



# FAIRFAX COUNTY

APPLICANT FILED: September 6, 2001  
PLANNING COMMISSION: November 29, 2001  
BOARD OF SUPERVISORS: December 3, 2001 @ 4:30PM

V I R G I N I A

November 15, 2001

## STAFF REPORT

APPLICATION RZ 2001-PR-040 and SE 01-P-034

### PROVIDENCE DISTRICT

APPLICANT: Allen and Rocks, Inc.

PRESENT ZONING: C-5, SC

REQUESTED ZONING: C-2, SC

PARCEL(S): 39-2 ((11)) 57A and 57B

ACREAGE: 1.65 Acres

FAR: 0.50 FAR

OPEN SPACE: 25%

PLAN MAP: Office

PROPOSAL: Approval to rezone an existing office building from the C-5 District to the C-2 District with an overall FAR of 0.50 and a waiver of the open space requirement. The applicant also requests special exception approval to permit a drive through bank for a temporary period.

### STAFF RECOMMENDATIONS:

Staff recommends that the Board of Supervisors approve **RZ 2001-PR-040** subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of a modification of the open space requirement.

Staff recommends that the Board of Supervisors approve **SE 01-P-034**, subject to the proposed development conditions contained in Appendix 2.

Staff recommends approval of a modification of the Loading Space requirement.

Staff recommends approval of a modification of the Transitional Screening requirement on the southern property line to that depicted on the SE Plat.

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

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

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.



**SPECIAL EXCEPTION APPLICATION**  
**SE 01-P-034**

**ZONING APPLICATION**  
**RZ 2001-PR-040**

SE 01-P-034

FILED 09/06/01

ALLEN & ROCKS, INC.

DRIVE-THRU BANK

ZONING DIST SECTION: 09-0505

ART 9 CATEGORY/USE: 05-06

1.65 ACRES OF LAND; DISTRICT - PROVIDENCE

LOCATED: 1960 & 1956 GALLOWES ROAD

ZONED C-5 SC

PLAN AREA 2

OVERLAY DISTRICT(S):

TAX MAP 039-2- /11/ /0058-A .0057-A

FILED 09/06/01

ALLEN & ROCKS, INC.

TO REZONE:

1.65 ACRES OF LAND; DISTRICT - PROVIDENCE

PROPOSED: REZONE FROM THE C-5 & SC DISTRICTS TO THE

C-2 & SC DISTRICTS

LOCATED: SOUTH SIDE OF GALLOWES ROAD, APPROXIMATELY

200 FEET EAST OF GEORGE WASHINGTON ROAD

ZONING: C-5

TO: C-2

OVERLAY DISTRICT(S): SC

MAP REF 039-2- /11/ /0057-A .0058-A



**SPECIAL EXCEPTION APPLICATION**  
**SE 01-P-004**

**ZONING APPLICATION**  
**RZ 2001-PR-040**

SE 01-P-034

FILED 09/06/01

ALLEN & ROCKS, INC.

DRIVE-THRU BANK

ZONING DIST SECTION: 09-0505

ART 9 CATEGORY/USE: 05-06

1.65 ACRES OF LAND: DISTRICT - PROVIDENCE

LOCATED: 1960 & 1956 GALLOWS ROAD

ZONED C-5 SC

PLAN AREA 2

OVERLAY DISTRICT(S):

TAX MAP 039-2- /11/ /0058-A .0057-A

FILED 09/06/01

ALLEN & ROCKS, INC.

TO REZONE: 1.65 ACRES OF LAND: DISTRICT - PROVIDENCE

PROPOSED: REZONE FROM THE C-5 & SC DISTRICTS TO THE C-2 & SC DISTRICTS

LOCATED: SOUTH SIDE OF GALLOWS ROAD, APPROXIMATELY 200 FEET EAST OF GEORGE WASHINGTON ROAD

ZONING: C-5

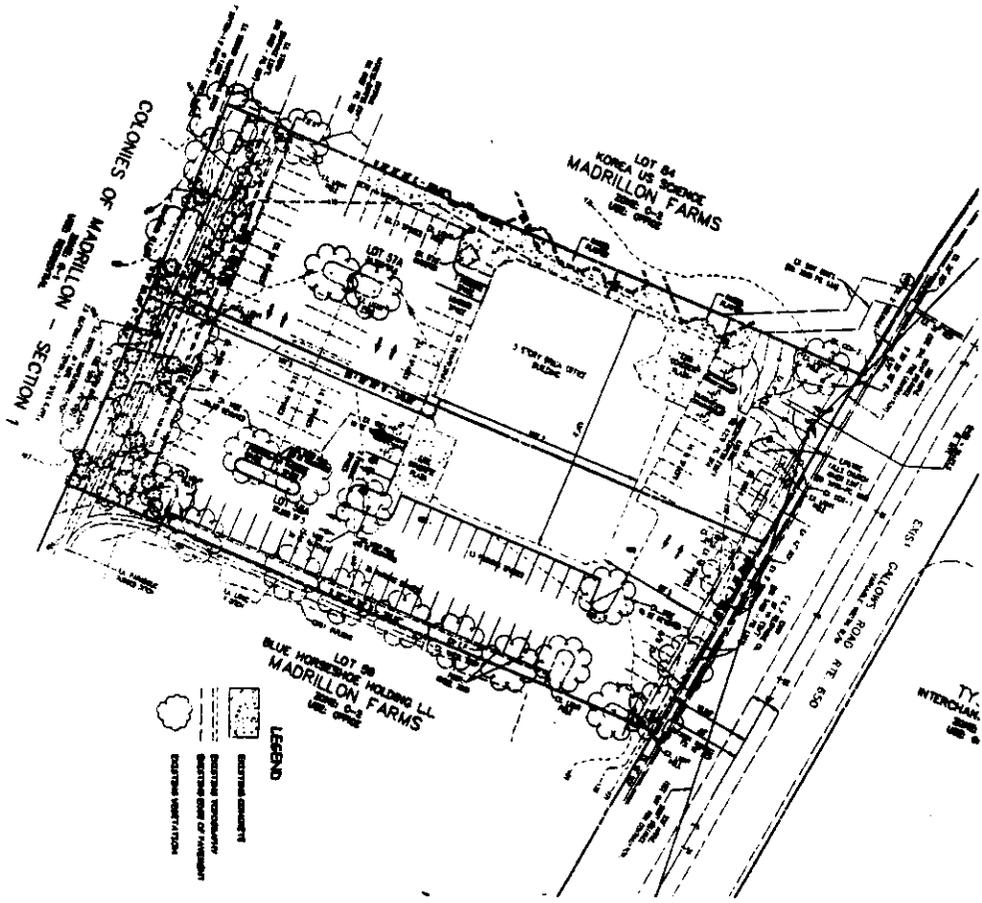
TO: C-2

OVERLAY DISTRICT(S): SC

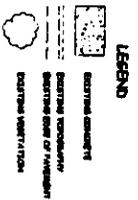
MAP REF 039-2- /11/ /0057-A .0058-A







PARKING PLAN FOR FUTURE  
OFFICE USE - SEE NOTE 2  
130 PARKING SPACES PROVIDED



FUTURE PLAN FOR  
OFFICE USE  
(SEE NOTE 2)

RZ 2001-PR-040; SE 2001-P-034

GENERALIZED DEVELOPMENT PLAN / SPECIAL EXCEPTION PLAT  
**ROCKS - 1960 GALLOWS ROAD**  
PROVIDENCE DISTRICT  
FAIRFAX COUNTY, VIRGINIA

**Dewberry & Davis LLC**  
A Dewberry Company  
800 Arlington Blvd.  
Farmingdale, NY 11735  
(703) 640-0100 Fax (703) 640-0110

Engineer  
Planner  
Surveyor  
Landscape Architect



REV. DATE  
REV. DATE  
REV. DATE

NO.	DATE	DESCRIPTION
1	12/17/01	PRELIMINARY PLAN
2	12/17/01	FINAL PLAN

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

**DESCRIPTION OF THE APPLICATION**

**Proposal:**

**RZ 2001-PR-040:** The applicant, Allen and Rocks, Inc. requests approval to rezone the 1.65 acre subject property from the C-5 to the C-2 District to bring the FAR of the existing office use into conformance with the C-2 District which permits a maximum FAR of 0.50 while the C-5 District permits a maximum FAR of 0.30 FAR. The existing FAR of the site is 0.50.

**SE 01-P-034:** The applicant seeks a Category 5 Special Exception (SE) for a temporary drive through bank on the 1.65 acre subject property. Under the proposed layout, the existing FAR of 0.50 does not increase with this application. The applicant is requesting the temporary drive through bank in order to secure time to construct a future bank site located on Leesburg Pike. The Leesburg Pike site was part of an assemblage of parcels near the intersection of Leesburg Pike and Old Gallows Road which was rezoned to the PDC District in the fall of 2000 pursuant to RZ 1999-PR-060. The existing bank at this location will be razed and relocated within a new building. The applicant is seeking to temporarily relocate the bank to provide continuous service to their customers during the interim period. Once the future site is constructed, this drive through bank will be eliminated.

**Waivers and Modifications:**

A modification of the Loading Space Requirement is requested per Sect. 11-202 of the Zoning Ordinance to reduce the required number of loading spaces from two to one.

A waiver of the open space requirement for the C-2 District from the required 30% to a total of 25% as depicted on the GDP/SE Plat.

The applicant is also requesting a modification of transitional screening on the southern property line to that depicted on the GDP/SE plat.

## LOCATION AND CHARACTER

The 1.65 acre property is currently zoned C-5 and the site is occupied by a three story office building with 35,994 gross square feet of floor area. The site is generally bounded by Gallows Road to the north, George Washington Road to the northwest, and Madrillon Road to the southeast.

<b>SURROUNDING AREA DESCRIPTION</b>			
<b>Direction</b>	<b>Use</b>	<b>Zoning</b>	<b>Plan</b>
<b>North</b>	Office	C-3	Office
<b>South</b>	Single Family Attached (Colonies of Madrillon)	R-12	8-12 du/acre
<b>East</b>	Office/Business School	C-2	Office
<b>West</b>	Office	C-2	Office

## BACKGROUND

### Site History:

Structure Built: 1985

The subject property is not governed by any proffered condition, special permit, special exception or variance approvals. Site Plan #4954-SP-02-2 entitled "Courthouse Row 2," was approved on May 11, 1984 for a forty (40) foot tall office building containing 35,994 square feet of gross floor area with a Floor Area Ratio of 0.50 and a total of 132 parking spaces. Certificate of Completion #CC-087-89 was issued on June 5, 1989 to Courthouse Row 2.

At the time the property was developed, the maximum allowable FAR in the C-5 District was 0.50 and there was no limit on the maximum percentage of office use. A subsequent Zoning Ordinance amendment adopted on July 13, 1992 limited office use within the C-5 zoning district to a maximum of thirty percent (30%) and the FAR to a maximum of 0.30. The subject property is therefore a nonconforming office building under the C-5 zoning district. While the existing office building could continue in its existing non-conforming status, the addition of a special exception for the drive in bank requires that the office building be brought into compliance with the current Zoning Ordinance provisions thereby necessitating the request for rezoning to the C-2 District.

