



FAIRFAX COUNTY

REZONING APPLICATION FILED: December 6, 2001

SPECIAL EXCEPTION FILED: May 8, 2002

PLANNING COMMISSION DECISION: July 24, 2002

PLANNING COMMISSION HEARING ON REVISED DEVELOPMENT PROPOSAL: October 24, 2002

BOARD OF SUPERVISORS: October 28, 2002 @ 3:00

V I R G I N I A

October 10, 2002

STAFF REPORT ADDENDUM II

APPLICATIONS RZ 2001-PR-053 & SE 2002-PR-018

PROVIDENCE DISTRICT

APPLICANT:	Jefferson Investment Group, Inc.
PRESENT ZONING:	R-1
REQUESTED ZONING:	C-2
PARCEL:	39-2 ((1)) 18
ACREAGE:	35,345 square feet
FLOOR AREA RATIO (FAR):	0.23
OPEN SPACE:	16,045 square feet (45 percent)
PLAN MAP:	Office
PROPOSAL:	Construct a 7,779 sq. ft. Office Building with a Drive-in Bank, which requires approval of a Special Exception

STAFF RECOMMENDATIONS:

Staff recommends that RZ 2001-PR-053 be approved subject to the proffers dated October 8, 2002.

Staff further recommends that SE 2002-PR-018 be approved subject to the proposed development conditions in Attachment 2.

Staff further recommends that the transitional screening yard and barrier requirements be modified in favor of that shown on the Generalized Development Plan/Special Exception Plat and referenced in the proffers and development conditions.

Staff further recommends that the trail requirement be waived along Gallows Road in favor of the streetscape and six foot wide sidewalk depicted on the Generalized Development Plan/Special Exception Plat.

Staff further recommends that the requirement for a loading space be waived.

It should be noted that it is not the intent of the 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 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.



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

BACKGROUND

The July 3, 2002, Staff Report for these applications recommended approval of the applications and the requested waivers and modifications related to barrier requirements, transitional screening yard requirements, the trail along Gallows Road and the required loading space. At the Planning Commission public hearing on July 17, 2002, the testimony resulted in a request by the Commission that a screening wall be added to the site along the western and southern boundaries, where the site abuts residential communities. A revised combined Generalized Development Plan/Special Exception Plat (GDP/SE Plat) and revised proffers were prepared by the applicant in response to this request, and on July 24, 2002, the Planning Commission recommended approval of these applications. An addendum to the July 3, 2002, Staff Report was prepared for the Board of Supervisors public hearing scheduled on September 9, 2002. This addendum included revised proffers and a revised GDP/SE Plat submitted after the Planning Commission decision.

Subsequently, the applicant, Jefferson Investment Group, Inc., requested that the Board of Supervisor hearing be deferred so that a revised GDP/SE Plat could be submitted. The applicant proposed to include a second drive-through lane for the proposed drive-in bank. On September 23, 2002, the Board of Supervisors remanded the applications back to the Planning Commission to allow the Planning Commission to hold a public hearing on the applicant's revised development proposal. At that meeting, the Board set the public hearing schedule noted on the cover of this addendum.

The revised GDP/SE Plat is included as Attachment 1, the revised proffers are included as Attachment 2. Revised development conditions for SE 2002-PR-018 are included as Attachment 3. Revised affidavits are included as Appendix 4. A locator map is included as Attachment 5.

DISCUSSION

The changes to the GDP/SE Plat and proffers do not change staff's recommendation with regard to this application. The proffers have been revised to reflect the changed dates on the GDP/SE Plat. The following changes have been made:

- The size of the building has been reduced from 7,940 square feet to 7,779 square feet.
- A second drive-through lane has been added at the drive-in window in front of the building; the second lane consists of a second customer service station, which will be served remotely.
- The number of stacking spaces provided is a minimum of two for each customer station with an additional six space in the single drive-through lane leading to the customer stations.

