



# County of Fairfax, Virginia

*To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County*

January 11, 2012

David R. Gill  
McGuire Woods LLP  
1750 Tysons Boulevard, Suite 1800  
Tysons Corner, VA 22102

RE: Special Exception Amendment Application SEA 2007-SP-001

Dear Mr. Gill:

At a regular meeting of the Board of Supervisors held on January 10, 2012, the Board approved Special Exception Amendment Application SEA 2007-SP-001 in the name of Costco Wholesale Corporation. The subject property is located at 4725 West Ox Road on approximately 16.06 acres of land zoned C-8 in the Springfield District [Tax Map 56-1 ((1)) 5C]. The Board's action amends Special Exception Application SE 2007-SP-001 previously approved for a retail sales establishment-large to permit the option for a service station and associated modifications to site design and development conditions pursuant to Section 4-804 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions which supersede all previous development conditions; conditions carried forward unchanged from previous approvals are marked with an asterisk (\*):

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.\*
2. A copy of this Special Exception and the Non-Residential Use Permit (Non-RUP) SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.\*
3. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception amendment plat approved with the application, as qualified by these development conditions.\*

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**Office of the Clerk to the Board of Supervisors**  
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4. This Special Exception is subject to the provisions of Article 17, Site Plans. Any plan submitted pursuant to the special exception amendment shall be in substantial conformance with the approved Special Exception Amendment (SEA) Plat entitled “Costco Special Exception Amendment Plat.”, prepared by Bohler Engineering dated December 15, 2010, as revised through October 19, 2011, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.\*
  
5. If the building addition option is implemented, the final architectural design of the addition and existing retail warehouse shall be in substantial conformance with the general type, quality, and proportion of materials depicted in the illustrative perspectives, elevations, and sections shown on the approved SEA/PCA Plat. The Applicant shall incorporate design elements to break up the facades of the building, and the exterior design, building materials and colors used shall be  
  
consistent on all four (4) sides of the building. If the option for the service station is implemented, the architectural design of the station canopy and the façade improvements to the existing retail warehouse shall be in substantial conformance with the general type, quality, and proportion of the materials depicted in the illustrative perspectives, elevations, and sections, under “Concept Elevations” in the approved SEA Plan.
  
6. With either option, parking spaces shall meet the provisions of Article 11 of the Zoning Ordinance and the geometric design standards in the Public Facilities Manual, as determined by DPWES; a parking tabulation which demonstrates that parking requirements are met shall be submitted to DPWES prior to issuance of a Non-Residential Use Permit (Non-Rup).\*
  
7. With either option, all signs shall conform to Article 12 of the Zoning Ordinance.\*
  
8. With either option, the applicant shall contribute to the Fairfax Center Area Road Fund in accordance with the Procedural Guidelines adopted by the Board of Supervisors on November 22, 1982, as amended, subject to credit for all creditable expenses as determined by the County Department of Transportation and/or DPWES.\*
  
9. With either option, a concrete bus shelter pad, and any necessary concrete loading pad (between curb and sidewalk); as well as any pedestrian connection to the bus shelter pad from the existing sidewalk along the West Ox Road site frontage shall be installed. Final locations shall be determined in consultation with FCDOT and VDOT at the time of site plan review. This bus shelter pad shall be installed prior to issuance of a Non-RUP; provided, however, that the Zoning Administrator may approve a later date for completion of the improvement without requiring an SEA upon demonstration by the Applicant

that despite diligent efforts and due to factors beyond the Applicant's control, the required improvements have been delayed.\*

