



APPLICATION ACCEPTED: January 11, 2012
PLANNING COMMISSION: April 18, 2012
BOARD OF SUPERVISORS: May 1, 2012 @3:30 p.m.

County of Fairfax, Virginia

April 6, 2012

STAFF REPORT

APPLICATION SEA 84-C-024

HUNTER MILL DISTRICT

APPLICANT:	Chipotle Mexican Grill of Colorado LLC d/b/a Chipotle Mexican Grill
PRESENT ZONING:	PRC
LOCATION:	11160 G2 South Lakes Drive
PARCEL:	27-1 ((9)) 0002A & 0004A
SITE AREA:	10.56 acres
FLOOR AREA RATIO (FAR):	0.24
PLAN MAP:	Residential Planned Community
SPECIAL EXCEPTION CATEGORY:	Category 5: Fast Food Restaurants
PROPOSAL:	Amend SE 84-C-024 previously approved for fast food restaurant to permit an additional fast food restaurant, increase in land area, and associated modifications to site design and development conditions.

STAFF RECOMMENDATIONS:

Staff recommends approval of SEA 84-C-024, subject to the proposed development conditions contained in Appendix 1.

Megan Brady

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703-324-1290 FAX 703-324-3924
www.fairfaxcounty.gov/dpz/



Staff recommends approval of the reaffirmation of a modification of the transitional screening and barrier requirements.

Staff recommends approval of the reaffirmation of a waiver of standard on-site County stormwater detention requirements.

Staff recommends approval of the reaffirmation of a modification of the required sight distance requirements.

Staff recommends approval of the reaffirmation of the use of innovative BMP.

Staff recommends approval of the reaffirmation of the waiver of the trail for the South Lakes Drive frontage.

Staff recommends approval of the reaffirmation of the modification of the inter-parcel connection requirements.

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.

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

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.

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

Special Exception Amendment

SEA 84-C-024



Applicant: CHIPOTLE MEXICAN GRILL OF COLORADO LLC d/b/a CHIPOTLE MEXICAN GRILL

Accepted: 01/11/2012; AMENDED 2/29/2012

Proposed: AMEND SE 84-C-024 PREVIOUSLY APPROVED FOR FAST FOOD RESTAURANT TO PERMIT ADDITIONAL FAST FOOD RESTAURANT AND INCREASE IN LAND AREA

Area: 10.56 AC OF LAND;
DISTRICT - HUNTER MILL
ZIP - 20191

Zoning Dist Sect: 06-0304

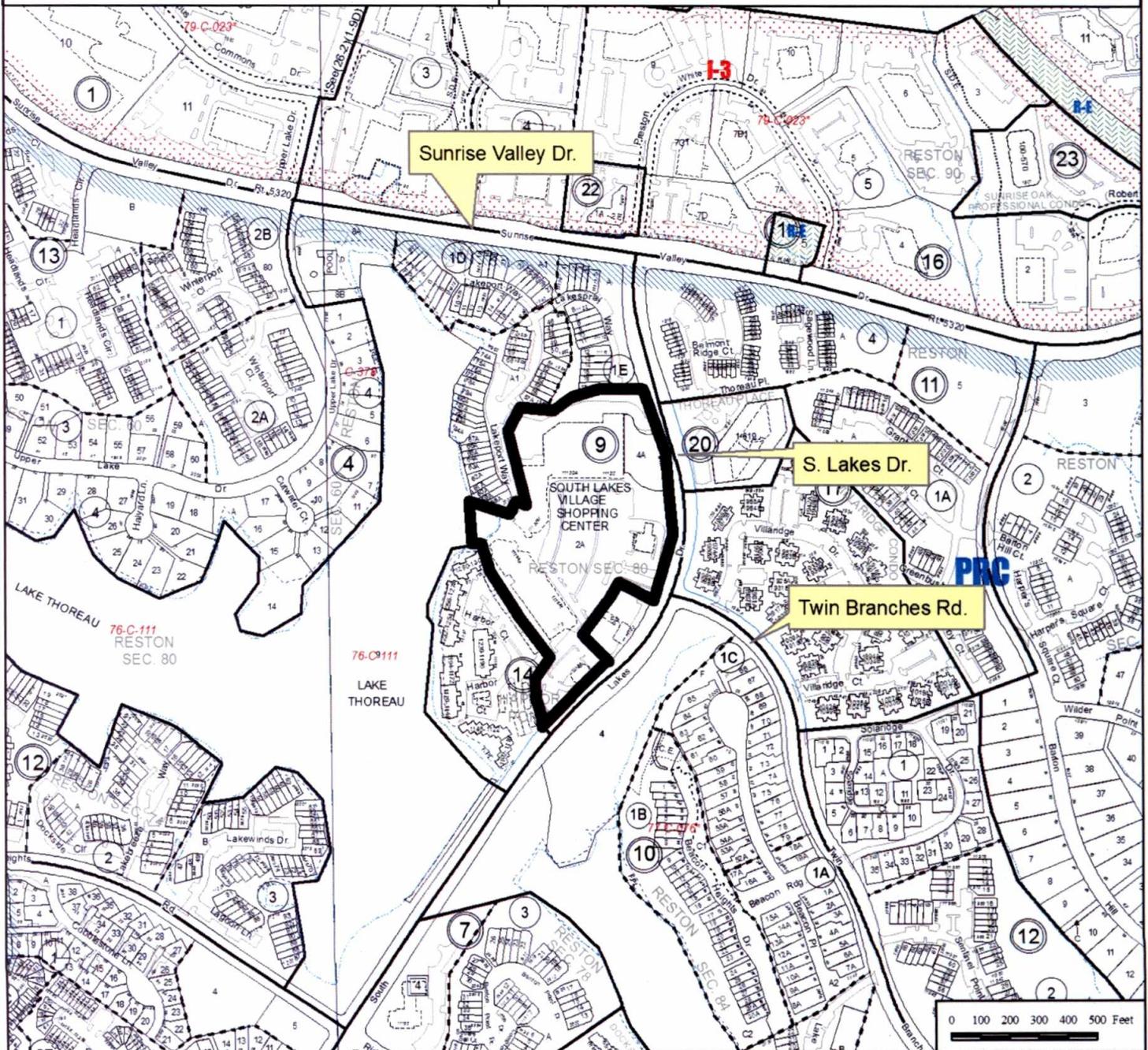
Art 9 Group and Use: 5-11

Located: 11160 SOUTH LAKES DRIVE #G2

Zoning: PRC- V

Plan Area: 3

Map Ref Num: 027-1- /09/ /0002A /09/ /0004A



CHIPOTLE MEXICAN GRILL AT SOUTH LAKES VILLAGE CENTER

SPECIAL EXCEPTION ADMENDMENT
FOR THE ADDITION OF FAST FOOD RESTAURANT
HUNTER MILL DISTRICT FAIRFAX COUNTY, VIRGINIA

#SEA 84-C-024
MARCH 06, 2012

APPLICANT:
CHIPOTLE MEXICAN GRILL OF COLORADO LLC
d/b/a/ CHIPOTLE MEXICAN GRILL
1401 WYNKOOP STREET, SUITE 600
DENVER, CO 80202

ENGINEER/AGENT:
BOWMAN CONSULTING GROUP, LTD.
14020 THUNDERBOLT PLACE, SUITE 300
CHANTILLY, VA 20151

ARCHITECT:
RED ARCHITECTURE & PLANNING, LLC
855 GRANDVIEW AVENUE, SUITE 295
COLUMBUS, OH 43215



VICINITY MAP
SCALE: 1"=1000'

SHEET INDEX

- 1 COVER SHEET
- 2 NOTES & TABULATIONS
- 3 SPECIAL EXCEPTION PLAN
- 4 CORRESPONDENCE (SHEET 1 OF 2)
- 5 CORRESPONDENCE (SHEET 2 OF 2)
- 6 ELEVATIONS & SIGNAGE

<p>COVER SHEET</p> <p>CHIPOTLE</p> <p>SOUTH LAKES VILLAGE CENTER</p> <p>HUNTER MILL DISTRICT FAIRFAX COUNTY, VIRGINIA</p>		<p>Project Number: #SEA 84-C-024</p> <p>County Project Number:</p>	<p>Bowman Consulting Group, Ltd.</p> <p>14020 Thunderbolt Place</p> <p>Suite 300</p> <p>Chantilly, Virginia 20151</p> <p>Phone: (703) 484-1000</p> <p>Fax: (703) 481-4720</p> <p>www.bowmanconsulting.com</p> <p>© Bowman Consulting Group, Ltd.</p>
<p>DATE: 11/07/11</p> <p>BY: J.B.</p> <p>CHECKED BY: J.B.</p> <p>SCALE: AS SHOWN</p> <p>DATE: NOVEMBER 2011</p> <p>FILE NO.: 0602-D-27-001</p>	<p>DATE: 11/07/11</p> <p>BY: J.B.</p> <p>CHECKED BY: J.B.</p> <p>SCALE: AS SHOWN</p> <p>DATE: NOVEMBER 2011</p> <p>FILE NO.: 0602-D-27-001</p>	<p>DATE: 11/07/11</p> <p>BY: J.B.</p> <p>CHECKED BY: J.B.</p> <p>SCALE: AS SHOWN</p> <p>DATE: NOVEMBER 2011</p> <p>FILE NO.: 0602-D-27-001</p>	<p>DATE: 11/07/11</p> <p>BY: J.B.</p> <p>CHECKED BY: J.B.</p> <p>SCALE: AS SHOWN</p> <p>DATE: NOVEMBER 2011</p> <p>FILE NO.: 0602-D-27-001</p>



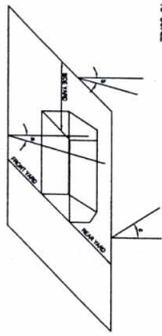
GENERAL NOTES:

1. THIS SPECIAL EXCEPTION PLAN ACCOMPANIES AN APPLICATION TO PERMIT A FAST FOOD RESTAURANT USE.
2. THE PROPOSED RESTAURANT IS LOCATED APPROXIMATELY 413 METERS SOUTH OF THE INTERSECTION OF SHAMEE VILLAGE DRIVE (ROUTE 520) AND SOUTH LAKES VILLAGE DRIVE (ROUTE 520). THE SITE IS LOCATED WITHIN THE SOUTH LAKES VILLAGE CENTER AND IS BARRIERS IDENTIFIED AS 1036 ACRES ON FAIRFAX COUNTY TAX MAP 27-1(10) SHEET 28 & 44.
3. THE PROPOSED RESTAURANT IS CURRENTLY ZONED HIGH-DENSITY RESIDENTIAL COMMUNITY DISTRICT. THE PROPERTY IS CURRENTLY OCCUPIED BY A SINGLE-FAMILY RESIDENCE.
4. THE PROPOSED RESTAURANT IS LOCATED WITHIN THE SOUTH LAKES VILLAGE CENTER AND IS BARRIERS IDENTIFIED AS 1036 ACRES ON FAIRFAX COUNTY TAX MAP 27-1(10) SHEET 28 & 44.
5. THE APPLICATION PROPERTY IS CURRENTLY ZONED HIGH-DENSITY RESIDENTIAL COMMUNITY DISTRICT. THE PROPOSED DEVELOPMENT IS CONSISTENT WITH THAT RECOMMENDATION.
6. THE APPLICATION PROPERTY IS LOCATED WITHIN THE SOUTH LAKES VILLAGE CENTER AND IS BARRIERS IDENTIFIED AS 1036 ACRES ON FAIRFAX COUNTY TAX MAP 27-1(10) SHEET 28 & 44.
7. THE PROPOSED RESTAURANT IS LOCATED WITHIN THE SOUTH LAKES VILLAGE CENTER AND IS BARRIERS IDENTIFIED AS 1036 ACRES ON FAIRFAX COUNTY TAX MAP 27-1(10) SHEET 28 & 44.
8. THE PROPOSED RESTAURANT IS LOCATED WITHIN THE SOUTH LAKES VILLAGE CENTER AND IS BARRIERS IDENTIFIED AS 1036 ACRES ON FAIRFAX COUNTY TAX MAP 27-1(10) SHEET 28 & 44.
9. THE PROPOSED RESTAURANT IS LOCATED WITHIN THE SOUTH LAKES VILLAGE CENTER AND IS BARRIERS IDENTIFIED AS 1036 ACRES ON FAIRFAX COUNTY TAX MAP 27-1(10) SHEET 28 & 44.
10. NONE OF THE EXISTING STRUCTURES ON THE SUBJECT PROPERTY WILL BE MATERIALLY ALTERED.

SPECIAL EXCEPTION PLAT SUBMISSION REQUIREMENTS

1. APPLICATION FROM TO BE SUBMITTED UNDER SEPARATE COVER.
2. NORTH-THEAT (2) CORNERS OF A 2" X 2" PLAT AT A SCALE OF NOT LESS THAN 1" = 50' AND A 6" X 1" PLAT.
3. REDUCTION SHALL BE PROVIDED UPON REQUEST AT THE TIME OF APPLICATION ACCEPTANCE.
4. THE BOUNDARY OF THE CHINESE SPECIAL EXCEPTION WITH REBARMS & DISTANCES HAVE BEEN SHOWN ON SHEET 3.
5. THE SITE TOLERANCES FOR THE SPECIAL EXCEPTION ARE BASED ON A LAND AREA OF 1,000 SF. THE OVERALL TOLERANCES FOR THE SPECIAL EXCEPTION SHALL BE BASED ON A LAND AREA OF 10.56 AC. SCALE AND NORTH ARROW AS SHOWN.
6. THE PROPOSED FAST FOOD RESTAURANT SHALL BE A MAXIMUM OF 2,000 SQ. FT. OVERALL DIMENSIONS ARE 20' X 100'.
7. THE PROPOSED FAST FOOD RESTAURANT SHALL BE 24 FEET TALL. PROPOSED SIGNAGE TO BE PROVIDED UNDER SEPARATE COVER.
8. THE PROPOSED FAST FOOD RESTAURANT SHALL BE PROVIDED WITH THE PLAN.
9. PARKING TOLERANCES SHOWN ON SHEET 3. SEE GENERAL NOTE #14.
10. THE SITE WILL BE SERVED BY PUBLIC WATER AND SEWER SERVICE TO BE PROVIDED BY FAIRFAX WATER AND SEWER AGENCIES.
11. NO ADDITIONAL STORMWATER MANAGEMENT IS REQUIRED FOR THIS SITE. THE UNDERSIGNED STORMWATER MANAGEMENT PLAN SHALL BE SUBMITTED WITH THE APPLICATION.
12. THE PROPOSED RESTAURANT SHALL BE PROVIDED WITH THE PLAN.
13. THE PROPOSED RESTAURANT SHALL BE PROVIDED WITH THE PLAN.
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18. THE PROPOSED RESTAURANT SHALL BE PROVIDED WITH THE PLAN.
19. THE PROPOSED RESTAURANT SHALL BE PROVIDED WITH THE PLAN.
20. THERE ARE NO AREAS THAT HAVE SCenic ASSETS OR NATURAL FEATURES DEWORTH OF PROTECTION OR PRESERVATION ON THE SITE.
21. THERE ARE NO COVENANTS OR PUBLIC FACILITIES SHOWN PROPOSED IN CONNECTION WITH THE DEVELOPMENT OF THIS PROPERTY.
22. ARCHITECTURAL SKETCHES/PHOTOGRAPHS ILLUSTRATIONS OF THE BUILDING ARE INCLUDED UNDER SEPARATE COVER.
23. THE LIMITS OF DISTURBANCE IS ANTICIPATED TO BE LESS THAN 250 SF UNLESS REQUIRED FOR BASED ON THE PLAN CONSTRUCTION DRAWINGS. CLEAR INDICATIONS TO AN APPROVED SPECIAL EXCEPTION MAY BE FORWARDED BY THE ZONING ADMINISTRATION FOR UNDERSTANDING UTILITIES.

ANGLE OF BULK PLANE DETAIL



MINIMUM STORMWATER INFORMATION FOR REZONING, SPECIAL EXCEPTION, SPECIAL PERMIT AND DEVELOPMENT PLAN APPLICATIONS

The following information is required to be shown or provided in the zoning application, or a written report of the water runoff analysis with justification shall be attached. Note: Wherever the text is in italics, it is a requirement of the zoning ordinance. Wherever the text is in bold, it is a requirement of the special exception application.

The information is required to be shown or provided in the zoning application, or a written report of the water runoff analysis with justification shall be attached. Note: Wherever the text is in italics, it is a requirement of the zoning ordinance. Wherever the text is in bold, it is a requirement of the special exception application.

Special Permit No. 05117.21.21.21
 General Ordinance No. 15-202 3.4.1
 Code of Ordinances Chapter 15-202 3.4.1
 Code of Ordinances Chapter 15-202 3.4.1
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1. A graphic depicting the automatic impoundment facility and line of debris and debris management. The automatic impoundment facility, storm drainage pipe system and/or debris management facility shall be shown on the site plan. The automatic impoundment facility shall be shown on the site plan. The automatic impoundment facility shall be shown on the site plan.

2. A graphic depicting the automatic impoundment facility and line of debris and debris management. The automatic impoundment facility, storm drainage pipe system and/or debris management facility shall be shown on the site plan. The automatic impoundment facility shall be shown on the site plan. The automatic impoundment facility shall be shown on the site plan.

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NOTES & TABULATIONS

CHIPOTLE
 SOUTH LAKES VILLAGE CENTER
 HUNTER MILL DISTRICT

FAIRFAX COUNTY, VIRGINIA

Bowman Consulting Group, Inc.
 6000 The Lakeside Plaza
 Suite 300
 Chant, Virginia 20151
 Phone: (703) 464-1000
 Fax: (703) 481-0720
 www.bowmanconsulting.com

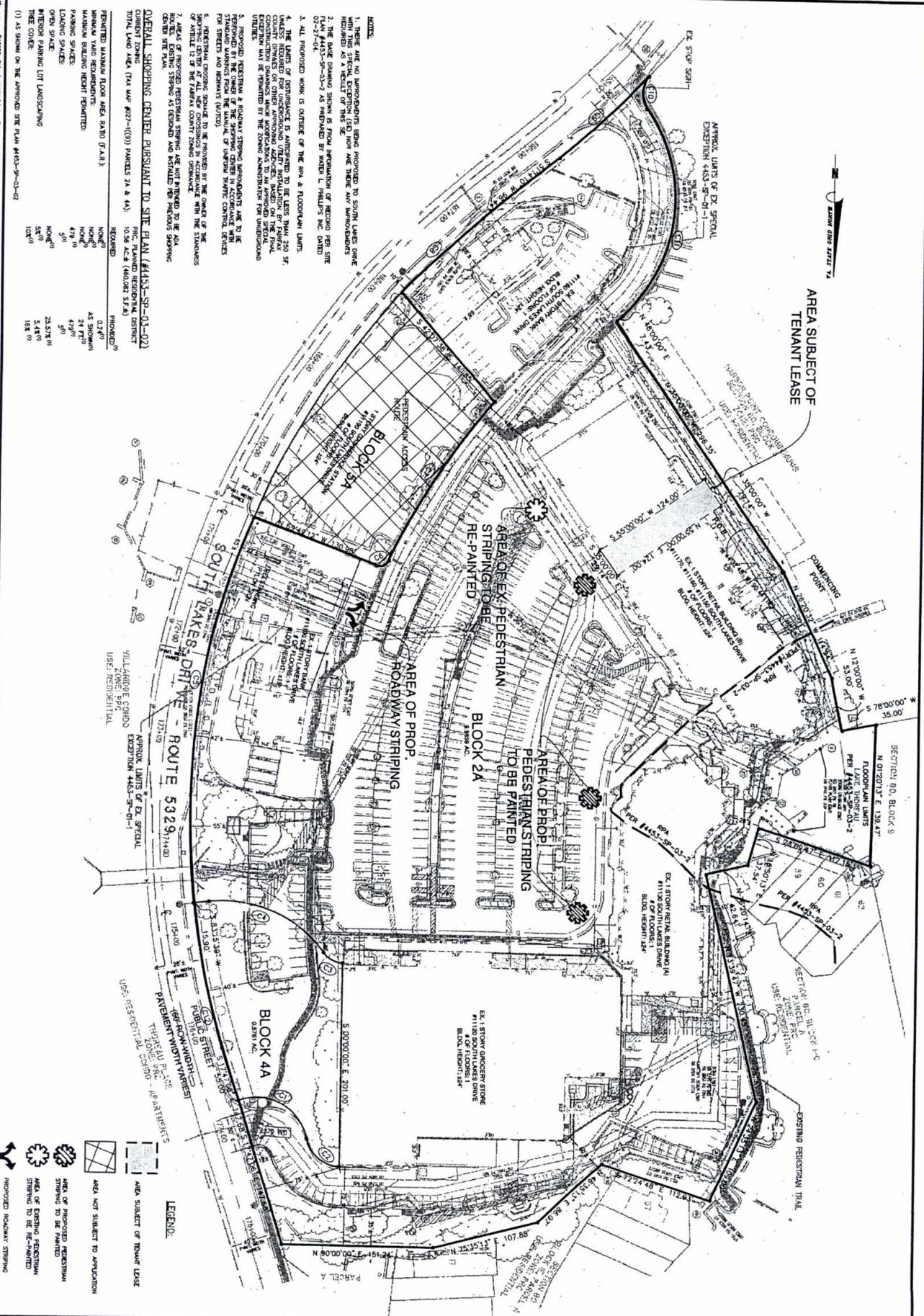
Bowman CONSULTING

DATE: NOVEMBER 2011
 FILE NO. 6602-07-001

SHEET 2 OF 6



AREA SUBJECT OF
TENANT LEASE



- NOTES:**
1. THERE ARE NO IMPROVEMENTS BEING PROPOSED TO SOUTH LAKES DRIVE WITH THIS SPECIAL EXCEPTION (EAS) NOR ARE THERE ANY IMPROVEMENTS TO THE EXISTING SIDEWALKS OR CURBS.
 2. THE EXISTING SIDEWALKS AND CURBS ARE TO REMAIN UNCHANGED PER SITE PLAN #443-SP-01-2 AS PERMITTED BY WATS. E. HUNTER MILL RD. (EAS) 02-27-04.
 3. ALL PROPOSED WORK IS OUTSIDE OF THE PPA & FLOODPLAIN LIMITS.
 4. THE LIMITS OF DISTURBANCE IS ANTICIPATED TO BE LESS THAN 200 SF. UNLESS REQUIRED FOR UNDERGROUND UTILITY INSTALLATION BY PUBLIC CONSTRUCTION DIVISIONS. ANY UNDERGROUND UTILITIES TO BE INSTALLED SHALL BE IDENTIFIED BY THE COUNTY ADMINISTRATION FOR UNDERGROUND UTILITIES.
 5. PROPOSED PEDESTRIAN & ROADWAY STRIPING IMPROVEMENTS ARE TO BE PERFORMED BY THE OWNER OF THE SHOPPING CENTER IN ACCORDANCE WITH THE STRIPING AND REPAIRS MANUAL (M) FOR THE COUNTY OF FAIRFAX.
 6. PEDESTRIAN STRIPING IS TO BE PROVIDED BY THE OWNER OF THE SHOPPING CENTER AT ALL NEW CROSSINGS IN ACCORDANCE WITH THE STANDARDS OF ARTICLE 12 OF THE PARKS COUNTY ZONING ORDINANCE.
 7. THE AREA OF PROPOSED PEDESTRIAN STRIPING IS NOT PERMITTED TO BE MAINTAINED BY THE COUNTY OF FAIRFAX.
 8. THE AREA OF PROPOSED PEDESTRIAN STRIPING IS NOT PERMITTED TO BE MAINTAINED BY THE COUNTY OF FAIRFAX.

OVERALL SHOPPING CENTER PERMIT TO SITE PLAN #443-SP-01-02

CURRENT ZONING: COMMERCIAL GENERAL (C-1)

TOTAL LAND AREA: 102,711 SQ. FT. (2.34 AC.)

REQUIRED	PROPOSED
MINIMUM VARIATION REQUIREMENTS	AS SHOWN
MINIMUM BUILDING HEIGHT PERMITTED	AS SHOWN
PARKING SPACES	479
OPEN SPACE	50
MINIMUM PARKING LOT LANDSCAPING	25,578
TRAIL CODE	5.44
	158

LEGEND:

- AREA SUBJECT OF TENANT LEASE
- AREA NOT SUBJECT TO APPLICATION
- AREA OF PROPOSED PEDESTRIAN STRIPING TO BE REPAINTED
- AREA OF EXISTING PEDESTRIAN STRIPING TO BE REPAINTED
- PROPOSED ROADWAY STRIPING

SECTION 90, BLOCK 8
FLOODPLAIN LIMITS
PER #443-SP-01-2

SECTION 90, BLOCK 7
FLOODPLAIN LIMITS
PER #443-SP-01-2

SECTION 90, BLOCK 6
FLOODPLAIN LIMITS
PER #443-SP-01-2

SECTION 90, BLOCK 5
FLOODPLAIN LIMITS
PER #443-SP-01-2

SECTION 90, BLOCK 4
FLOODPLAIN LIMITS
PER #443-SP-01-2

SECTION 90, BLOCK 3
FLOODPLAIN LIMITS
PER #443-SP-01-2

SECTION 90, BLOCK 2
FLOODPLAIN LIMITS
PER #443-SP-01-2

SECTION 90, BLOCK 1
FLOODPLAIN LIMITS
PER #443-SP-01-2

LEGEND:

- AREA SUBJECT OF TENANT LEASE
- AREA NOT SUBJECT TO APPLICATION
- AREA OF PROPOSED PEDESTRIAN STRIPING TO BE REPAINTED
- AREA OF EXISTING PEDESTRIAN STRIPING TO BE REPAINTED
- PROPOSED ROADWAY STRIPING



SPECIAL EXCEPTION PLAT

CHIPOTLE

SOUTH LAKES VILLAGE CENTER

HUNTER MILL DISTRICT FAIRFAX COUNTY, VIRGINIA

Bowman Consulting Group, Inc.
14250 Thunderbolt Place
Suite 300
Chantilly, Virginia 20151

Phone: (703) 464-1000
Fax: (703) 461-6700

www.bowmanconsulting.com



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

DESCRIPTION OF THE APPLICATION

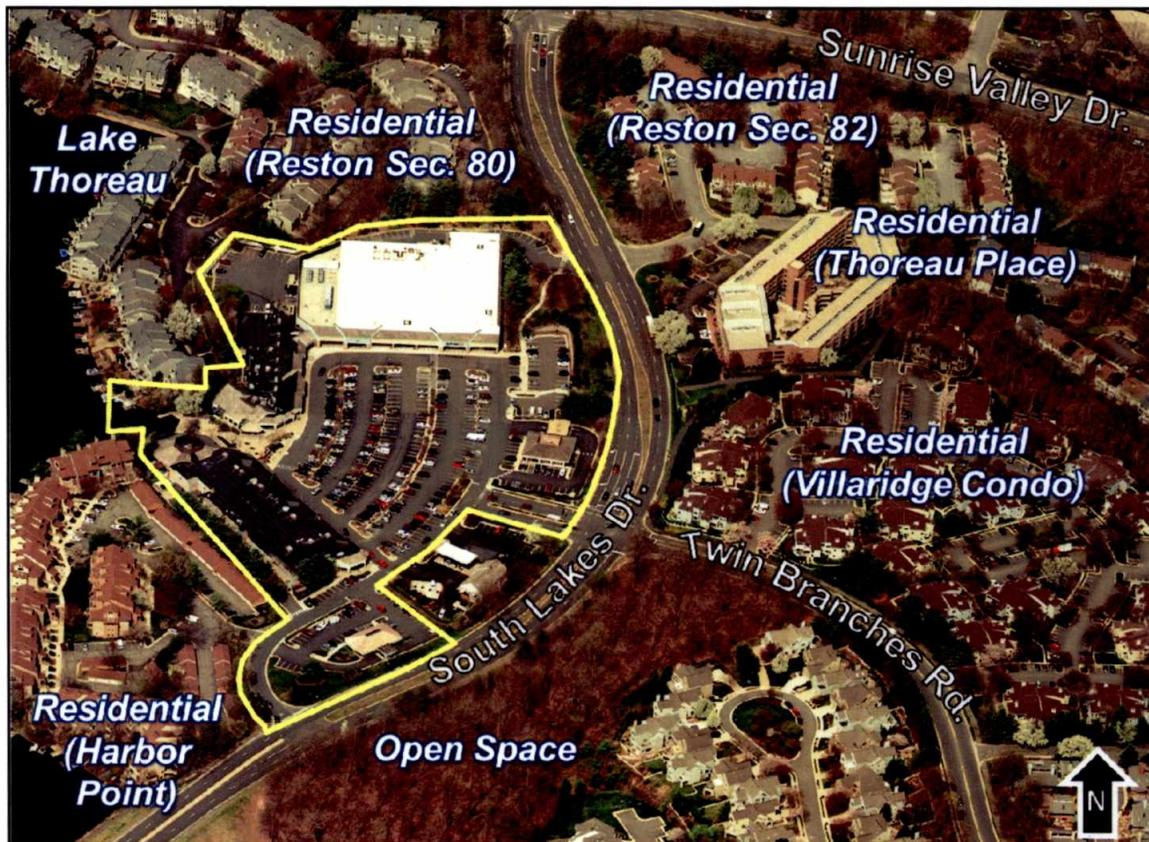
The applicant, Chipotle Mexican Grill of Colorado LLC d/b/a Chipotle Mexican Grill, proposes to amend SE 84-C-024, previously approved for a fast food restaurant, to allow an additional fast food restaurant (no drive-through) within an existing shopping center. Fast food restaurants are not specifically listed as a permitted use on the approved development plan for this property; therefore, either an amendment to the development plan or special exception approval is required. The proposed use would operate from 11:00 a.m. to 10:00 p.m. daily, with 13 full-time staff on-site at any one time. It is anticipated that the fast food restaurant would provide seating for approximately 50 customers and would serve approximately 500 customers for lunch and 250 for dinner. There are no exterior building or site modifications proposed with this application.

LOCATION AND CHARACTER

The 10.56 acre subject property, zoned PRC, is located in the Hunter Mill Magisterial District within the existing South Lakes Village Shopping Center. The shopping center occupies two parcels: 2A (9.98 ac) and 4A (0.58 ac). While three entrances provide vehicular access to the shopping center, the primary entrance is located at the intersection of South Lakes Drive and Twin Branches Road. The westernmost portion of parcel 2A is within the 100-year floodplain and a Resource Protection Area (RPA). No land disturbing activity on the application property is proposed.



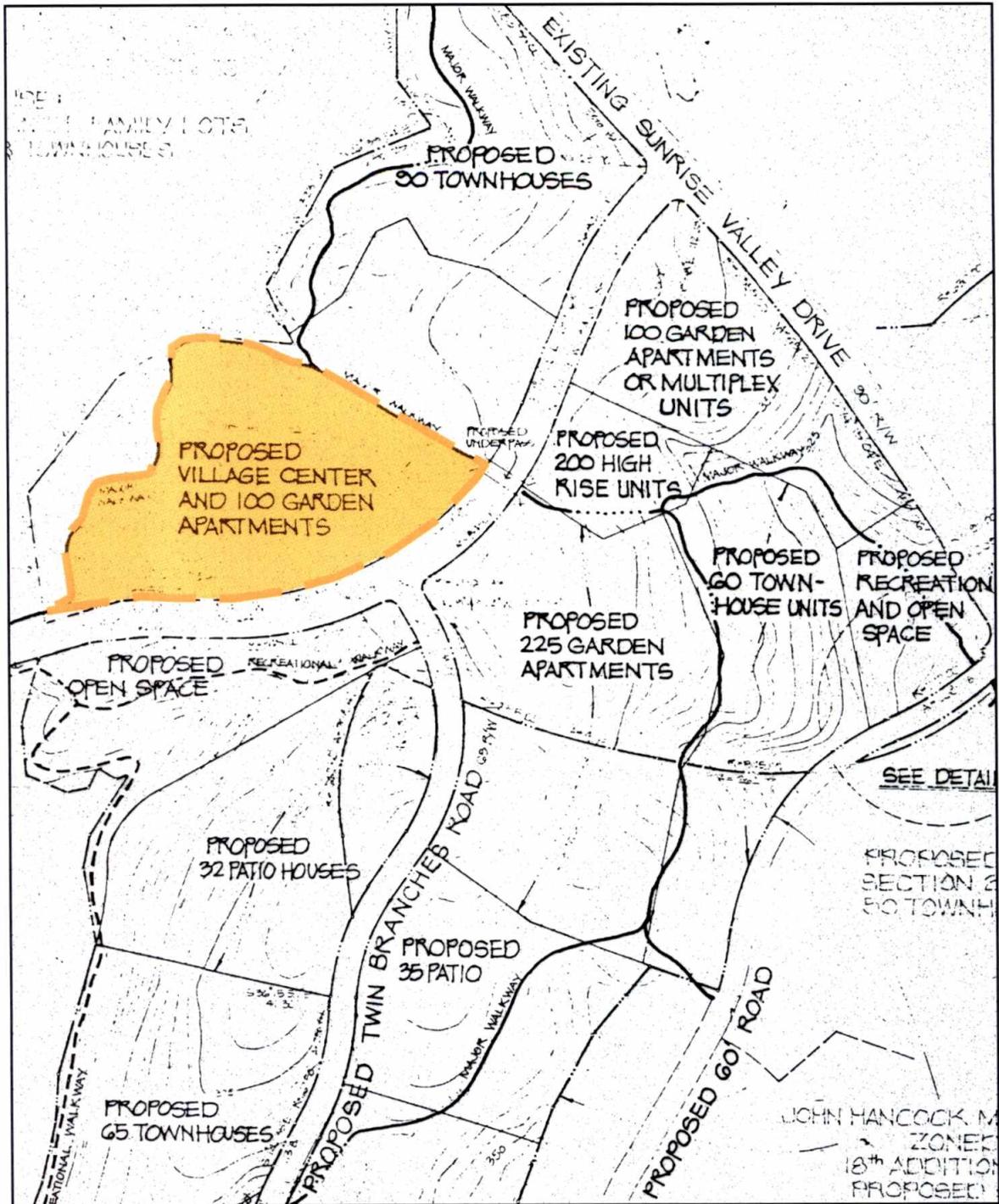
The applicant proposes to operate a fast food restaurant in a currently vacant 3,000 square foot lease space within one of the three existing shopping center buildings. The image above displays the location of the proposed fast food restaurant. A variety of uses currently operate throughout the shopping center, including four fast food restaurants. The image and corresponding text below summarize the zoning district, use, and plan designations for the surrounding parcels.



Northwest / North: Residential (PRC); *Plan:* Residential Planned Community
Northeast / East: Residential (PRC); *Plan:* Residential Planned Community
Southeast / South: Open Space (PRC); *Plan:* Residential Planned Community
Southwest / West: Residential (PRC); *Plan:* Residential Planned Community

BACKGROUND

On January 30, 1978, the Board of Supervisors approved RZ 77-C-076 to rezone approximately 163 acres from the RE-1 and RE-2 Districts to the PRC District. The approved development plan (DP) designated the application property as "Proposed Village Center and 100 Garden Apartments," as shown on the following development plan excerpt.



Pursuant to Sect. 6-302 of the Zoning Ordinance, a Village Center should be a central location for the activity of retail, community and leisure uses on a scale serving a number of neighborhoods, and should contain uses such as professional offices, a supermarket, a hardware store, specialty shops, and other uses outlined in Par. C of Sect. 6-302 (Appendix 11). The Zoning Ordinance also states that within the Village Center, the primary emphasis should be on the pedestrian circulation system. There are no proffers associated with the application property.

On January 5, 1981, the Board of Supervisors approved DPA 77-C-076, which modified the residential unit type designations shown on the previously approved development plan. The application property was not affected by DPA 77-C-076.

On January 30, 1981, a preliminary site plan (PRC Plan) was approved for the South Lakes Village Center. On May 24, 1982, the Board of Supervisors approved an 11 percent parking reduction for the shopping center. The site plan for the entire shopping center (4453-SP-01) was then approved on October 1, 1982.

On October 31, 1983, the Board of Supervisors approved SE 83-C-074 for a drive-in bank facility on the southern portion of the subject property. A drive-in financial institution currently exists at this location.

On January 31, 1984, the Board of Zoning Appeals approved SP 83-C-091 to allow a school of special education to operate within the shopping center. A private school of special education currently operates within the shopping center. A private school of special education is currently a Category 3 Special Exception use in a Village Center in the PRC Zoning District.

On February 21, 1984, the Board of Zoning Appeals approved SP 83-C-095 to permit a child care center to operate on the subject property. This use no longer exists in the shopping center.

On June 4, 1984, the Board of Supervisors approved SE 84-C-024 to permit a fast food restaurant within the shopping center (Subway Sandwich Shop). This fast food restaurant currently operates in the shopping center. The current SEA application seeks to amend the previously approved special exception to permit an additional fast food restaurant.

On February 12, 1996, the Board of Supervisors approved DPA 77-C-076-2 to amend the development plan approved pursuant to RZ 77-C-076 to permit a change in the designation of Tax Map 27-1 ((7)) 3 from 230 high-rise residential units to 41 medium density residential units, to change the unit type to townhouses, and to reduce the density. DPA 77-C-076-2 did not affect the application property.

On April 26, 2004, the Department of Public Works and Environmental Services (DPWES) approved Site Plan 4453-SP-03-2 to permit a 5,354 square foot expansion of the Safeway store, a use that currently exists in the shopping center. This site plan spanned two parcels (2A and 4A), resulting in a total site plan acreage of 10.56 for the shopping center.

DPWES also approved numerous waivers and modifications for this site between 1982 and 2004, as discussed in the Waivers and Modifications section of this report.

There is a pending PRC Plan (PRC 77-C-076) associated with RZ 77-C-076 that has been filed on Tax Map: 17-1 ((1)) 2C to redevelop an existing 5-story office building with a 23-story mixed use office building. This pending application does not affect the application property.

COMPREHENSIVE PLAN PROVISIONS

Plan Area: III

Planning District: Upper Potomac District

Planning Sector: UP5 Reston Community Planning Sector

Plan Map: Residential Planned Community

Base Plan Text:

Although there is no site specific text for the subject property, on pages 144-145 of the Fairfax County Comprehensive Plan, 2011 Edition, Upper Potomac Planning District, as amended through July 27, 2010, in the UP5 Reston Community Planning Sector, it states:

Reston has its own Master Plan because the community was planned and developed as one of the nation's landmark new towns, beginning in the 1960s...Incorporate the Reston Master Plans (Land Use Plan, Community Facilities Plan and Transportation Plan), adopted on July 18, 1962, and as subsequently amended, by reference in the Area Plan and on the composite map.

The adopted Reston Master Plan map indicates that the subject property is planned for Village Center.

ANALYSIS

Special Exception Amendment Plat (copy at front of staff report)

Title of SEA Plat: Chipotle Mexican Grill at South Lakes Village Center

Prepared by: Bowman Consulting

Original and Revision Dates: November 2011, through March 7, 2012

Plat Description: The Special Exception Amendment Plat (SEA Plat) consists of six sheets.

- Sheet 1 is the cover sheet and lists the applicant, agent, and architect and provides a vicinity map.
- Sheet 2 contains general notes for the SEA Plat, the stormwater management checklist, and an angle of bulk plane detail.
- Sheet 3 is the overall Special Exception Amendment plat. This sheet shows the shopping center's existing buildings, landscaping, and parking spaces. The applicant's proposed lease area and the planned locations for pedestrian and vehicular improvements are also depicted on this sheet.
- Sheets 4 and 5 contain copies of correspondence associated with previous County approvals on the subject property.
- Sheet 6 illustrates the proposed building mounted sign and provides a copy of the associated Design Review Board Decision letter.

No site or exterior building modifications are proposed with this application.

Land Use Analysis

The applicant intends to lease tenant space within the existing South Lakes Village Shopping Center. Several other fast food restaurants and similar uses already operate within this shopping center. There are no land use issues associated with the existing fast food restaurants and other uses within the Village Center. Staff finds that the proposed additional fast food restaurant (without drive-through facilities) complements the existing uses and is in conformance with the Comprehensive Plan.

Environmental Analysis

Issue: Stormwater (Appendix 7)

DPWES staff noted that the SEA Plat does not include the limits of clearing and grading, a description of existing stormwater management facilities and BMP facilities, or a site outfall narrative. Staff also noted that the applicant must provide a statement on the plat that the proposed work is outside of the floodplain.

Resolution:

The applicant has since revised the SEA Plat to indicate that the grease trap will now be installed inside the building and will no longer cause land disturbance that could have impacted existing vegetation and stormwater management. Therefore, these issues have been resolved.

Issue: Green Building Practices

The Fairfax County Policy Plan guidance supports the use of green building measures in buildings throughout Fairfax County. The plan encourages the application of energy conservation, water conservation and other green building practices, such as the use of energy efficient appliances, heating/cooling systems, and lighting. Since the applicant would occupy an existing building, it is not expected that this applicant would pursue a green building certification rating, such as LEED or its equivalent. However, staff encouraged the applicant to consider ways that green building practices may be incorporated into the existing tenant space.

Resolution:

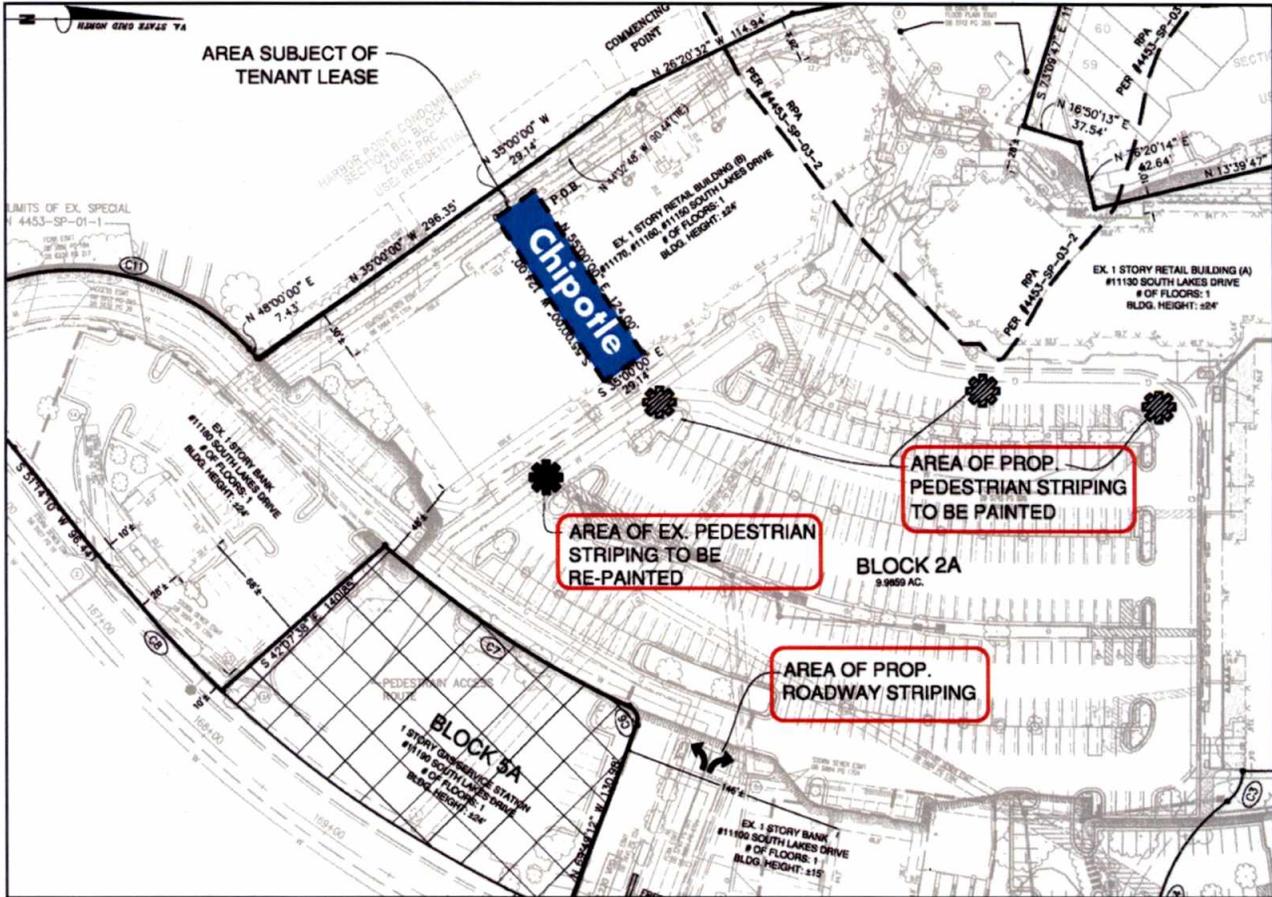
The applicant provided a supplemental statement that describes the green building measures that would be implemented at this location. Appendix 3 of this report contains this statement. Staff has proposed a development condition that would require the applicant to certify that these proposed green building measures were successfully installed.

Transportation Analysis (Appendix 4)Issue: Vehicular and Pedestrian Circulation

The proposed use is expected to generate approximately 205 additional trips at the lunch time peak hour; therefore, staff recommends that the applicant make several improvements to enhance pedestrian and vehicular circulation and safety throughout the shopping center. Directional arrows should be provided at the primary entrance from South Lakes Drive to improve vehicular circulation into the shopping center. In addition, the applicant could enhance pedestrian circulation and safety throughout the shopping center by restriping an existing, faded pedestrian crossing and providing three additional crosswalks in the locations shown on the SEA Plat. Signage should be provided at these new crosswalks.

Resolution:

The applicant has revised the SEA Plat to show the approximate locations of these proposed improvements, as highlighted on the SEA Plat excerpt shown below. Therefore, this issue has been resolved.



ZONING ORDINANCE PROVISIONS (Appendix 11)

Pursuant to Sections 6-306 and 6-307 of the Zoning Ordinance, there are no minimum lot size requirements, maximum height restrictions, maximum floor area ratios, maximum percentage of lot coverage, or minimum yard requirements in the PRC District; however, the location and arrangement of structures shall not be detrimental to existing or prospective adjacent dwellings or to the existing or proposed development of the neighborhood. This application does not propose any exterior modifications to the existing structures in the shopping center. Therefore, the applicable Zoning Ordinance provisions would continue to be met at this site, as shown in the charts below.

Bulk Requirements (PRC)		
Standard	Required	Provided
Max. Building Height	N/A	+/- 24 ft.*
Front Yard	N/A	+/- 28 ft.
Rear Yard	N/A	+/- 10 ft.
Side Yard	N/A	North: +/- 40 ft. South: +/- 28 ft.
Maximum FAR	N/A	0.24
Open Space	N/A	25.6%*
Parking Spaces	479 spaces for shopping center* (12 spaces for 3,000 sf applicant lease area)	479 spaces for shopping center*; (12 spaces for 3,000 sf applicant lease area)
Loading Spaces	5 spaces*	5 Spaces*

*Per approved Site Plan #4453-SP-03-2

Transitional Screening		
	Required	Provided**
Northwest/North (Residential - SFA)	Transitional Screen 3 – An unbroken strip of landscaped open space a minimum of 50 feet wide	Existing single row of evergreen and deciduous trees
Northeast/East (Residential – Multiple Family)	Transitional Screen 2 – An unbroken strip of landscaped open space a minimum of 35 feet wide	Existing grasses, shrubs and trees
Southeast/South (Open Space)	N/A	Existing grasses
Southwest/West (Residential - Multiple Family)	Transitional Screen 2 – An unbroken strip of landscaped open space a minimum of 35 feet wide	Existing single row of evergreen trees

Barrier		
	Required	Provided**
Northwest/North (Residential - SFA)	Barrier E, F, or G (6 foot high wall, brick, architectural block; 6 foot high wood or chain link fence)	Existing block wall approximately 5 feet in height
Northeast/East (Residential – Multiple Family)	Barrier E, F, or G (6 foot high wall, brick, architectural block; 6 foot high wood or chain link fence)	None
Southeast/South (Open Space)	N/A	N/A
Southwest/West (Residential - Multiple Family)	Barrier E, F, or G (6 foot high wall, brick, architectural block; 6 foot high wood or chain link fence)	None

**The transitional screening and barrier requirements were previously modified under WV# 5590, as shown on approved Site Plan 4453-SP-03-2. Staff supports the reaffirmation of this previously approved modification with this SEA application.

Waivers and Modifications

The Department of Public Works and Environmental Services (DPWES) approved numerous waivers and modifications on this site between 1982 and 2004, including:

- On February 8, 1982, approved a modification of the transitional screening and barrier requirement (#5590);
- On November 20, 2003, approved a waiver of standard on-site County stormwater detention requirements (#025877);
- On December 18, 2003, approved a modification of the required sight distance requirements (#026084);
- On March 29, 2004, approved the use of an innovative BMP (Filterra™ System) (#0262275);
- On December 15, 2003, approved a trail waiver for the site's frontage on South Lakes Drive (#025875); and,
- On December 4, 2003, approved a modification to the inter-parcel connection requirements (#025876).

Staff supports the reaffirmation of all previously approved waivers and modifications.

OTHER ZONING ORDINANCE REQUIREMENTS

General Special Exception Standards (Sect. 9-006):

All special exception uses shall satisfy the following general standards:

***General Standards 1 and 2** require that the proposed use at the specified location be in harmony with the adopted Comprehensive Plan and with the general purpose and intent of the applicable zoning district regulations.*

The adopted Reston Master Plan map indicates that the subject property is planned for Village Center. Staff believes that an additional fast food restaurant use at this location complements the existing uses, including other fast food restaurants in the Village Center, and is in harmony with the Reston Master Plan and, therefore, the recommendations of the Comprehensive Plan. The application is also in harmony with the intent of the PRC zoning district. The purpose and intent of the PRC district is to permit the development of planned communities that provide a variety of housing types, employment opportunities, and commercial services. Staff concludes that an additional fast food restaurant use within an existing shopping center is consistent with this purpose and intent.

***General Standard 3** states that the proposed use shall be harmonious with and not adversely affect the use or development of neighboring properties. This standard also requires that the location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.*

There are no physical changes proposed to the existing commercial structure. The proposed use will occupy a vacant tenant space within the building, is very similar to many of the existing uses within the shopping center, and would be harmonious with the neighboring properties. The development and use of nearby land and buildings would not be hindered or discouraged, as the impacts associated with an additional fast food restaurant would be similar to many of the existing uses within the shopping center. Staff finds that the application meets this standard.

***General Standard 4** requires that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing or anticipated traffic.*

The pedestrian and vehicular traffic associated with a fast food restaurant without a drive-through facility would be similar to that of the existing uses in the shopping center. The applicant anticipates approximately 205 trips during the lunch time peak hour and 78 trips in the p.m. peak hour. Staff believes that the

existing shopping center layout can adequately accommodate this anticipated additional traffic. In addition, implementation of the suggested transportation improvements discussed in the transportation analysis section of this report will help to further enhance the pedestrian and vehicular circulation throughout the shopping center. Therefore, staff believes that the application satisfies this standard.

General Standard 5 stipulates that the Board shall require landscaping and screening in accordance with the provisions of Article 13.

The applicant is not proposing any additional landscaping or screening with this application. Tree canopy requirements and interior and peripheral parking lot landscaping requirements were adequately addressed for the entire shopping center with the approval and completion of the shopping center's site plan. This previously approved site plan also modified the transitional screening and barrier requirements. The existing vegetation on site appears to be in satisfactory condition and, therefore, generally in conformance with these previously approved modifications. Therefore, the application meets this standard.

General Standard 6 stipulates that open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.

There is no minimum open space requirement in the PRC District, except that all common open space lands shall be controlled by the common open space and common improvement regulations contained in Part 7 of Article 2 of the Zoning Ordinance. The previous site plan indicates that approximately 25% of open space was previously provided for the shopping center. The applicant is not proposing any site modifications; therefore, this application will not impact the amount of open space on the subject parcels. Staff finds that the application satisfies this standard.

General Standard 7 states that 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.

The existing utilities, drainage, parking and other necessary facilities on-site are adequate for the proposed use. Therefore, the application meets this standard.

General Standard 8 specifies that signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

The applicant proposes to erect building-mounted signage above the suite's entrance to display the name of the proposed establishment (Chipotle). Existing tenants in the shopping center have building-mounted signage. All signs related to the proposed use shall be regulated by the provisions of Article 12 of the Zoning Ordinance.

Standards for All Category 5 Uses (Sect. 9-503)

This application is also subject to the three additional standards for all Category 5 special exception uses. Standard 1 states that all uses shall comply with the lot size and bulk regulations of the applicable zoning district. This application satisfies this requirement, as indicated in Zoning Ordinance Provisions section of this report. Standard 2 stipulates that all uses shall comply with the performance standards for the applicable zoning district. The shopping center would continue to meet these performance standards with the addition of the proposed fast food restaurant. Finally, standard 3 specifies that all uses shall be subject to the provisions of Article 17, Site Plans. A development condition noting this requirement is included in Appendix 1.

Additional Standards for Automobile-Oriented Uses, Car Washes, Drive-In Financial Institutions, Drive-Through Pharmacies, Fast Food Restaurants, Quick-Service Food Stores, Service Stations and Service Stations/Mini-Marts (Sect. 9-505)

The application must also satisfy the additional standards for fast food restaurants. Because the proposed use is a fast food restaurant in the PRC District, only four of these additional standards apply.

Standard A stipulates that such a use shall have on all sides the same architectural features or shall be architecturally compatible with the building group or neighborhood with which it is associated. The applicant intends to occupy tenant space in an existing building on the subject property and proposes no exterior building modifications. Thus, the application meets this standard.

Standard B states that the use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties. The applicant is not proposing any changes to the existing site entrances or sidewalks, except for the addition of the directional arrows at the shopping center's primary entrance. Consequently, the existing shopping center continues to meet this standard.

Standard C specifies that the site shall be designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation, and that the parking and stacking spaces shall be located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the site. Although the applicant is not proposing any changes to the existing parking lot configuration or on-site circulation, more prominent directional arrows at the shopping center's primary entrance and additional pedestrian crossings would enhance on-site circulation and safety. The SEA Plat indicates that directional arrows will be provided at the primary entrance, one existing crosswalk will be repainted, and three additional crosswalks and corresponding signage will be added. Staff concludes that the application satisfies this standard.

Standard D states that any use will not adversely affect any nearby existing or planned residential areas as a result of the hours of operation, noise generation, parking, glare or other operational factors. The hours of operation, noise generation, parking, glare and other operational factors proposed with this application are similar to that of the existing uses within the shopping center. The applicant intends to mitigate odors generated by the use through the installation of filters and exhaust fans, as described in the statement of justification contained in Appendix 3 of this report. Therefore, staff finds that the proposed use would not adversely impact the nearby residential areas and concludes that the application meets this standard.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The proposed fast food restaurant on the subject property is similar to existing uses in the shopping center and would not adversely impact the site or neighboring properties. Staff finds that the application is in harmony with the Comprehensive Plan and conforms to all applicable Zoning Ordinance Provisions.

Recommendation

Staff recommends approval of SEA 84-C-024, subject to the proposed development conditions contained in Appendix 1.

Staff recommends approval of the reaffirmation of the following waivers and modifications, previously approved by DPWES:

- Modification of the transitional screening and barrier requirement (#5590);
- Waiver of standard on-site County stormwater detention requirements (#025877);
- Modification of the required sight distance requirements (#026084);
- Use of an innovative BMP (Filterra™ System) (#0262275);
- Waiver of the trail for the South Lakes Drive frontage (#025875); and,
- Modification of the inter-parcel connection requirements (#025876).

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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

APPENDICES

1. Proposed Development Conditions
2. Special Exception Affidavit
3. Statement of Justification
4. SE 84-C-024 Clerk's Letter
5. FCDOT Analysis
6. VDOT Analysis
7. DPWES – Wastewater Planning & Monitoring Division Analysis
8. DPWES – Site Development and Inspections Division Analysis
9. DPWES – Urban Forest Management Division Analysis
10. Fairfax County Health Department Analysis
11. Zoning Ordinance Provisions
12. Glossary of Terms

DEVELOPMENT CONDITIONS**SEA 84-C-024****April 6, 2012**

If it is the intent of the Board of Supervisors to approve SEA 84-C-024 located at Tax Map 27-1 ((9)) 0002A & 0004A, for use as a fast food restaurant within the existing shopping center pursuant to Sect. 6-304 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These conditions shall be in addition to the development conditions adopted pursuant to the approval of SE 84-C-024.

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. Fast food restaurants without drive-through facilities may be located within the existing commercial structure without amendment to this Special Exception.
3. A copy of this Special Exception and the Non-Residential Use Permit shall be posted in a conspicuous space on the property of the use and be made available to all departments of Fairfax County during the hours of operation of the permitted use.
4. 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 (SEA Plat) prepared by Bowman Consulting, seal dated March 7, 2012, 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. Regardless of any signs shown on the SEA plat, all signage shall comply with the provisions of Article 12 of the Zoning Ordinance.
6. The applicant shall incorporate/install the following green building practices and technologies:
 - Six ton to ten ton high efficiency roof top HVAC units which fall into the 12.5-13 SEER category;
 - Time clock and photo cell to control the exterior signage to ensure that the signage lights are only on when necessary;
 - Occupancy sensors installed in the restrooms to only turn on the lights when movement is detected;
 - Exterior signage lit by LED lights;

- A Lightstat Thermostat with automatic temperature setback when the store is not occupied;
- RetroPlate system on the concrete floor in the dining room (a water based sealer that eliminates the need for caustic sealers);
- Low and No VOC paints;
- A pre-rinse sprayer at the four-compartment sink rated for 1.25 GPM;
- Dual flow water closets using either 1.1 or 1.6 gallons per flush depending on which button is pressed;
- High-efficiency lighting throughout the store;
- Low flow (.5 GPM) hand sinks in the restrooms; and,
- High efficiency water heaters (95%-98% efficient).

The applicant shall also make an effort to recycle cardboard from the kitchen and glass and plastic from the dining room. Prior to final construction bond release, a Licensed Architect or Professional Engineer shall certify that the green measures in this list were incorporated.

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 as evidenced by the issuance of a Non-RUP for the fast food restaurant use. 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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: February 28, 2012
 (enter date affidavit is notarized)

I, Jonathan D. Bondi, 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 114670

in Application No.(s): SEA 84-C-024
 (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)
Chipotle Mexican Grill of Colorado, LLC d/b/a Chipotle Mexican Grill	1401 Wynkoop Street, Suite 500, Denver, CO 80202	Applicant/Lessee
Cheryl L Heidorn	219 Westgate Ave., Columbus, OH 43204	Agent for Applicant
CREA- SOUTH LAKES VILLAGE LLC	Cornerstone Real Estate Advisers LLC 150 South Wacker Drive, Suite 350 Chicago, IL 60606	Title Owner
John R. Wooton	150 South Wacker Drive, Suite 350 Chicago, IL 60606	Agent for Title Owner
Bowman Consulting Group, Ltd.	3863 Centerview Drive, Suite 300 Chantilly, VA 20151	Agent/Engineer for Applicant

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

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
 ** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Special Exception Attachment to Par. 1(a)

DATE: February 28, 2012
(enter date affidavit is notarized)

114670

for Application No. (s): SEA 84-C-024
(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)
Jonathan D. Bondi	Bowman Consulting Group, Ltd. 14020 Thunderbolt Place, Suite 300 Chantilly, VA 20151	Agent/Engineer for Applicant
John L. Kauppila	Bowman Consulting Group, Ltd. 14020 Thunderbolt Place, Suite 300 Chantilly, VA 20151	Agent/Engineer for Applicant
RED ARCHITECTURE & PLANNING LLC	855 Grandview Avenue, Suite 295 Columbus, OH 43215	Agent/Architect for Applicant
Jennifer L. Saum	RED ARCHITECTURE & PLANNING LLC 855 Grandview Avenue, Suite 295 Columbus, OH 43215	Agent/Architect for Applicant
MESSNER & REEVES, LLC	1430 Wynkoop Street, Suite 300 Denver, CO 80202	Attorneys for Applicant
Donna B. Kirk	MESSNER & REEVES, LLC 1430 Wynkoop Street, Suite 300 Denver, CO 80202	Attorney for Applicant