- A six foot tall brick wall has been added along the western property boundary in response to requests made during testimony at the previous Planning Commission public hearing.
- The number of trees to be provided in the screening yard along the western boundary is the same as the number shown in the GDP/SE Plat included in the original staff report; however, the shrubbery has been eliminated in favor of the brick wall now shown on that boundary.

The proposed second drive-through lane consists of a second customer service station resulting in a wider drive aisle where the second customer service station is proposed. The drive aisle has been widened for a length to accommodate the vehicle at the customer service station and one other vehicle behind that one. The single lane configuration is maintained for the remaining length of the drive-through drive aisle. To accommodate the additional customer service station, the building footprint has been reduced, while retaining the same amount of landscaped area in front of the building, which is along Old Gallows Road.

The proposed development conditions for SE 2002-PR-018 have been revised to reflect the revised GDP/SE Plat and the revised proffers contained in the respective attachments.

CONCLUSIONS AND RECOMMENDATIONS

Conclusions

The proposed drive-in bank is consistent with the use and intensity recommendations of the Comprehensive Plan and a streetscape that is consistent with the urban design recommendations for the Tyson Corner Urban Center is shown on the GDP/SE Plat. This small property is triangularly shaped, which limits the options for layout on the site. Almost half of the property will be open space, located along the periphery of the site. While waivers and modifications of transitional screening and barriers are required, staff has concluded that the proposed screening walls and landscaping adequately screen the adjacent residential communities. Further, the draft proffers include commitments regarding lighting and hours of operation that will further limit the impacts to these communities. The proposal meets the applicable zoning ordinance requirements.

Recommendations

Staff recommends that RZ 2001-PR-053 be approved subject to the proffers dated October 8, 2002.

Staff further recommends that SE 2002-PR-018 be approved subject to the proposed development conditions in Attachment 2.

Staff further recommends that the transitional screening yard and barrier requirements be modified in favor of that shown on the Generalized Development Plan/Special Exception Plat and referenced in the proffers and development conditions.

Staff further recommends that the trail requirement be waived along Gallows Road in favor of the streetscape and six foot wide sidewalk depicted on the Generalized Development Plan/Special Exception Plat.

Staff further recommends that the requirement for a loading space be waived.

It should be noted that it is not the intent of the 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 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.

ATTACHMENTS

1. Combined Generalized Development Plan/Special Exception Plat
2. Proffer Statement dated October 8, 2002
3. Proposed Development Conditions for SE 2002-PR-018
4. Revised Affidavits
5. Locator Map



P-1



Professional Engineer
J. H. [Name]
License No. [Number]
State of Virginia
Mechanical
10/15/2010

PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA

2000 GALLOWS ROAD

CONCEPTUAL REPRESENTATION ONLY
EXACT COLORS / MATERIALS SUBJECT TO OWNER CHANGE

FRONT ELEVATION

FROM GALLOWS ROAD



GLASS WITH FINISH
STAINLESS STEEL SPINNING

1	GLASS	WITH FINISH
2	STAINLESS STEEL	SPINNING



2000 Gallows Road Proffers

RZ 2001-PR-053

May 16, 2002

Revised June 17, 2002

Revised June 18, 2002

Revised June 28, 2002

Revised July 16, 2002

Revised July 22, 2002

Revised August 12, 2002

Revised October 2, 2002

Revised October 8, 2002

Pursuant to Section 15.2-2303(a), Code of Virginia, 1950 as amended, Jefferson Investment Group, Inc. (hereinafter referred to as the "Applicant") and the owners for themselves, successors and assigns, filed for property identified as Tax Map 39-2-((1))-18 (hereinafter referred to as the "Application Property"), proffer the following, subject to the Board of Supervisors approval of a rezoning of the Application Property to the C-2 Zoning District.

1. Generalized Development Plan (GDP)/Special Exception Plat. Development of the Application Property shall be in substantial conformance with the combined Generalized Development Plan GDP/ Special Exception Plat, prepared by Walter L. Phillips, Inc. dated September 19, 2001 and revised through September 19, 2002 consisting of one sheet.
2. Stormwater Management. Underground stormwater management facilities and best management practices shall be provided on-site as shown on the GDP/Special Exception Plat, subject to the approval of DPWES.
3. Minor Modifications. Pursuant to Paragraph 5 of Section 18-204 of the Zoning Ordinance, minor modifications from the GDP and these proffers may be permitted as determined by the Zoning Administrator.
4. Transportation.
 - a) Dedication. Subject to Virginia Department of Transportation (VDOT) and Department of Public Works and Environmental Services (DPW&ES) approval, the Applicants shall dedicate and convey in fee simple to the Board of Supervisors the right-of way, along the frontage of Gallows Road sufficient to permit the sidewalk as shown on the GDP/SE Plat to be fully within the new right-of-way. Dedication shall be made upon the time of approval of the site plan or upon demand of Fairfax County or VDOT.



- b) Construction. Subject to VDOT and DPW&ES approval and prior to the issuance of the first occupancy permit (Non-RUP) the Applicant shall restripe, as shown on the GDP/SE Plat, a left turn lane within the existing painted median in Gallows Road.
 - c) Traffic Light. The applicant shall design and install the following improvements to the existing traffic signal in front of the property. A left turn signal for turns into the property from Gallows Road shall be added. These signals shall be on-demand (actuated/deductible phase) facilities only as determined by VDOT. The design, installation and features of the signal shall be subject to VDOT and DPWES review and approval and shall be installed prior to the issuance of a Non-Residential Use Permit.
5. Landscaping. Landscaping of the subject property shall be in substantial conformance with Landscaping Plan prepared by Butz-Wilbern Partnership dated May 10, 2002 consisting of three pages (L1-L3). L1 was revised on July 18, 2002. The streetscape along Gallows Road shall be in substantial conformance with these sheets. A water feature on Gallows Road shall be provided which is in general conformance with the design shown on the attached plan labeled F-1 prepared by Butz-Wilbern and dated August 14, 2002. Any alternate plan for the water feature may be permitted if approved by the Zoning Evaluation Division. The landscaping Plan shall be reviewed and approved by the Urban Forestry Division. A seven (7) foot high brick wall shall be erected along the western property line from its intersection with the southern property line approximately 165 feet to the point where the wall would intersect with the existing brick wall on Lot 83 if such wall were to be extended to intersect with the wall on this property. A second six (6) foot brick wall shall be erected along the southern property line from its intersection with the wall along the western property line approximately 200 feet to its terminus at the point where the drive-through lane begins its curve to the north.
6. Drive-up Hours. The hours of operation of the drive through window shall be limited to no more than the hours of 8:00 a. m. to 7:00 p. m. weekdays and 9:00 a. m. to 3:00 p. m. Saturdays.
7. ATM. A walk-up ATM may be provided on the northern face of the building and/or within the lobby. These ATMs shall not be accessible after the bank is closed. An additional sidewalk shall be provided to provide access to the walk-up ATM. An additional ATM may be provided on the drive-through lane, north of the drive-thru window: the hours of operation of this ATM shall be limited to the time that the drive-thru lane is not otherwise in operation.



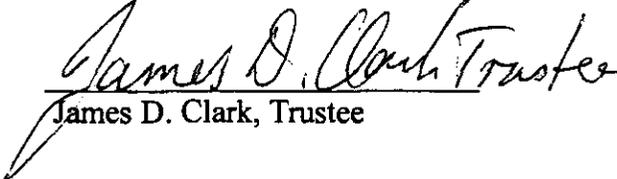
8. Delivery Hours. The hours for deliveries to the property and trash pick-up shall be limited to between 7:00 a. m. and 8:00 p. m. weekdays and 8:00 a. m. to 5:00 p. m. Saturdays. There shall be no deliveries or trash pick-up on Sundays and federal holidays.
9. Loudspeaker. Any noise from a loudspeaker used with the drive through window shall not project beyond the property line. There shall be no other loudspeakers on the exterior of the building.
10. Lighting. All building mounted lighting and parking lot lighting shall be directed downward to prevent the lighting from adversely impacting the adjacent residential properties. All parking lot light fixtures shall be equipped with cut-off luminaries. The lighting along the drive through lane shall be designed so as not to shine on the adjacent residential property. The height of the light standards shall be limited to twelve (12) feet.
11. Dumpster. There shall be no dumpsters on site. All trash and recyclables shall be stored within the building.
12. Architecture. The architecture of the building shall be as generally depicted on the GDP/SE Plat. The materials listed in sheets P-1 through P-3 shall be utilized in the building.
13. Signage. Any freestanding signage on the property shall be a monument type sign. Pole mounted signs shall not be permitted. Building mounted signs, other than directional signs, shall not be allowed on the southern and western facades. Notwithstanding signs shown on the GDP/SE Plat. All signs shall conform in number, size and location with the requirements of Article 12 of the Zoning Ordinance.
14. Construction hours. Shall be limited to 7:00 a.m. to 7:00 p.m. weekdays and 8:00 a.m. to 6:00 p.m. on Saturdays. There shall be no construction activities on Sundays.
15. Tysons Road Improvement Fund At the time of site plan approval, the Applicant shall contribute \$3.15 per gross square foot of building being constructed, as adjusted yearly based on ten (10)-year trends by the Virginia Highway Construction Bid Index as published in the Engineering News Record on the date of the rezoning approval, to the Tysons Corner Area Road Fund. Contribution shall be made at the time of site plan approval.
16. Successors and Assigns. These proffers will bind and inure to the benefit of the Applicants and their successors and assigns.



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

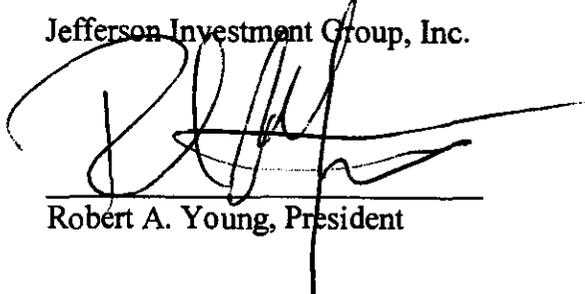
TITLE OWNER OF TAX MAP
PURCHASER

Grosvenor Joint Venture Group II


James D. Clark, Trustee

APPLICANT/CONTRACT

Jefferson Investment Group, Inc.


Robert A. Young, President

PROPOSED DEVELOPMENT CONDITIONS

SE 2002-PR-018

October 10, 2002

If it is the intent of the Board of Supervisors to approve SE 2002-PR-018 located at Tax Map 39-2 ((1)) 18 for use as a drive-in bank pursuant to Sect. 4-204 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 Generalized Development Plan/Special Exception Plat entitled 2000 Gallows Road, prepared by Walter L. Phillips, Inc. and dated October 17, 2001 as revised through September 19, 2002, and these conditions. The GDP/SE Plat consists of five sheets entitled:
 - a) Generalized Development Plan/Special Exception Plat
 - b) Landscape Planting Plan dated 9/12/02 and prepared by Butz Wilbern
 - c) Front Elevation dated 5/21/02 and prepared by Butz Wilbern
 - d) Side Elevation From Parking Lot dated 5/21/02 and prepared by Butz Wilbern
 - e) Side Elevation From Drive Aisle dated 5/21/02 and prepared by Butz Wilbern

Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.

4. The applicant shall demonstrate to DPWES that the radius of the curve in the drive through lane is adequate for a passenger car. If the curve is inadequate, it shall be made adequate.
5. The wall sections located between the piers shall be located no further above the finished grade than is necessary to provide for adequate drainage.

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

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

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

REZONING APPLICATION

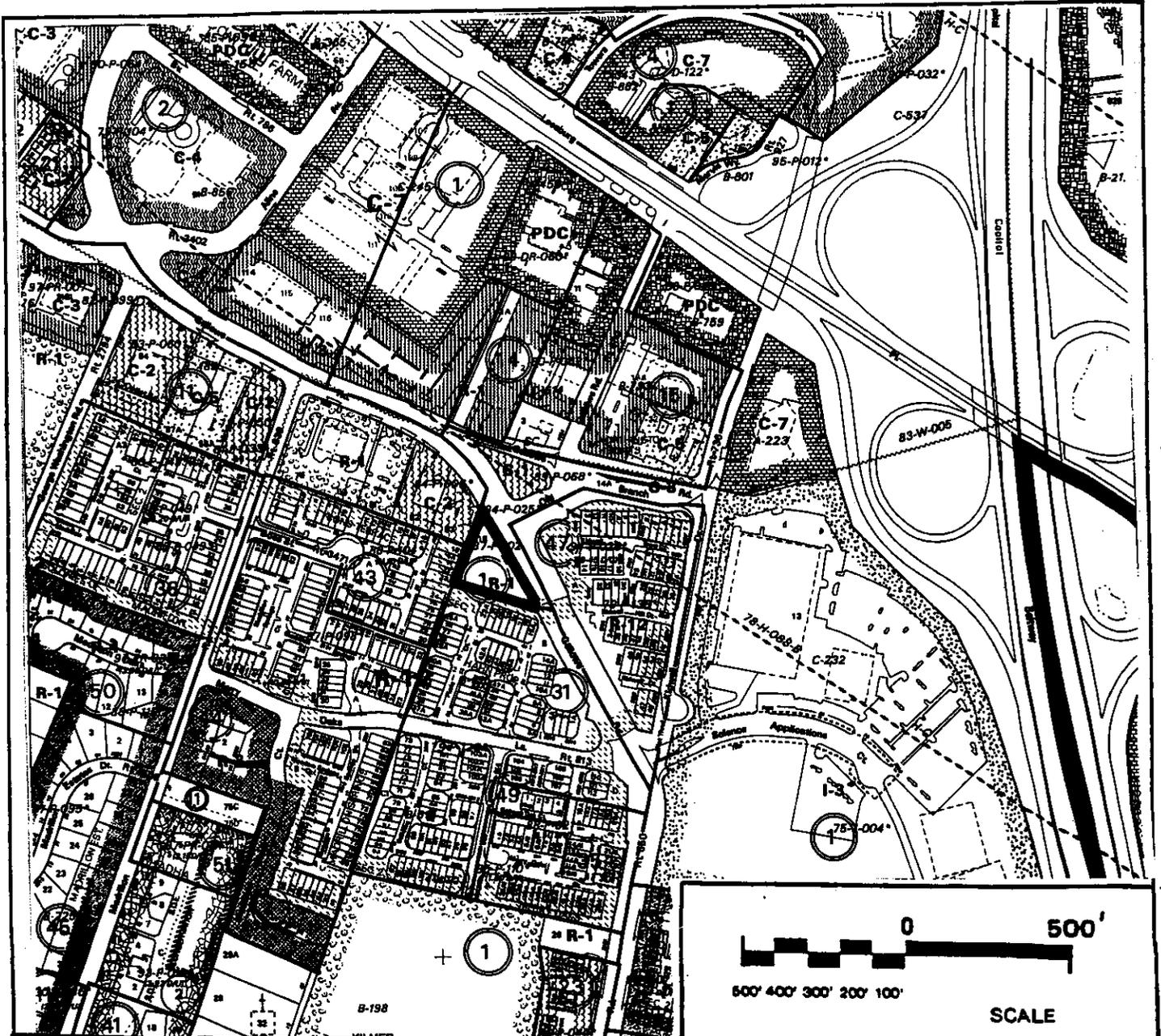
RZ 2001-PR-053

FILED 12/06/01
 JEFFERSON INVESTMENT GROUP, INC.
 TO REZONE: 35,345 SQ. FT. OF LAND; DISTRICT - PROVIDENCE
 PROPOSED: REZONE FROM THE R-1 DISTRICT TO THE C-2 DISTRICT
 TO PERMIT COMMERCIAL DEVELOPMENT
 LOCATED: ON THE S.W. SIDE OF GALLOWS RD.
 AT THE TERMINUS OF OLD GALLOWS RD.
 650)
 ZONING: R- 1
 TO: C- 2
 OVERLAY DISTRICT(S):
 MAP REF 039-2- /01/ /0018-

Special Exception

SE 2002-PR-018

Applicant: JEFFERSON INVESTMENT GROUP, INC.
 Filed: 05/08/2002
 Proposed: DRIVE-IN BANK / OFFICE
 Area: 35,345 SQ. FT. OF LAND; DISTRICT - PROVIDENCE
 Zoning Dist Sect: 4-204
 Art 9 Group and Use: 5-6
 Located: 2000 GALLOWS ROAD
 Zoning: C-2 Plan Area: 2
 Overlay Dist:
 Map Ref Num: 039-2- /01/ /0018





REZONING AFFIDAVIT

DATE: October 2, 2002
(enter date affidavit is notarized)

I, Jefferson Investment Group, Inc. by Robert A. Young, 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 2001-1886

in Application No.(s): RZ 2001-PR-053
(enter County-assigned application number(s), e.g. RZ 88-V-001)

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

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Jefferson Investment Group, Inc.	6718 Whittier Avenue, Ste 220 McLean, VA 22101	Applicant/Contract Purchaser
Robert A. Young	6718 Whittier Ave., Ste 220 McLean, VA 22101	Agent for Applicant/Contract Purchaser
James D. Clark, Trustee for Grosvenor Joint Venture Group II	602 Bruton Place, N.W. Vienna, VA 22180	Title Owner
Beneficiaries of Trust:		
James D. Clark	602 Bruton Pl., N.W., Vienna, VA 22180	
Alan E. Clark	8451-E Hilltop Rd., Fairfax, VA 22031	
Alex Monk	6344 Shaundale Dr., Springfield, VA 22152	

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

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

REZONING AFFIDAVIT

DATE: October 2, 2002
(enter date affidavit is notarized)

2001-1886

for Application No. (s): RZ 2001-PR-053
(enter County-assigned application number(s))

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

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

CORPORATION INFORMATION

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

Jefferson Investment Group, Inc.
6718 Whittier Avenue, Suite 220
McLean, VA 22101

DESCRIPTION OF CORPORATION: (check one statement)

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

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

<u>Robert A. Young</u>	_____
<u>The Young Group, Inc.</u>	_____
<u>William W. Haskell</u>	_____

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

<u>Robert A. Young</u>	<u>President</u>
<u>Nancy B. Young</u>	<u>Secretary</u>

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

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

Rezoning Attachment to Par. 1(b)

DATE: October 2, 2002
(enter date affidavit is notarized)

2001-1880

for Application No. (s): RZ 2001-PR-053
(enter County-assigned application number (s))

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

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

<u>Terrance M. Anderson</u>	<u>Brian G. Baillargeon</u>
<u>David K. Oliver</u>	<u>Jeffrey J. Stuchel</u>
<u>Edward L. Johnson</u>	

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

<u>Terrance M. Anderson, President</u>	<u>Brian G. Baillargeon, Treasurer</u>
<u>David K. Oliver, Executive Vice President</u>	<u>Jeffrey J. Stuchel, Secretary</u>
<u>Edward L. Johnson, Vice President</u>	

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

Butz-Wilbern, LTD
6718 Whittier Avenue, Suite 120
McLean, VA 22101

DESCRIPTION OF CORPORATION: (check one statement)