**COMPREHENSIVE PLAN PROVISIONS (Appendix 5)**

<b>Plan Area:</b>	Area II, Tysons Corner Urban Center
<b>Planning Sector:</b>	Land Unit E2
<b>Plan Map:</b>	Office
<b>Plan Text:</b>	

On page 94 in the Area II text, in the Tysons Corner Urban Area LAND UNIT RECOMMENDATIONS, Land Use Recommendations, the 2000 Comprehensive Plan states:

**“SUB-UNIT E-2**

Sub-unit E-2 is planned for and developed with office use up to .50 FAR. Development should have a low-rise scale and character that provides a transition and is compatible with adjacent neighborhoods. All development proposals should provide for pedestrian circulation (sidewalks and/or trails), streetscape and other urban design amenities to create an attractive and pedestrian-oriented area.”

On page 56 in the Area II text, in the Tysons Corner Urban Area URBAN DESIGN section, Guidelines for Areas Outside the Core, the 2000 Comprehensive Plan states:

**“Example of Non-Core Areas Streetscape Design Concept (See Illustration, Figure 15):**

- **Treatment of sidewalks with planting strip next to roadways:** For continuity, a minimum 4-foot sidewalk with 6-foot planting strip should be provided next to the road....
- **Street trees for the planting strip next to the sidewalk:** Major shade trees that can be walked under should be planted with spacing of 40 to 50 feet on center....”

On page 42 in the Area II text, in the Tysons Corner Urban Area, the URBAN DESIGN section, the Design Concept for Tysons Corner Urban Center subsection, the 2000 Comprehensive Plan states:

**“Pedestrian and Transit-Oriented Design . . .**

Good signage also contributes to good pedestrian-oriented design: signage within a development should be coordinated in terms of scale, design, color, materials, and placement in order to create a unified identity for the area. Signage should also be designed appropriately for its location and purpose, i.e., signs by the roadway to be read by motorists or signs along pedestrian paths or on a building should provide high legibility for individual businesses and corporations.”

**ANALYSIS****Generalized Development Plan and SE Plat**

Title of GDP and SE Plat:                      Rocks- 1960 Gallows Road  
Prepared By:                                      Dewberry and Davis LLC  
Original and Revision Dates:                September 7, 2001 and October 19, 2001

**Description of GDP/SE Plat (Copy at front of Staff Report)**

The combined GDP/SE Plat consists of two sheets. Sheet One depicts the existing office building and proposed improvements for the drive through lanes associated with the drive in bank, while Sheet Two depicts the existing office building with the revised parking layout following expiration of the proposed Special Exception.

The proposed Drive-In Bank will be located within the existing office building. Improvements include adding two drive through lanes with a drive through window to the east side of the existing office building. Stacking for a total of seven vehicles for each of the drive through lanes is provided. A drive up ATM is provided within the second drive through lane while a walk up ATM machine is depicted at the Northwest corner of the building.

Access to the site is provided from two existing entrance along Gallows Road. With the drive-in bank located on the east side of the building, circulation for the bank will occur in a clockwise direction.

Sheet One also provides the plan notes and tabulations for the proposed addition to the existing structure. The tabulations include a total of 107 parking spaces on site following development of the drive through bank where 130 are required. Since the applicant can not accommodate the required number of parking spaces on site, a portion of the office building will not be used while the bank is operating. The plan also depicts a total of twenty five percent (25%) open space on site where 30% is required. A waiver has been requested for the open space requirement.

Sheet Two depicts the site following removal of the drive through bank use. The plan shows a total of 130 parking spaces being provided in accordance with the parking requirements for office use under the Zoning Ordinance. The open space will remain at 25% upon the site being reverted back to an office building without the drive through bank.

**Transportation Analysis (Appendix 6)**

The Department of Transportation acknowledges that the proposed use on site is temporary. As such, DOT is not requesting right of way dedication or frontage improvements for the subject property.

**Issue:**

The applicant originally depicted 90 degree angle parking on site adjacent to the drive through bank area creating poor circulation for the travel lane between the proposed drive through bank area and the proposed parking spaces.

**Resolution:**

The applicant revised the GDP/SE Plat to depict forty five degree angle parking spaces with eighteen feet of area for the backing of vehicles. The revision creates a sufficient amount of circulation for the travel lane. By creating eighteen feet of backing area, this travel lane meets Public Facilities Manual requirements.

**Environmental Analysis (Appendix 4)**

There are no environmental issues associated with this application.

**Public Facilities Analysis****Fairfax County Park Authority (See Appendix 7)**

No issues were identified as a part of the Park Authority review of this project.

**Fire and Rescue (See Appendix 8)**

The property is served by the Fire and Rescue Department Station #13, Dunn Loring. The application property currently meets fire protection guidelines.

**Sanitary Sewer Analysis (See Appendix 9)**

The application property is located within the Difficult Run (D3) watershed, and would be sewerer into the Blue Plains Treatment Plant. There are no sanitary sewer issues associated with this request.

**Fairfax County Water Authority (See Appendix 10)**

The subject property is located within the Falls Church Service Area.

Utilities Planning and Design, DPWES (See Appendix 11)

No issues were identified as part of the Utilities Planning and Design Analysis.

**Land Use Analysis (Appendix 5)**

The applicant has requested approval to rezone the 1.65 acre subject property to the C-5 District to eliminate the nonconforming status of the existing office building relating to FAR. The property is currently zoned C-5 which permits a maximum FAR of up to 0.30. The FAR of the site is 0.50 which is the maximum permitted in the requested C-2 District. The applicant also is seeking a Category 5 Special Exception (SE) for a drive through bank. Under the proposed layout, the existing FAR of 0.50 does not increase with this application. The applicant is requesting this site to serve as a temporary location during construction of a future bank site on Leesburg Pike. Once the future site is constructed, this drive through bank will be eliminated. The proposed development conditions limit the Special Exception for a maximum period of three years from the date of approval, or until the Non-RUP is issued for the bank permitted under RZ 1999-PR-060, whichever occurs first. In no event shall the Special Exception extend beyond December 31, 2004. The proffers commit to removal of the facilities associated with the bank to be completed within 6 months of the expiration of the SE and restoration of the parking area in accordance with the layout shown on Sheet 2 of the GDP/SE Plat. As the application proposes to eliminate a nonconforming use and provide streetscaping improvements to the site, staff believes the application is consistent with the recommendations of the Comprehensive Plan. The complete Land Use Analysis, including Plan citations, is contained in Appendix 5.

**Issue:**

The applicant should install an additional tree along Gallows Road to enhance the existing streetscaping.

**Resolution:**

A single tree should be installed along the frontage of Gallows Road in order to provide a more coordinated pattern of streetscaping along the frontage of the site. The tree to be planted should not be within the line of sight for drivers entering and exiting the site. The size and species of the tree shall be as determined by DPWES in consultation with the Urban Forester. With the addition of a proposed development condition addressing this issue, this issue is considered resolved.

**ZONING ORDINANCE PROVISIONS (Appendix 12)**

<b>Bulk Standards (C-2)</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Minimum Lot Area	20,000 Sq. Ft.	71, 874 Sq. Ft. (1.65 Acres)
Maximum Building Height	40 Ft.	40 Ft.
FAR	0.50 Maximum	0.50
Lot Width	100 Ft.	203 Ft.
Front Yard	30 Degree Angle of Bulk Plane, but not less than 25 Ft.	66 Ft.
Side Yard	No Requirement	15 Ft.
Rear Yard	25 Ft.	161 Ft.

**Waiver of Loading Space (11-203)**

The applicant has requested a waiver of one of the loading spaces per Sect. 11-203. Sect. 11-203 requires the applicant to have two loading spaces on site. The applicant does not foresee a need to utilize both loading spaces on site, and allows additional parking to be provided. Staff does not object to the request for a waiver of the loading space.

**Modification of Transitional Screening (13-304)**

A modification of transitional screening is required per Sect. 13-301 of the Zoning Ordinance. Sect. 13-301 requires a thirty-five foot wide transitional screening yard and a type D, E, or F fence. The applicant is requesting a modification of transitional screening per Sect. 13-304 of the Ordinance which permits a 2/3 reduction of the transitional screening requirement with the construction of a seven-foot high brick wall. This modification was originally approved with the initial site plan approval for the site and staff supports the requested modification based on the existing seven foot wall.

**Overlay District Requirements****Sign Control (SC) (Sect. 7-500)**

The applicant has proposed a monument sign five feet in height with 33 square feet of sign area to be located on the northern entrance of the site along Gallows Road. The

maximum permitted ground sign area in the sign control overlay district is forty (40) square feet in an office park. The sign must also not be greater than twenty (20) feet in height. The proposed monument sign conforms to all sign control overlay requirements, and an elevation of the proposed sign is attached with Appendix 2A. A development condition has been drafted that limits the size of the monument sign to that depicted on the attached diagram. Additional signage proposed includes two building mounted signs and two directional signs. All signage associated with the drive in bank on the structure and on the subject property will be removed following the expiration of the special exception associated with this application. A development condition has been drafted to enforce the removal of all signage.

#### **Special Exception Standards (Appendix 12)**

##### **General Standards for all Special Exception Uses (Sect. 9-006)**

All General Special Exception standards as set forth in Sect. 9-006 have been satisfied.

#### **Summary of Zoning Ordinance Provisions**

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

Any conditions proposed or approved with **SE 01-P-034** must be in conformance with the executed proffers and approved GDP for **RZ 2001-PR-040**. In staff's analysis, the proposed special exception plat is in conformance with the conditions depicted on the proposed GDP and as prescribed by the proposed proffers for **RZ 2001-PR-040**.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Staff Conclusions**

The applicant is proposing two concurrent applications for review. **RZ 2001-PR-040** proposes to permit an office building with an overall FAR of 0.50, and **SE 01-P-034** proposes to permit a temporary drive in bank with a waiver of open space.

In Staff's opinion, both applications are in conformance with the applicable Zoning Ordinance provisions, and are in harmony with the Comprehensive Plan.

## **Recommendation**

Staff recommends that the Board of Supervisors approve **RZ 2001-PR-040** subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of a modification of the open space requirement.

Staff recommends that the Board of Supervisors approve **SE 01-P-034**, subject to the proposed development conditions contained in Appendix 2.

Staff recommends approval of a modification of the Loading Space requirement.

Staff recommends approval of a modification of the Transitional Screening requirement on the southern property line to that depicted on the SE Plat.

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

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

## **APPENDICES**

1. Draft Proffers
2. Draft Development Conditions
  - 2a. Diagram of Proposed On Site Signage
3. Affidavit
  - 3a. Rezoning Affidavit
  - 3b. Special Exception Affidavit
4. Statement of Justification
5. Plan Citations, Land Use and Environmental Analyses
6. Transportation Analysis
7. Park Authority Analysis
8. Fire and Rescue Analysis
9. Sanitary Sewer Analysis
10. Water Authority Analysis
11. Utilities Planning and Design, DPWES
12. Applicable Zoning Ordinance Provisions
13. Glossary

## PROFFERS

RZ 2001-PR-040  
ALLEN & ROCKS, INC.

November 8, 2001 ~~October 25, 2001~~

Pursuant to Section 15-2.2303A of the 1950 Code of Virginia, as amended, the undersigned applicant and owners, for themselves and their successors or assigns (hereinafter referred to as "Applicant"), hereby proffer the following conditions provided the Subject Property is rezoned to the C-2 District as proffered herein.

1. **Generalized Development Plan/Special Exception Plat.** Pursuant to Section 18-204, development shall be in substantial conformance with the Generalized Development Plan/Special Exception Plat ("GDP/SE") entitled "Rocks - 1960 Gallows Road," prepared by Dewberry & Davis and last dated September 24, 2001.
2. **Occupancy.** The Applicant shall limit the occupancy of the building to that amount of gross floor area that can be accommodated by the number of parking spaces that are provided on site in accordance with the provisions set forth in Article 11 of the Zoning Ordinance. No Non-Residential Use Permit shall be issued unless it is demonstrated that adequate parking, pursuant to the requirements of Article 11, is available.
3. The removal of all facilities relating to the drive through bank must be completed within six (6) months of the date of expiration of the Special Exception (SE 01-P-034). Removal of all facilities shall include the restriping and repaving of the disturbed areas of the parking lot, as shown on Sheet 2 of 2 of the GDP/SE, and the removal of all drive through ATMs, all signs pertaining to the Special Exception use and the conversion of the drive through window back to a standard window or to brick, as a part of the wall of the building.
4. **Counterparts.** These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original, and all of which taken together shall constitute but one and the same instrument.

[SIGNATURES ON THE FOLLOWING PAGE]

**APPLICANT**

**ALLEN & ROCKS, INC.**

By: \_\_\_\_\_  
S. Randall Cohen, Vice President

**CONTRACT PURCHASER OF TAX MAP 39-2 ((11))  
PARCELS 57-A AND 58-A**

**1960 GALLOWS ROAD LLC**

By: Allen & Rocks, Inc., Its Manager

By: \_\_\_\_\_  
Samuel A. Rocks, Vice President

**OWNER OF TAX MAP 39-2 ((11)) PARCELS 57-A AND 58-A  
8115 OLD COURTHOUSE ROAD L.P.**

By: NVCommercial Incorporated, General Partner

By: \_\_\_\_\_  
Peter H. Lunt, Executive Vice President

**PROPOSED DEVELOPMENT CONDITIONS**

**SE 01-P-034**

**November 15, 2001**

If it is the intent of the Board of Supervisors to approve SE 01-P-034 located at Tax Map 39-2 ((11)) 57A and 57B (1956 & 1960 Gallows Road) for use as a temporary drive-in bank pursuant to Sect. 9-501 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled Rocks-1960 Gallows Road, prepared by Dewberry and Davis and dated September 7, 2001 and revised through October 19, 2001, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. The removal of all facilities relating to the drive through bank must be completed within six months of the date of expiration of this Special Exception. Removal of all facilities shall include the restriping and repaving of the parking lot in accordance with the layout on sheet 2 of the GDP/SE Plat. The removal of all ATM's, and the conversion of the drive through window back to a standard window or brick must also be completed within six months of the date of expiration of the Special Exception.
5. Prior to issuance of a Non-RUP for the Drive-In Bank, a tree shall be planted as approved by DPWES in consultation with the Urban Forester along the frontage of Gallows Road to replace the tree now missing from the existing streetscaping along the frontage of the subject property between the existing sidewalk and Gallows Road. In addition, in order to improve pedestrian circulation adjacent to Gallows Road, tree pruning shall be performed on the application property's frontage with Gallows Road. Pruning shall be subject to review by the Urban Forester.

6. All signage shall be in substantial conformance with the attached diagram submitted with these development conditions and shall be in accordance with the provisions of Article 12 of the Zoning Ordinance. All signage associated with the drive through bank shall be removed upon the expiration of this special exception.
7. This Special Exception shall expire upon issuance of the Non-RUP for the bank approved in conjunction with RZ 1999-PR-060 or December 31, 2004, whichever occurs first. In no event shall this Special Exception extend beyond December 31, 2004.

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

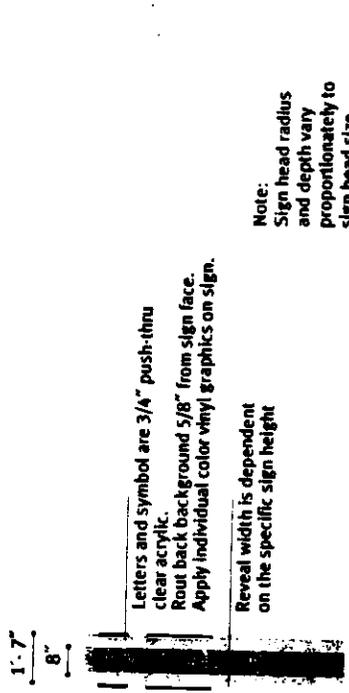
This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established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

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, 150 days after the date of approval unless the Non-Residential Use Permit (Non-RUP) for this special exception has been issued. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the Special Exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.



**Bank of America Sign System  
Monument Sign, Standard with Detail**

02.20.99

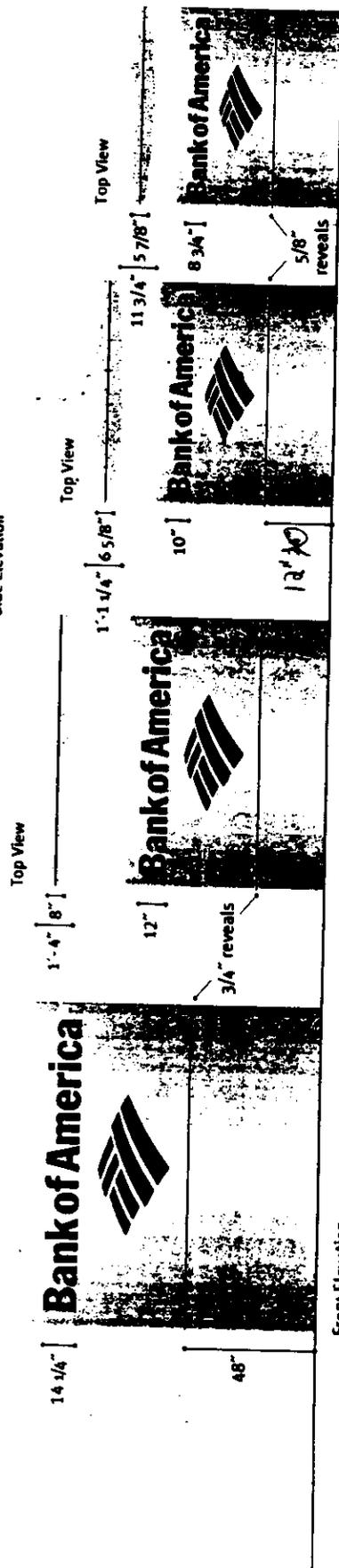


**Note:**  
Sign head radius and depth vary proportionately to sign head size.

Typical Side Elevation



Top View



Front Elevation

Sign Cabinet: Sign Type B4  
5'-9" x 11'-9 1/2"  
(67.8 sq. feet)

Sign Height:  
9'-9"

Scale: 1/4" = 1'-0"

Sign Cabinet: Sign Type B3  
4'-10" x 9'-11"  
(47.93 sq. feet)

Sign Height:  
6'-10"

Sign Cabinet: Sign Type B2  
4'-0 1/4" x 8'-3"  
(33.17 sq. feet)

Sign Height:  
~~6'-0"~~ 5'-0"

Sign Cabinet: Sign Type B1  
3'-6 3/8" x 7'-3"  
(25.375 sq. feet)

Sign Height:  
5'-6"

(Signs will have cladding sized 2' or 4' in height, depending on size.)





CLIENT  
SALES P.L.  
DESIGNER  
WORK ORDER

DAVID DRESIN  
DESIGNER  
Debra J. Davidson  
WORK ORDER

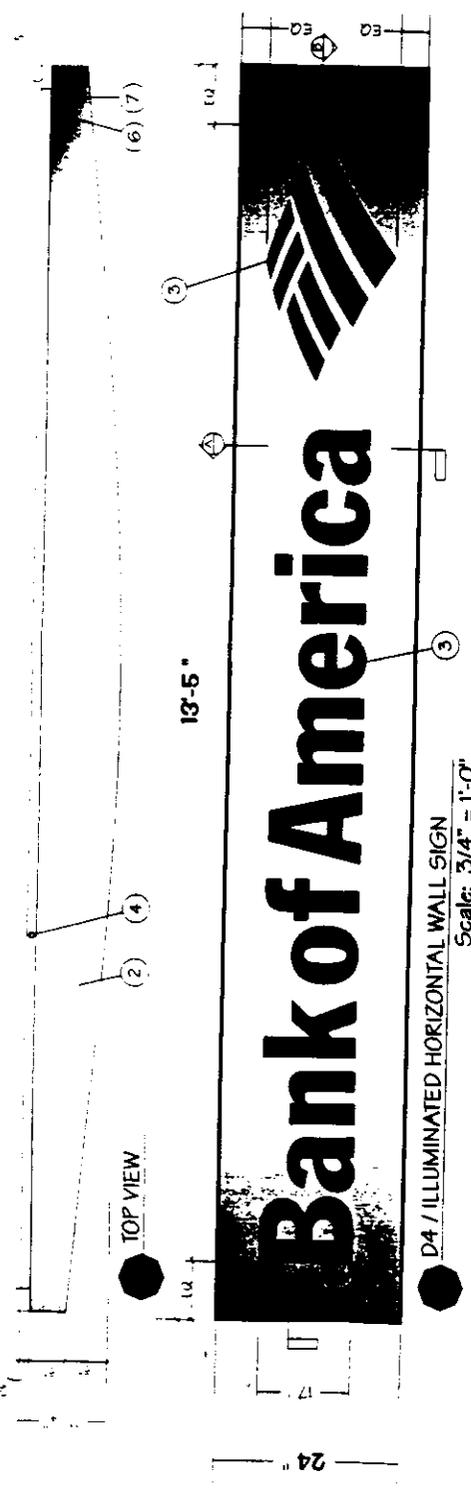
REVISIONS

NO.	BY	DATE
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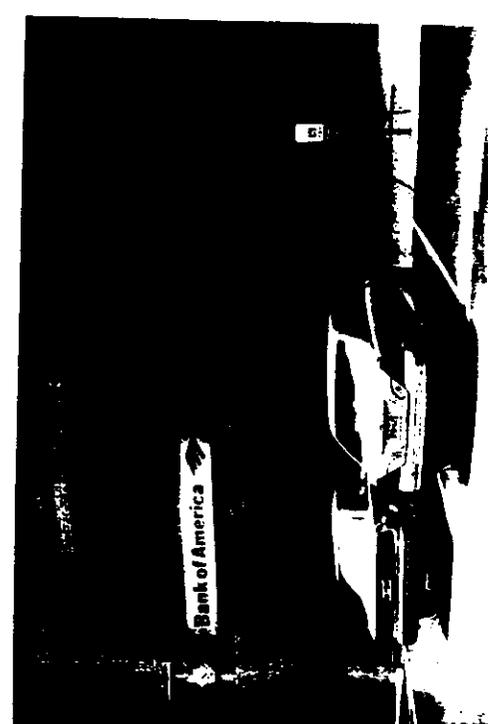
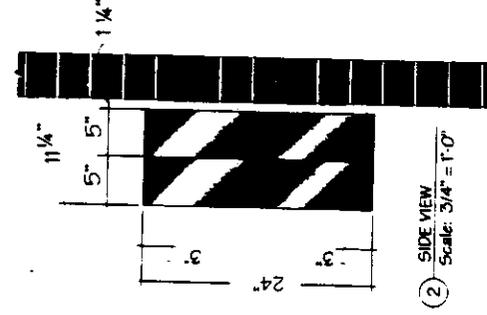
ISSUE DATE  
**10.18.01**  
APPROVED

Sales  
Estimating  
Production  
Project Mgr

FILE NAME  
**1858**  
PAGE  
**1**



D4 / ILLUMINATED HORIZONTAL WALL SIGN  
Scale: 3/4" = 1'-0"



ELEVATION OF BUILDING W/ PROPOSED SIGNAGE NTS

NOTES FOR PRODUCTION

- 125" ROUTED ALUM. SIGN FACE. ROLL TO RADIUS SHOWN. PAINTED FINISH CHAMPAGNE METALLIC. SEMI-GLOSS FINISH. WELD TO .125" ALUM. FILLER PIECES AT SIDES TOP AND BOTTOM.
- 125" ALUM. FILLER FORM AS SHOWN. PAINT FINISH CHAMPAGNE METALLIC. SEMI-GLOSS FINISH.
- .75" CLEAR ACRYLIC PUSH THRU LETTERS AND GRAPHIC. ROUT BACK BACKGROUND .625". FIRST SURFACE DECORATE LETTERS AND BLUE FIELD OF SYMBOL WITH BLUE FILM. FIRST SURFACE DECORATE "STRIPS" IN SYMBOL WITH RED FILM.
- 125" ALUM. FORM AS SHOWN. PAINT FINISH CHAMPAGNE METALLIC. GLOSS FINISH.
- SUPPLY SUPPORT ROD TO HOLD HINGED FACE OPEN DURING MAINTANCE.
- PLACE PRODUCT LABEL HERE. SEE SHEET PL-1 FOR DETAILS.
- U.L. APPROVED EMERGENCY CUT OFF SWITCH.