10. With either option, landscaping shall be consistent with that shown on the SEA Plat. A minimum caliper ranging from 2.5" – 3.0" shall be provided for all newly planted trees along the property's perimeter.
11. With either option, any interior parking lot landscaping that is dead, dying, or otherwise in poor condition shall be replaced as determined by Urban Forest Management (UFM). The applicant shall work with Urban Forest Management in determining the most appropriate size and species in order to ensure survivability.
12. With either option, all landscaping shall be maintained in good condition and include regular maintenance. This maintenance includes, but is not limited to, removal of dead/diseased plantings and their prompt replacement to maintain the required landscaping of this Special Exception.\*
13. If the building addition option is implemented, the retail warehouse shall incorporate environmentally sustainable attributes into its building program, that may include, but not necessarily be limited to the following strategies: a) high-efficiency mechanical systems; b) use of materials with recycled content; c) a high performance and insulated building envelope; d) water efficient fixtures; e) CO2 sensors and air filters; f) low volatile organic compounds in paints, sealants and finish materials; g) construction waste management; h) recycling/reuse of materials; i) prohibition of smoking in the interior public areas of the building and provision of designated smoking areas away from entries and operable windows; and j) consultation with a LEED accredited professional in the design of the addition. The Applicant shall provide the Environmental Development Review Branch (EDRB) of the Department of Planning and Zoning with evidence of satisfaction of at least five (5) of the above strategies prior to issuance of building permits for the proposed addition to the retail warehouse.\*
14. With either option, if not already provided, a crosswalk and pedestrian directional signal shall be installed on existing poles for the crosswalk across Piney Branch Road at the intersection of Piney Branch Road and West Ox Road as may be approved by VDOT. These facilities shall be constructed prior to issuance of a Non-RUP; provided, however, that the Zoning Administrator may approve a later date for completion of the improvement without requiring an SEA upon demonstration by the Applicant that, despite diligent efforts and due to factors beyond the Applicant's control, the required improvements have been delayed. If it is determined that construction of these pedestrian improvements is beyond the Applicant's control, the applicant shall contribute the sum of \$15,000.00 to Fairfax County for future installation of these facilities by others. If a cash contribution is pursued, the amount of the cash contribution shall

escalate on a yearly basis from the base year of 2010 and change effective each January 1 thereafter based on the Consumer Price Index as published by the Bureau of Labor Statistics, U.S. Department of Labor, for the Washington-Baltimore, MD-VA-DC-WV Consolidated Metropolitan Statistical Area (the "CPI").\*

15. With either option, no permanent storage of tractor trailers shall be allowed on the Costco site.\*
16. With either option, existing lighting, including streetlights, security lighting, signage lighting, and pedestrian or other incidental lighting may remain. All new and replacement outdoor lighting fixtures shall be in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance.\*
17. If the building addition option is implemented, an exclusive right turn lane with a taper shall be constructed on westbound Costco Plaza Drive (formerly Price Club Plaza Drive) at the intersection with West Ox Road (which results in three separate lanes: an exclusive right turn lane, a shared left/ through lane and a left turn lane) prior to the issuance of a Non-Rup. The exact design and location of the right turn lane shall be determined based upon final design and engineering, subject to approval Fairfax County Department of Transportation (FCDOT) and the Department of Public Works and Environmental Services (DPWES). This road improvement shall also be aligned with Alliance Drive to the extent possible and include related traffic signal modifications subject to approval by VDOT and FCDOT. The Zoning Administrator may approve a later date for the completion of the road improvement without requiring an SEA application upon demonstration by the Applicant that, despite diligent efforts and due to factors beyond the Applicant's control, the required road improvements have been delayed.
18. If the service station option is implemented, dual exclusive left turn lanes shall be constructed on westbound Costco Plaza Drive (formerly Price Club Plaza Drive) at the intersection with West Ox Road (which results in three separate lanes: dual left turn lanes and a shared right/ through lane) prior to the issuance of a Non-Rup. The exact design and location of the lanes shall be determined based upon final design and engineering, subject to approval Fairfax County Department of Transportation (FCDOT) and the Department of Public Works and Environmental Services (DPWES). This road improvement shall also be aligned with Alliance Drive to the extent possible and include related traffic signal modifications subject to approval by VDOT and FCDOT. The Zoning Administrator may approve a later date for the completion of the road improvement without requiring an SEA application upon demonstration by the Applicant that, despite diligent efforts and due to factors beyond the Applicant's control, the required road improvements have been delayed.