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

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

<u>Samuel M. Butz</u>	
<u>Jack M. Wilbern</u>	

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

<u>Samuel M. Butz, President</u>	
<u>Jack M. Wilbern, Vice President</u>	

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

Rezoning Attachment to Par. 1(b)

DATE: October 2, 2002
(enter date affidavit is notarized)

2001-1884

for Application No. (s): RZ 2001-PR-053
(enter County-assigned application number (s))

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

The Young Group, Inc.
6718 Whittier Avenue, Suite 220
McLean, VA 22101

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Robert A. Young
Nancy B. Young

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

Robert A. Young, President
Nancy B. Young, Vice President/Secretary

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

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

REZONING AFFIDAVIT

DATE: October 2, 2002
(enter date affidavit is notarized)

2001-1884

for Application No. (s): RZ 2001-PR-053
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

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

The Grosvenor Joint Venture Group II
c/o James D. Clark, Trustee
602 Bruton Place, N.W., Vienna, VA 22180

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

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

James Clark, General Partner/Managing Director
Kris Clark, General Partner
Jill LeFrance, General Partner
Jim Clark, General Partner
Jayne Clark, General Partner
Lewis Clark, General Partner
Doug Clark, General Partner
Alan Clark, General Partner
Alex Monk, General Partner

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

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

REZONING AFFIDAVIT

DATE: October 2, 2002
(enter date affidavit is notarized)

2001-1882

for Application No. (s): RZ 2001-PR-053
(enter County-assigned application number(s))

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

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

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

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

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

None

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

REZONING AFFIDAVIT

DATE: October 2, 2002
(enter date affidavit is notarized)

2001-1886

for Application No. (s): RZ 2001-PR-053
(enter County-assigned application number(s))

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

None

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

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

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

WITNESS the following signature:

(check one) Applicant Applicant's Authorized Agent
Jefferson Investment Group, Inc.
Robert A. York, President
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 2 day of October 2002, in the State/Comm. of Virginia, County/City of Fairfax.

Marina V. Bay
Notary Public

My commission expires: March 31, 2005

SPECIAL EXCEPTION AFFIDAVIT

DATE: October 2, 2002
(enter date affidavit is notarized)

I, Robert A. Young, 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

2002-796

in Application No.(s): SE 20002-PR-018
(enter County-assigned application number(s), e.g. SE 88-V-001)

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

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Jefferson Investment Group, Inc.	6718 Whittier Avenue, Ste 220 McLean, VA 22101	Applicant/Contract Purchaser
Robert A. Young	6718 Whittier Ave., Ste 220 McLean, VA 22101	Agent for Applicant/Contract Purchaser
James D. Clark, Trustee for Grosvenor Joint Venture Group II	602 Bruton Place, N.W. Vienna, VA 22180	Title Owner
Beneficiaries of Trust:		
James D. Clark	602 Bruton Pl., N.W., Vienna, VA	22180
Alan E. Clark	8451-E Hilltop Rd., Fairfax, VA	22031
Alex Monk	6344 Shaundale Dr., Springfield, VA	22152
Maureen Clark	335 West State St., Farmington, Utah	84025
Douglas Clark	913 Sunset Dr., Bountiful, Utah	84010
Jayne Clark	3630 Whitehaven Pkwy., N.W. Washington, DC	20007
Kris Clark	3540 Whitehaven Pkwy., N.W. Washington, DC	20007

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

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

Special Exception Attachment to Par. 1(a)

DATE: October 2, 2002
 (enter date affidavit is notarized)

2002-796

for Application No. (s): SE 2002-PR-018
 (enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Beneficiaries of the Trust:		
Jill LaFrance	1977 Mueller Park Road, Bountiful, Utah 84010	
Lewis Clark	335 West State Street, Farmington, Utah 84025	
Walter L. Phillips, Inc.	207 Park Avenue	Engineer/Agent
		Falls Church, VA 22046
Individual Agents:		
John Gavarkavich	"	"
Edward L. Johnson	"	"
Butz Wilbern, LTD	671B Whittier Avenue, Suite 120	Architect/Agent
		McLean, VA 22101
Individual Agent:		
Jack M. Wilbern	"	"

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: October 2, 2002
(enter date affidavit is notarized)

2002-794

for Application No. (s): SE 2002-PR-018
(enter County-assigned application number(s))

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

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

CORPORATION INFORMATION

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

Jefferson Investment Group, Inc.
6718 Whittier Avenue, Suite 220
McLean, VA 22101

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Robert A. Young

The Young Group, Inc.

William W. Haskell

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

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

Special Exception Attachment to Par. 1(b)

DATE: October 2, 2002
(enter date affidavit is notarized)

2002-792

for Application No. (s): SF 2002-PR-018
(enter County-assigned application number (s))

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

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

<u>Terrance M. Anderson</u>	<u>Brian G. Baillargeon</u>
<u>David K. Oliver</u>	<u>Jeffrey J. Stuchel</u>
<u>Edward L. Johnson</u>	

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

Butz-Wilbern, LTD
6718 Whittier Avenue, Suite 110
McLean, VA 22101

DESCRIPTION OF CORPORATION: (check one statement)

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

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

<u>Samuel M. Butz</u>	
<u>Jack M. Wilbern</u>	

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

Special Exception Attachment to Par. 1(b)

DATE: October 2, 2002
(enter date affidavit is notarized)

2002-796

for Application No. (s): SE 2002-PR-018
(enter County-assigned application number (s))

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

The Young Group, Inc.
6718 Whittier Avenue, Suite 220
McLean, VA 22101

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Robert A. Young
Nancy B. Young

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

Robert A. Young, President
Nancy B. Young, Vice President/Secretary

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: October 2, 2002
(enter date affidavit is notarized)

2002-796

for Application No. (s): SE 2002-PR-018
(enter County-assigned application number(s))

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

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

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

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

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

None

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

Application No.(s): SE 2002-PR-018
(county-assigned application number(s), to be entered by County Staff)

SPECIAL EXCEPTION AFFIDAVIT

DATE: October 2, 2002
(enter date affidavit is notarized)

2002-796

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

None

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

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

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

WITNESS the following signature:

Jefferson Investment Group, Inc.
(check one) Applicant Applicant's Authorized Agent
Robert A. Young
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 2 day of October 2002, in the State/Comm. of Virginia, County/City of Fairfax.

Marcina V. Boyer

Notary Public

My commission expires: March 31, 2005

REZONING APPLICATION RZ 2001-PR-053

FILED 12/06/01
 JEFFERSON INVESTMENT GROUP, INC.
 TO REZONE: 35,345 SQ. FT. OF LAND; DISTRICT - PROVIDENCE
 PROPOSED: REZONE FROM THE R-1 DISTRICT TO THE C-2 DISTRICT
 TO PERMIT COMMERCIAL DEVELOPMENT
 LOCATED: ON THE S.W. SIDE OF GALLOWS RD.
 AT THE TERMINUS OF OLD GALLOWS RD.
 450)
 ZONING: R-1
 TO: C-2
 OVERLAY DISTRICT(S):
 MAP REF 039-2- /01/ /0018-

Special Exception SE 2002-PR-018

Applicant: JEFFERSON INVESTMENT GROUP, INC.
 Filed: 05/08/2002
 Proposed: DRIVE-IN BANK / OFFICE
 Area: 35,345 SQ. FT. OF LAND; DISTRICT - PROVIDENCE
 Zoning Dist Sect: 4-204
 Art 9 Group and Use: 5-6
 Located: 2000 GALLOWS ROAD
 Zoning: C-2 Plan Area: 2
 Overlay Dist:
 Map Ref Num: 039-2- /01/ /0018