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**Bank of America Sign System  
Wall Mounted Sign, Special Horizontal Format with Detail**

02.20.99

Top View



Note: The radius has been increased for wall mounted cabinet signs.

Front Elevations



Sign Cabinet: 2'-6" x 16'-9" (41.875 sq. feet) Sign Type D5



Sign Cabinet: 2'-0" x 13'-5" (26.83 sq. feet) Sign Type D4



Sign Cabinet: 1'-6" x 10'-1" (15.125 sq. feet) Sign Type D3



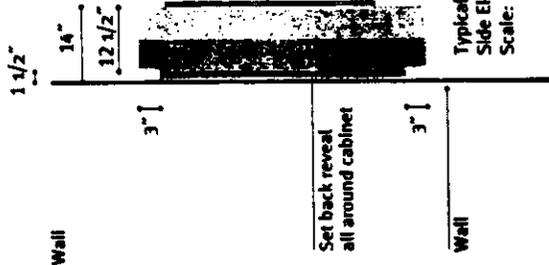
Sign Cabinet: 1'-3" x 8'-5" (10.52 sq. feet) Sign Type D2



Sign Cabinet: 1'-0" x 6'-8" (6.66 sq. feet) Sign Type D1

Scale: 3/8" = 1'-0"

Note:  
Sign head radius  
and depth vary  
proportionately to  
sign head size.

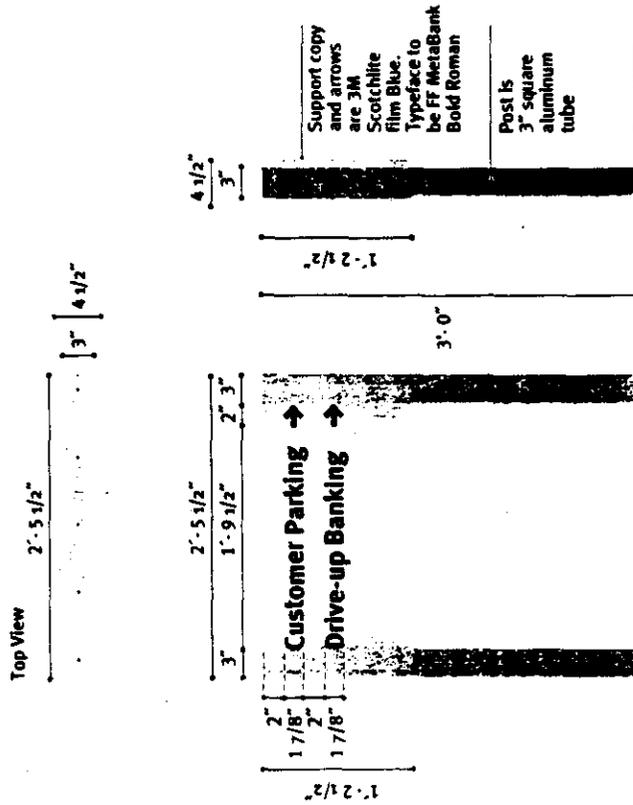


Typical  
Side Elevation  
Scale: 1/2" = 1'-0"

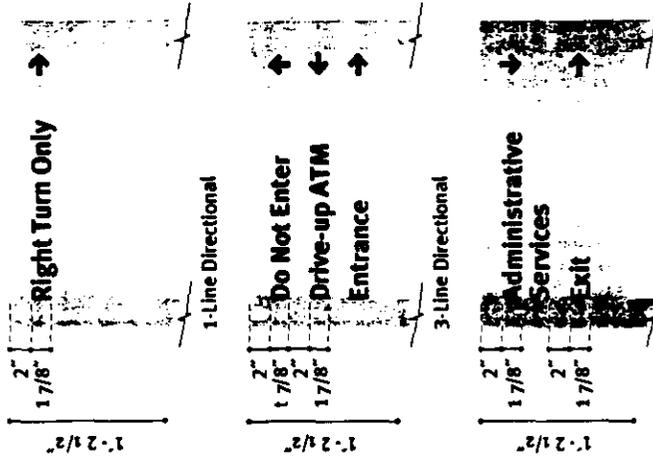


**Bank of America Sign System  
Directional Sign, Standard with Detail**

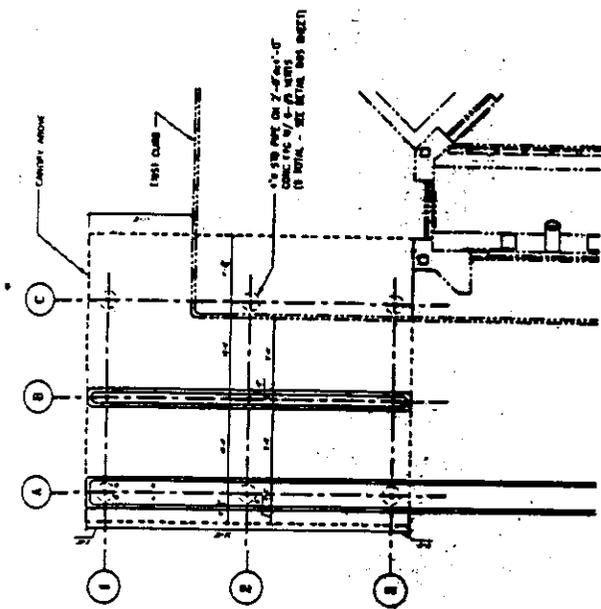
02.20.99



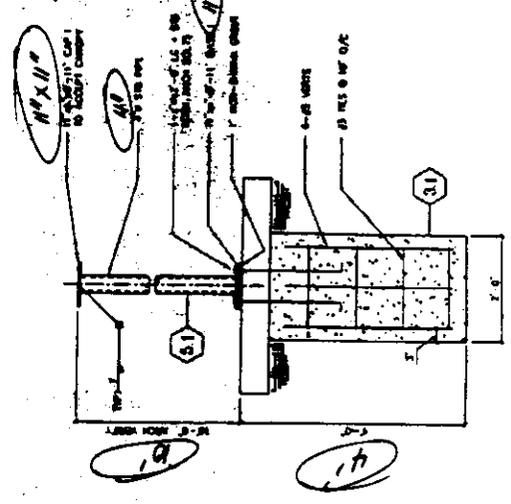
- **Customer Parking**
  - ← **Drive-up ATM**
  - **Drive-up Banking**
  - ← **Drive-up Teller**
  - ← **Left Turn Only**
  - **Right Turn Only**
  - ← **Entrance**
  - ← **Exit**
  - ← **Do Not Enter**
- Approved Legend Text



Running Line Directional  
 Support copy to be opaque 3M Film Blue.  
 Typeface to be FF MetaBank Bold Roman.

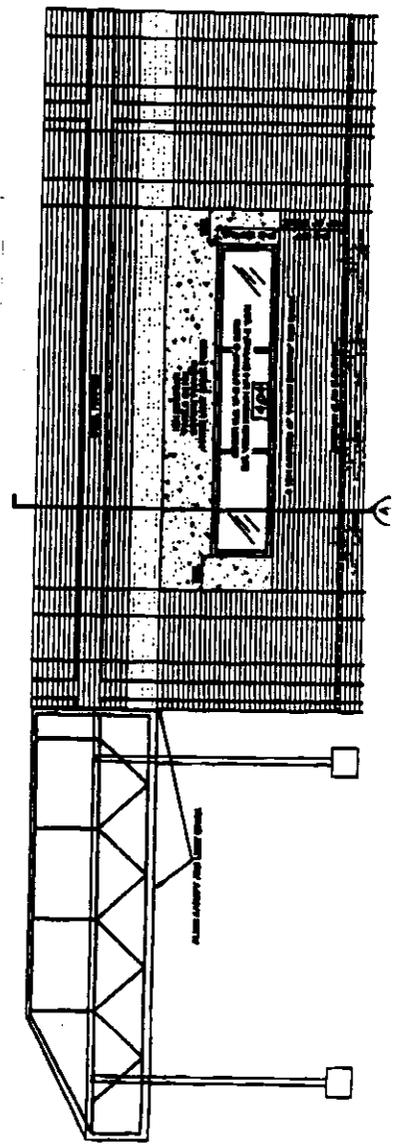
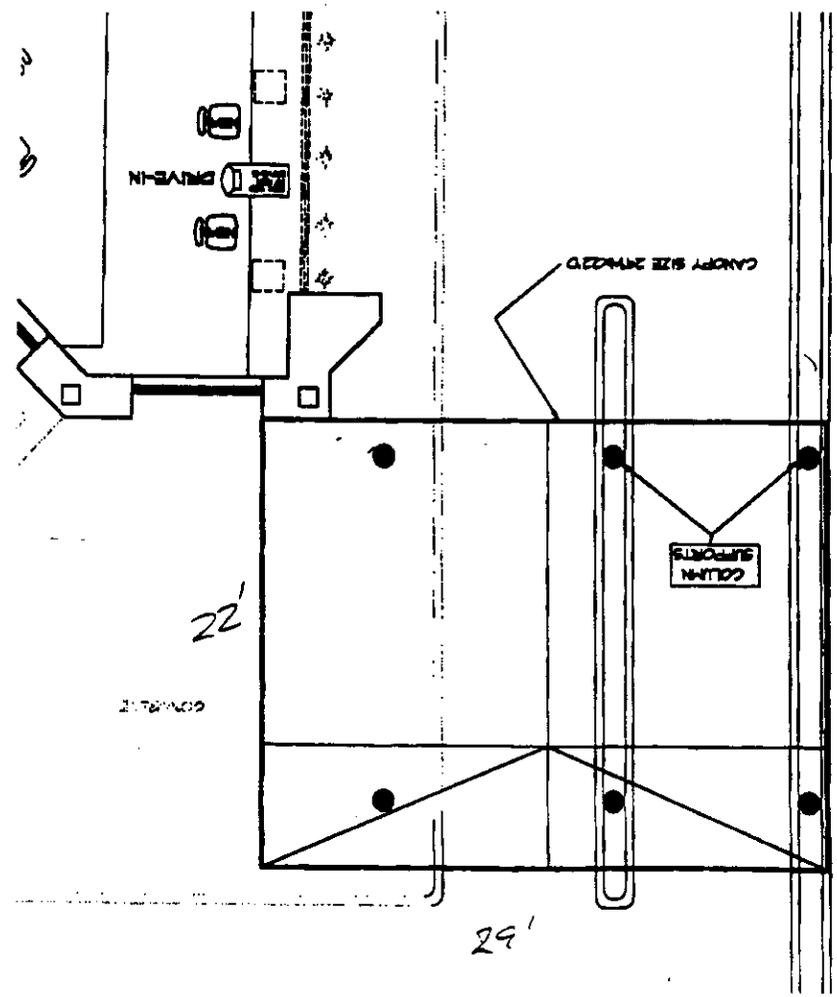


Canopy Foundation Plan  
N/S



A

TYP. COLUMN/BASE/FOOTING DETAIL





REZONING AFFIDAVIT

DEPARTMENT OF PLANNING AND ZONING  
JUL 23 2001

DATE: July 20, 2001  
(enter date affidavit is notarized)

I, Robert A. Lawrence, Esq., Agent, do hereby state that I am an  
(enter name of applicant or authorized agent)

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

in Application No(s): RZ 2001-PR-040 2001-137  
(enter County-assigned application number(s), e.g. RZ BR-V-001)

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

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

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

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Allen & Rocks, Inc. Agents: Samuel A. Rocks S. Randall Cohen	8027 Leesburg Pike. #600 Vienna, VA 22182	Applicant/Contract Purchaser/Lessee of Tax Map 39-2 ((11)) Parcels 57-A and 58-A
8115 Old Courthouse Road Limited Partnership Agent: Peter H. Lunt	c/o Metro Management 8230 Leesburg Pike. #500 Vienna, VA 22182	Owner of Tax Map 39-2 ((11)) Parcels 57-A and 58-A
Dewberry & Davis LLC Agent: Philip G. Yates	8401 Arlington Boulevard Fairfax, VA 22031	Engineers/Agents

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

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

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

Rezoning Attachment to Par. 1(a)

DATE: July 20, 2001  
(enter date affidavit is notarized)

2001-137

for Application No(s): RZ 2001-PR-040  
(enter County-assigned application number(s))

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

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD in Par. 1(a))
Bank of America, N.A. Agent: Richard E. Murrell	100 North Tryon Street Charlotte, NC 28255	Lessee of Tax Map 39-2 ((11)) Parcels 57-A & 58-A
NVCommercial Incorporated Agent: Peter H. Lunt	8230 Leesburg Pike, #500 Vienna, VA 22182	Lessor of Tax Map 39-2 ((11)) Parcels 57-A & 58-A
Insignia/ESG, Inc. Agent: William Prutting	8270 Greensboro Drive, #1000 McLean, VA 22102	Broker/Agent
Reed Smith LLP, dba Reed Smith Hazel & Thomas LLP Agents: Robert A. Lawrence Grayson P. Hanes Benjamin F. Tompkins Jo Anne S. Bitner	3110 Fairview Park Drive, #1400 Falls Church, VA 22042	Attorneys/Agents

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

REZONING AFFIDAVIT

DATE: July 20, 2001
(enter date affidavit is notarized)

For Application No(s): RZ 2001-PR-040 2001-137
(enter County-assigned application number(s))

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

(NOTE: Include sole proprietorships herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Allen & Rocks, Inc.
8027 Leesburg Pike, #600
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.

SHAREHOLDERS:

Samuel A. Rocks
Samuel A. Rocks and Nicholas P.H. Rocks. Trustees under Trust Agreement, dated dated 8/17/89 for the benefit of Robin R. Carlough
Nicholas P.H. Rocks and S. Randall Cohen. Trustees under Trust Agreement dated 8/24/93 for the benefit of Suzanne R. Gray
S. Randall Cohen, Trustee under Trust Agreement dated 5/1/95 for the benefit of Nicholas P.H. Rocks

OFFICERS & DIRECTORS

Nicholas P.H. Rocks - President
Samuel A. Rocks - Vice President/Secretary
Robin R. Carlough - Vice President
Suzanne R. Gray - Vice President
S. Randall Cohen - Vice President/General Counsel/Assistant Secretary
Roger T. Brusnahan - Vice President/ Controller/Assistant Secretary
David M. Thomas - Vice President/ Director of Property Management
Susan H. Gladwin - Assistant Vice President/Assistant Secretary

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

DATE: July 20, 2001  
(enter date affidavit is notarized)

2001-137

for Application No(s): RZ 2001-PR-040  
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)  
NYCommercial Incorporated  
8230 Leesburg Pike, #500  
Vienna, VA 22182

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

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)  
Peter H. Lunt  
Stephen M. Cumbie

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

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)  
Dewberry & Davis LLC  
8401 Arlington Boulevard  
Fairfax, VA 22031

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.

MEMBERS

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)  
The Dewberry Companies LC2  
Larry J. Keller  
Dennis M. Couture  
Steven A. Curtis

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

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

DATE: July 20, 2001  
(enter date affidavit is notarized)

2801-137

for Application No(s): 02 2001-PR-040  
(enter County-assigned application number(s))

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

The Dewberry Companies LC  
8401 Arlington Boulevard  
Fairfax, VA 22031

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.

MEMBERS:

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

<u>Sidney O. Dewberry</u>	<u>Thomas L. Dewberry</u>
<u>Barry K. Dewberry</u>	_____
<u>Karen S. Grand Pre</u>	_____
<u>Michael S. Dewberry</u>	_____

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

\_\_\_\_\_  
\_\_\_\_\_

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

Bank of America, N.A.  
100 N. Tryon Street  
Charlotte, NC 28255

DESCRIPTION OF CORPORATION: (check one statement)

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

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

PUBLICLY HELD STOCK  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

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

DATE: July 20, 2001  
(enter date affidavit is notarized)

for Application No(s): RZ 2001-PR-040  
(enter County-assigned application number(s))

2001-137

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)  
Insignia/ESG, Inc.  
8270 Greensboro Drive, #1000  
McLean, VA 22102

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

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)  
PUBLICLY TRADED ON THE NEW YORK STOCK EXCHANGE

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

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)  
Schar Holding Company  
1288 Ballantrae Farm Drive  
McLean, VA 22102

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

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

Dwight Schar  
Martha Schar  
Spencer Schar  
Stuart Schar

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

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

REZONING AFFIDAVIT

DATE: July 20, 2001  
(enter date affidavit is notarized)

for Application No(s): PZ 2001-PR-040  
(enter County-assigned application number(s))

2001-137

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

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)  
8115 Old Courthouse Road Limited Partnership  
c/o Metro Management  
8230 Leesburg Pike, #500, Vienna, VA 22182

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

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

GENERAL PARTNER:  
NYCommercial Incorporated<sup>1</sup>

LIMITED PARTNERS:  
Schar Holding Company<sup>3</sup>  
Stephen M. Cumbie  
William A. Moran  
Estate of Darian O. George<sup>4</sup>  
George E. Troendle  
Ronald S. Newlan  
William R. Rose  
Theodore J. Marcucilli  
B. William Warren  
James S. Risher  
Thomas P. Dungan, Jr.

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

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

DATE: July 20, 2001  
(enter date affidavit is notarized)

for Application No(s): PZ 2001-PR-040 2001-137  
(enter County-assigned application number(s))

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

Reed Smith LLP, dba Reed Smith Hazel & Thomas LLP  
3110 Fairview Park Drive, #1400  
Falls Church, VA 22042

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

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

**GENERAL PARTNERS:**

Aaronson, Joel P.  
Alfandary, Peter  
Allen, Thomas L.  
Auten, David C.  
Banzhaf, Michael A.  
Barry, Kevin R.  
Basinski, Anthony J.  
Begley, Sara A.  
Bentz, James W.  
Bernstein, Leonard A.  
Bevan, III, William  
Binis, Barbara R.  
Birnbbaum, Lloyd C.  
Boehner, Russell J.  
Bolden, A. Scott  
Bonessa, Dennis R.  
Booker, Daniel I.  
Bookman, Mark  
Borrowdale, Peter  
Brown, George  
Browne, Michael L.  
Burroughs, Jr., Benton  
Cameron, Douglas E.  
Carder, Elizabeth B.

Casey, Bernard J.  
Christian, Douglas Y.  
Christman, Bruce L.  
Clark, George R.  
Clark, Peter S.  
Cobetto, Jack B.  
Cohen, Frederick H.  
Coltman, Larry  
Condo, Kathy K.  
Connors, Eugene K.  
Convery, III, J. Ferd  
Cottingham, Robert B.  
Cramer, John McN.  
Cranston, Michael  
D'Agostino, L. James  
Dare, R. Mark  
Davis, Peter  
Demase, Lawrence A.  
DeNinno, David L.  
Dermody, Debra H.  
Dicello, Francis P.  
DiFiore, Gerard S.  
Dilling, Robert M.  
DiNome, John A.

Duman, Thomas J.  
Dumville, S. Miles  
Duronio, Carolyn D.  
Erickson, John R.  
Esser, Carl E.  
Evans, David C.  
Fagelson, Ian  
Fagelson, Karen C.  
First, Mark L.  
Fisher, Solomon  
Flatley, Lawrence E.  
Folk, Thomas R.  
Fontana, Mark A.  
Foster, Tim  
Fox, Thomas C.  
Frank, Ronald W.  
Fritton, Karl A.  
Gallagher, Jr., Daniel P.  
Gallatin, James P.  
Gentile, Jr., Pasquale D.  
Glanton, Richard H.  
Goldrosen, Donald N.  
Goldschmidt, Jr., John  
Golub, Daniel H.

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

DATE: July 20, 2001  
(enter date affidavit is notarized)

For Application No(s): RZ 2001 - PR - 040  
(enter County-assigned application number(s))

2001-137

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

Reed Smith LLP, dba Reed Smith Hazel & Thomas LLP  
3110 Fairview Park Drive, #1400  
Falls Church, VA 22042

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

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

GENERAL PARTNERS (cont'd)

Grady, Kelly A.  
Gross, Dodi Walker  
Gryko, Wit  
Guadagnino, Frank T.  
Haggerty, James R.  
Hanes, Grayson P.  
Harmon, John C.  
Hartman, Ronald G.  
Hatheway, Jr., Gordon  
Hayes, David  
Heard, David  
Heffler, Curt L.  
Heidelberg, Louis M.  
Hill, Robert J.  
Hitt, Leo N.  
Hoeg, III, A. Everett  
Hoffman, Robert B.  
Hofstetter, Jonathan  
Honigberg, Carol C.  
Horvitz, Selwyn A.  
Howell, Ben Burke  
Innamorato, Don A.  
Jones, Craig W.  
Jordan, Gregory B.

Katz, Carol S.  
Kauffman, Robert A.  
Kearney, James K.  
Keamey, Kerry A.  
Kiel, Gerald H.  
Kiernan, Peter J.  
King, Robert A.  
Klein, Murray, J.  
Kneeder, H Lane  
Kolaski, Kenneth M.  
Kosch, James A.  
Krebs-Markrich, Julia  
Kury, Franklin L.  
Lacy, D. Patrick  
Lasher, Lori L.  
Lawrence, Robert A.  
LeBlond, John F.  
LeDonne, Eugene  
Leech, Frederick C.  
Levin, Jonathan L.  
Lindley, Daniel F.  
Linge, H. Kennedy  
Loepere, Carol C.  
London, Alan E.

Lovett, Robert G.  
Lowenstein, Michael E.  
Luchini, Joseph S.  
Lynch, Michael C.  
Lyons, III, Stephen M.  
Mahone, Glenn R.  
Marger, Joseph M.  
Marks, Jan A.  
Marston, David W.  
Marston, Jr., Walter A.  
McAllister, David J.  
McGarrigle, Thomas J.  
McGough, Jr., W. Thomas  
McGuan, Kathleen H.  
McKenna, J. Frank  
McLaughlin, J. Sherman  
McNichol, Jr., William J.  
Mehfoud, Kathieen S.  
Melodia, Mark S.  
Metro, Joseph W.  
Miller, Edward  
Moorhouse, Richard L.  
Morris, Robert K.  
Munsch, Martha H.

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

DATE: July 20, 2001  
(enter date affidavit is notarized)

2001-137

For Application No(s): RZ 2001-PK-040  
(enter County-assigned application number(s))

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

Reed Smith LLP, dba Reed Smith Hazel & Thomas LLP  
3110 Fairview Park Drive, #1400  
Falls Church, VA 22042

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

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

GENERAL PARTNERS (cont'd)

Myers, Donald J.  
Napolitano, Perry A.  
Naugle, Louis A.  
Nicholas, Robert A.  
Nogay, Arlie R.  
Peck, Jr., Daniel F.  
Perfido, Ruth S.  
Picco, Steven J.  
Plevy, Arthur L.  
Pollack, Michael B.  
Post, Peter D.  
Preston, Thomas P.  
Prorok, Robert F.  
Quinn, John E.  
Radley, Lawrence  
Railton, W. Scott  
Reed, W. Franklin  
Reichner, Henry F.  
Restivo, Jr., James J.  
Richter, Stephen William  
Rieser, Jr., Joseph A.  
Rissetto, Christopher L.  
Ritchey, Patrick W.  
Robinson, William M.

Rosenthal, Jeffrey M.  
Rudolf, Joseph C.  
Sabourin, Jr., John J.  
Sachse, Kimberly L.  
Schaffer, Eric A.  
Schatz, Gordon B.  
Scheineson, Marc J.  
Scott, Michael T.  
Sedlack, Joseph M.  
Seifert, E.W.  
Short, Carolyn P.  
Shurlow, Nancy J.  
Simons, Robert P.  
Singer, Paul M.  
Smith, III, John F.  
Smith, William J.  
Sneirson, Marilyn  
Snyder, Michael A.  
Spaulding, Douglas K.  
Speed, Nick  
Stewart, II, George L.  
Stoner, II, Edward N.  
Stroyd, Jr., Arthur H.  
Swayze, David S.

Sweeney, Patrick E.  
Tabachnick, Gene A.  
Thallner, Jr., Karl A.  
Thomas, William G.  
Tillman, Eugene  
Todd, Thomas  
Tompkins, Benjamin F.  
Trevelise, Andrew J.  
Trice, II, Harley N.  
Tucci, Peter J.  
Ummer, James W.  
Unkovic, John C.  
Vitsas, John L.  
Walters, Christopher K.  
Whitman, Bradford F.  
Wickowski, M. Stephanie  
Wilson, Stephanie  
Winter, Nelson W.  
Wood, John M.  
Young, Jonathan  
Zimmerman, Scott F.

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

DATE: July 20, 2001  
(enter date affidavit is notarized)

For Application No(s): 162 2001-PR-040  
(enter County-assigned application number(s))

2001-137

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)  
Estate of Darian O. George  
10 Hall Court  
Potomac, MD 20854

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

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

HEIRS:  
Le George  
Eric George  
Nicole George

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



SPECIAL EXCEPTION AFFIDAVIT

DATE: July 20, 2001  
(enter date affidavit is notarized)

I, Robert A. Lawrence, Esq., Agent, do hereby state that I am an  
(enter name of applicant or authorized agent)

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

2001-136

in Application No(s): SC01-P-034  
(enter County-assigned application number(s), e.g. SE 88-V-001)

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

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

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

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Allen & Rocks, Inc. Agents: Samuel A. Rocks S. Randall Cohen	8027 Leesburg Pike, #600 Vienna, VA 22182	Applicant/Contract Purchaser/Lessee of Tax Map 39-2 ((11)) Parcels 57-A and 58-A
8115 Old Courthouse Road Limited Partnership Agent: Peter H. Lunt	c/o Metro Management 8230 Leesburg Pike, #500 Vienna, VA 22182	Owner of Tax Map 39-2 ((11)) Parcels 57-A and 58-A
Dewberry & Davis LLC Agent: Philip G. Yates	8401 Arlington Boulevard Fairfax, VA 22031	Engineers/Agents

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

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

Special Exception Attachment to Form 1(a)

DATE: July 20, 2001  
 (enter date affidavit is notarized)

For Application No(s): SE01-P-034 2001-136  
 (enter County-assigned application number(s))

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

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD in Part 1(a))
Bank of America, N.A. Agent: Richard E. Murrell	100 North Tryon Street Charlotte, NC 28255	<b>Lessee of Tax Map 39-2</b> <b>((11)) Parcels 57-A &amp; 58-A</b>
NVCommercial Incorporated Agent: Peter H. Lunt	8230 Leesburg Pike, #500 Vienna, VA 22182	<b>Lessor of Tax Map 39-2</b> <b>((11)) Parcels 57-A &amp; 58-A</b>
Insignia/ESG, Inc. Agent: William Prutting	8270 Greensboro Drive, #1000 McLean, VA 22102	<b>Broker/Agent</b>
Reed Smith LLP, dba Reed Smith Hazel & Thomas LLP Agents: Robert A. Lawrence Grayson P. Hanes Benjamin F. Tompkins Jo Anne S. Bitner	3110 Fairview Park Drive, #1400 Falls Church, VA 22042	<b>Attorneys/Agents</b>

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

DATE: July 20, 2001  
(enter date affidavit is notarized)

for Application No(s): 801-P-034 2001-136  
(enter County-assigned application number(s))

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

(NOTE: Include sole proprietorships herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)  
Allen & Rocks, Inc.  
8027 Leesburg Pike, #600  
Vienna, VA 22182

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Samuel A. Rocks  
Samuel A. Rocks and Nicholas P.H. Rocks.  
Trustees under Trust Agreement, dated  
dated 8/17/89 for the benefit of Robin R.  
Carlough

Nicholas P.H. Rocks and S. Randall Cohen,  
Trustees under Trust Agreement dated  
8/24/93 for the benefit of Suzanne R. Gray  
S. Randall Cohen, Trustee under Trust  
Agreement dated 5/1/95 for the benefit  
of Nicholas P.H. Rocks

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

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

DATE: July 20, 2001  
(enter date affidavit is notarized)

For Application No(s): SE01-P-03X 2001-136  
(enter County-assigned application number(s))

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

NYCommercial Incorporated  
8230 Leesburg Pike, #500  
Vienna, VA 22180

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Peter H. Lunt  
Stephen M. Cumbie

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

Dewberry & Davis LLC  
8401 Arlington Boulevard  
Fairfax, VA 22031

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.

**MEMBERS:**

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

The Dewberry Companies LC<sup>2</sup>  
Larry J. Keller  
Dennis M. Couture  
Steven A. Curtis

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

Date July 20, 2001 (enter date affidavit is notarized)

for Application No(s): SE 01-P-034 (enter County-assigned application number(s))

2001-136

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
2 The Dewberry Companies LC
8401 Arlington Boulevard
Fairfax, VA 22031

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.

MEMBERS:

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)
Sidney O. Dewberry
Barry K. Dewberry
Karen S. Grand Pre
Michael S. Dewberry
Thomas L. Dewberry

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Bank of America, N.A.
100 N. Tryon Street
Charlotte, NC 28255

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

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

Publicly held stock

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

DATE: July 20, 2001  
(enter date affidavit is notarized)

For Application No(s): SE 01-P-034 2001-136  
(enter County-assigned application number(s))

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

Insignia/ESG, Inc.  
8270 Greensboro Drive, #1000  
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

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

**PUBLICLY TRADED ON THE NEW YORK STOCK EXCHANGE**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Schar Holding Company  
1288 Ballantrae Farm Drive  
McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Dwight Schar  
Martha Schar  
Spencer Schar  
Stuart Schar  
\_\_\_\_\_  
\_\_\_\_\_

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

DATE: July 20, 2001  
(enter date affidavit is notarized)

for Application No(s): 56 d-P-034 2001-136  
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

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

8115 Old Courthouse Road Limited Partnership  
c/o Metro Management  
8230 Leesburg Pike, #500, Vienna, VA 22182

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

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

GENERAL PARTNER:  
NVCommercial Incorporated<sup>1</sup>

LIMITED PARTNERS:  
Schar Holding Company<sup>3</sup>  
Stephen M. Cumbie  
William A. Moran  
Estate of Darian O. George<sup>4</sup>  
George E. Troendle  
Ronald S. Newlan  
William R. Rose  
Theodore J. Marcucilli  
B. William Warren  
James S. Risher  
Thomas P. Dungan, Jr.

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

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

DATE: July 20, 2001  
(enter date affidavit is notarized)

for Application No(s): 8E 01-P-034 2001-136  
(enter County-assigned application number(s))

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

Reed Smith LLP, dba Reed Smith Hazel & Thomas LLP  
3110 Fairview Park Drive, #1400  
Falls Church, VA 22042

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

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

**GENERAL PARTNERS:**

Aaronson, Joel P.  
Alfandary, Peter  
Allen, Thomas L.  
Auten, David C.  
Banzhaf, Michael A.  
Barry, Kevin R.  
Basinski, Anthony J.  
Begley, Sara A.  
Bentz, James W.  
Bernstein, Leonard A.  
Bevan, III, William  
Binis, Barbara R.  
Birnbaum, Lloyd C.  
Boehner, Russell J.  
Bolden, A. Scott  
Bonessa, Dennis R.  
Booker, Daniel I.  
Bookman, Mark  
Borrowdale, Peter  
Brown, George  
Browne, Michael L.  
Burroughs, Jr., Benton  
Cameron, Douglas E.  
Carder, Elizabeth B.

Casey, Bernard J.  
Christian, Douglas Y.  
Christman, Bruce L.  
Clark, George R.  
Clark, Peter S.  
Cobetto, Jack B.  
Colen, Frederick H.  
Coltman, Larry  
Condo, Kathy K.  
Connors, Eugene K.  
Convery, III, J. Ferd  
Cottingham, Robert B.  
Cramer, John McN.  
Cranston, Michael  
D'Agostino, L. James  
Dare, R. Mark  
Davis, Peter  
Demase, Lawrence A.  
DeNinno, David L.  
Demody, Debra H.  
Dicello, Francis P.  
DiFiore, Gerard S.  
Dilling, Robert M.  
DiNome, John A.

Durnan, Thomas J.  
Dumville, S. Miles  
Duronio, Carolyn D.  
Erickson, John R.  
Esser, Carl E.  
Evans, David C.  
Fagelson, Ian  
Fagelson, Karen C.  
First, Mark L.  
Fisher, Solomon  
Flatley, Lawrence E.  
Folk, Thomas R.  
Fontana, Mark A.  
Foster, Tim  
Fox, Thomas C.  
Frank, Ronald W.  
Fritton, Karl A.  
Gallagher, Jr., Daniel P.  
Gallatin, James P.  
Gentile, Jr., Pasquale D.  
Glanton, Richard H.  
Goldrosen, Donald N.  
Goldschmidt, Jr., John  
Golub, Daniel H.

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

DA.

July 20, 2001

(enter date affidavit is notarized)

for Application No(s):

SE 01-P-03Y

2001-136

(enter County-assigned application number(s))

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

Reed Smith LLP, dba Reed Smith Hazel & Thomas LLP
3110 Fairview Park Drive, #1400
Falls Church, VA 22042

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

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

GENERAL PARTNERS (cont'd)

- Grady, Kelly A.
Gross, Dodi Walker
Gryko, Wit
Guadagnino, Frank T.
Haggerty, James R.
Hanes, Grayson P.
Harmon, John C.
Hartman, Ronald G.
Hatheway, Jr., Gordon
Hayes, David
Heard, David
Heffler, Curt L.
Heidelberger, Louis M.
Hill, Robert J.
Hitt, Leo N.
Hoeg, III, A. Everett
Hoffman, Robert B.
Hofstetter, Jonathan
Honigberg, Carol C.
Horvitz, Selwyn A.
Howell, Ben Burke
Innamorato, Don A.
Jones, Craig W.
Jordan, Gregory B.
Katz, Carol S.
Kauffman, Robert A.
Kearney, James K.
Keamey, Kerry A.
Kiel, Gerald H.
Kiernan, Peter J.
King, Robert A.
Klein, Murray, J.
Kneeder, H. Lane
Kolaski, Kenneth M.
Kosch, James A.
Krebs-Markrich, Julia
Kury, Franklin L.
Lacy, D. Patrick
Lasher, Lori L.
Lawrence, Robert A.
LeBlond, John F.
LeDonne, Eugene
Leech, Frederick C.
Levin, Jonathan L.
Lindley, Daniel F.
Linge, H. Kennedy
Loepere, Carol C.
London, Alan E.
Lovett, Robert G.
Lowenstein, Michael E.
Luchini, Joseph S.
Lynch, Michael C.
Lyons, III, Stephen M.
Mahone, Glenn R.
Marger, Joseph M.
Marks, Jan A.
Marston, David W.
Marston, Jr., Walter A.
McAllister, David J.
McGarrigle, Thomas J.
McGough, Jr., W. Thomas
McGuan, Kathleen H.
McKenna, J. Frank
McLaughlin, J. Sherman
McNichol, Jr., William J.
Mehfoud, Kathleen S.
Melodia, Mark S.
Metro, Joseph W.
Miller, Edward
Moorhouse, Richard L.
Morris, Robert K.
Munsch, Martha H.

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

DATE: July 20, 2001  
(enter date affidavit is notarized)

For Application No(s): SE 01-0-034 2001-136  
(enter County-assigned application number(s))

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

Reed Smith LLP, dba Reed Smith Hazel & Thomas LLP  
3110 Fairview Park Drive, #1400  
Falls Church, VA 22042

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

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

**GENERAL PARTNERS (cont'd)**

Myers, Donald J.  
Napolitano, Perry A.  
Naugle, Louis A.  
Nicholas, Robert A.  
Nogay, Arie R.  
Peck, Jr., Daniel F.  
Perfido, Ruth S.  
Picco, Steven J.  
Pievy, Arthur L.  
Pollack, Michael B.  
Post, Peter D.  
Preston, Thomas P.  
Prorok, Robert F.  
Quinn, John E.  
Radley, Lawrence  
Railton, W. Scott  
Reed, W. Franklin  
Reichner, Henry F.  
Restivo, Jr., James J.  
Richter, Stephen William  
Rieser, Jr., Joseph A.  
Risetto, Christopher L.  
Ritchey, Patrick W.  
Robinson, William M.

Rosenthal, Jeffrey M.  
Rudolf, Joseph C.  
Sabourin, Jr., John J.  
Sachse, Kimberly L.  
Schaffer, Eric A.  
Schatz, Gordon B.  
Scheineson, Marc J.  
Scott, Michael T.  
Sedlack, Joseph M.  
Seifert, E.W.  
Short, Carolyn P.  
Shurlow, Nancy J.  
Simons, Robert P.  
Singer, Paul M.  
Smith, III, John F.  
Smith, William J.  
Sneirson, Marilyn  
Snyder, Michael A.  
Spaulding, Douglas K.  
Speed, Nick  
Stewart, II, George L.  
Stoner, II, Edward N.  
Stroyd, Jr., Arthur H.  
Swayze, David S.

Sweeney, Patrick E.  
Tabachnick, Gene A.  
Thallner, Jr., Karl A.  
Thomas, William G.  
Tillman, Eugene  
Todd, Thomas  
Tompkins, Benjamin F.  
Trevelise, Andrew J.  
Trice, II, Harley N.  
Tucci, Peter J.  
Ummer, James W.  
Unkovic, John C.  
Vitsas, John L.  
Walters, Christopher K.  
Whitman, Bradford F.  
Wickouski, M. Stephanie  
Wilson, Stephanie  
Winter, Nelson W.  
Wood, John M.  
Young, Jonathan  
Zimmerman, Scott F.

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

DA

July 20, 2001

(enter date affidavit is notarized)

for Application No(s):

SE 01-P-034

2001-136

(enter County-assigned application number(s))

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

Estate of Darian O. George

10 Hall Court

Potomac, MD 20854

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

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

HEIRS:

Le George

Eric George

Nicole George

(check if applicable)

There is more partnership information and Par. 1(c) is continued further on a "Special Exception Attachment to Par. 1(c)" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 20, 2001 (date affidavit is notarized)

for Application No(s): SE 01-P-034 2001-136 (enter County-assigned application number(s))

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

None

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

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

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

Dewberry & Davis LLC donated in excess of \$200 to Connolly for Supervisor

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

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

WITNESS the following signature:

Signature of Robert A. Lawrence, Esq. (Check one) [ ] Applicant [X] Applicant's Authorized Agent

Robert A. Lawrence, Esq., Agent

(type or print first name, middle initial, last name & title of signee)

Subscribed and sworn to before me this 20th day of July, 2001, in the State/Comm. of Virginia, County/City of Fairfax

Signature of Notary Public, Paula L. Statham

My commission expires: March 31, 2003

September 21, 2001

**STATEMENT OF JUSTIFICATION  
RZ 2001-PR-040  
SE 01-P-034**

**ALLEN & ROCKS, INC.  
TAX MAP 39-2 ((11)) PARCELS 57-A AND 58-A**

The primary purpose of the Special Exception application is to permit a drive-in bank on this site for a temporary period. The proposed drive-in bank relates to a rezoning, RZ 1999-PR-060, on a nearby property that was approved by the Board of Supervisors on November 20, 2000. That rezoning involved an assemblage of parcels near the intersection of Old Gallows Road and Route 7 (the "Route 7 Site"). One of the parcels in that assemblage currently contains a small, free-standing drive-in bank. The proffered plan calls for this drive-in bank building to be razed, and the bank to be relocated within a new mid-rise building that is to be constructed on the Route 7 Site.

This Special Exception is required to provide a temporary location for the bank to ensure that the bank's operations are not interrupted during the period of the redevelopment of the Route 7 Site. Without the approval of a temporary location for the bank, the redevelopment of the Route 7 Site cannot go forward. Upon approval, the temporary drive-in banking facility operations will continue on the Subject Property until the new bank facility is completed on the Route 7 Site. When the non-residential use permit is issued for the new drive-in bank on the Route 7 Site, the operations of the drive-in bank on the Subject Property will terminate, the drive-through lanes will be removed, and the parking restriped to accommodate the uses on the Subject Property.

The rezoning application to the C-2 District is designed to eliminate a nonconforming Floor Area Ratio ("FAR"). Under the proposed Generalized Development Plan/Special Exception Plat, the gross floor area of the existing building will not be increased; it remains at .50 FAR. However, the Subject Property is no longer in conformance with the C-5 District FAR requirements because of an amendment to the Zoning Ordinance that occurred after the building was constructed. This ordinance amendment reduced the amount of FAR permitted in the C-5 District to .30.

The Subject Property is located in Sub-Unit E2 of Land Unit E of the Tyson's Corner Urban Center. Land Unit E forms the Old Courthouse Road edge which is part of the Tyson's Corner southern boundary. Sub-Unit E2 specifically calls for development of office uses up to a .50 FAR. The Comprehensive Plan recommends low-rise offices in this sub-unit to provide a transition in scale and intensity from the mid-rise and high-rise commercial development along Route 7 to adjacent single family neighborhoods to the south. The Subject Property is developed

as a low-rise office building in conformance with this Plan. Rezoning the C-2 District will simply recognize the existing office use at a .50 FAR, which is in accordance with the Comprehensive Plan. It will also bring the existing office buildings' .50 FAR into conformance with the FAR requirements of the applicable Zoning Ordinance.

*Robert A. Lawrence*

Robert A. Lawrence, Esq., Agent

Date: 9/21/01

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

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

**SUBJECT:** **LAND USE and ENVIRONMENTAL ANALYSIS: RZ 2001-PR-040**  
(Allen & Rocks) **SE 01-P-034**

**DATE:** 19 October 2001

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

**DESCRIPTION OF THE APPLICATION:**

<i>Date of Development Plan</i>	September 24, 2001
<i>Request</i>	Interim drive through bank
<i>Land Area</i>	1.65 acres

**CHARACTER and PLANNED USE OF THE ADJACENT AREA:**

The site is located on Gallows Road where the land fronting the south side of Old Courthouse Road is planned for medium intensity office use. There is some hotel and ancillary retail use scattered throughout the office development. There is single-family attached residential use south of the site.

**COMPREHENSIVE PLAN CITATIONS AND ANALYSIS:**

**Plan Text:**

On page 94 in the Area II text, in the Tysons Corner Urban Area LAND UNIT RECOMMENDATIONS, Land Use Recommendations, the 2000 Comprehensive Plan states:

**“SUB-UNIT E-2**

Sub-unit E-2 is planned for and developed with office use up to .50 FAR. Development should have a low-rise scale and character that provides a transition and is compatible with

adjacent neighborhoods. All development proposals should provide for pedestrian circulation (sidewalks and/or trails), streetscape and other urban design amenities to create an attractive and pedestrian-oriented area.”

On page 56 in the Area II text, in the Tysons Comer Urban Area URBAN DESIGN section, Guidelines for Areas Outside the Core, the 2000 Comprehensive Plan states:

“Example of Non-Core Areas Streetscape Design Concept (See Illustration, Figure 15):

- Treatment of sidewalks with planting strip next to roadways: For continuity, a minimum 4-foot sidewalk with 6-foot planting strip should be provided next to the road....
- Street trees for the planting strip next to the sidewalk: Major shade trees that can be walked under should be planted with spacing of 40 to 50 feet on center....”

On page 42 in the Area II text, in the Tysons Comer Urban Area, the URBAN DESIGN section, the Design Concept for Tysons Corner Urban Center subsection, the 2000 Comprehensive Plan states:

“Pedestrian and Transit-Oriented Design . . .

Good signage also contributes to good pedestrian-oriented design: signage within a development should be coordinated in terms of scale, design, color, materials, and placement in order to create a unified identity for the area. Signage should also be designed appropriately for its location and purpose, i.e., signs by the roadway to be read by motorists or signs along pedestrian paths or on a building should provide high legibility for individual businesses and corporations.”

**Plan Map:**

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

**Land Use Analysis:**

This is a temporary use with minimal exterior modifications. Therefore, there is no need to change the elements of the current streetscaping treatment. However, it is suggested that the applicant replace the missing tree and prune the lower branches of the existing trees (and keep them pruned) so that pedestrians can use the sidewalk.

A complete description of the signage should be provided. This includes the location, colors, materials, type and dimensions. The Department of Transportation will determine if the proposed circulation is adequate.

**Environmental Analysis:**

There are no environmental issues.