19. With either option, adequate sight distance from the Piney Branch Road access point shall be demonstrated as determined by VDOT prior to the issuance of a Non-Rup. Any landscaping located near this access point shall be provided as approved by UFM in consultation with VDOT in order to avoid any interference with adequate sight distance. Any tree or shrub determined to impact the sight distance shall be replaced with an appropriate size or relocated elsewhere on the site with equal size and quality, as determined by UFM.\*
20. With either option, two “inverted U style” bicycle racks (or the equivalent, as determined by FCDOT) shall be installed in a location and manner to be coordinated with and approved by FCDOT at the time of site plan review. \*
21. With either option, in order to minimize the loss and damage of existing vegetation along the eastern boundary line, the design of the pedestrian connection located to the north of the intersection of Piney Branch Road and Price Club Plaza shall be reviewed and approved by UFM. \*
22. With either option, the stormwater management system shall be reviewed for adequacy by DPWES at the time of site plan review; if any inadequacies are identified, appropriate corrective measures shall be employed to the satisfaction of DPWES, prior to final site plan approval.\*
23. If the service station option is implemented, to buffer views of the gas station the Applicant shall work with the Windsor Mews Owners Associations (Tax Map 56-1-((16))-B1) to install additional landscaping and other improvements on the common association property, or make an in-kind contribution toward the same. The quantity, location, species and type of such landscaping or improvements will be coordinated with the Windsor Mews Home Owners Association prior to installation. Such landscaping and/or improvements shall not exceed \$10,000.00 in value, as determined by the bond unit cost for such proposed landscaping and/or improvements. Prior to site plan approval, the Applicant shall provide DPWES a written agreement between the Applicant and Windsor Mews demonstrating compliance with this development condition.
24. All existing trees to be preserved shall meet tree condition standards as required in PFM 12-0403. At the time of site plan submission, any trees shown to be preserved on the SEA Plat that do not meet tree condition standards, as determined by Fairfax County Urban Forest Management Division staff, shall be replaced with new nursery stock. Soils in islands where new material is to be planted, in accordance with the approved site plan, shall be loosened to a depth of one foot and compost or humus incorporated into the soil prior to replanting. All trees shall be planted in areas where minimum planting area requirements are met.

25. Trees planted in parking lot islands shall be sun tolerant and suited to the harsh environment of parking lots.
26. In order to provide sufficient water for plantings in parking islands, a drip irrigation system shall be installed; or, the islands shall be designed to allow surface runoff to enter the planting areas.
27. A northbound right-turn lane shall be provided on West Ox Road at the site's right turn in/right turn out access nearest the proposed service station, subject to approval from VDOT.
28. The hours of operation for the service station shall not occur outside of the following times: 5:30 am to one (1) hour after the Costco Warehouse closing time, seven (7) days per week.
29. With the exception of retail fuel sales to Costco Wholesale members only, the sale of any other goods or services including automobile repairs, inspections, or washings, shall not be conducted at the service station.
30. Other than fuel, no goods or services shall be displayed or advertised outdoors at or in the vicinity of the service station.
31. Fuel delivery shall occur at a time and in a manner that is compatible with efficient vehicle circulation to and through the site and that does not negatively affect the adjacent residences. In no instance shall fuel delivery vehicles idle excessively at the site, impede traffic flow, or cause traffic to overflow out onto the public right-of-way.

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, at a minimum, the use has been established or construction has commenced and been diligently prosecuted for one of the proposed buildings. 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.

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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.

Sincerely,



Catherine A. Chianese  
Clerk to the Board of Supervisors

Cc: Chairman Sharon Bulova  
Supervisor Pat Herrity, Springfield District  
Janet Coldsmith, Director, Real Estate Division, Dept. of Tax Administration  
Regina Coyle, Director, Zoning Evaluation Division, DPZ  
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning  
Angela K. Rodeheaver, Section Chief, Transportation Planning Division  
Department of Highways-VDOT  
Sandy Stallman, Park Planning Branch Manager, FCPA  
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division  
District Planning Commissioner  
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation