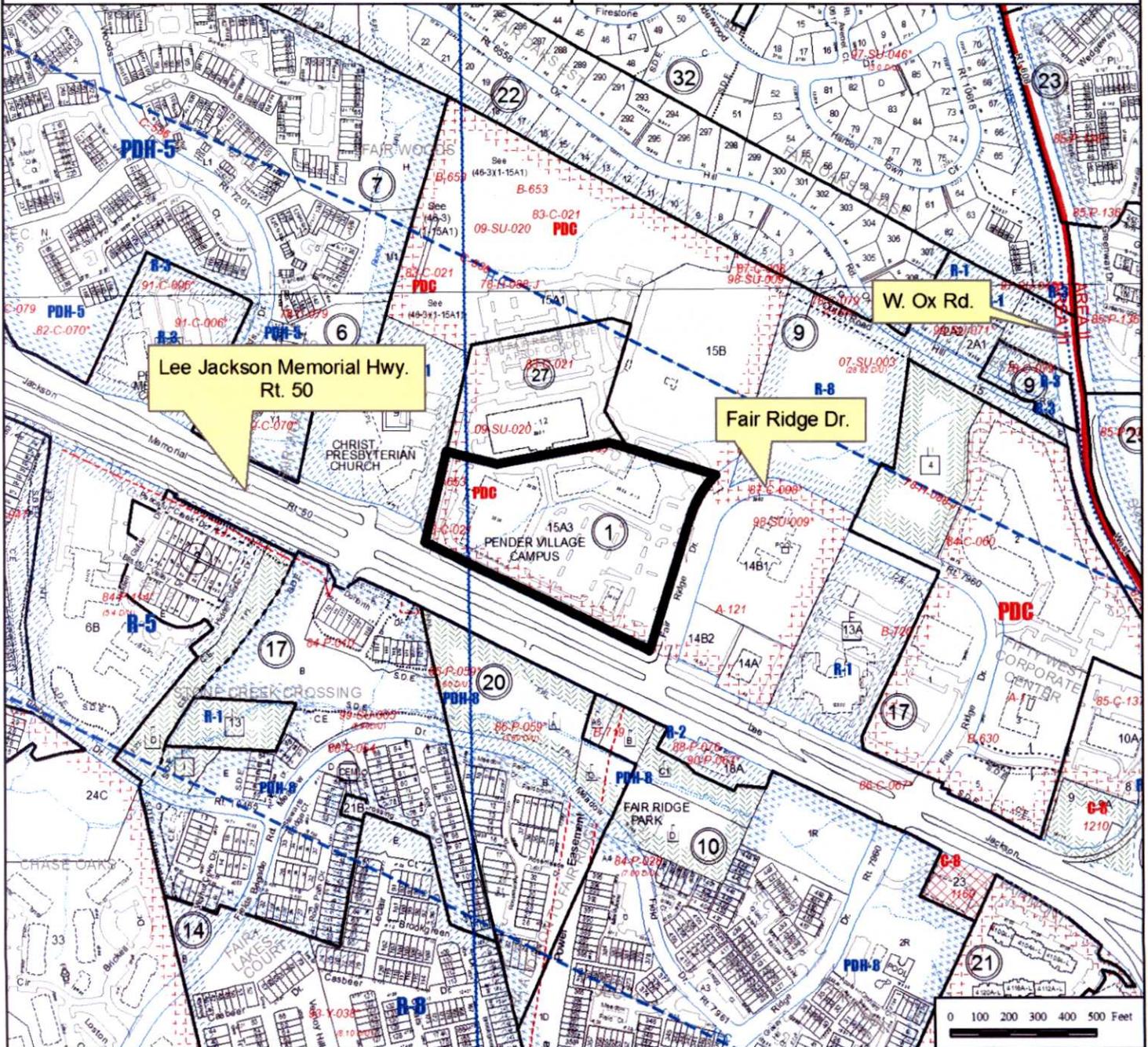
For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

O:\bkrasner\ZED\Applications\Proffered Condition Ammendments\Pender, LLC - PCA-2009-SU-020\PCA 2009-SU-020_Cover.doc



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Proffered Condition Amendment	Final Development Plan Amendment
<p>PCA 2009-SU-020</p> <p>Applicant: PENDER, L.L.C. Accepted: 07/08/2011 Proposed: AMEND RZ 2009-SU-020 PREVIOUSLY APPROVED FOR MIXED USE DEVELOPMENT TO PERMIT MODIFICATIONS TO APPROVED PROFFERS</p> <p>Area: 9.99 AC OF LAND; DISTRICT - SULLY</p> <p>Located: NORTHWEST QUADRANT OF THE WESTERN INTERSECTION OF LEE JACKSON MEMORIAL HWY AND FAIR RIDGE DRIVE</p> <p>Zoning: PDC Overlay Dist: WS, HC Map Ref Num: 046-3- /01/ /0015A3</p>	<p>FDPA 2009-SU-020</p> <p>Applicant: PENDER, L.L.C. Accepted: 08/19/2011 Proposed: AMEND FDP 2009-SU-020 PREVIOUSLY APPROVED FOR MIXED USE DEVELOPMENT TO PERMIT MODIFICATIONS TO APPROVED USES</p> <p>Area: 9.99 AC OF LAND; DISTRICT - SULLY</p> <p>Located: NORTHWEST QUADRANT OF THE WESTERN INTERSECTION OF LEE JACKSON MEMORIAL HWY AND FAIR RIDGE DRIVE</p> <p>Zoning: PDC Overlay Dist: WS, HC Map Ref Num: 046-3- /01/ /0015A3</p>



REVISION	DATE	DESCRIPTION

DATE: MAY 11, 2011
 FAIRFAX COUNTY, VIRGINIA
 SULLY DISTRICT
 AND VIRGINIA ELECTRIC AND POWER COMPANY
 EXISTING CONDITIONS AND SOILS MAP

URBAN ENGINEERING & ASSOC., INC.
 CIVIL ENGINEERS • LANDSCAPE ARCHITECTS • LAND SURVEYORS
 ANNANDALE, VIRGINIA 22003 (703) 642-8000

PROJECT NO. 1463
 SHEET 2 OF 14
 MISC-1463



LINE TABLE

LINE NO.	DESCRIPTION	SYMBOL
1	PROPOSED LIMITS OF CLEARING & GRADING	(Symbol)
2	EXISTING TREE LINE	(Symbol)
3	EXISTING PROPERTY LINE	(Symbol)
4	PROPOSED PROPERTY LINE	(Symbol)
5	EXISTING PROPERTY LINE PIPES	(Symbol)
6	EXISTING FENCE	(Symbol)
7	EXISTING LIGHTING	(Symbol)
8	PROPOSED LIGHTING	(Symbol)
9	PROPOSED CSRP-1	(Symbol)
10	PROPOSED CURB AND GUTTER	(Symbol)
11	EXISTING CURB AND GUTTER	(Symbol)
12	EXISTING CONTOUR	(Symbol)
13	EXISTING STORM DRAIN	(Symbol)
14	EXISTING SANITARY SEWER	(Symbol)
15	PROPOSED SANITARY SEWER	(Symbol)
16	EXISTING WATER LINE	(Symbol)
17	PROPOSED WATER LINE	(Symbol)
18	EXISTING GAS LINE	(Symbol)
19	EXISTING UNDERGROUND ELECTRIC LINE	(Symbol)
20	EXISTING OVERHEAD ELECTRIC LINE	(Symbol)
21	EXISTING UNDERGROUND TELEPHONE LINE	(Symbol)
22	EXISTING GUY WIRE	(Symbol)
23	EXISTING DRAINAGE WAY	(Symbol)
24	EXISTING POWER POLE	(Symbol)

LEGEND:

- (Symbol) PROPOSED LIMITS OF CLEARING & GRADING
- (Symbol) EXISTING TREE LINE
- (Symbol) EXISTING PROPERTY LINE
- (Symbol) PROPOSED PROPERTY LINE
- (Symbol) EXISTING PROPERTY LINE PIPES
- (Symbol) EXISTING FENCE
- (Symbol) EXISTING LIGHTING
- (Symbol) PROPOSED LIGHTING
- (Symbol) PROPOSED CSRP-1
- (Symbol) PROPOSED CURB AND GUTTER
- (Symbol) EXISTING CURB AND GUTTER
- (Symbol) EXISTING CONTOUR
- (Symbol) EXISTING STORM DRAIN
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- (Symbol) PROPOSED SANITARY SEWER
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- (Symbol) EXISTING OVERHEAD ELECTRIC LINE
- (Symbol) EXISTING UNDERGROUND TELEPHONE LINE
- (Symbol) EXISTING GUY WIRE
- (Symbol) EXISTING DRAINAGE WAY
- (Symbol) EXISTING POWER POLE

SOILS LEGEND

NUMBER	NAME	CLASS
1A+	MIXED ALLUVIAL	A
10B1	GLENVILLE	B
10B+	GLENVILLE	B
10B2	GLENVILLE	B
10B3	MANASSAS	C
10B4	MANASSAS	C
10B5	FAIRFAX (S)	B
10B6	GLENELG	C
10B7	GLENELG	C
10B8	GLENELG	C
10B9	CALVERTON (S)	A
10B10	CALVERTON (S)	A
10B11	CALVERTON (S)	A
10B12	MAYODAN	C

NO.	DATE	REVISION	APPROVED	DATE

REVISION APPROVED BY DIVISION OF DESIGN REVIEW

DATE: MAY, 2011

FILE NO. MISC-1463

CL = N/A

DATE: MAY, 2011

FAIRFAX COUNTY, VIRGINIA

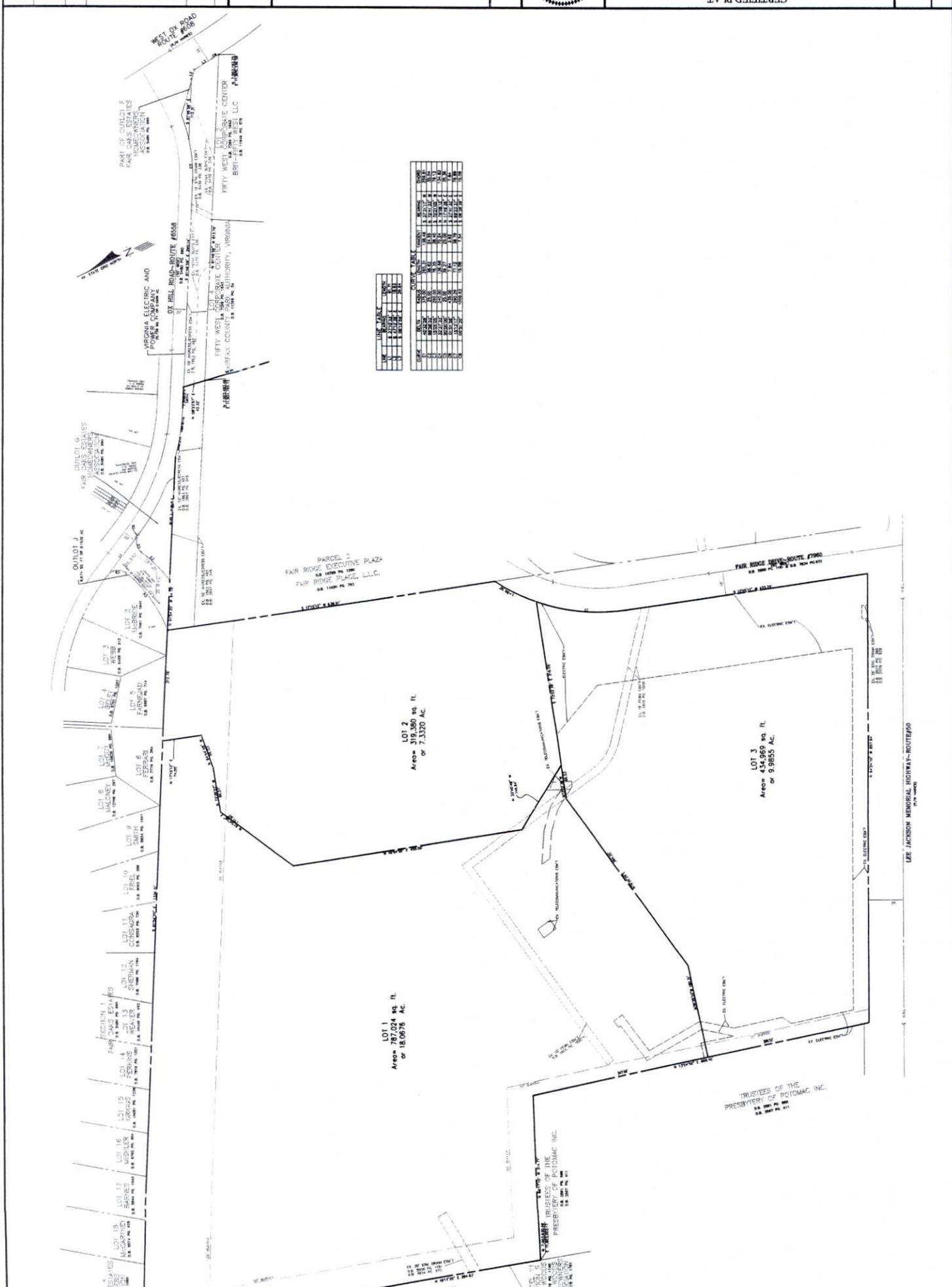
SULLY DISTRICT

VIRGINIA ELECTRIC AND POWER COMPANY

CERTIFIED PLAT

SHEET 5 OF 14

FILE NO. MISC-1463



LINE	TYPE	MARK	CONTR.
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100	1"	---	---



URBAN ENGINEERING & ASSOC., INC.

ANNAPOLIS, VIRGINIA 22003 (703) 942-8080

CIVIL ENGINEERS - LANDSCAPE ARCHITECTS - LAND SURVEYORS

MAIN DATE: 05-23-11

NO.	DATE	DESCRIPTION	REV BY	APPROVED	DATE

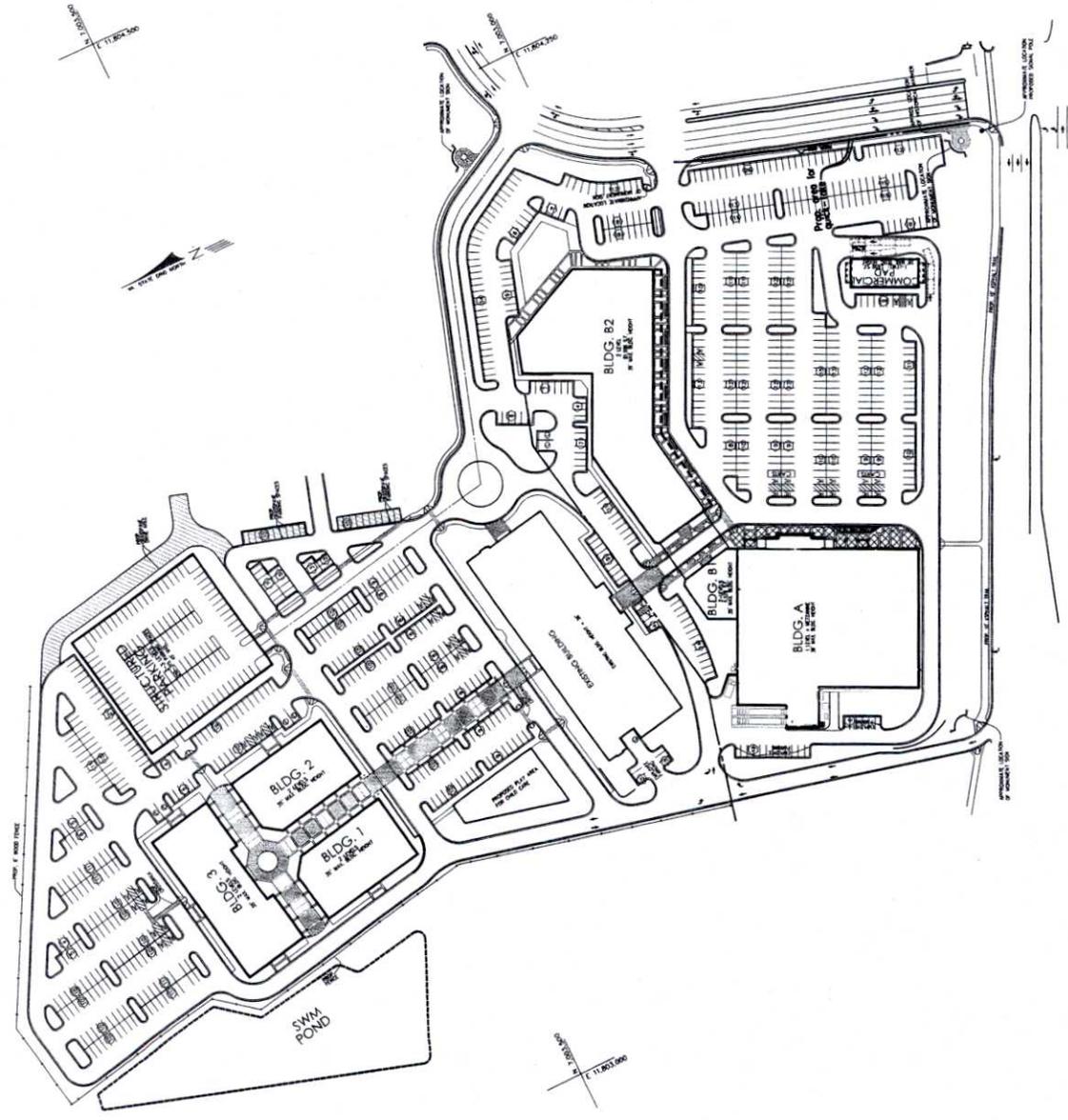
PLAN DATE
05-25-11

URBAN ENGINEERING & ASSOC., INC.
CIVIL ENGINEERS - LANDSCAPE ARCHITECTS - LAND SURVEYORS
7712 LITTLE RIVER TURNPIKE
ANNAPOLIS, VIRGINIA 20703 (703) 642-9000



PROPOSED SITE IMPROVEMENTS
VIRGINIA ELECTRIC AND
POWER COMPANY
SULLY DISTRICT
FAIRFAX COUNTY, VIRGINIA
CL # N/A
DATE: MAY, 2011

SCALE: 1" = 80'
SHEET 14 OF 14
FILE NO. MISC-1463



THIS SHEET FOR INFORMATION PURPOSES ONLY!



TYPICAL PLANT PALETTE

Botanical Name	Common Name	Size
CANOPY TREES		
Acer rubrum	October Glory Red Maple	3" cal
Acer glabrum	Sweetest Green Ash	3" cal
Quercus macrocarpa	White Oak	3" cal
Zelkova serrata	Zelkova	3" cal
Quercus phellos	Willow Oak	3" cal
Quercus rubra	Red Oak	3" cal

ORNAMENTAL EVERGREEN TREES

Cercis canadensis	Eastern Redbud	8'-10' H
Comus florida	Flowering Dogwood	8'-10' H
Ligustrum japonica	Crape Myrtle	8'-10' H
Magnolia soulangeana	Saucer Magnolia	8'-10' H
Magnolia virginiana	Sweetbay Magnolia	8'-10' H
Thuja occidentalis 'Nigra'	Dark American Arborvitae	8' H
Ilex coccinea	American Holly	8'-10' H
Pinus Nigra	Austrian Pine	8'-10' H

SHRUBS

Berberis thunbergii	Barberry	30" x 36"
Comus sericea	Red Twig Dogwood	30" x 36"
Eucyrtus alata 'Compacta'	Compact Burning Bush	30" x 36"
Ilex coccinea 'Blue Princess'	Compact Burning Bush	30" x 36"
Ilex coccinea 'Blue Princess'	Skip Lark	30" x 36"
Pyrus baccata	Skip Lark	30" x 36"
Viburnum dentatum	Arrowwood/Viburnum	30" x 36"

- LEGEND**
- APPROXIMATE LIMITS OF GRADING AND CLEARING
 - PROPOSED SHADE TREE
 - PROPOSED FLOWERING ORNAMENTAL TREE
 - PROPOSED EVERGREEN TREE
 - PROPOSED EVERGREEN SHRUB

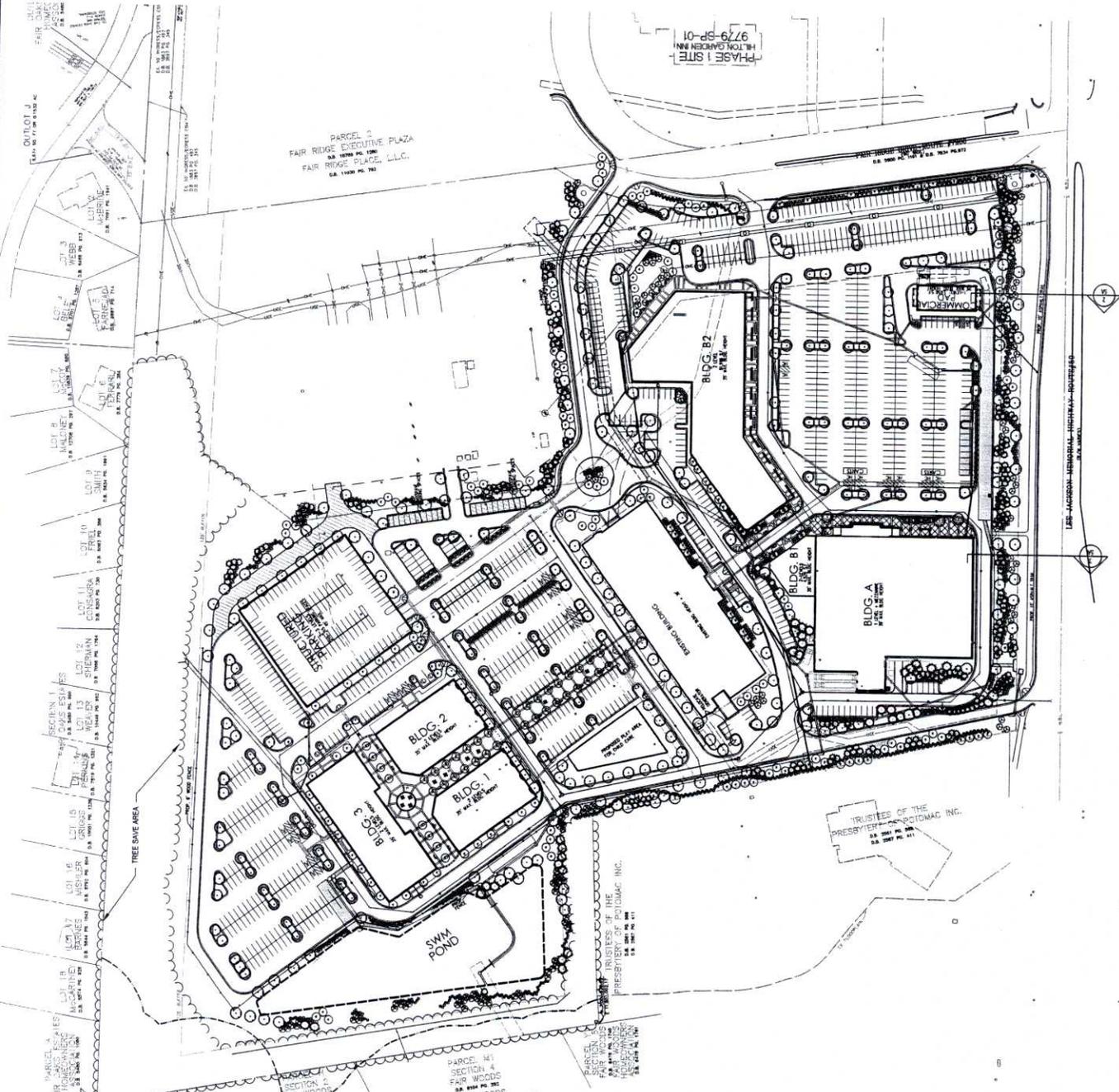
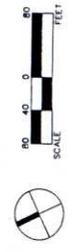
LANDSCAPING SUMMARY

REQUIRED TREE COVER:
 TOTAL SITE AREA = 1,541,373 SF
 TOTAL TREE COVER FOOTPRINT AREA = 222,899 SF
 NET SITE AREA = 1,318,474 SF
 TREE COVER REQUIRED (10%) = 131,847 SF
 PROVIDED TREE COVER:
 EXISTING TREESAVE AREA = (100,000 SF x 1.25) = 125,000 SF
 PROPOSED LANDSCAPING = 45,000 SF
 TOTAL = 170,000 SF

PLANTINGS SHOWN ARE CONCEPTUAL AND SUBJECT TO REVISION WITH FINAL SITE PLAN.
 TOTAL PROVIDED CANOPY WILL BE A MINIMUM OF 131,918 SF.

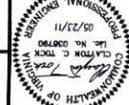
NOTES

- ALL PLANTINGS LOCATED IN UTILITY EASEMENTS TO BE APPROVED BY VIRGINIA POWER PRIOR TO INSTALLATION.
- PURSUANT TO PARAGRAPH (3) OF SECTION 13.304 OF THE ZONING ORDINANCE, A BUFFER OF TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG THE WESTERN SIDE OF THE PROPOSED SWIMMING POOL AND THE WESTERN SIDE OF THE PROPOSED WOODS UNDISTURBED BUFFER CONSISTING OF EXISTING WOODLANDS WILL MINIMIZE ANY ADVERSE IMPACT ON THE ADJACENT COMMUNITY.
- PURSUANT TO PARAGRAPH (3) OF SECTION 13.304 OF THE ZONING ORDINANCE, A BUFFER OF TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG THE NORTHERN SIDE OF THE PROPOSED WOODS UNDISTURBED BUFFER CONSISTING OF EXISTING WOODLANDS WILL MINIMIZE ANY ADVERSE IMPACT ON THE ADJACENT COMMUNITY.
- REQUIRED INTERIOR GREEN AREA FOR PARKING STRUCTURE TO BE PROVIDED IN OPEN SPACE BETWEEN GARAGE AND ADJACENT COMB.



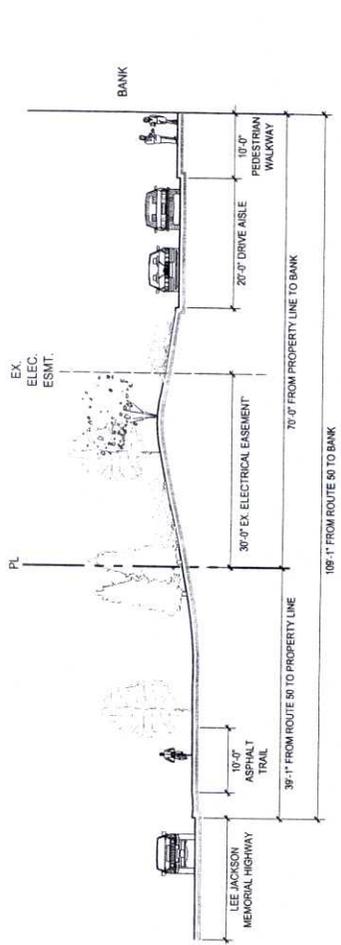
NO.	DATE	REVISION	APPROVED BY	DATE

PLAN DATE: 05-23-11
 URBAN ENGINEERING & ASSOC., INC.
 CIVIL ENGINEERS • LANDSCAPE ARCHITECTS • LAND SURVEYORS
 712 LITTLE RIVER TURNPIKE
 ANNANDALE, VIRGINIA 22020 (703) 942-8000

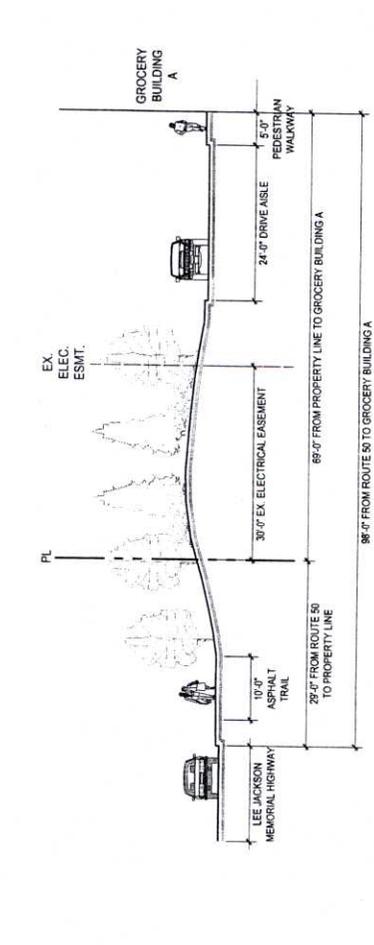


LANDSCAPE DETAILS
 VIRGINIA ELECTRIC AND POWER COMPANY
 SULLY DISTRICT
 FAIRFAX COUNTY, VIRGINIA
 DATE: MAY, 2011
 SCALE: AS SHOWN
 CL = NA

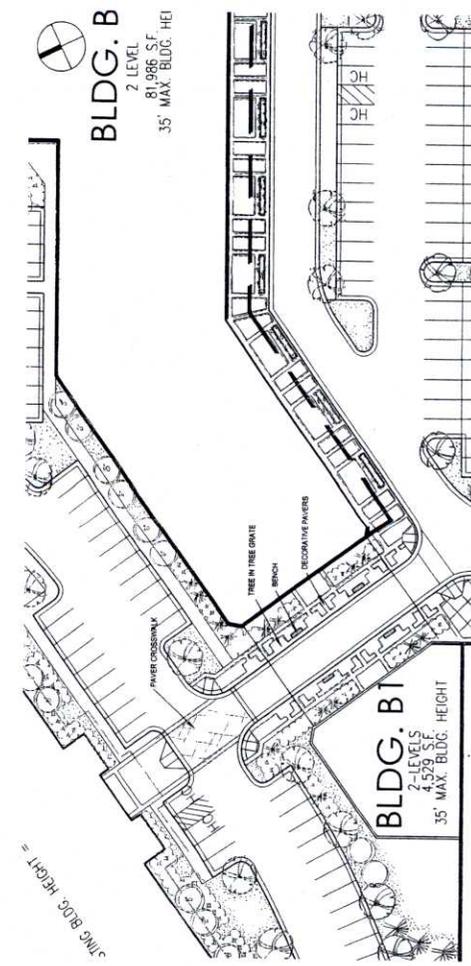
SHEET 5A OF 14
 FILE NO. MISC-1463



2 BUFFER SECTION A
 1"=10'-0"



3 BUFFER SECTION B
 1"=10'-0"



4 BOULEVARD DETAIL PLAN
 1"=5'-0"



BOULEVARD DETAIL PLAN
 1"=30'

NO.	DATE	REVISION	REVISION APPROVED	DATE

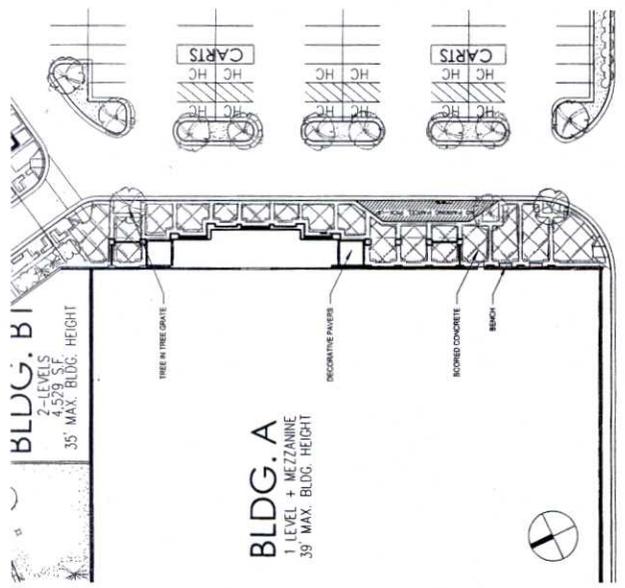
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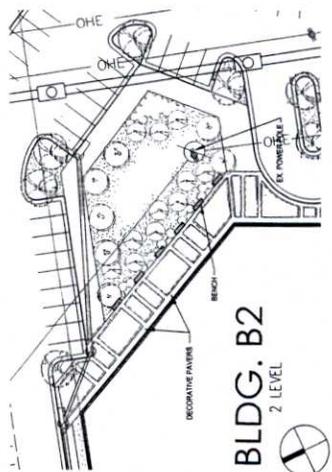


LANDSCAPE DETAILS
VIRGINIA ELECTRIC
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SULLY DISTRICT
FAIRFAX COUNTY, VIRGINIA
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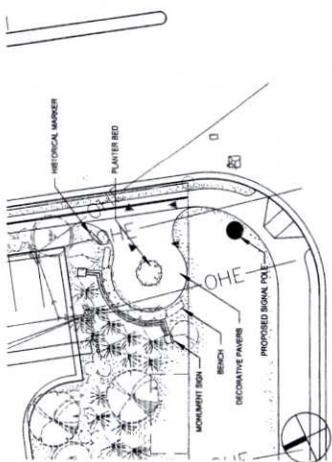
SCALE: AS SHOWN
SHEET
5B
OF
14
FILE NO.
MISC. 1463



5 GROCERY BLDG. A ENTRANCE DETAIL PLAN 1"=30'



6 BLDG. B2 PLAZA DETAIL PLAN 1"=30'



7 ROUTE 50 ENTRANCE DETAIL PLAN 1"=20'

DRAINAGE AREA: 31.00 AC
 C = 0.70
 Q = 172.62 CFS
 SLOPE = 0.03 F/FT
 ROUGHNESS COEFFICIENT = 0.013
 FOR 12" PIPE:
 HEAD LOSS = 21' = 1.75'
 AREA OF PIPE = 0.605 SQ FT
 VELOCITY = 28.3 F/SEC
 CAPACITY OF PIPE = 48.45 CFS
 FOR 18" PIPE:
 HEAD LOSS = 10.7' = 0.88'
 AREA OF PIPE = 1.77 SQ FT
 VELOCITY = 15.8 F/SEC
 CAPACITY OF PIPE = 140.7 CFS
 FOR 24" PIPE:
 HEAD LOSS = 4.7' = 0.38'
 AREA OF PIPE = 3.14 SQ FT
 VELOCITY = 11.0 F/SEC
 CAPACITY OF PIPE = 217.3 CFS
 MARKING THE AREA RATIO OF THE TWO PIPES (47 AND 24") TO THE TOTAL FLOW OF 172.62 CFS, THE 18" PIPE FLOW IS 15.8 CFS
 WHICH IS LESS THAN THE DESIGN FLOW (100 (27.3 CFS)), HENCE OK.
 FOR 12" PIPE:
 HEAD LOSS = 21' = 1.75'
 AREA OF PIPE = 0.605 SQ FT
 VELOCITY = 28.3 F/SEC
 CAPACITY OF PIPE = 48.45 CFS
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 WHICH IS LESS THAN THE DESIGN FLOW (100 (27.3 CFS)), HENCE OK.

EXISTING CULVERT ANALYSIS
 THIS SITE IS LOCATED ON TAX MAP ASSESSMENT NUMBER 48-3-(11)-15, 15A, & 15B. THE PURPOSE OF THIS SITE PLAN IS FOR THE CONSTRUCTION OF A MULTI-BUILDING DEVELOPMENT SURFACE PARKING, AND NECESSARY IMPROVEMENTS TO THE EXISTING DEVELOPMENT. APPROXIMATELY 45 ACRES OF THIS SITE IS BEING DISTURBED WITH THE DEVELOPMENT.
 THE EXISTING SITE HAS A NATURAL DRAINAGE DIVIDE THAT DIRECTION THE SITE, WITH THE NORTH SIDE OF THE SITE DRAINING TO AN EXISTING POND LOCATED IN THE NORTHWEST CORNER OF THE SITE. THE SOUTH SIDE OF THE SITE DRAINAGE IS THE BALANCE OF THE SITE DRAINING TO AN EXISTING CULVERT SYSTEM THAT CROSSES ROUTE 50. THE EXISTING CULVERT SYSTEM IS LOCATED ON THIS SHEET INDICATING THE EXISTING CULVERT SYSTEM IS CONTROLLING THE EXISTING RUNOFF TO THE CULVERT SYSTEM. THE PROPOSED STORMWATER MANAGEMENT FOR THE SITE HAS THE DATA AVAILABLE. IT APPEARS THE EXISTING CULVERTS ARE ADEQUATE TO CONTROL THE EXISTING RUNOFF. SHOULD THE CULVERT NOT BE ADEQUATE, ADDITIONAL CALCULATIONS WILL BE PROVIDED TO THE CLIENT. THE CULVERTS WILL BE RECONSTRUCTED TO CONTROL THE EXISTING RUNOFF ON THE WESTERN SIDE OF THE SITE DISCHARGING INTO AN EXISTING CHANNEL, WHICH HAS BEEN ANALYZED THE RESULT OF THE ANALYSIS FOR THE PROPOSED DEVELOPMENT. THE RUNOFF FROM THE DEVELOPMENT WILL BE LEFT IN THE GENERAL LOCATION WITH THIS DEVELOPMENT.
 STORMWATER MANAGEMENT FOR THE PROPOSED DEVELOPMENT IS BEING PROVIDED IN A UNDERGROUND VAULT AND AN ON-SITE DRY POND (USED FOR DETENTION ONLY). THE DRY POND WILL BE PLACED TO ACCUMULATE RUNOFF THROUGH THE SUBJECT SITE VAULT. IT HAS 15.99 ACRES OF ON-SITE AREA DRAINING TO THE VAULT PLUS 17.83 ACRES OF OFF-SITE AREA. VAULT AT 100' DEPTH WITH 20' DIAMETER OF ACCESS VIA A 4' X 4' MANHOLE. THE VAULT WILL HAVE MULTIPLE POINTS OF ACCESS VIA A 4' X 4' MANHOLE. THE EXISTING DRY POND WAS BEING LOCATED IN THE SAME GENERAL LOCATION AS THE EXISTING DRY POND PLUS 16.79 ACRES OF OFF-SITE AREA. THE FOOTPRINT OF POND DRAINING TO THE POND PLUS 16.79 ACRES OF OFF-SITE AREA. THE FOOTPRINT OF POND IS 100' X 100'. THE POND WILL BE 100' X 100' FEET OF STORAGE TO ENSURE THE POST-DEVELOPMENT RUNOFF FROM THE SITE DOES NOT EXCEED THAT OF THE PRE-DEVELOPMENT CONDITIONS.
 PER THE FAIRFAX COUNTY LETTER TO INDUSTRY CONCERNING ADEQUACY OF THE DITCH, JOE SITE RUNOFF WILL BE EVALUATED TO DETERMINE IF THE EXISTING POND JUST EAST OF ROUTE 7100. AN EVALUATION OF THE POND WILL BE PROVIDED WITH THE FINAL SITE PLAN TO CONFIRM THAT THE EXISTING POND IS CONTROLLING 849 ACRES OF RUNOFF. IT IS AN ADEQUATE ULTIMATE OUTFALL FOR THE SUBJECT SITE, PROVIDED IT MEETS THE VELOCITY CRITERIA OF THE LETTER TO INDUSTRY.

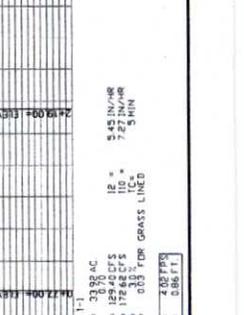
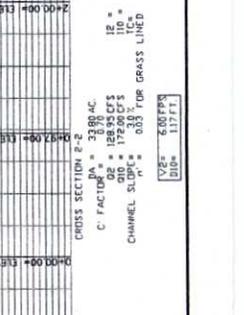
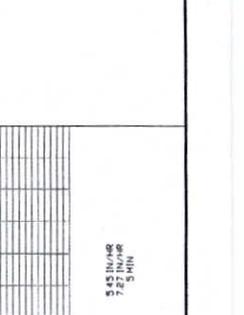
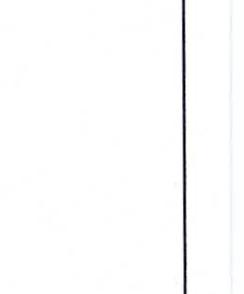
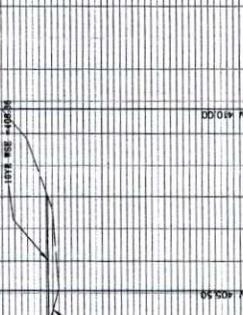
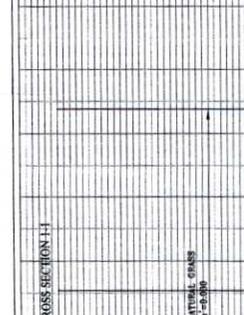
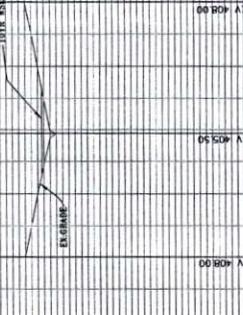
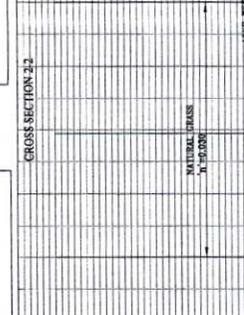
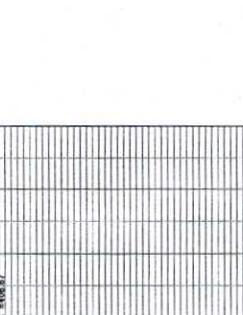
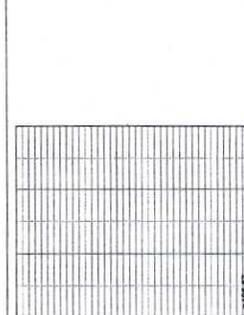
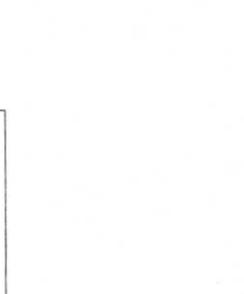
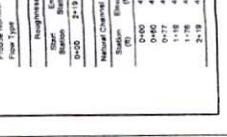
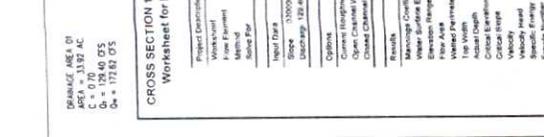
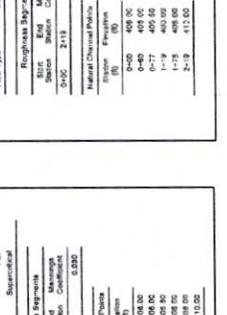
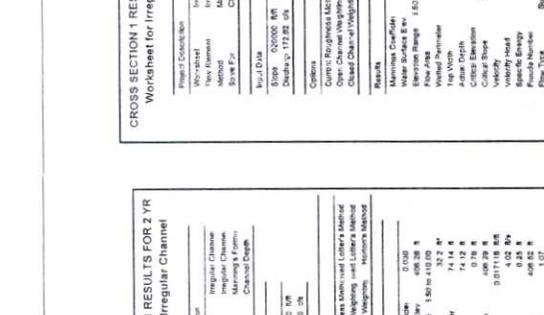
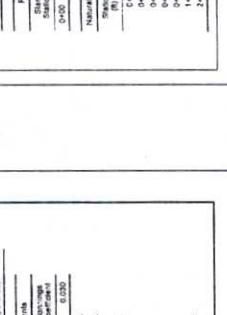
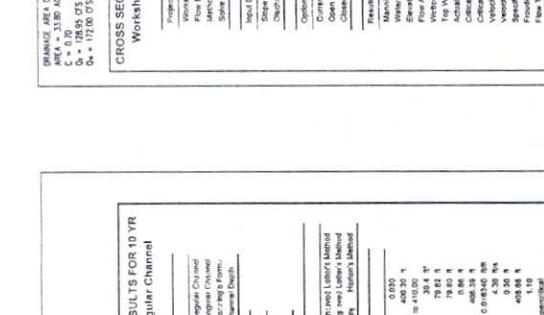
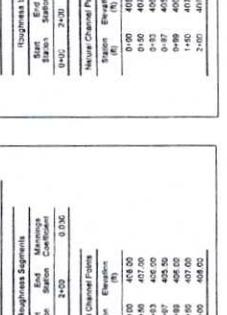
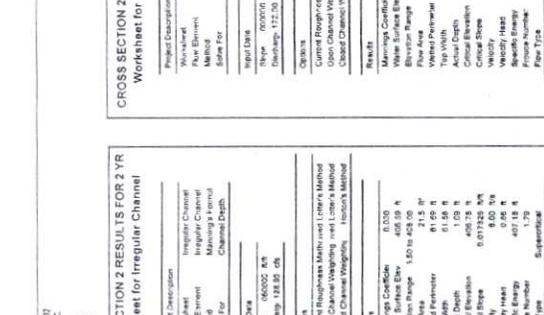
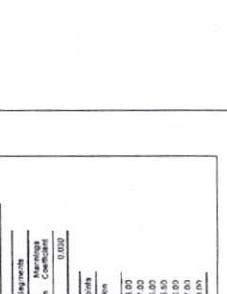
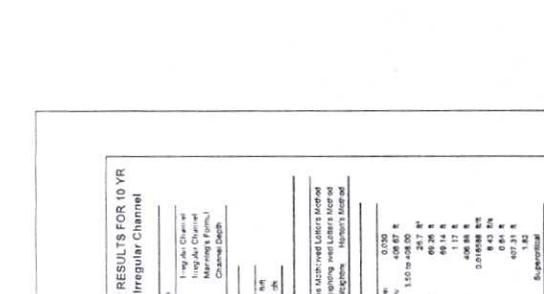
DATE: 04/12/06
 SIGNATURE: Eric S. Siegel
 ERIC S. SIEGEL, P.E.
 PROFESSIONAL

CROSS SECTION 1 RESULTS FOR 10 YR Worksheet for Irregular Channel
 Project Description: Warehouse
 Invert Elevation: 100.00
 Manning's n: 0.015
 Channel Depth: 1.00
 Input Data: Slope: 0.00000 ft/ft, Discharge: 172.62 cfs
 Results: Manning's Coefficient: 0.015, Water Surface Elevation: 101.00, Flow Area: 28.7 sq ft, Wetted Perimeter: 61.69 ft, Actual Depth: 1.00 ft, Critical Elevation: 100.78 ft, Critical Slope: 0.0117102, Velocity: 0.84 ft/sec, Specific Energy: 407.31 ft, Froude Number: 1.19, Flow Type: Subcritical
 Roughness Segments: Start Station: 0+00, End Station: 0+10, Manning's n: 0.015
 Natural Channel Points: Station Elevation (ft): 0+00: 400.00, 0+10: 400.00, 0+20: 400.00, 0+30: 400.00, 0+40: 400.00, 0+50: 400.00, 0+60: 400.00, 0+70: 400.00, 0+80: 400.00, 0+90: 400.00, 1+00: 400.00

CROSS SECTION 2 RESULTS FOR 10 YR Worksheet for Irregular Channel
 Project Description: Warehouse
 Invert Elevation: 100.00
 Manning's n: 0.015
 Channel Depth: 1.00
 Input Data: Slope: 0.00000 ft/ft, Discharge: 172.62 cfs
 Results: Manning's Coefficient: 0.015, Water Surface Elevation: 101.00, Flow Area: 28.7 sq ft, Wetted Perimeter: 61.69 ft, Actual Depth: 1.00 ft, Critical Elevation: 100.78 ft, Critical Slope: 0.0117102, Velocity: 0.84 ft/sec, Specific Energy: 407.31 ft, Froude Number: 1.19, Flow Type: Subcritical
 Roughness Segments: Start Station: 0+00, End Station: 0+10, Manning's n: 0.015
 Natural Channel Points: Station Elevation (ft): 0+00: 400.00, 0+10: 400.00, 0+20: 400.00, 0+30: 400.00, 0+40: 400.00, 0+50: 400.00, 0+60: 400.00, 0+70: 400.00, 0+80: 400.00, 0+90: 400.00, 1+00: 400.00

CROSS SECTION 2 RESULTS FOR 2 YR Worksheet for Irregular Channel
 Project Description: Warehouse
 Invert Elevation: 100.00
 Manning's n: 0.015
 Channel Depth: 1.00
 Input Data: Slope: 0.00000 ft/ft, Discharge: 172.62 cfs
 Results: Manning's Coefficient: 0.015, Water Surface Elevation: 101.00, Flow Area: 28.7 sq ft, Wetted Perimeter: 61.69 ft, Actual Depth: 1.00 ft, Critical Elevation: 100.78 ft, Critical Slope: 0.0117102, Velocity: 0.84 ft/sec, Specific Energy: 407.31 ft, Froude Number: 1.19, Flow Type: Subcritical
 Roughness Segments: Start Station: 0+00, End Station: 0+10, Manning's n: 0.015
 Natural Channel Points: Station Elevation (ft): 0+00: 400.00, 0+10: 400.00, 0+20: 400.00, 0+30: 400.00, 0+40: 400.00, 0+50: 400.00, 0+60: 400.00, 0+70: 400.00, 0+80: 400.00, 0+90: 400.00, 1+00: 400.00

CROSS SECTION 2 RESULTS FOR 2 YR Worksheet for Irregular Channel
 Project Description: Warehouse
 Invert Elevation: 100.00
 Manning's n: 0.015
 Channel Depth: 1.00
 Input Data: Slope: 0.00000 ft/ft, Discharge: 172.62 cfs
 Results: Manning's Coefficient: 0.015, Water Surface Elevation: 101.00, Flow Area: 28.7 sq ft, Wetted Perimeter: 61.69 ft, Actual Depth: 1.00 ft, Critical Elevation: 100.78 ft, Critical Slope: 0.0117102, Velocity: 0.84 ft/sec, Specific Energy: 407.31 ft, Froude Number: 1.19, Flow Type: Subcritical
 Roughness Segments: Start Station: 0+00, End Station: 0+10, Manning's n: 0.015
 Natural Channel Points: Station Elevation (ft): 0+00: 400.00, 0+10: 400.00, 0+20: 400.00, 0+30: 400.00, 0+40: 400.00, 0+50: 400.00, 0+60: 400.00, 0+70: 400.00, 0+80: 400.00, 0+90: 400.00, 1+00: 400.00



CROSS SECTION 1: 33.92 AC, C FACTOR = 0.70, Q = 172.62 CFS, CHANNEL SLOPE = 0.03 FOR GRASS LINED, VELOCITY = 2.02 F/FT, DISCHARGE = 111.11 CFS
 CROSS SECTION 2: 33.92 AC, C FACTOR = 0.70, Q = 172.62 CFS, CHANNEL SLOPE = 0.03 FOR GRASS LINED, VELOCITY = 2.02 F/FT, DISCHARGE = 111.11 CFS

CROSS SECTION 1: 33.92 AC, C FACTOR = 0.70, Q = 172.62 CFS, CHANNEL SLOPE = 0.03 FOR GRASS LINED, VELOCITY = 2.02 F/FT, DISCHARGE = 111.11 CFS
 CROSS SECTION 2: 33.92 AC, C FACTOR = 0.70, Q = 172.62 CFS, CHANNEL SLOPE = 0.03 FOR GRASS LINED, VELOCITY = 2.02 F/FT, DISCHARGE = 111.11 CFS

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 CROSS SECTION 2: 33.92 AC, C FACTOR = 0.70, Q = 172.62 CFS, CHANNEL SLOPE = 0.03 FOR GRASS LINED, VELOCITY = 2.02 F/FT, DISCHARGE = 111.11 CFS

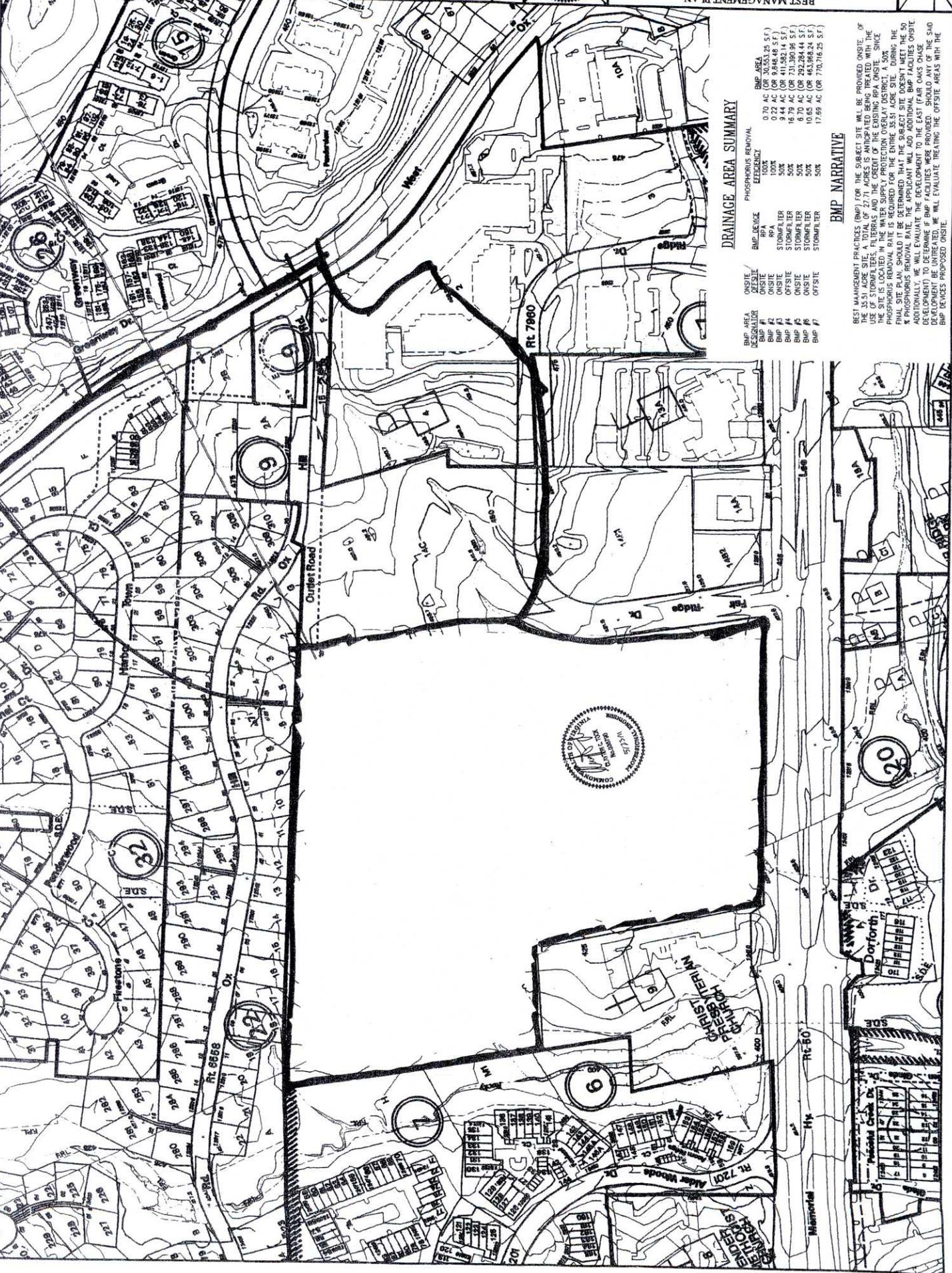
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 CROSS SECTION 2: 33.92 AC, C FACTOR = 0.70, Q = 172.62 CFS, CHANNEL SLOPE = 0.03 FOR GRASS LINED, VELOCITY = 2.02 F/FT, DISCHARGE = 111.11 CFS

NO.	DATE	DESCRIPTION	REVISION APPROVED BY DIVISION OF DESIGN REVIEW
01	04-12-06	PRELIMINARY	
02	05-01-06	REVISED	
03	05-01-06	REVISED	
04	05-01-06	REVISED	
05	05-01-06	REVISED	
06	05-01-06	REVISED	
07	05-01-06	REVISED	
08	05-01-06	REVISED	
09	05-01-06	REVISED	
10	05-01-06	REVISED	

URBAN ENGINEERING & ASSOC., INC.
 CIVIL ENGINEERS - LANDSCAPE ARCHITECTS - LAND SURVEYORS
 7212 LITTLE BERRA TERRACE
 NAYLAND, VIRGINIA 22081 (703) 642-9000



VIRGINIA ELECTRIC AND POWER COMPANY
 BEST MANAGEMENT PLAN
 STA. DISTRICT
 FAIRFAX COUNTY, VIRGINIA
 DATE: APRIL, 2006
 CL # 2
 SCALE: 1" = 120'



DRAINAGE AREA SUMMARY

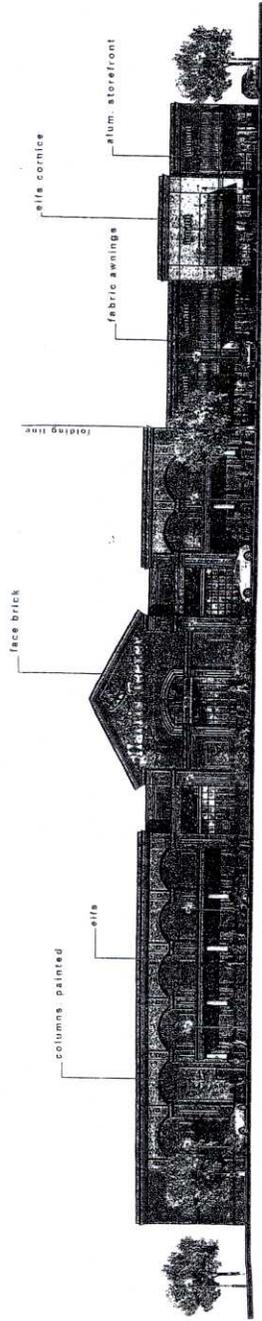
BMP AREA	PHOSPHORUS REMOVAL EFFICIENCY	BMP DEVICE	PHOSPHORUS REMOVAL EFFICIENCY
BMP #1	100%	RPA	100%
BMP #2	50%	RPA	50%
BMP #3	50%	STORMFILTER	50%
BMP #4	50%	STORMFILTER	50%
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BMP #98	50%	STORMFILTER	50%
BMP #99	50%	STORMFILTER	50%
BMP #100	50%	STORMFILTER	50%

BMP NARRATIVE

BEST MANAGEMENT PRACTICES (BMP) FOR THE SUBJECT SITE WILL BE PROVIDED ONSITE. OF THE 71 ACRES IS ANTICIPATED BEING TREATED WITH THE USE OF STORMFILTER, FILTERS AND RPA. SINCE THE SITE IS LOCATED IN THE WATER SUPPLY PROTECTION OVERLAY DISTRICT, 50% PHOSPHORUS REMOVAL RATE IS REQUIRED FOR THE ENTIRE 35.51 ACRE SITE. DURING THE FINAL SITE PLAN, SHOULD IT BE DETERMINED THAT THE SUBJECT SITE DOES NOT MEET THE 50% PHOSPHORUS REMOVAL RATE, THE APPLICANT WILL ADD ADDITIONAL BMP FACILITIES ONSITE. ADDITIONALLY, THE APPLICANT WILL ADD ADDITIONAL BMP FACILITIES ON THE EAST (PARK OAKS CHOSE DEVELOPMENT) TO DETERMINE IF BMP FACILITIES ON THE EAST (PARK OAKS CHOSE DEVELOPMENT) BE UNTREATED. WE WILL EVALUATE TREATING THE OFFSITE AREAS WITH THE SAID BMP DEVICES PROPOSED ONSITE.

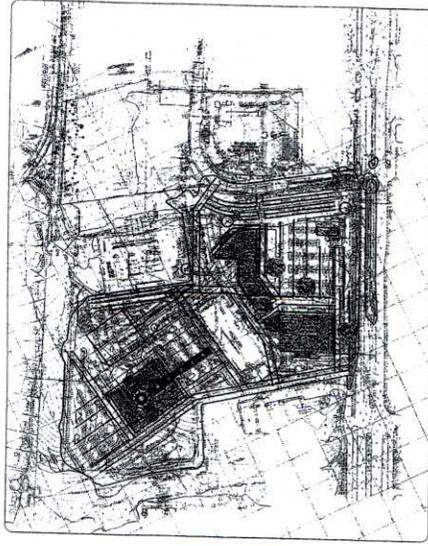


SHEET 8 OF 8
 MDC-1463



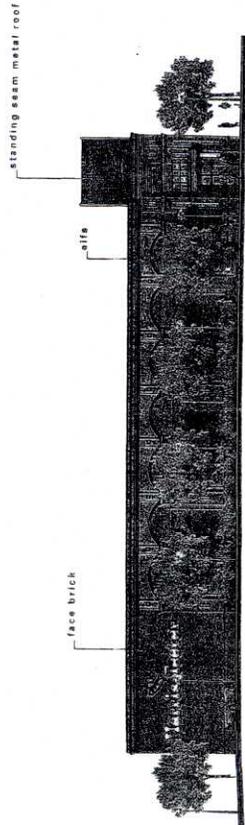
elevation 1 scale: 1/16" = 1'-0"

elevation 2 scale: 1/16" = 1'-0"

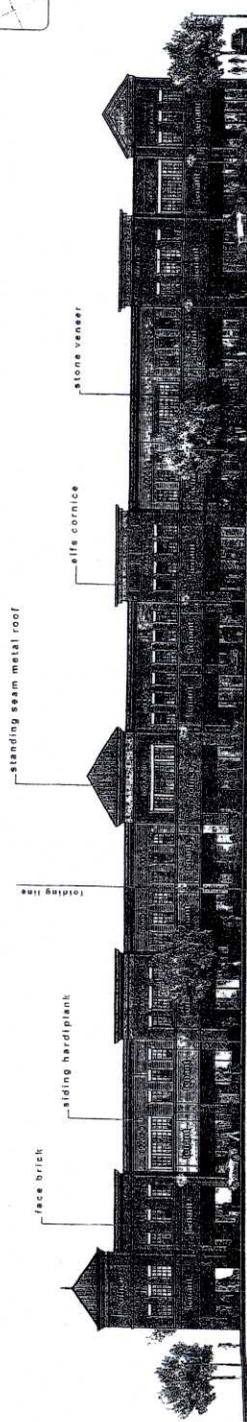


key plan

- legend
-  grocery building
 -  one-story office building
 -  two-story retail office building
 -  two-story office building
 -  bank building

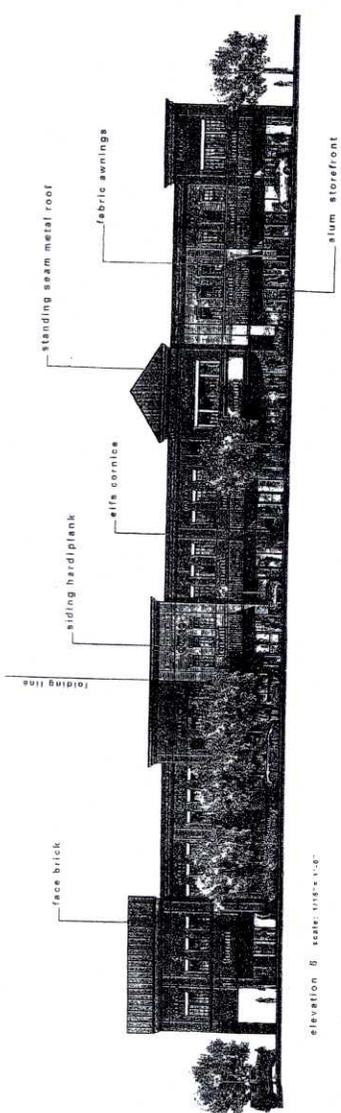


elevation 3 scale: 1/16" = 1'-0"

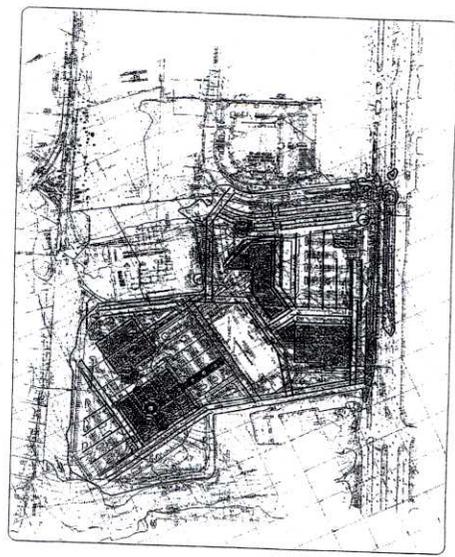


elevation 4 scale: 1/16" = 1'-0"



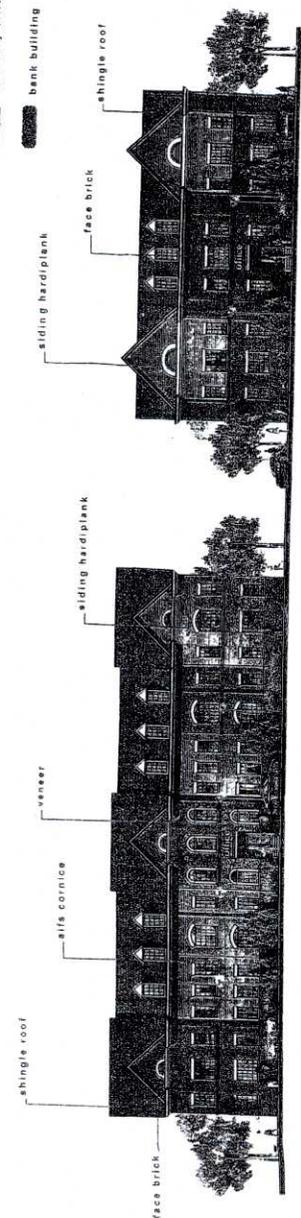


Elevation B scale: 1/8" = 1'-0"



Key plan

- Legend
- Grocery building
 - one-story office building
 - two-story retail office building
 - two-story office building
 - bank building

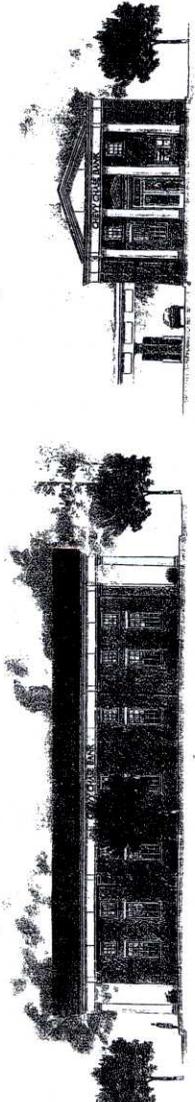


Elevation C scale: 1/8" = 1'-0"





elevation 7 scale: 1/8" = 1'-0"

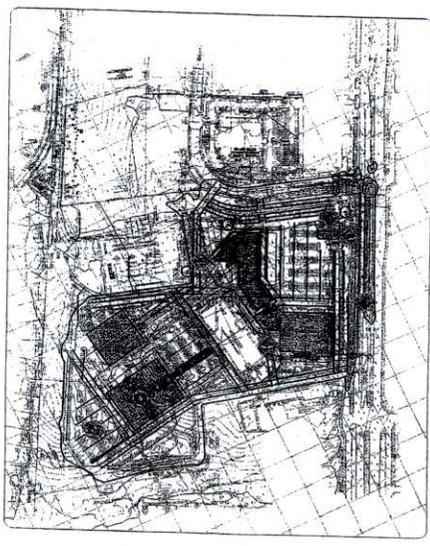


elevation 8 scale: 1/8" = 1'-0"

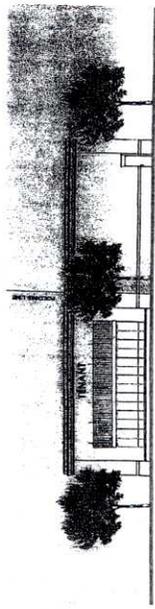
elevation 8 scale: 1/8" = 1'-0"

Legend

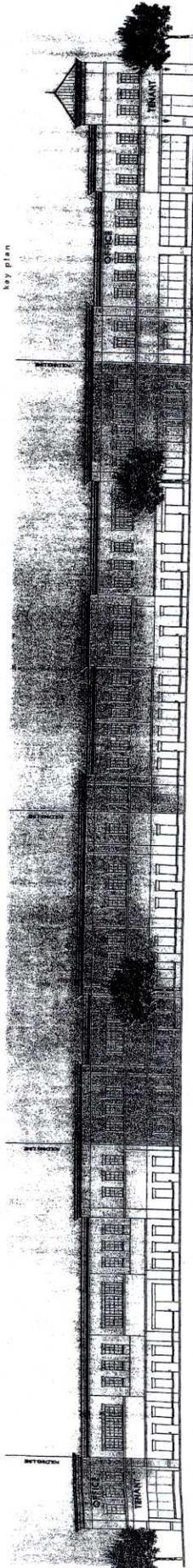
- grocery building
- one-story office building
- two-story retail office building
- two-story office building
- bank building
- garage



key plan



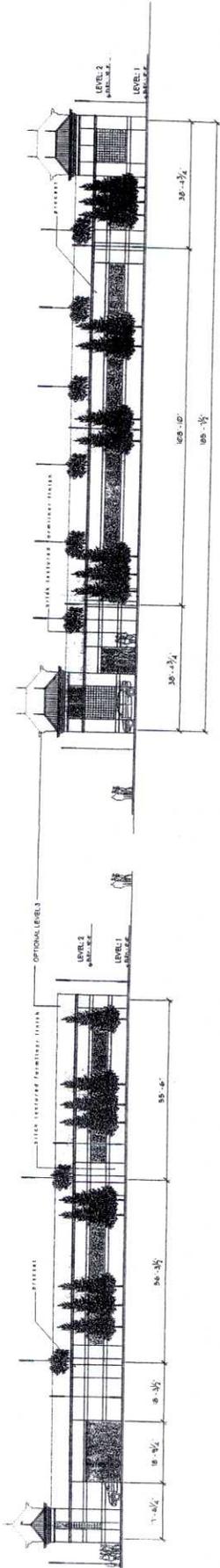
elevation 9 scale: 1/8" = 1'-0"



elevation 10 scale: 1/8" = 1'-0"

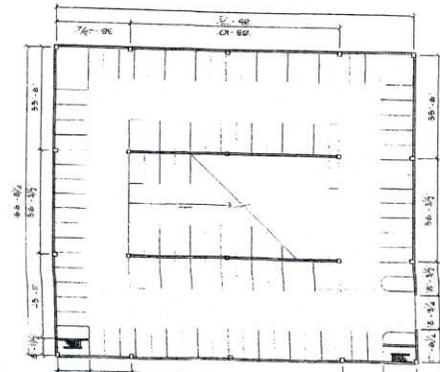


Atlantic

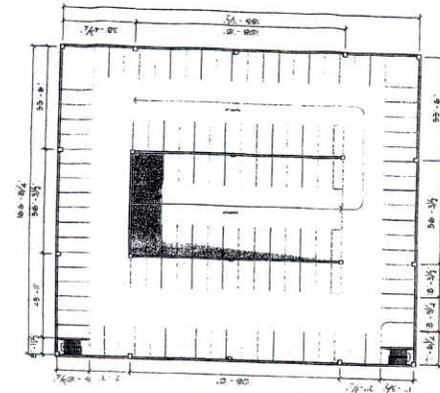


front garage elevation scale: 1/32" = 1'-0"

side garage elevation scale: 1/32" = 1'-0"

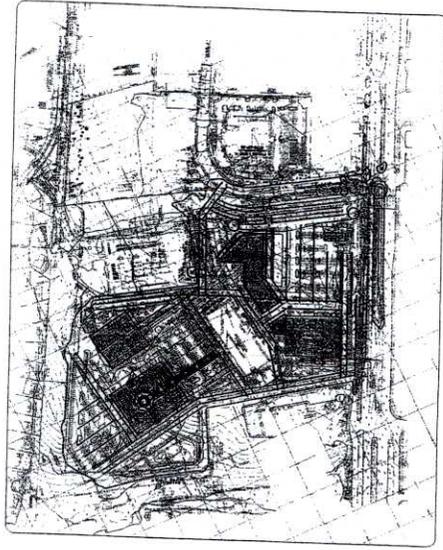


1st floor plan scale: 1/32" = 1'-0"

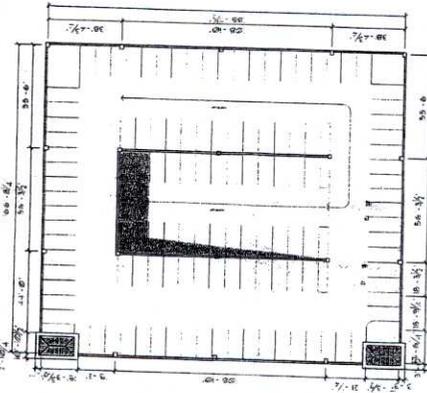


2nd floor plan scale: 1/32" = 1'-0"

- Legend**
- grocery building
 - one-story office building
 - two-story retail office building
 - two-story office building
 - bank building
 - garage



key plan



roof plan scale: 1/32" = 1'-0"



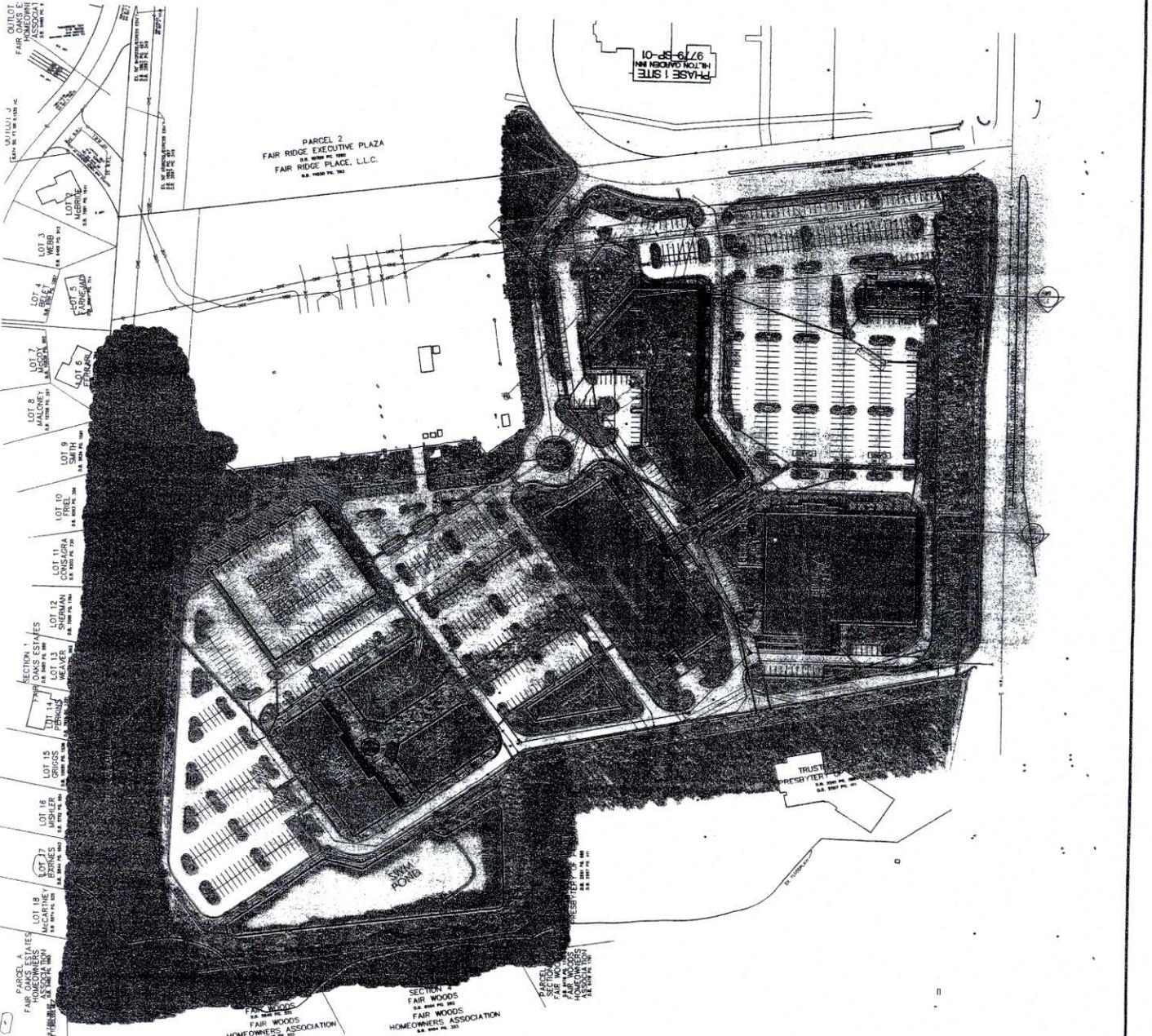
ARCHITECT

REVISION APPROVED BY DIVISION OF DESIGN REVIEW	DATE	DESCRIPTION
08-10-06		
09-05-06		
09-22-06		

Statistical Name	Common Name	Size
CANOPY TREES		
Acer rubrum 'October Glory'	October Glory Red Maple	3" cal.
Fraxinus americana	Swedish Crown Ash	3" cal.
Liquidambar styraciflua	Sweetgum	3" cal.
Zelkova serrata	Zelkova	3" cal.
Quercus alba	White Oak	3" cal.
Quercus prinus	Red Oak	3" cal.
ORNAMENTAL EVERGREEN TREES		
Conium maculatum	Eastern Redbud	8'-10" H.
Conium maculatum	Flowering Dogwood	8'-10" H.
Legnistrum indica 'Natchez'	Crape Myrtle	8'-10" H.
Magnolia soulangeana	Sweet Magnolia	8'-10" H.
Magnolia virginiana	Sweetbay Magnolia	8'-10" H.
Thuja occidentalis 'Nigr'	Dark American Arborvitae	8'-8" H.
Pinus strobus	American Holly	8'-8" H.
Pinus rigida	Acadian Pine	8'-10" H.
SHRUBS		
Berberis thunbergii	Berberis	30" x 30"
Comus stricta	Red Tie Dogwood	30" x 30"
Euonymus alata 'Compactus'	Compact Burning Bush	30" x 30"
Ilex glabra	Compact Burning Bush	30" x 30"
Ilex pedunculata 'Blue Princess'	Blue Princess Holly	30" x 30"
Prinos racemosa	Prinos	30" x 30"
Viburnum dentatum	Arrowwood Viburnum	30" x 30"

LEGEND

- APPROXIMATE LIMITS OF GRADING AND CLEARING
- PROPOSED SHADE TREE
- PROPOSED FLOWERING ORNAMENTAL TREE
- PROPOSED EVERGREEN TREE
- PROPOSED EVERGREEN SHRUB



REQUIRED TREE COVER
 TOTAL SITE AREA * 35.39 AC. = 1,541,373 SF
 NET SITE AREA * 22.48 AC. = 972,480 SF
 TREE COVER REQUIRED (10%) = 3.03 AC. = 131,818 SF
 PROVIDED TREE COVER
 TOTAL * 100.00 SF x 1.25 = 125.00 SF
 PROPOSED LANDSCAPING * 17,000 SF
 TOTAL * 142,000 SF

PLANTINGS SHOWN ARE CONCEPTUAL AND SUBJECT TO REVISION WITH FINAL SITE PLAN.
 TOTAL PROVIDED CANNOPY WILL BE A MINIMUM OF 131,818 SF

NOTES

1. ALL PLANTINGS LOCATED IN UTILITY EASEMENTS TO BE APPROVED BY VIRGINIA POWER PRIOR TO INSTALLATION.
2. PURSUANT TO PARAGRAPH (D) OF SECTION 13.304 OF THE ZONING ORDINANCE, A MODIFICATION / WAIVER OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG THE WESTERN SIDE OF THE PROPERTY ADJACENT TO THE FAIR WOODS SUBDIVISION IS HEREBY REQUESTED. THE PROPOSED SWM POND AND THE 50' BUFFER CONSISTING OF EXISTING WOODLANDS WILL MINIMIZE ANY ADVERSE IMPACT ON THE ADJACENT COMMUNITY.
3. PURSUANT TO PARAGRAPH (D) OF SECTION 13.304 OF THE ZONING ORDINANCE, A MODIFICATION / WAIVER OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG THE NORTHERN SIDE OF THE PROPERTY ADJACENT TO THE FAIR OAKS ESTATES EXISTING WOODLANDS IS HEREBY REQUESTED. THE 125' UNDISTURBED BUFFER CONSISTING OF EXISTING WOODLANDS WILL MINIMIZE ANY ADVERSE IMPACT ON THE ADJACENT COMMUNITY.
4. REQUIRED INTERIOR GREEN AREA FOR PARKING STRUCTURE TO BE PROVIDED IN OPEN SPACE BETWEEN GARAGE AND ADJACENT CURB

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

DESCRIPTION OF THE APPLICATION

- Applicant:** Pender, LLC
- Location:** Pender Village Center; located along the north (westbound) side of Route 50 at the westernmost of Fair Ridge Drive's two intersections with Route 50. Access to the site is provided from Fair Ridge Drive
- Proposal:** The applicant proposes to add "garment cleaning establishment" and "private school of special education" (tutoring center) to the list of permitted uses contained in the approved proffers and the final development plan. No new development or site modifications are proposed.

Waivers Requested:

- Reaffirmation of a modification of the transitional screening requirements to the west and south.
- Reaffirmation of a modification of the barrier requirements to the south.
- Reaffirmation of a waiver of the service drive along route 50

A reduced copy of the Final Development Plan Amendment is included at the front of this report. The proffers are included as Appendix 1. The Affidavit and Statement of Justification are included as Appendices 2 and 3.

LOCATION AND CHARACTER OF THE AREA

Site Description:

The subject property, Lot 15A3, known as the Pender Village Center, measures 9.99 acres in area and is zoned PDC, HC, and WS. Lot 15A3 is part of a larger mixed-use development parcel that also contains a two-story office building currently used as a church/day care located just north of the retail uses. The property also has approval for a 100 unit independent living facility to be located to the north of the church. The larger parcel originally included the adjacent power substation before it was separated when the current owner bought the property in 2006. Lot 15A3 is developed with three buildings containing

86,515 sf. of retail uses and 40,857 sf. of second story office uses oriented along the north and west sides of the lot. A 3,650 sf. drive-in financial institution is located on a pad in the southeast corner of the site. A large surface parking area occupies the central portion of the parcel.

Surrounding Area Description

A Hilton Garden Inn is located across Fair Ridge Drive to the east. Townhouses are located across Route 50 to the south. A summary of the surrounding uses, zoning, and comprehensive plan recommendations are provided in the following table:

DIRECTION	USE	ZONING	PLAN
North	Church/daycare/ substation	PDC	Office/Institutional
South (across Route 50)	Townhouses	PDH-8	Residential at 8 du/ac
East	Hotel	PDC	Low intensity office
West	Church	R-1	Residential mixed use at 5 du/ac

BACKGROUND

On July 25, 1983, the Board of Supervisors approved **RZ 83-C-021**, with conditions, rezoning 36.8 acres from the R-1 District to the PDC District to allow the development of a phased office park and a power substation on what is now the adjacent Parcel 15B. Phase 1 of the office development consisted of a 76,800 square foot building. Phase 2 would have added an additional 23,200 square feet to that building (for a maximum of 100,000 square feet). Phase 3 would have added a second building of 50,000 square feet for a total of 150,000 square feet of gross floor area on the site.

On July 13, 1983, **FDP 83-C-021** was approved by the Planning Commission for Phases 1 and 2 only. No FDP was ever requested for the third Phase allowed by the original rezoning, and only Phase 1 was constructed in 1985.

On October 23, 2006, the Board of Supervisors approved **PCA 83-C-021**, subject to proffers and a proffered plan; FDPA 83-C-021 having been approved by the Planning Commission on September 21, 2006, subject to development conditions. These applications amended the plans and proffers to permit a mixed use development consisting of: (a) the existing office building which would be utilized as a church with child care and/or office and other uses; (b) a retail development in front of the existing building to include retail uses, small second

story office uses, a grocery store and a free standing drive through bank; and (c) townhouse-style office buildings in the rear of the site. No changes were proposed to the power substation on Parcel 15B.

On December 21, 2009, the Board of Supervisors approved **RZ 2009-SU-020** concurrent with **PCA 83-C-021-02** to allow for a 100 unit independent living facility in lieu of the townhouse-style office buildings at the rear of the mixed-use development. The previously approved plans and proffers are attached as Appendix 5.

COMPREHENSIVE PLAN PROVISIONS

Plan Area:	Area III
Planning District:	Upper Potomac
Planning Sector:	UP8 – Lee-Jackson
Special Area:	Fairfax Center Area-Land Unit A-5
Plan Map:	Mixed use not to exceed 0.25 FAR

The existing development on the site has been developed in accordance with the comprehensive plan. When discussing the retail portion of the property the comprehensive plan specifies that “retail development is limited to the front portion of the parcel, in front of the existing office building and adjacent to Route 50, and should include a grocery store” (see Appendix 4 for relevant Plan citations).

ANALYSIS

Conceptual/Final Development Plan Amendment (CDPA/FDPA)
(copy at front of staff report)

Title of CDPA/FDPA: Pender Village Center – Conceptual and Final
Development Plan Amendment

Prepared by: Clayton C. Tock, PE, of Urban Engineering & Associates, Inc.

Date: May 23, 2011

Comparison with Currently Approved CDPA/FDPA

The current PCA/FDPA application proposes to add additional principal and secondary uses to the retail portion of the original mixed use development. No new development or site modifications are proposed. The submitted plan set is unchanged from the most recently approved 2009 application with the exception of the proposed permitted uses listed on the cover sheet. Specifically, the applicant is proposing to add the following uses to those permitted in Buildings B1 and B2:

- Private School of Special Education
- Garment Cleaning Establishment

Land Use/ Environmental Analysis

No land use or environmental issues were identified with this application.

Transportation Analysis (Appendix 6)

Issue: Route 50 Pedestrian Signal Crossing

The applicant has previously proffered to provide pedestrian signal heads at Route 50 and Fair Ridge Drive/Alder Woods Drive as approved by VDOT.

Resolution:

As no new development is proposed with this application, staff believes that no additional contributions for the previously proffered pedestrian signal are warranted. The applicant is actively working with VDOT and FCDOT to design and fund the construction of a pedestrian signal head that will allow for a safer crossing of Route 50 at Fair Ridge Drive. Staff has not identified any new transportation issues related to the current application.

Public Facilities Analysis

No sewer, stormwater, water, public schools, park authority, or urban forestry issues were identified with this application.

Conformance with Proffers

Par. 1 of Sect. 16-402 of the Zoning Ordinance requires that all Final Development Plans be prepared in accordance with any proffers accepted by the Board of Supervisors. None of the approved proffers, other than that which is the subject of this application, is affected by this application. All existing obligations and requirements, including the FAR and height limits, are being carried forward in the revised proffers attached to this report as Appendix 1.

ZONING ORDINANCE PROVISIONS (Appendix 7)

Conformance with PDC District Regulations

The property is currently zoned Planned Development Commercial (PDC) and meets the regulations set forth in Part 2 of Article 6, Planned Development District Regulations. The applicant proposes to add one principal and one secondary permitted use to the list of uses allowed on the site. Both garment cleaning establishments and private schools of special education are listed as permitted principal and secondary uses in the PDC district (Par. 6 of Sect. 6-202 and Par. 13M of Sect. 6-203, respectively). The applicant's proposal does not affect the gross floor area limitations of the PDC District, which were specified in the proffers for RZ 2009-SU-020.

Transitional Screening and Barrier Requirements

No additional transitional screening and barriers are required as part of this application. Reaffirmations of all previous waivers are recommended (see below).

Conformance with Article 16

All development within the PDC District must conform to the standards set forth in Part 1 of Article 16.

Sect. 16-101 General Standards

The General Standards require: 1) substantial conformance with the adopted Comprehensive Plan; 2) a design that achieves the purpose of the Planned Development District better than would development under a conventional district; 3) efficient land utilization and preservation of natural features; 4) prevention of substantial injury to the use and value of surrounding development; 5) the availability of all necessary public facilities and utilities; and 6) the provision of linkages among internal facilities and connections to major external facilities. These standards have been satisfied with the previous rezoning of this property to the PDC District and were reviewed with approval of the Conceptual Development Plan.

The proposed Proffered Condition Amendment/Final Development Plan Amendment to allow additional uses will continue to comply with the general standards. The new uses are intended to serve the surrounding community and will not affect the density for the Pender Village Center, which is restricted to a maximum of 305,498 square feet as stated in the proffered development conditions for RZ/FDP 2009-SU-020.

Overlay District Requirements

Water Supply Protection (WSPOD)
Highway Corridor (HC)

Summary of Zoning Ordinance Provisions

The application has satisfied all applicable standards.

Waivers and Modifications*Modification of Transitional Screening and Barrier Requirements*

The applicant has request a reaffirmation of the previously approved modification of the transitional screening to the west and south and a waiver barrier to the south along Route 50, in favor of that shown on the CDP/FDP. Staff does not object to the reaffirmation.

Waiver of Service Drive along Route 50

The applicant requests a reaffirmation of a previously approved waiver of the service drive along the Route 50 frontage. Staff does not object to the reaffirmation.

CONCLUSIONS AND RECOMMENDATION**Staff Conclusions**

The proposed Proffered Condition Amendment/Conceptual and Final Development Plan Amendment to allow additional principal and secondary uses is in conformance with the purpose and intent of the Comprehensive Plan and the PDC District; and with the approved proffers. Staff believes that the request is in conformance with the Comprehensive Plan and does not adversely impact the surrounding residential and commercial development.

Staff Recommendation

Staff recommends approval of PCA 2009-SU-020, subject to the execution of proffers consistent with those contained Appendix 1.

Staff recommends approval of FDPA 2009-SU-020.

Staff recommends reaffirmation of a waiver of the transitional screening requirements to the west and south.

Staff recommends reaffirmation of a waiver of the barrier requirements to the south.

Staff recommends reaffirmation of a waiver of the service drive along Route 50.

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 proffered condition amendment does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

APPENDICES

1. Proffers
2. Affidavit
3. Statement of Justification
4. Comprehensive Plan Citations
5. RZ 2009-SU-020 – CDP/FDP and accepted proffers
6. Transportation Analysis
7. Applicable Zoning Ordinance Provisions
8. Glossary of Terms

**PCA 2009-SU-020 / FDPA 2009-SU-020
TRUSTEES OF THE LIGHT GLOBAL MISSION CHURCH
AND PENDER, LLC
PROFFER**

September 14, 2009
October 12, 2009
October 20, 2009
November 10, 2009
November 17, 2009
December 1, 2009
December 15, 2009
September 12, 2011

Pursuant to §15.1-2203(A) of the Code of Virginia (1950), as amended, the property owners, Trustees of the Light Global Mission Church and Atlantic Realty Companies, Inc., for themselves and their successors and assigns, (hereinafter referred to together as the "Applicant") proffer that the development of the parcels under consideration identified on the Fairfax County Tax Maps as Parcels 46-3((1)) 15A1, 15A2 and 15A3 (hereinafter referred to collectively as the "Property"), will be in accordance with the following conditions, if and only if, the application, PCA/FDPA 2009-SU-020, is granted. These proffered development conditions, if accepted by the Board of Supervisors, shall supersede all previously proffered development conditions applicable to the Property. The proffered development conditions are as follows:

DEVELOPMENT PLAN

1. The Property shall be developed in substantial conformance with the Conceptual Development Plan/Final Development Plan dated May 23, 2011 and prepared by Urban, Ltd., Sheets 10-13 prepared by Rounds VanDuzer Architects, PC, (the "Development Plan"), as further modified by these proffered conditions.

2. Pursuant to Paragraph 4 of Section 16-204 of the Zoning Ordinance, minor modifications from the Development Plan may be permitted as determined by the Zoning Administrator. The Applicant shall have the flexibility to modify the layout shown on the Development Plan without requiring approval of a PCA or FDPA provided such changes are in substantial conformance with the Development Plan as determined by the Zoning Administrator, and shall neither increase the total gross square footage, decrease the amount of required parking,

decrease the amount of open space, nor decrease the distance from buildings to the closest property line. Any such modifications shall not impact the limits of clearing and grading and buffers shown on the Development Plan.

3. A. The project shall be developed in phases consisting of the following permitted uses:

PERMITTED LAND USES AND GROSS FLOOR AREA

BUILDING	GFA RANGE	LEVELS	USES
Grocery / Building A	48,756 – 55,000 square feet	1 Level + Mezzanine	Grocery Store & Retail w/ in-Store Services Including Bank, ATM, Cleaners, Cafe
Building B1	4,800-9,600 square feet	1 or 2 Levels	Retail, Office, Medical Care Facility, Business Service and Supply, Eating Establishments, Financial Institutions, Personal Service, Repair Service, Community Uses (up to 10,000 SF), Bank, Pharmacy, Fast Food Restaurants, Quick Service Food Store, Veterinary Hospital**, Garment Cleaning Establishments, Private Schools of Special Education
Building B2	70,321 – 81,715 square feet	2 Levels	Retail, Office, Medical Care Facility, Business Service and Supply, Eating Establishments, Financial Institutions, Personal Service, Repair Service, Community Uses (up to 10,000 SF), Bank, Pharmacy, Fast Food Restaurants, Quick Service Food Store, Health Club (Fitness Center up to 15,000 SF), Veterinary Hospital**, Garment Cleaning Establishments, Private Schools of Special Education
Commercial Pad	3,650 – 4,000 square feet	1 or 2 Levels	Drive-thru bank, Financial Institution, Office, Retail, Eating Establishment
Total Maximum GFA for Buildings A, B1, B2 & Commercial Pad	138,921 square feet		
Existing Office Building/Church	76,577 square feet	2 Levels	Church, Place of Worship for 800 Seats, Church Office and Administration, Health Club (Fitness Center up to 15,000 SF), Child Care with a maximum daily enrollment of 200 Children, Office, Financial Institution, Scientific Research and Development, Repair Service, Personal Service
Independent Living Facility (Building D)	90,000 square feet	4 Levels	Independent Living Facility, multifamily dwelling units
Total GFA (entire site)	305,498 square feet*		

**Veterinary hospitals and fast food restaurants shall be allowed only in conformance with the use restrictions found in Section 6-206 of the Zoning Ordinance.

B. The church use shall have a maximum number of 800 seats.

C. The Applicant shall lease a minimum of 20,000 square feet in Building A to a full-service grocery store user (i.e., not a convenience retail or quick service food store use).

D. It is intended that the "existing office building" (Building C) shall remain as is, subject to the architectural compatibility commitments herein. The maximum building height shall not exceed 45 feet.

4. A. The Applicant shall provide parking in accordance with parking standards and provisions of Article 11 of the Fairfax County Zoning Ordinance for all uses developed on the Property. In the event a parking reduction or shared parking arrangement for the uses on the Property is approved by the Board of Supervisors, the Applicant reserves the right to reduce the parking within the parking area footprints shown on the Development Plan, so long as such reduction is in conformance with Article 11 and these proffers. In no event shall any parking spaces be placed in any area designated for open space on the Development Plan.

B. The Applicant may, at its discretion, submit a shared parking application for the uses contained within Building C. However, in no event shall parking for the church use be provided at less than the minimum parking ratio of one space per three seats in the church.

C. Prior to each site plan approval or issuance of each Non-residential Use Permit, parking tabulations shall be provided to DPWES for review and approval, demonstrating that parking requirements are met.

TRANSPORTATION

5. Prior to final site plan approval of the first site plan, or on demand by the Board of Supervisors, whichever occurs first, the Applicant shall dedicate and convey in fee simple, and at no cost, to the Board of Supervisors right of way along the Property's Fair Ridge Drive frontage as shown on the Development Plan.

6. Prior to the issuance of the first non-residential use permit (Non-RUP) for any new building, the Applicant shall construct the following road improvements, as shown on the Development Plan as approved by VDOT:

Route 50 Transportation Improvements:

A. Construct a second eastbound left turn bay along Route 50 to accommodate two eastbound left turn bays (one existing and one proposed) along eastbound Route 50 at Fair Ridge Drive, as depicted on the Development Plan. The double left turn bays will be constructed to accommodate a 500 foot turn bay with a 150 foot taper.

B. Construct a westbound right turn bay for direct access into the Pender Development. The right turn bay will be constructed just west of Fair Ridge Drive. The right turn bay will be constructed to accommodate a 450 foot right turn bay with a 200 foot taper along westbound Route 50.

C. Modify the existing traffic signal at Fair Ridge Drive and Route 50 to accommodate the eastbound double left along Route 50, as well as the widening of Fair Ridge Drive.

D. Construct a 10 foot wide asphalt trail along Route 50 frontage, as shown on the Development Plan.

Fair Ridge Drive Roadway Transportation Improvements:

E. Widen Fair Ridge Drive to accommodate two (2) northbound lanes and four (4) southbound lanes (for a total of six (6) lanes along the north side of Route 50). The southbound lane configuration will accommodate a left turn bay, through-left lane, and two (2) right turn lanes. All lane transitions will be reviewed and agreed upon by VDOT and Fairfax County prior to installation.

F. Fair Ridge Drive will be constructed with a four foot wide median from Route 50 to the first main entrance to the Pender site.

7. Prior to bond release for Site Plan 10310-SP-001, the Applicant shall install pedestrian signal heads and a pedestrian crosswalk across Route 50 at the Alder Wood Drive intersection with Route 50, subject to the following conditions:

A. the pedestrian signal heads and pedestrian crosswalk shall be installed as approved by VDOT;

B. if the pedestrian signal heads and the crosswalk and any associated road improvements are determined to be off-site roadway projects in accordance with the Fairfax Center Area Road Fund procedural guidelines, the Applicant shall be refunded from the Fairfax Center Area Road Fund the cost of the pedestrian signal heads and the pedestrian crosswalk and any associated road improvements, minus the amount equivalent to the estimated cost of installation of pedestrian signal heads at both the Fair Ridge Drive and Alder Wood Drive intersections with Route 50;

C. If, for any reason, (i) the pedestrian crosswalk and any associated road improvements are not approved by VDOT, or (ii) the cost of such improvements will not be refunded to the Applicant pursuant to subparagraph (B), then, in lieu of installing the pedestrian signal heads and constructing the pedestrian crosswalk and any associated road improvements, the Applicant shall escrow with the County funds in the amount of the estimated cost of installation of pedestrian signal heads, without a pedestrian crosswalk and any associated road improvements, at both the Fair Ridge Drive and Alder Wood Drive intersections with Route 50, to be used for pedestrian improvements at these intersections or in the vicinity.

8. Applicant shall contribute to the Fairfax Center Area Road Fund in accordance with the Procedural Guidelines adopted by the Board of Supervisors on November 22, 1982, as amended, subject to credit for all creditable expenses as determined by the Fairfax County Department of Transportation and/or DPWES.

9. A. Where the internal pedestrian system crosses the travelways of the parking lots, crosswalks shall be provided; these may be either pavement treatments or pavement painting which clearly mark the pedestrian pathways, to the satisfaction of DPWES.

B. Crosswalks shall be provided across travel aisles between the proposed location of the day care and the playground. Such crosswalks shall be constructed as raised

crosswalks of materials different from the surrounding parking lot (such as stamped asphalt or pavers), and shall be signed as pedestrian crosswalks.

ENVIRONMENT

10. A. All storm water management facilities constructed on the Property and/or associated with the development shall be Best Management Practices (BMP) facilities in accordance with the requirements of the Water Supply Protection Overlay District (WSPOD), as determined by DPWES. In addition, these facilities shall be designed to provide storage capacity of a minimum of five (5%) percent in excess of the design storm requirements required by the Public Facilities Manual, all as determined by DPWES.

B. During initial Site Plan submission, the Applicant shall coordinate with DPWES to determine appropriate types and locations for LID techniques/BMP facilities, and shall implement such recommendations. Innovative BMP facilities shall be installed throughout the site to include, but not be limited to, underground vaults, porous pavers and grasscrete travel way for fire access to the substation, as approved by DPWES.

C. In order to protect the Resource Protection Area (RPA) on-site construction phase of development, erosion and sedimentation control measures designed to achieve up to 90% sediment trapping efficiencies or greater as feasible, as determined by DPWES, shall be implemented in conformance with the methods recommended by the Virginia Soil and Water Conservation District in the Virginia Erosion and Sediment Control Handbook. All such activities shall be subject to approval by DPWES.

11. Bicycle racks or other bicycle parking for at least 10 bikes shall be provided near the entrance of Buildings A and B2.

12. A. The Applicant shall conform strictly to the limits of clearing and grading as shown on the Development Plan, subject to allowances specified in these proffered conditions and for the installation of fences, utilities and/or trails as determined necessary by the Director of DPWES. If it is determined necessary to install fences, utilities, and/or trails in areas protected

by the limits of clearing and grading as shown on the Development Plan, they shall be located in the least disruptive manner necessary as determined by UFM. A replanting plan shall be developed and implemented, subject to approval by UFM and for any areas protected by the limits of clearing and grading that must be disturbed for such fences, trails and/or utilities. Applicant shall preserve trees in those areas designated on the Development Plan as buffers and those areas shown to be protected by the limits of clearing and grading.

B. All tree preservation-related work occurring in or adjacent to the limits of clearing and grading shall be accomplished in a manner that minimizes damage to vegetation to be preserved, including any woody, herbaceous or vine plant species that occurs in the lower canopy environment, and to the existing top soil and leaf litter layers that provide nourishment and protection to that vegetation. Removal of any vegetation, if any, or soil disturbance within the limits of clearing and grading, including the removal of plant species that may be perceived as noxious or invasive, such as poison ivy, greenbrier, multi-floral rose, etc. shall be subject within the limits of clearing and grading to the review and approval of UFM. The use of equipment within the limits of clearing and grading will be limited to hand-operated equipment such as chainsaw, wheel barrows, rake and shovels. Any work that requires the use of equipment, such as skid loaders, tractors, trucks, stump-grinders, etc., or any accessory or attachment connected to this type of equipment shall not occur unless pre-approved by UFM.

C. The Applicant shall retain the services of a certified arborist or landscape architect, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting with the UFM to be held prior to any clearing and grading. During the walk-through meeting, the Applicant's certified arborist or landscape architect shall walk such limits of clearing and grading with an UFM 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; provided, however, that no adjustment shall be required that would affect the location of buildings, including a requirement for additional retaining walls in excess of two feet in height. Trees that are identified specifically by UFM in writing 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 associate 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 associate understory vegetation and soil conditions.

D. The limits of clearing and grading 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 adjacent to the tree preservation areas as shown on the phase I and II erosion sediment control sheets. All tree protection fencing shall be installed after the walk-through meeting described in Proffer 15.B above but prior to any clearing and grading activities. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist and UFM, and accomplished in a manner that does not harm existing vegetation that is to be preserved. At least ten (10) days prior to the commencement of any clearing or grading activities adjacent to the tree preservation areas, but subsequent to the installation of the tree protection devices, the UFM, DPWES shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by UFM.

E. The Applicant shall root prune, as needed to comply with the tree preservation requirements of these proffers. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the respective public improvement/site plan submission. The details for these treatments shall be reviewed and approved by UFM, accomplished in a manner that protects adjacent vegetation to be preserved, and may include, but not be limited to the following: (1) root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches; (2) root pruning shall take place prior to any clearing and grading; (3) root pruning shall be conducted with the supervision of a certified arborist; and (4) a UFM representative shall be informed when all root pruning and tree protection fence installation is complete.

F. During any clearing or tree/vegetation removal in the areas adjacent to the tree preservation areas, 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 UFM. The Applicant shall retain the services of a certified arborist or landscape architect to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffers, and UFM approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by UFM. The Sully District Supervisor shall be notified of the name and contact information of the Applicant's representative responsible for site monitoring at the tree preservation walk-through meeting described in Par. C. above.

G. The Applicant shall retain a professional arborist with experience in plant appraisal, to determine the replacement value of all trees 6 inches in diameter or greater located on the Application Property that are shown to be saved on the Tree Preservation Plan. These trees and their value shall be identified on the Tree Preservation Plan at the time of the first submission of the respective public improvement/site plan(s). The replacement value shall take into consideration the age, size and condition of these trees and shall be determined by the so-called "Trunk Formula Method" contained in the latest edition of the Guide for Plan Appraisal published by the International Society of Arboriculture, subject to review and approval by UFM.

H. At the time of the respective public improvement/site plan approvals, the Applicant shall both post a cash bond and a letter of credit payable to the County of Fairfax to ensure preservation and/or replacement of the trees for which a tree value has been determined in accordance with Proffer 15.G above (the "Bonded Trees") that die or are dying due to unauthorized construction activities. The letter of credit shall be equal to 50% of the replacement value of the Bonded Trees. The cash bond shall consist of 33% of the amount of the letter of credit. At any time prior to final bond release, should any Bonded Trees die, be removed, or are determined to be dying by UFM due to unauthorized construction activities, the Applicant shall replace such trees at its expense. The replacement trees shall be of equivalent size, species and/or canopy cover as approved by UFM. In addition to this replacement obligation, the Applicant shall also make a payment equal to the value of any Bonded Tree that

is dead or dying or improperly removed due to unauthorized activity. This payment shall be determined based on the Trunk Formula Method and paid to a fund established by the County for furtherance of tree preservation objectives. Upon release of the bond any amount remaining in the tree bonds required by this proffer shall be returned/released to the Applicant.

I. All of the open space buffers along the Property's northern and western property lines shall be maintained as undisturbed open space subject to the necessary installation of utilities in the least disruptive manner and the removal of dead, dying or invasive vegetation.

LANDSCAPING

13. A. As a part of the site plan submissions for each phase of the project, a landscaping plan will be submitted to DPWES for review and approval. Such landscaping plans shall conform to the design shown on the Development Plan, provided, however, that with the specific concurrence of Urban Forest Management, the Applicant may substitute vegetative materials and alter their location to accommodate engineering considerations. The vegetative density will be as represented on the Development Plan. The Applicant shall maintain the landscaping in good condition and promptly replace dead landscaping with similar species.

B. All canopy trees shall be minimum 3" - 3.5" caliper.

C. Landscaping shall be provided adjacent to the loading area for Building A as shown on the Development Plan.

14. The plaza and paved areas will be designed and constructed in conformance with the concepts depicted on the Development Plan, provided, however, that, subject to the approval of DPWES and Urban Forest Management, the specific distribution and location of landscaping, walkways, and focal seating areas may be modified to accommodate the design theme for the Property selected by the Applicant, so long as such modifications are in substantial conformance with the Development Plan, and are provided in the quality and quantity of that shown on the Development Plan. Plaza areas shall be constructed concurrently with the development of the respective phase of the project.

15. Any landscaping shown the Development Plan to be provided in an existing or proposed utility easement shall be reviewed by the UFM prior to approval of the site plan. All vegetation provided in such easement shall be specifically chosen for viability (size, etc.) in the easement, as recommended by UFM. Any vegetation shown on the Development Plan that is not able to be installed as shown because of the easements shall be relocated outside the easement in a location serving the same purpose as that shown on the Development Plan, as recommended by UFM.

16. The Applicant shall construct in the location shown on the Development Plan, a continuous architectural and solid wood fence, a minimum of 6' in height. The solid wood fence shall be board-on-board alternating on each side and overlapping. The fence shall be of good quality and durability constructed in a professional manner utilizing sound materials and assembled with screws so as to assure longevity and reduce maintenance and repairs. The fence shall be maintained in good repair at all times by the property owner, including repair of any graffiti vandalism within thirty days of such occurrence. Points of access shall be provided in the form of gates for the purpose of accessing the storm water management facility and other property points. A sign shall be erected indicating that gates shall remain locked at all times.

SIGNAGE AND OTHER DESIGN DETAILS

17. A. Signage for the Property shall be provided in accordance with a Comprehensive Sign Plan or appropriate amendments, as deemed necessary, addressing signage needs of tenants of the Property.

B. All free-standing signs shall be monument. No pole signs (excepting directional signage on-site) shall be permitted.

18. In coordination and consultation with the Sully District Supervisor, the Applicant shall fund the provision of one historical marker on the site. Said funding shall include the completion of the archival research that supports the marker and the drafting of the marker text. The Sully District Supervisor shall approve the final text prior to the manufacturing of the marker. Such marker shall not exceed eight (8) square feet in area. The marker will be a Fairfax County Park Authority-style wayside trail marker (comparable in size and style to a Virginia Civil War Trails marker). Said marker shall be placed at a point along the site's frontage on

Route 50, so as to be legible to pedestrians on the frontage sidewalk. This marker shall be installed by the Applicant prior to site plan bond release. The Applicant shall dedicate public access easements for use as a public commemorative monument in the area along the Property's Route 50 frontage as shown on the Development Plan.

19. In order to minimize any potentially adverse impacts from service activities taking place at the rear of the grocery store, the Applicant commits to the following:

No truck deliveries, including trash removal, shall be permitted within the project between 11 :00 p.m. and 6:00 a.m. daily.

20. A. The architecture of the proposed buildings on Tax Map 46-3 ((1)) 15A3 shall be in substantial conformance with the architectural elevations shown on Sheets 19A-D of the Development Plan. The proposed buildings shall have similar architectural treatment and materials on all four sides.

B. The architectural materials of the proposed development on Tax Map 46-3 ((1)) 15A3 shall consist of any of the following materials used singly or in combination with other materials: Brick masonry, architectural CMU, EIFS, architectural metals and glazing systems. The same colors and types of materials shall be used on all buildings, including the pad site. Architectural details to demonstrate conformity shall be provided on all final site plans. A palette of no more than 2 base colors and 3 accent colors will be provided at first building permit application and all buildings shall use these colors.

C. The façade of the existing office building shall be either repainted or refaced to compliment the color schemes and materials of the proposed building prior to issuance of a Non-RUP for any of the new buildings.

D. The façade of the commercial pad site building shall be consistent in color and materials with the other buildings in the Center, including use of the palette of colors referenced in Par. B of this proffer, and consistent on all four sides of the building.

E. All dumpsters will be fully screened.

21. No temporary signs (including "Popsicle" style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code or Virginia shall be placed on or off-site by the Applicant or at the Applicants' direction to assist in the initial sale or rental of space on the Property. Furthermore, the Applicant shall direct its agents and employees involved in marketing and sale and/or rental of residential units on the Property to adhere to this proffer.

22. Subject to the approval of VEPCO, the Applicant shall place a minimum of 700 linear feet of the existing distribution lines running parallel to Fair Ridge Drive underground during site construction. Applicant shall also provide four (4) eight-inch (8") underground ducts along the Property's Route 50 frontage for VEPCO's future use. In the event VEPCO does not approve the undergrounding of these lines, the Applicant must demonstrate in writing VEPCO's disapproval.

23. Site amenities (street furniture, lighting, bicycle racks and trash receptacles) as shown on the Development Plan shall be installed throughout the site in public plaza areas.

24. All on-site lighting shall comply with Article 14.

25. Rooftop equipment on buildings A and B2 shall be screened where units would be visible from off-site.

VEPCO SUBSTATION

26. The Applicant shall construct curb cuts along the travel aisle adjacent to the substation in locations determined by VEPCO and in substantial conformance with that shown on the Development Plan.

FAIR WOODS LANDSCAPING

27. Prior to the issuance of the first Non-RUP for Building A, the Applicant shall contribute the sum of \$5000 to the Fair Woods Homeowners Association for trail and landscaping maintenance or other such improvements as deemed necessary by the Association.

CHILD CARE

28. The child care center shall have a maximum daily enrollment of 200 children.

29. An enclosed outside play area shall be provided to accommodate a maximum of 50 children at one time in the area shown on the Development Plan.

30. Hours of operation shall be limited to 6:30 a.m. to 7:00 p.m. Monday through Friday.

31. The child care center shall comply with all applicable Health Department requirements.

UTILITIES

32. At the time of site plan submission for the Independent Living Facility, the Applicant shall conduct a sanitary sewer capacity analysis study for the collector lines (8-15 inches) that serve the Property to determine their adequacy to handle the anticipated sewage from the proposed development. The Applicant shall make any sewer improvements determined necessary by DPWES based upon the results of the study.

INDEPENDENT LIVING FACILITY (BUILDING D)

33. The Independent Living Facility shall be developed with a maximum of 100 dwelling units. The units shall only be available to tenants aged fifty-five (55) years and older and their spouse.

34. A minimum of seventy-five (75) percent of the total number of dwelling units in the Independent Living Facility shall qualify as "affordable" in accordance with federal, state and/or local affordable dwelling program requirements. The maximum income for qualified tenants of these units shall not exceed 70% of the Area Median Income ("AMI") of the Washington Metropolitan Statistical Area. Unless otherwise modified in accordance with the provisions of Section 2-814 and/or 2-816 of the Zoning Ordinance, fifteen (15) percent of the total number of dwelling units in the Independent Living Facility shall be administered as Affordable Dwelling Units, or another equivalent affordable dwelling unit program, in accordance with Part 8 of Article 2 of the Zoning Ordinance.

35. Each of the dwelling units within the Independent Living Facility shall be designed to incorporate standard industry accepted Universal Design Elements.

36. The Independent Living Facility shall include interior amenities for use by the residents of such facility, including, without limitation, multi-purpose rooms, libraries, parlors, exercise rooms, movie rooms, and/or gaming rooms.

A. Prior to issuance of the Non-RUP for the Independent Living Facility, the Applicant shall provide documentation to DPWES and DPZ that the building has been awarded certification in accordance with the EarthCraft House Program.

37. Prior to bond release for the Independent Living Facility or within occupancy of fifty (50) percent of the total number of units within the Independent Living Facility, whichever occurs first, the Applicant shall provide van or shuttle service for use by residents of the Independent Living Facility for transportation to transit facilities, shopping centers, medical offices, hospitals, recreational amenities and other destinations. The van or shuttle service shall be operational on an as needed daily basis by residents.

38. The Independent Living Facility shall be constructed with consistent materials on all four sides and in a manner in substantial conformance with the elevations contained within Sheets 18-19 of the Development Plan.

39. Prior to bond release for the Independent Living Facility, the Applicant shall install exterior recreational site amenities on Tax Map Parcels 46-3 ((1)) 15A1 and 15A2 in substantial conformance with those shown on the Development Plan.

40. Prior to issuance of the Non-RUP for the Independent Living Facility, and upon any change in management, the Applicant shall provide the contact information for the Independent Living Facility's management company to the President of the Fair Oaks Estates and Fair Woods Homeowner's Associations.

41. At least 100 parking spaces shall be reserved, in the general location depicted on the Development Plan, for exclusive use of the residents and employees of the Independent Living Facility. The Applicant shall provide signage indicating that these spaces are provided solely for use by the residents, employees and visitors of the Independent Living Facility.

42. Loading and trash removal services for the Independent Living Facility shall not occur before 6:30 a.m. or later than 10:00 p.m.

43. Prior to issuance of the Non-RUP for the Independent Living Facility and subject to VDOT approval, the Applicant shall install a concrete pad and a concrete pedestrian connection to the adjacent trail, unless otherwise installed by others, to permit the installation, by others, of a bus shelter to service the existing bus stop on Route 50 adjacent to Tax Map 46-3 ((1)) 15A3.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

PENDER, L.L.C., *Title Owner of Parcel 46-3-((1))-15A3*

BY: Atlantic Realty Companies, Inc., Manager

By: _____
Name: Stanley M. Barg
Title: Chief Operating Officer

REZONING AFFIDAVIT

DATE: September 1, 2011
 (enter date affidavit is notarized)

I, Stanley M. Barg, 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 112643

in Application No.(s): PCA 2009-SU-020 / FDPA 2009-SU-020
 (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)
Pender, L.L.C.	8150 Leesburg Pike Suite 1100 Vienna, VA 22182	Applicant / Title Owner
Stanley M. Barg		Agent
David A. Ross		Agent
Adam B. Schulman		Agent
Atlantic Realty Companies, Inc.		Agent
Vanessa R. Kennedy		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 AFFIDAVIT

DATE: September 1, 2011
(enter date affidavit is notarized)

112643

for Application No. (s): PCA 2009-SU-020 / FDPA 2009-SU-020
(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)
Pender, L.L.C. 8150 Leesburg Pike
Suite 1100
Vienna, VA 22182

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Stanley M. Barg
David A. Ross
Adam B. Schulman

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

Atlantic Realty Companies, Inc. its non-member manager

(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: September 1, 2011
(enter date affidavit is notarized)

112643

for Application No. (s): PCA 2009-SU-020 / FDP A 2009-SU-020
(enter County-assigned application number (s))

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

Atlantic Realty Companies, Inc.
8150 Leesburg Pike
Suite 1100
Vienna, VA 222182

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)

David A. Ross
Stanley M. Barg

=====

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

David A. Ross, President
Stanley M. Barg, Chief Operating Officer

=====

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: September 1, 2011
(enter date affidavit is notarized)

112643

for Application No. (s): PCA 2009-SU-020 / FDPA 2009-SU-020
(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)

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

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

(check if applicable) There is more partnership information and Par. 1(c) is continued on a "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: September 1, 2011
(enter date affidavit is notarized)

11 2643

for Application No. (s): PCA 2009-SU-020 / FDPA 2009-SU-020
(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: September 1, 2011
(enter date affidavit is notarized)

112643

for Application No. (s): PCA 2009-SU-020 / FDPA 2009-SU-020
(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.)

Stanley M. Barg of Pender, L.L.C., the Applicant/Title Owner, made a contribution in excess of \$100 to Chairman Sharon Bulova on 05/09/11.

(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

Stanley M. Barg, Chief Operating Officer
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 1st day of September, 2011, in the ~~State~~/Comm. of Virginia, County/City of Fairfax.

Jon Michael Pugh
Notary Public

My commission expires: 10/31/2012





VIA: Hand Delivery

September 10, 2010

Eileen McLane
 Zoning Administrator
 Fairfax County Department of Planning & Zoning
 Zoning Evaluation Division
 12055 Government Center Parkway, Suite 801
 Fairfax, VA 22035

RE: RZ2009-SU-020 Dated December 15, 2009 (Pender Village Campus)
 Tax Map 46-3 ((1)) 15A3
 Proposed Use Additions to Proffers – Buildings B1 and B2
 PCA/FDPA

Applicant: Pender, L.L.C.

Dear Ms. McLane:

Pender Village Campus is the Subject of RZ 2009-SU-020. Construction of the retail/office component was completed in 2009 pursuant to the approved site plan 10310-SPV-001-E1. This property is comprised of 9.99 acres (the subject of this Application) located at the northwest corner of the intersection of Lee Jackson Memorial Highway (Rte 50) and Fair Ridge Drive (Rte 7960).

Over the past year the applicant has been actively leasing the project to tenants for the permitted uses. These uses include Grocery Store and Retail with in-Store services Including Bank, ATM, Cleaners, Café, Retail, Office, Medical Care Facility, Business Service and Supply, Eating Establishments, Financial Institutions, Personal Service, Repair Service, Community Uses (up to 10,000 SF), Bank, Pharmacy, Fast Food Restaurants, Quick Service Food Store, Veterinary Hospital, Health Club (Fitness Center up to 15,000 SF), and Drive-thru Bank.

The applicant proposes to add the following Principal and Secondary Uses to buildings B1 and B2:

- Garment Cleaning Establishments
- Private Schools of Special Education

The addition of the above community serving uses will provide needed flexibility to maintain a quality mix of tenants. The proposed uses will not create additional traffic impacts and will enhance the project for area residents. No site modifications or change to the approved project are proposed except for the addition of the above-listed uses to the Proffers (and by extension to the Final Development Plan). Parking will be provided for each use in accordance with the requirements of Article 11 of the Fairfax County Zoning Ordinance. The adjacent parcels subject to the Proffers will be un-affected by this change, as the uses are strictly for Buildings B1 and B2. Due to the minor nature of this change the Applicant requests that the requirement for a revised Development Plan be waived as allowed by Section 18-202 of the Fairfax County Zoning Ordinance. Given the prior approvals on the Subject Property, the proposal to add the two uses is in conformance with the recommendations of the Fairfax County Comprehensive Plan.

In summary, the Applicant proposes the addition of one principal use and one secondary use to the Subject Property's Proffers and Development Plan. The applicant is not proposing any additional intensity or site modifications. The addition of the proposed uses will provide greater diversity in the Project's tenant mix and will allow the Project to serve the needs of the surrounding community by quality tenants.

Please feel free to contact me should you have any questions or require additional information. We would appreciate the acceptance of this application and the scheduling of a public hearing before the Fairfax County Planning Commission at your earliest convenience. Thank you in advance for your cooperation and the assistance received thus far.

Sincerely,

Richard K. Fassett
VP – Development
Pender, LLC
By: Atlantic Realty Companies, Inc.

CC: Vanessa Kennedy, ARC
Jonathan Ross, ARC

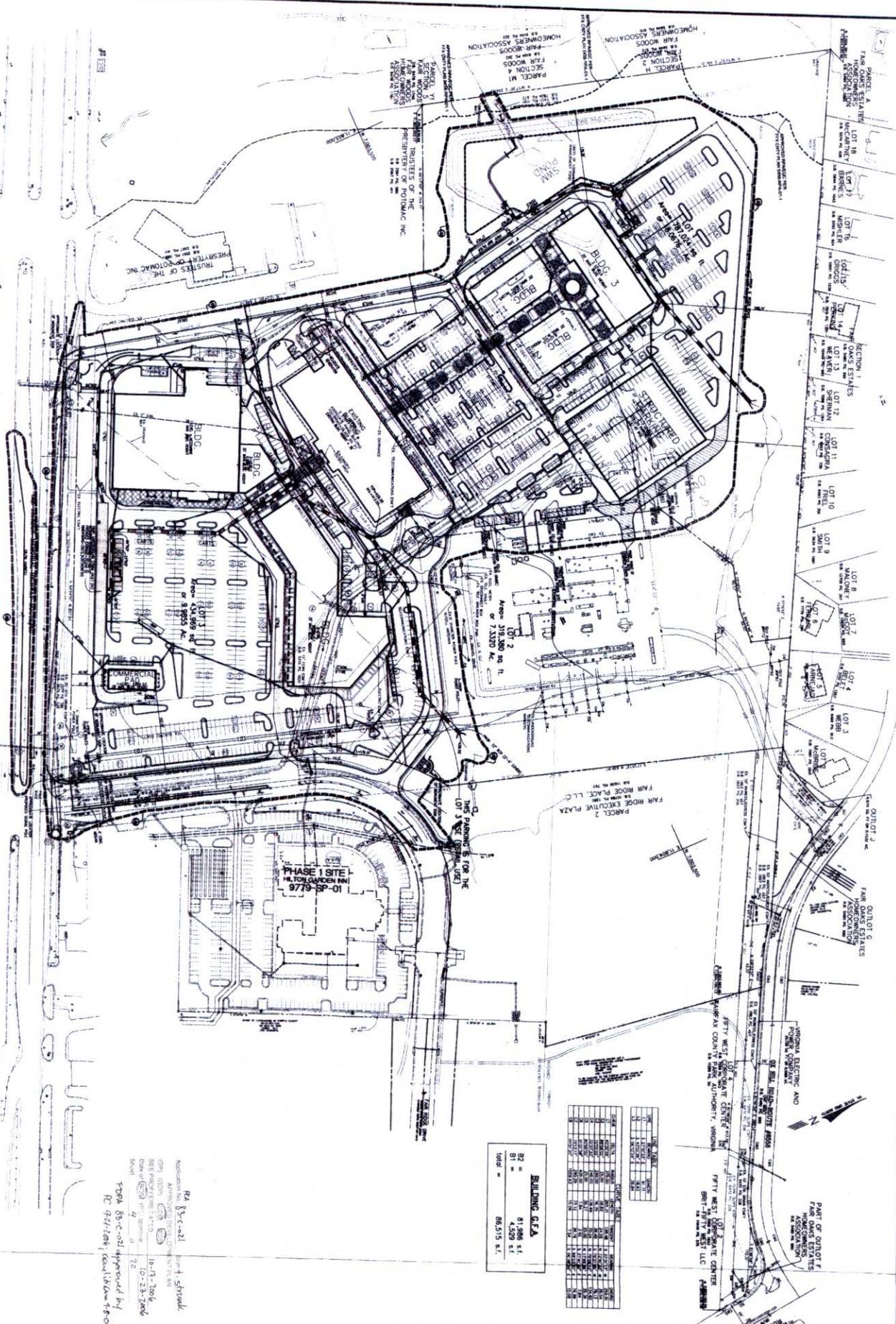
Comprehensive Plan Citations

Fairfax County Comprehensive Plan, Area III, 2011 edition, the Fairfax Center Area, as amended through April 26, 2011, Sub-Unit A5, Land Use Recommendations, pages 46-47:

Land Use

This sub-unit contains the Dominion Virginia Power substation and transmission lines, as well as a church and office use. The sub-unit is planned for low intensity office, retail and institutional use not to exceed .25 FAR at the overlay level, with the exception of Tax Map 46-3 ((1)) 15B, the electrical substation and transmission lines, which is planned exclusively for public facilities use except as otherwise stated below. It is important that this mix of uses be coordinated and integrated in a quality design. Development should provide substantial, vegetated open space buffers to the north and west, including the preservation of existing trees, in order to protect the existing residential use adjacent to this sub-unit. Buffers should be no less than 125 feet along the northern property line and no less than 50 feet along the western side of the property (north of Tax Map 45-4((1))9). The following conditions should also be met:

- Retail development is limited to the front portion of the parcel, in front of the existing office building and adjacent to Route 50, and should include a grocery store;
- New office development behind the existing office building should be compatible in scale and architectural treatment with surrounding development, and should be buffered/screened from the electrical substation;
- Limited parking and vehicular access for use by the sub-unit may be located on Parcel 46-3((1))15B if substantial landscaping and/or screening of the substation is provided. Said landscaping and screening should be designed to permit vehicles to access the substation through Parcel 15B and should not preclude parking related to the substation;
- Free-standing pad sites should be limited to no more than one and should include no fast food establishments to limit traffic generation;
- Principle access should be from Fair Ridge Drive with secondary right-turn in/out access to Route 50 considered only with VDOT approval. There should be no vehicular connection to Alder Woods Drive; and,
- Development should be set back at least 40 feet and an attractive streetscape, including substantial landscaping, should be provided along Route 50.



PHASE 1 SITE
 9779-SP-01

NO.	DESCRIPTION	AREA (SQ. FT.)	VOLUME (CU. YD.)
1	CONCRETE	1,100,000	1,100,000
2	ASPHALT	1,100,000	1,100,000
3	GRAVEL	1,100,000	1,100,000
4	PAVING	1,100,000	1,100,000
5	LANDSCAPING	1,100,000	1,100,000
6	UTILITIES	1,100,000	1,100,000
7	CONCRETE	1,100,000	1,100,000
8	ASPHALT	1,100,000	1,100,000
9	GRAVEL	1,100,000	1,100,000
10	PAVING	1,100,000	1,100,000
11	LANDSCAPING	1,100,000	1,100,000
12	UTILITIES	1,100,000	1,100,000
13	CONCRETE	1,100,000	1,100,000
14	ASPHALT	1,100,000	1,100,000
15	GRAVEL	1,100,000	1,100,000
16	PAVING	1,100,000	1,100,000
17	LANDSCAPING	1,100,000	1,100,000
18	UTILITIES	1,100,000	1,100,000
19	CONCRETE	1,100,000	1,100,000
20	ASPHALT	1,100,000	1,100,000
21	GRAVEL	1,100,000	1,100,000
22	PAVING	1,100,000	1,100,000
23	LANDSCAPING	1,100,000	1,100,000
24	UTILITIES	1,100,000	1,100,000
25	CONCRETE	1,100,000	1,100,000
26	ASPHALT	1,100,000	1,100,000
27	GRAVEL	1,100,000	1,100,000
28	PAVING	1,100,000	1,100,000
29	LANDSCAPING	1,100,000	1,100,000
30	UTILITIES	1,100,000	1,100,000

BUILDING G.F.A.	
B1	81,000 S.F.
B2	1,200 S.F.
B3	88,515 S.F.

Prepared by: J. S. ...
 Checked by: ...
 Date: 10-17-2006
 Scale: 1/8" = 1'-0"
 Project: 9779-SP-01
 Revision: 4

NOTE: SEE SHEETS 4B & 4C FOR MORE DETAIL.

CDPA/FDPA VIRGINIA ELECTRIC AND POWER COMPANY SULLY DISTRICT FAIRFAX COUNTY, VIRGINIA C.I. - N/A	URBAN ENGINEERING & ASSOC., INC. CIVIL ENGINEERS - LANDSCAPE ARCHITECTS - LAND SURVEYORS 7710 LITTLE RIVER TURNPIKE ANNANDALE, VIRGINIA 22003 (703) 840-8000	PLAN DATE: 09-26-06
		REVISION APPROVED BY DIVISION OF DESIGN REVIEW

RZ 2009-SU-020
TRUSTEES OF THE LIGHT GLOBAL MISSION CHURCH
AND PENDER, LLC
PROFFER

September 14, 2009
October 12, 2009
October 20, 2009
November 10, 2009
November 17, 2009
December 1, 2009
December 15, 2009

Pursuant to §15.1-2203(A) of the Code of Virginia (1950), as amended, the property owners, Trustees of the Light Global Mission Church and Atlantic Realty Companies, Inc., for themselves and their successors and assigns, (hereinafter referred to together as the "Applicant") proffer that the development of the parcels under consideration identified on the Fairfax County Tax Maps as Tax Map Parcels 46-3((1)) 15A1, 15A2 and 15A3 (hereinafter referred to collectively as the "Property"), will be in accordance with the following conditions, if and only if, the application, RZ 2009-SU-020, is granted. These proffered development conditions, if accepted by the Board of Supervisors, shall supersede all previously proffered development conditions applicable to the Property with PCA 83-C-021, unless and except to the extent such conditions have already been performed or satisfied as of the date of the approval of this application or as committed to in accordance with the approval of site plan 10310-SP-001. The proffered development conditions are as follows:

DEVELOPMENT PLAN

1. The Property shall be developed in substantial conformance with the Conceptual Development Plan/Final Development Plan dated June 24, 2009, as revised through November 10, 2009 and prepared by Urban, Ltd., Sheets 18-19 prepared by Grimm + Parker Architects dated January 30, 2009 and Sheets 19A-19D prepared by Rounds VanDuzer Architects, PC, (the "Development Plan"), as further modified by these proffered conditions.

2. Pursuant to Paragraph 4 of Section 16-204 of the Zoning Ordinance, minor modifications from the Development Plan may be permitted as determined by the Zoning Administrator. The Applicant shall have the flexibility to modify the layout shown on the

Development Plan without requiring approval of a PCA or FDPA provided such changes are in substantial conformance with the Development Plan as determined by the Zoning Administrator, and shall neither increase the total gross square footage, decrease the amount of required parking, decrease the amount of open space, nor decrease the distance from buildings to the closest property line. Any such modifications shall not impact the limits of clearing and grading and buffers shown on the Development Plan.

3. A. The project shall be developed in phases consisting of the following permitted uses:

PERMITTED LAND USES AND GROSS FLOOR AREA

BUILDING	GFA RANGE	LEVELS	USES
Grocery / Building A	48,756 – 55,000 square feet	1 Level + Mezzanine	Grocery Store & Retail w/ in-Store Services Including Bank, ATM, Cleaners, Cafe
Building B1	4,800-9,600 square feet	1 or 2 Levels	Retail, Office, Medical Care Facility, Business Service and Supply, Eating Establishments, Financial Institutions, Personal Service, Repair Service, Community Uses (up to 10,000 SF), Bank, Pharmacy, Fast Food Restaurants, Quick Service Food Store, Veterinary Hospital**
Building B2	70,321 – 81,715 square feet	2 Levels	Retail, Office, Medical Care Facility, Business Service and Supply, Eating Establishments, Financial Institutions, Personal Service, Repair Service, Community Uses (up to 10,000 SF), Bank, Pharmacy, Fast Food Restaurants, Quick Service Food Store, Health Club (Fitness Center up to 15,000 SF), Veterinary Hospital**
Commercial Pad	3,650 – 4,000 square feet	1 or 2 Levels	Drive-thru bank, Financial Institution, Office, Retail, Eating Establishment
Total Maximum GFA for Buildings A, B1, B2 & Commercial Pad	138,921 square feet		
Existing Office Building/Church	76,577 square feet	2 Levels	Church, Place of Worship for 800 Seats, Church Office and Administration, Health Club (Fitness Center up to 15,000 SF), Child Care with a maximum daily enrollment of 200 Children, Office, Financial Institution, Scientific Research and Development, Repair Service, Personal Service
Independent Living Facility (Building D)	90,000 square feet	4 Levels	Independent Living Facility, multifamily dwelling units
Total GFA (entire site)	305,498 square feet*		

**Veterinary hospitals and fast food restaurants shall be allowed only in conformance with the use restrictions found in Section 6-206 of the Zoning Ordinance.

B. The church use shall have a maximum number of 800 seats.

C. The Applicant shall lease a minimum of 20,000 square feet in Building A to a full-service grocery store user (i.e., not a convenience retail or quick service food store use).

D. It is intended that the "existing office building" (Building C) shall remain as is, subject to the architectural compatibility commitments herein. The maximum building height shall not exceed 45 feet.

4. A. The Applicant shall provide parking in accordance with parking standards and provisions of Article 11 of the Fairfax County Zoning Ordinance for all uses developed on the Property. In the event a parking reduction or shared parking arrangement for the uses on the Property is approved by the Board of Supervisors, the Applicant reserves the right to reduce the parking within the parking area footprints shown on the Development Plan, so long as such reduction is in conformance with Article 11 and these proffers. In no event shall any parking spaces be placed in any area designated for open space on the Development Plan.

B. The Applicant may, at its discretion, submit a shared parking application for the uses contained within Building C. However, in no event shall parking for the church use be provided at less than the minimum parking ratio of one space per three seats in the church.

C. Prior to each site plan approval or issuance of each Non-residential Use Permit, parking tabulations shall be provided to DPWES for review and approval, demonstrating that parking requirements are met.

TRANSPORTATION

5. Prior to final site plan approval of the first site plan, or on demand by the Board of Supervisors, whichever occurs first, the Applicant shall dedicate and convey in fee simple, and at

no cost, to the Board of Supervisors right of way along the Property's Fair Ridge Drive frontage as shown on the Development Plan.

6. Prior to the issuance of the first non-residential use permit (Non-RUP) for any new building, the Applicant shall construct the following road improvements, as shown on the Development Plan as approved by VDOT:

Route 50 Transportation Improvements:

A. Construct a second eastbound left turn bay along Route 50 to accommodate two eastbound left turn bays (one existing and one proposed) along eastbound Route 50 at Fair Ridge Drive, as depicted on the Development Plan. The double left turn bays will be constructed to accommodate a 500 foot turn bay with a 150 foot taper.

B. Construct a westbound right turn bay for direct access into the Pender Development. The right turn bay will be constructed just west of Fair Ridge Drive. The right turn bay will be constructed to accommodate a 450 foot right turn bay with a 200 foot taper along westbound Route 50.

C. Modify the existing traffic signal at Fair Ridge Drive and Route 50 to accommodate the eastbound double left along Route 50, as well as the widening of Fair Ridge Drive.

D. Construct a 10 foot wide asphalt trail along Route 50 frontage, as shown on the Development Plan.

Fair Ridge Drive Roadway Transportation Improvements:

E. Widen Fair Ridge Drive to accommodate two (2) northbound lanes and four (4) southbound lanes (for a total of six (6) lanes along the north side of Route 50). The southbound lane configuration will accommodate a left turn bay, through-left lane, and two (2) right turn lanes. All lane transitions will be reviewed and agreed upon by VDOT and Fairfax County prior to installation.

F. Fair Ridge Drive will be constructed with a four foot wide median from Route 50 to the first main entrance to the Pender site.

7. Prior to bond release for Site Plan 10310-SP-001, the Applicant shall install pedestrian signal heads and a pedestrian crosswalk across Route 50 at the Alder Wood Drive intersection with Route 50, subject to the following conditions:

A. the pedestrian signal heads and pedestrian crosswalk shall be installed as approved by VDOT;

B. if the pedestrian signal heads and the crosswalk and any associated road improvements are determined to be off-site roadway projects in accordance with the Fairfax Center Area Road Fund procedural guidelines, the Applicant shall be refunded from the Fairfax Center Area Road Fund the cost of the pedestrian signal heads and the pedestrian crosswalk and any associated road improvements, minus the amount equivalent to the estimated cost of installation of pedestrian signal heads at both the Fair Ridge Drive and Alder Wood Drive intersections with Route 50;

C. If, for any reason, (i) the pedestrian crosswalk and any associated road improvements are not approved by VDOT, or (ii) the cost of such improvements will not be refunded to the Applicant pursuant to subparagraph (B), then, in lieu of installing the pedestrian signal heads and constructing the pedestrian crosswalk and any associated road improvements, the Applicant shall escrow with the County funds in the amount of the estimated cost of installation of pedestrian signal heads, without a pedestrian crosswalk and any associated road improvements, at both the Fair Ridge Drive and Alder Wood Drive intersections with Route 50, to be used for pedestrian improvements at these intersections or in the vicinity.

8. Applicant shall contribute to the Fairfax Center Area Road Fund in accordance with the Procedural Guidelines adopted by the Board of Supervisors on November 22, 1982, as amended, subject to credit for all creditable expenses as determined by the Fairfax County Department of Transportation and/or DPWES.

9. A. Where the internal pedestrian system crosses the travelways of the parking lots, crosswalks shall be provided; these may be either pavement treatments or pavement painting which clearly mark the pedestrian pathways, to the satisfaction of DPWES.

B. Crosswalks shall be provided across travel aisles between the proposed location of the day care and the playground. Such crosswalks shall be constructed as raised crosswalks of materials different from the surrounding parking lot (such as stamped asphalt or pavers), and shall be signed as pedestrian crosswalks.

ENVIRONMENT

10. A. All storm water management facilities constructed on the Property and/or associated with the development shall be Best Management Practices (BMP) facilities in accordance with the requirements of the Water Supply Protection Overlay District (WSPOD), as determined by DPWES. In addition, these facilities shall be designed to provide storage capacity of a minimum of five (5%) percent in excess of the design storm requirements required by the Public Facilities Manual, all as determined by DPWES.

B. During initial Site Plan submission, the Applicant shall coordinate with DPWES to determine appropriate types and locations for LID techniques/BMP facilities, and shall implement such recommendations. Innovative BMP facilities shall be installed throughout the site to include, but not be limited to, underground vaults, porous pavers and grasscrete travel way for fire access to the substation, as approved by DPWES.

C. In order to protect the Resource Protection Area (RPA) on-site construction phase of development, erosion and sedimentation control measures designed to achieve up to 90% sediment trapping efficiencies or greater as feasible, as determined by DPWES, shall be implemented in conformance with the methods recommended by the Virginia Soil and Water Conservation District in the Virginia Erosion and Sediment Control Handbook. All such activities shall be subject to approval by DPWES.

11. Bicycle racks or other bicycle parking for at least 10 bikes shall be provided near the entrance of Buildings A and B2.

12. A. The Applicant shall conform strictly to the limits of clearing and grading as shown on the Development Plan, subject to allowances specified in these proffered conditions

and for the installation of fences, utilities and/or trails as determined necessary by the Director of DPWES. If it is determined necessary to install fences, utilities, and/or trails in areas protected by the limits of clearing and grading as shown on the Development Plan, they shall be located in the least disruptive manner necessary as determined by UFM. A replanting plan shall be developed and implemented, subject to approval by UFM and for any areas protected by the limits of clearing and grading that must be disturbed for such fences, trails and/or utilities. Applicant shall preserve trees in those areas designated on the Development Plan as buffers and those areas shown to be protected by the limits of clearing and grading.

B. All tree preservation-related work occurring in or adjacent to the limits of clearing and grading shall be accomplished in a manner that minimizes damage to vegetation to be preserved, including any woody, herbaceous or vine plant species that occurs in the lower canopy environment, and to the existing top soil and leaf litter layers that provide nourishment and protection to that vegetation. Removal of any vegetation, if any, or soil disturbance within the limits of clearing and grading, including the removal of plant species that may be perceived as noxious or invasive, such as poison ivy, greenbrier, multi-floral rose, etc. shall be subject within the limits of clearing and grading to the review and approval of UFM. The use of equipment within the limits of clearing and grading will be limited to hand-operated equipment such as chainsaw, wheel barrows, rake and shovels. Any work that requires the use of equipment, such as skid loaders, tractors, trucks, stump-grinders, etc., or any accessory or attachment connected to this type of equipment shall not occur unless pre-approved by UFM.

C. The Applicant shall retain the services of a certified arborist or landscape architect, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting with the UFM to be held prior to any clearing and grading. During the walk-through meeting, the Applicant's certified arborist or landscape architect shall walk such limits of clearing and grading with an UFM 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; provided, however, that no adjustment shall be required that would affect the location of buildings, including a requirement for additional retaining walls in excess of two feet in height. Trees that are identified specifically by UFM in writing 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 associate 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 associate understory vegetation and soil conditions.

D. The limits of clearing and grading 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 adjacent to the tree preservation areas as shown on the phase I and II erosion sediment control sheets. All tree protection fencing shall be installed after the walk-through meeting described in Proffer 15.B above but prior to any clearing and grading activities. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist and UFM, and accomplished in a manner that does not harm existing vegetation that is to be preserved. At least ten (10) days prior to the commencement of any clearing or grading activities adjacent to the tree preservation areas, but subsequent to the installation of the tree protection devices, the UFM, DPWES shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by UFM.

E. The Applicant shall root prune, as needed to comply with the tree preservation requirements of these proffers. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the respective public improvement/site plan submission. The details for these treatments shall be reviewed and approved by UFM, accomplished in a manner that protects adjacent vegetation to be preserved, and may include, but not be limited to the following: (1) root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches; (2) root pruning shall take place prior to any clearing and grading; (3) root pruning shall be conducted with the supervision of a certified arborist; and (4) a UFM

representative shall be informed when all root pruning and tree protection fence installation is complete.

F. During any clearing or tree/vegetation removal in the areas adjacent to the tree preservation areas, 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 UFM. The Applicant shall retain the services of a certified arborist or landscape architect to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffers, and UFM approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by UFM. The Sully District Supervisor shall be notified of the name and contact information of the Applicant's representative responsible for site monitoring at the tree preservation walk-through meeting described in Par. C. above.

G. The Applicant shall retain a professional arborist with experience in plant appraisal, to determine the replacement value of all trees 6 inches in diameter or greater located on the Application Property that are shown to be saved on the Tree Preservation Plan. These trees and their value shall be identified on the Tree Preservation Plan at the time of the first submission of the respective public improvement/site plan(s). The replacement value shall take into consideration the age, size and condition of these trees and shall be determined by the so-called "Trunk Formula Method" contained in the latest edition of the Guide for Plan Appraisal published by the International Society of Arboriculture, subject to review and approval by UFM.

H. At the time of the respective public improvement/site plan approvals, the Applicant shall both post a cash bond and a letter of credit payable to the County of Fairfax to ensure preservation and/or replacement of the trees for which a tree value has been determined in accordance with Proffer 15.G above (the "Bonded Trees") that die or are dying due to unauthorized construction activities. The letter of credit shall be equal to 50% of the replacement value of the Bonded Trees. The cash bond shall consist of 33% of the amount of the letter of credit. At any time prior to final bond release, should any Bonded Trees die, be removed, or are determined to be dying by UFM due to unauthorized construction activities, the Applicant shall replace such trees at its expense. The replacement trees shall be of equivalent

size, species and/or canopy cover as approved by UFM. In addition to this replacement obligation, the Applicant shall also make a payment equal to the value of any Bonded Tree that is dead or dying or improperly removed due to unauthorized activity. This payment shall be determined based on the Trunk Formula Method and paid to a fund established by the County for furtherance of tree preservation objectives. Upon release of the bond any amount remaining in the tree bonds required by this proffer shall be returned/released to the Applicant.

I. All of the open space buffers along the Property's northern and western property lines shall be maintained as undisturbed open space subject to the necessary installation of utilities in the least disruptive manner and the removal of dead, dying or invasive vegetation.

LANDSCAPING

13. A. As a part of the site plan submissions for each phase of the project, a landscaping plan will be submitted to DPWES for review and approval. Such landscaping plans shall conform to the design shown on the Development Plan, provided, however, that with the specific concurrence of Urban Forest Management, the Applicant may substitute vegetative materials and alter their location to accommodate engineering considerations. The vegetative density will be as represented on the Development Plan. The Applicant shall maintain the landscaping in good condition and promptly replace dead landscaping with similar species.

B. All canopy trees shall be minimum 3" - 3.5" caliper.

C. Landscaping shall be provided adjacent to the loading area for Building A as shown on the Development Plan.

14. The plaza and paved areas will be designed and constructed in conformance with the concepts depicted on the Development Plan, provided, however, that, subject to the approval of DPWES and Urban Forest Management, the specific distribution and location of landscaping, walkways, and focal seating areas may be modified to accommodate the design theme for the Property selected by the Applicant, so long as such modifications are in substantial conformance with the Development Plan, and are provided in the quality and quantity of that shown on the

Development Plan. Plaza areas shall be constructed concurrently with the development of the respective phase of the project.

15. Any landscaping shown the Development Plan to be provided in an existing or proposed utility easement shall be reviewed by the UFM prior to approval of the site plan. All vegetation provided in such easement shall be specifically chosen for viability (size, etc.) in the easement, as recommended by UFM. Any vegetation shown on the Development Plan that is not able to be installed as shown because of the easements shall be relocated outside the easement in a location serving the same purpose as that shown on the Development Plan, as recommended by UFM.

16. The Applicant shall construct in the location shown on the Development Plan, a continuous architectural and solid wood fence, a minimum of 6' in height. The solid wood fence shall be board-on-board alternating on each side and overlapping. The fence shall be of good quality and durability constructed in a professional manner utilizing sound materials and assembled with screws so as to assure longevity and reduce maintenance and repairs. The fence shall be maintained in good repair at all times by the property owner, including repair of any graffiti vandalism within thirty days of such occurrence. Points of access shall be provided in the form of gates for the purpose of accessing the storm water management facility and other property points. A sign shall be erected indicating that gates shall remain locked at all times.

SIGNAGE AND OTHER DESIGN DETAILS

17. A. Signage for the Property shall be provided in accordance with a Comprehensive Sign Plan or appropriate amendments, as deemed necessary, addressing signage needs of tenants of the Property.

B. All free-standing signs shall be monument. No pole signs (excepting directional signage on-site) shall be permitted.

18. In coordination and consultation with the Sully District Supervisor, the Applicant shall fund the provision of one historical marker on the site. Said funding shall include the completion of the archival research that supports the marker and the drafting of the marker text. The Sully District Supervisor shall approve the final text prior to the manufacturing of the

marker. Such marker shall not exceed eight (8) square feet in area. The marker will be a Fairfax County Park Authority-style wayside trail marker (comparable in size and style to a Virginia Civil War Trails marker). Said marker shall be placed at a point along the site's frontage on Route 50, so as to be legible to pedestrians on the frontage sidewalk. This marker shall be installed by the Applicant prior to site plan bond release. The Applicant shall dedicate public access easements for use as a public commemorative monument in the area along the Property's Route 50 frontage as shown on the Development Plan.

19. In order to minimize any potentially adverse impacts from service activities taking place at the rear of the grocery store, the Applicant commits to the following:

No truck deliveries, including trash removal, shall be permitted within the project between 11 :00 p.m. and 6:00 a.m. daily.

20. A. The architecture of the proposed buildings on Tax Map 46-3 ((1)) 15A3 shall be in substantial conformance with the architectural elevations shown on Sheets 19A-D of the Development Plan. The proposed buildings shall have similar architectural treatment and materials on all four sides.

B. The architectural materials of the proposed development on Tax Map 46-3 ((1)) 15A3 shall consist of any of the following materials used singly or in combination with other materials: Brick masonry, architectural CMU, EIFS, architectural metals and glazing systems. The same colors and types of materials shall be used on all buildings, including the pad site. Architectural details to demonstrate conformity shall be provided on all final site plans. A palette of no more than 2 base colors and 3 accent colors will be provided at first building permit application and all buildings shall use these colors.

C. The façade of the existing office building shall be either repainted or refaced to compliment the color schemes and materials of the proposed building prior to issuance of a Non-RUP for any of the new buildings.

D. The façade of the commercial pad site building shall be consistent in color and materials with the other buildings in the Center, including use of the palette of colors referenced in Par. B of this proffer, and consistent on all four sides of the building.

E. All dumpsters will be fully screened.

21. No temporary signs (including "Popsicle" style paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code or Virginia shall be placed on or off-site by the Applicant or at the Applicants' direction to assist in the initial sale or rental of space on the Property. Furthermore, the Applicant shall direct its agents and employees involved in marketing and sale and/or rental of residential units on the Property to adhere to this proffer.

22. Subject to the approval of VEPCO, the Applicant shall place a minimum of 700 linear feet of the existing distribution lines running parallel to Fair Ridge Drive underground during site construction. Applicant shall also provide four (4) eight-inch (8") underground ducts along the Property's Route 50 frontage for VEPCO's future use. In the event VEPCO does not approve the undergrounding of these lines, the Applicant must demonstrate in writing VEPCO's disapproval.

23. Site amenities (street furniture, lighting, bicycle racks and trash receptacles) as shown on the Development Plan shall be installed throughout the site in public plaza areas.

24. All on-site lighting shall comply with Article 14.

25. Rooftop equipment on buildings A and B2 shall be screened where units would be visible from off-site.

VEPCO SUBSTATION

26. The Applicant shall construct curb cuts along the travel aisle adjacent to the substation in locations determined by VEPCO and in substantial conformance with that shown on the Development Plan.

FAIR WOODS LANDSCAPING

27. Prior to the issuance of the first Non-RUP for Building A, the Applicant shall contribute the sum of \$5000 to the Fair Woods Homeowners Association for trail and landscaping maintenance or other such improvements as deemed necessary by the Association.

CHILD CARE

28. The child care center shall have a maximum daily enrollment of 200 children.

29. An enclosed outside play area shall be provided to accommodate a maximum of 50 children at one time in the area shown on the Development Plan.

30. Hours of operation shall be limited to 6:30 a.m. to 7:00 p.m. Monday through Friday.

31. The child care center shall comply with all applicable Health Department requirements.

UTILITIES

32. At the time of site plan submission for the Independent Living Facility, the Applicant shall conduct a sanitary sewer capacity analysis study for the collector lines (8-15 inches) that serve the Property to determine their adequacy to handle the anticipated sewage from the proposed development. The Applicant shall make any sewer improvements determined necessary by DPWES based upon the results of the study.

INDEPENDENT LIVING FACILITY (BUILDING D)

33. The Independent Living Facility shall be developed with a maximum of 100 dwelling units. The units shall only be available to tenants aged fifty-five (55) years and older and their spouse.

34. A minimum of seventy-five (75) percent of the total number of dwelling units in the Independent Living Facility shall qualify as "affordable" in accordance with federal, state and/or local affordable dwelling program requirements. The maximum income for qualified tenants of

these units shall not exceed 70% of the Area Median Income ("AMI") of the Washington Metropolitan Statistical Area. Unless otherwise modified in accordance with the provisions of Section 2-814 and/or 2-816 of the Zoning Ordinance, fifteen (15) percent of the total number of dwelling units in the Independent Living Facility shall be administered as Affordable Dwelling Units, or another equivalent affordable dwelling unit program, in accordance with Part 8 of Article 2 of the Zoning Ordinance.

35. Each of the dwelling units within the Independent Living Facility shall be designed to incorporate standard industry accepted Universal Design Elements.

36. The Independent Living Facility shall include interior amenities for use by the residents of such facility, including, without limitation, multi-purpose rooms, libraries, parlors, exercise rooms, movie rooms, and/or gaming rooms.

A. Prior to issuance of the Non-RUP for the Independent Living Facility, the Applicant shall provide documentation to DPWES and DPZ that the building has been awarded certification in accordance with the EarthCraft House Program.

37. Prior to bond release for the Independent Living Facility or within occupancy of fifty (50) percent of the total number of units within the Independent Living Facility, whichever occurs first, the Applicant shall provide van or shuttle service for use by residents of the Independent Living Facility for transportation to transit facilities, shopping centers, medical offices, hospitals, recreational amenities and other destinations. The van or shuttle service shall be operational on an as needed daily basis by residents.

38. The Independent Living Facility shall be constructed with consistent materials on all four sides and in a manner in substantial conformance with the elevations contained within Sheets 18-19 of the Development Plan.

39. Prior to bond release for the Independent Living Facility, the Applicant shall install exterior recreational site amenities on Tax Map Parcels 46-3 ((1)) 15A1 and 15A2 in substantial conformance with those shown on the Development Plan.

40. Prior to issuance of the Non-RUP for the Independent Living Facility, and upon any change in management, the Applicant shall provide the contact information for the Independent

Living Facility's management company to the President of the Fair Oaks Estates and Fair Woods Homeowner's Associations.

41. At least 100 parking spaces shall be reserved, in the general location depicted on the Development Plan, for exclusive use of the residents and employees of the Independent Living Facility. The Applicant shall provide signage indicating that these spaces are provided solely for use by the residents, employees and visitors of the Independent Living Facility.

42. Loading and trash removal services for the Independent Living Facility shall not occur before 6:30 a.m. or later than 10:00 p.m.

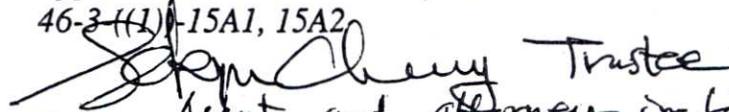
43. Prior to issuance of the Non-RUP for the Independent Living Facility and subject to VDOT approval, the Applicant shall install a concrete pad and a concrete pedestrian connection to the adjacent trail, unless otherwise installed by others, to permit the installation, by others, of a bus shelter to service the existing bus stop on Route 50 adjacent to Tax Map 46-3 ((1)) 15A3.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

TRUSTEES OF THE LIGHT GLOBAL MISSION
CHURCH

Applicant and Title Owner of Parcels

46-3-(1)-15A1, 15A2

 Trustee
By: Agent and attorney in fact

Name: Sekyu Chang, Trustee

Title: Trustee, Agent and Attorney in Fact

[SIGNATURES CONTINUE]

PENDER, L.L.C., *Title Owner of Parcel 46-3-((1))-15A3*

BY: Atlantic Realty Companies, Inc., Manager

By: Stanley M. Barg
Name: Stanley M. Barg
Title: Chief Operating Officer



County of Fairfax, Virginia

MEMORANDUM

DATE: August 23, 2011

TO: Barbara Berlin, Director
Zoning Evaluation Division
Department of Planning and Zoning

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

SUBJECT: Transportation Impact

REFERENCE: PCA 2009-SU-020; Pender L.L.C.
Land Identification Map: 46-3((1))15A3

This Department has reviewed the subject request based on plans dated May 2011 and offers the following comments.

The application is a request to add a garment cleaning establishment and private school of general education as potential principal and secondary uses to buildings B1 and B2. Provided all previous transportation commitments are carried forward, this Department would not object to the approval of this application.

AKR/mdd

ARTICLE 16

DEVELOPMENT PLANS

PART 1 16-100 STANDARDS FOR ALL PLANNED DEVELOPMENTS

16-101 General Standards

A rezoning application or development plan amendment application may only be approved for a planned development under the provisions of Article 6 if the planned development satisfies the following general standards:

1. The planned development shall substantially conform to the adopted comprehensive plan with respect to type, character, intensity of use and public facilities. Planned developments shall not exceed the density or intensity permitted by the adopted comprehensive plan, except as expressly permitted under the applicable density or intensity bonus provisions.
2. The planned development shall be of such design that it will result in a development achieving the stated purpose and intent of the planned development district more than would development under a conventional zoning district.
3. The planned development shall efficiently utilize the available land, and shall protect and preserve to the extent possible all scenic assets and natural features such as trees, streams and topographic features.
4. The planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede development of surrounding undeveloped properties in accordance with the adopted comprehensive plan.
5. The planned development shall be located in an area in which transportation, police and fire protection, other public facilities and public utilities, including sewerage, are or will be available and adequate for the uses proposed; provided, however, that the applicant may make provision for such facilities or utilities which are not presently available.
6. The planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development.

16-102 Design Standards

Whereas it is the intent to allow flexibility in the design of all planned developments, it is deemed necessary to establish design standards by which to review rezoning applications, development plans, conceptual development plans, final development plans, PRC plans, site plans and subdivision plats. Therefore, the following design standards shall apply:

1. In order to complement development on adjacent properties, at all peripheral boundaries of the PDH, PRM, PDC, PRC Districts the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional

FAIRFAX COUNTY ZONING ORDINANCE

zoning district which most closely characterizes the particular type of development under consideration. In the PTC District, such provisions shall only have general applicability and only at the periphery of the Tysons Corner Urban Center, as designated in the adopted comprehensive plan.

2. Other than those regulations specifically set forth in Article 6 for a particular P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments.
3. Streets and driveways shall be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities.

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		