Barbara A. Byron  
RZ 2001-PR-040  
SE 01-P-034  
Page 3

**Trails:**

A trail is shown on the Countywide Trail Plan map along the frontage of this property. The Director of DPWES will determine the trail requirements for this use at the time of site plan review.

BGD: SEM

COMMONWEALTH OF VIRGINIA  
COUNTY OF FAIRFAX

February 19, 1985



Telephone (703) 691-2402

WV#7484

Karen Hoovler  
Dewberry and Davis  
8401 Arlington Boulevard  
Fairfax, Virginia 22031

Re: Courthouse Row 2 and 3; Tax Map 39-2-001-55A, 55B, 56A and 56B;  
Providence District

Your request to modify the transitional screening and barrier requirements on the referenced plan has been approved. This approval has been given under the provisions of paragraph 2, Section 13-111 of the Zoning Ordinance of Fairfax County, and is conditioned upon:

- 1) An approved landscape plan to be included in the site plan.
- 2) That this request is consistent with rezoning 83-P-060.
- 3) That architectural facades consistent with those provided in the staff report for 83-P-060 be made a part of the site plan.
- 4) That all trees planted be a minimum of 6 feet in height.
- 5) That the applicant obtain concurrence from the abutting property owners to the rear.

Should you have any questions or require additional information, please contact Philip Garman, 691-2402.

Sincerely,

A handwritten signature in cursive script, appearing to read "Oscar S. Hendrickson".

Oscar S. Hendrickson, Chief  
Site Review Branch  
Division of Design Review  
Department of Environmental Management  
The Fairfax Building, 6th Floor  
10555 Main Street  
Fairfax, Virginia 22030

OSH/Pg/pe  
747/54

cc: Plan Control Section  
Central Files

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

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

**FILE:** 3- 4 (RZ 2001-PR-040)  
(Concurrent with SE 01-P-034)

**SUBJECT:** Transportation Impact

**REFERENCE:** RZ 2001-PR-040, SE 01-P-034; Allen & Rocks, Inc.  
Traffic Zone: 1541  
Land Identification Map: 39-2 ((11)) 58-A, 57-A

**DATE:** October 31, 2001

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the development plan dated September 7, 2001.

This application is a request to rezone 1.65 acres from the C-5 district to the C-2 and SC district and to establish the subject site as a "temporary use", for use as an office and bank with drive-through facility.

This department has reviewed the subject application and does not object to its approval provided the use is a "temporary use".

AKR/AK:ak

c:\mword\rz-cases\rz01pr040

cc: Michele Brickner, Director, Office of Site Development Service, DPW & ES



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF TRANSPORTATION

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

THOMAS F. FARLEY  
DISTRICT ADMINISTRATOR

CHARLES D. NOTTINGHAM  
COMMISSIONER

September 20, 2001

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

Re: RZ 2001-PR-040 & SE 2001-P-034 Rocks – 1960 Gallows Road  
Tax Map # 39-2 ((11)) 57-A, 58-A  
Fairfax County

Dear Ms. Byron:

I have reviewed the above plans submitted on September 12, 2001, and received on September 14, 2001. The following comments are offered:

1. No proffers were provided for review.
2. The potential U-Turn movements at the Gallows Road/Old Courthouse Road intersection do cause some concern due to the volume of traffic this intersection handles.

If you have any questions, please call me at (703)383-2424.

Sincerely,

Kevin Nelson  
Transportation Engineer

cc: Ms. Angela Rodehaver  
fairfaxrezoningr2001pr040r1Rocks1960GallowsRd9-20-0188



FAIRFAX COUNTY PARK AUTHORITY

MEMORANDUM

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

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

**DATE:** October 17, 2001

**SUBJECT:** RZ 2001-PR-040  
Allen & Rocks Inc.  
Loc: 39-2((11)) 57A,58A

The Fairfax County Park Authority (FCPA) staff has reviewed the above referenced application. Based upon that review, staff has determined that this application bears no adverse impact on land or resources of the Fairfax County Park Authority.

**cc:** Kirk Holley, Manager, Planning and Land Management Branch  
Irish Grandfield, Supervisor, Plan Review Section  
Dorothea L. Stefen, Plan Review Team, Planning and Land Management Branch  
Allen Scully, Plan Review Team, Planning and Land Management Branch  
File Copy

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

September 14, 2001

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

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

**SUBJECT:** Fire and Rescue Department Preliminary Analysis of Special Exception  
Application SE 01-P-034 and Rezoning Application RZ 2001-PR-040

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

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #13, **Dunn Loring**.
2. After construction programmed for FY 19\_\_, this property will be serviced by the fire station planned for the \_\_\_\_\_ area.
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
  - a. currently meets fire protection guidelines.
  - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
  - c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
  - d. does not meet current fire protection guidelines without an additional facility. The application property is \_\_\_\_ of a mile outside the fire protection guidelines. No new facility is currently planned for this area.

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Staff Coordinator DATE: September 29, 2001  
 Zoning Evaluation Division, OCP

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

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. RZ 2001-PR-040/SE 01-P-034

Tax Map No. 039-2- /11/ /0058-A, 0057-A

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

1. The application property is located in the DIFFICULT RUN (D-3) Watershed. It would be sewered into the Blue Plains Treatment Plant.
2. Based upon current and committed flow, excess capacity is available at this time. For purposes of this report, committed flow shall be deemed as for which fees have been previously paid, building permits have been issued, or priority reservations have been established in accordance with the context of the Blue Plains Agreement of 1984. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
3. An existing 8 inch pipe line located IN GALLOWS ROAD and APPROX. 70 FEET FROM the property is adequate for the proposed use at this time.
4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

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

5. Other Pertinent information or comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

September 18, 2001

**MEMORANDUM**

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

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

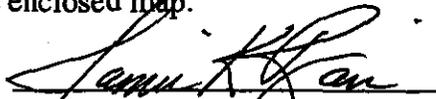
**SUBJECT:** Water Service Analysis, Rezoning Application SE 01-P-034  
RZ 01-PR-040

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

1. The application property is not located within the franchise area of the Fairfax County Water Authority.
2. Water service is not available from FCWA.

City of Falls Church service area. See enclosed map.

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

Attachment

**SPECIAL EXCEPTION APPLICATION**  
**SE 01-P-034**

**ZONING APPLICATION**  
**RZ 2001-PR-040**

SE 01-P-034  
 FILED 09/06/01

ALLEN & ROCKS, INC.  
 DRIVE-THRU BANK  
 ZONING DIST SECTION: 09-0505  
 ART 9 CATEGORY/USE: 05-06  
 1.65 ACRES OF LAND; DISTRICT - PROVIDENCE  
 LOCATED: 1960 & 1956 GALLOW'S ROAD

ZONED C-5  
 PLAN AREA 2  
 OVERLAY DISTRICT(S):  
 TAX MAP 039-2- /11/ /0058-A ,0057-A

FILED 09/06/01  
 ALLEN & ROCKS, INC.  
 TO REZONE:  
 PROPOSED: 1.65 ACRES OF LAND; DISTRICT - PROVIDENCE  
 REZONE FROM THE C-5 & SC DISTRICTS TO THE  
 C-2 & SC DISTRICTS  
 LOCATED: SOUTH SIDE OF GALLOW'S ROAD, APPROXIMATELY  
 200 FEET EAST OF GEORGE WASHINGTON ROAD  
 ZONING: C-5  
 TO: C-2  
 OVERLAY DISTRICT(S): SC  
 MAP REF 039-2- /11/ /0057-A ,0058-A



AIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

DATE: October 25, 2001

FROM: Scott St. Clair, Director  
Stormwater Planning Division  
Department of Public Works & Environmental Services

*SRS*

SUBJECT: Rezoning Application Review

Name of Applicant/Application: Allen & Rocks Inc.

Application Number: RZ2001-PR-040 and SE01-P-034

Information Provided: Application - Yes  
Development Plan - Yes  
Other - Statement of Justification

Date Received in SWPD: 9/13/01

Date Due Back to DPZ: 9/19/01

Site Information: Location - 039-2-11-00-0057-A039-2-11-00-0058-A  
Area of Site - 1.65 acres  
Rezone from - C-5 to C-2  
Watershed/Segment - Difficult Run / Wolftrap

Stormwater Planning Division (SWPD), Maintenance and Stormwater Management Division (MSMD), and Planning and Design Division (PDD) Information:

I. Drainage:

- MSMD/PDD Drainage Complaints: There are no downstream complaints on file with PDD, relevant to this proposed development.
- Master Drainage Plan, proposed projects, (SWPD): Completed Regional Stormwater Management Pond, DF116 Wolftrap Pond, is located approximately 3000 feet downstream of the site.
- Ongoing County Drainage Projects (SWPD): None.
- Other Drainage Information (SWPD): None.

II. Trails (PDD):

Yes  No Any funded Trail projects affected by this application?

If yes, describe:

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

If yes, describe:

III. School Sidewalk Program (PDD):

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

If yes, describe:

Yes  No Any funded sidewalk projects affected by this application?

If yes, describe:

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

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

If yes, describe:

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

If yes, describe:

V. Other Projects or Programs (PDD):

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

If yes, describe:

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

If yes, describe:

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

If yes, describe:

Other Program Information (PDD): None.

Application Name/Number: Allen & Rocks Inc. / RZ2001-PR-040

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

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

DRAINAGE RECOMMENDATIONS (SWPD): None.

TRAILS RECOMMENDATIONS (PDD): None.

SCHOOL SIDEWALK RECOMMENDATIONS (PDD): None.

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

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

Other E&I Recommendations (PDD): None.

OTHER SWPD and PDD PROJECT/PROGRAM RECOMMENDATIONS: None.

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

SRS/RZ2001-PR-040

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

## **9-006 General Standards**

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

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

## GLOSSARY

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

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

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

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

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

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

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

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

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

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

**COUNTY 456 REVIEW PROCESS:** A public hearing process pursuant to 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. 15.1-491 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 Environmental Management.

**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 DEM 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 DEM 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&FAgricultural & Forestal District	PDCPlanned Development Commercial
ADUAffordable Dwelling Unit	PDHPlanned Development Housing
ARBArchitectural Review Board	PFMPublic Facilities Manual
BMPBest Management Practices	PRCPlanned Residential Community
BOSBoard of Supervisors	RMAResource Management Area
BZABoard of Zoning Appeals	RPAResource Protection Area
COGCouncil of Governments	RUPResidential Use Permit
CBCCommunity Business Center	RZ Rezoning
CDPConceptual Development Plan	SESpecial Exception
DEMDepartment of Environmental Management	SPSpecial Permit
DDRDivision of Design Review, DEM	TDMTransportation Demand Management
DPDevelopment Plan	TMATransportation Management Association
DPWDepartment of Public Works	TSATransit Station Area
DU/ACDwelling Units Per Acre	TSMTransportation System Management
EQCEnvironmental Quality Corridor	UP & DDUilities Planning and Design Division, DPW
FARFloor Area Ratio	UMTAUrban Mass Transit Association
FDPFinal Development Plan	VC Variance
GDPGeneralized Development Plan	VDOTVirginia Dept. of Transportation
GFAGross Floor Area	VPDVehicles Per Day
HCDHousing and Community Development	VPHVehicles per Hour
LOSLevel of Service	WMATAWashington Metropolitan Area Transit Authority
Non-RUPNon-Residential Use Permit	ZADZoning Administration Division, OCP
OCPOffice of Comprehensive Planning	ZEDZoning Evaluation Division, OCP
OTOOffice of Transportation	ZPRBZoning Permit Review Branch
PDPlanning Division	

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