(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: February 28, 2012
(enter date affidavit is notarized)

114670

for Application No. (s): SEA 84-C-024
(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)

Chipotle Mexican Grill of Colorado, LLC (Applicant)
1401 Wynkoop Street, Suite 500
Denver, Colorado 80202

DESCRIPTION OF CORPORATION: (check one statement)

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

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

(c1) Chipotle Mexican Grill, Inc. (sole member)

(check if applicable) [X] 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: February 28, 2012
(enter date affidavit is notarized)

114670

for Application No. (s): SEA 84-C-024
(enter County-assigned application number (s))

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

(c1) Chipotle Mexican Grill, Inc.
1401 Wynkoop Street, Suite 500
Denver, Colorado 80202

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)

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

Special Exception Attachment to Par. 1(b)

DATE: February 28, 2012
(enter date affidavit is notarized)

114670

for Application No. (s): SEA 84-C-024
(enter County-assigned application number (s))

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

CREA-SOUTH LAKES VILLAGE LLC (Title Owner)
c/o CORNERSTONE REAL ESTATE ADVISERS LLC
150 South Wacker Drive, Suite 350
Chicago, IL 60606

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)

CORNERSTONE PATRIOT HOLDING
LLC, its Sole Member/Manager (O1)

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

(O1) CORNERSTONE PATRIOT HOLDING LLC
c/o CORNERSTONE REAL ESTATE ADVISERS LLC
150 South Wacker Drive, Suite 350
Chicago, IL 60606

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)

CORNERSTONE HOLDING LP (Sole
Member) (O2)

(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: February 28, 2012
(enter date affidavit is notarized)

114670

for Application No. (s): SEA 84-C-024
(enter County-assigned application number (s))

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

CORNERSTONE HOLDING GP, LLC (O3)
c/o CORNERSTONE REAL ESTATE ADVISERS LLC
150 South Wacker Drive, Suite 350
Chicago, IL 60606

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)

CORNERSTONE PATRIOT FUND LP
(O6)
Sole Member/Manager

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

CORNERSTONE PATRIOT FUND GP LLC (O7)
c/o CORNERSTONE REAL ESTATE ADVISERS LLC
150 South Wacker Drive, Suite 350
Chicago, IL 60606

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)

MASSACHUSETTS MUTUAL LIFE
INSURANCE COMPANY (O4)

(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: February 28, 2012
(enter date affidavit is notarized)

114670

for Application No. (s): SEA 84-C-024
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
CORNERSTONE PATRIOT REIT LLC (O5)
c/o CORNERSTONE REAL ESTATE ADVISERS LLC
150 South Wacker Drive, Suite 350
Chicago, IL 60606

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)
CORNERSTONE PARTIOT FUND, LP
(O6)
Sole member and Manager

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

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

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

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

Special Exception Attachment to Par. 1(b)

DATE: February 28, 2012
(enter date affidavit is notarized)

114670

for Application No. (s): SEA 84-C-024
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
MASSACHUSETTS MUTUAL LIFE INSURANCE COMPANY (O4)
c/o CORNERSTONE REAL ESTATE ADVISERS LLC
150 South Wacker Drive, Suite 350
Chicago, IL 60606

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)

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Special Exception Attachment to Par. 1(b)

DATE: February 28, 2012
(enter date affidavit is notarized)

114670

for Application No. (s): SEA 84-C-024
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
BOWMAN CONSULTING GROUP, LTD.
3863 Centerview Drive, Suite 300
Chantilly, VA 20151

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)
Gary P. Bowman

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

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Special Exception Attachment to Par. 1(b)

DATE: February 28, 2012
(enter date affidavit is notarized)

114670

for Application No. (s): SEA 84-C-024
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
RED ARCHITECTURE & PLANNING LLC
855 Grandview Ave, Suite 295
Columbus, OH 43215

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)
David A. Efav

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

DESCRIPTION OF CORPORATION: (check one statement)

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(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: February 28, 2012
(enter date affidavit is notarized)

114670

for Application No. (s): SEA 84-C-024
(enter County-assigned application number (s))

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

MESSNER & REEVES, LLC
1430 Wynkoop Street, Suite 300
Denver, Colorado 80202

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)

Bryant S. "Corky" Messner, P.C. (1m)
Bruce A. Montoya, P.C. (2m)
John K. Shunk, LLC (3m)
David A. Reeves, LLC (4m)

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

(1m) Bryant S. "Corky" Messner, P.C.
1430 Wynkoop Street, Suite 300
Denver, Colorado 80202

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)

Bryant S. "Corky" Messner

(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: February 28, 2012
(enter date affidavit is notarized)

114670

for Application No. (s): SEA 84-C-024
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
(2m) Bruce A. Montoya, P.C.
14309 Wynkoop Street, Suite 300
Denver, CO 80202

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)
Bruce A. Montoya

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
(3m) John K. Shunk, LLC
14309 Wynkoop Street, Suite 300
Denver, CO 80202

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)
John K. Shunk

(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: February 28, 2012
(enter date affidavit is notarized)

114670

for Application No. (s): SEA 84-C-024
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
(4m) David A. Reeves, LLC
1430 Wynkoop Street, Suite 300
Denver, CO 80202

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)
David A. Reeves

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.
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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: February 28, 2012
(enter date affidavit is notarized)

114670

for Application No. (s): SEA 84-C-024
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

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

CORNERSTONE HOLDING LP (O2)
c/o CORNERSTONE REAL ESTATE ADVISERS LLC
150 South Wacker Drive, Suite 350
Chicago, IL 60606

(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)

CORNERSTONE HOLDING GP, LLC General Partner
(O3)
MASSACHUSETTS MUTUAL LIFE Limited Partner
INSURANCE COMPANY (O4)
CORNERSTONE PATRIOT REIT LLC Limited Partner
(O5)

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

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

Special Exception Attachment to Par. 1(c)

DATE: February 28, 2012
(enter date affidavit is notarized)

114670

for Application No. (s): SEA 84-C-024
(enter County-assigned application number (s))

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

CORNERSTONE PATRIOT FUND LP (06)
c/o CORNERSTONE REAL ESTATE ADVISERS LLC
150 South Wacker Drive, Suite 350
Chicago, IL 60606

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

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

CORNERSTONE PATRIOT FUND GP General Partner
LLC (07)

Limited partners are institutional client Limited Partners
investors none of which own 10% of more.

(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: February 28, 2012
(enter date affidavit is notarized)

114670

for Application No. (s): SEA 84-C-024
(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): SEA 84-C-024
(county-assigned application number(s), to be entered by County Staff)

SPECIAL EXCEPTION AFFIDAVIT

DATE: February 28, 2012
(enter date affidavit is notarized)

114670

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

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

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

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

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

WITNESS the following signature:

(check one) [] Applicant [x] Applicant's Authorized Agent
Jonathan D. Bondi, Authorized Agent for Applicant
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 28th day of February 20 12, in the State/Comm. of Virginia, County/City of Fairfax.

Alice Lawing
Notary Public

My commission expires: 02/29/2012



RECEIVED
Department of Planning & Zoning

MAR 02 2012

Zoning Evaluation Division

CHIPOTLE MEXICAN GRILL, INC
SPECIAL EXCEPTION TO PERMIT
A FAST FOOD-RESTAURANT

STATEMENT OF JUSTIFICATION

November 29, 2011

REVISED February 9, 2012

I. Introduction and Overview

Chipotle Mexican Grill, Inc., (the "Applicant") requests approval of a Special Exception to permit a fast food restaurant in accordance with Section 9-601 of the Zoning Ordinance. The application property is located at 11160 G2 South Lakes Drive at the South Lakes Village Shopping Center in Reston, VA. The proposed Chipotle will be located in a vacant retail space within the existing shopping center, which was previously approved under site plan #4453-SP-03-02. The site is zoned Planned Residential Community (PRC) and the proposed Chipotle will require that a Special Exception Plat be submitted to Fairfax County for Zoning Evaluation Division review and approval. The Applicant will be the contract lessee for the retail space.

II. Proposed Use

The Applicant proposes to convert an existing 3,000 square feet vacant space into a Chipotle Mexican Grill restaurant. The fast food restaurant will utilize the existing building façade, sidewalks, landscaping, utilities, stormwater management, loading area and parking area. The internal space will be reconstructed, Chipotle signage added to the front building façade, and a grease trap interceptor installed on the interior of the building.

The Special Exception Plat includes the following sheets:

1. Cover Sheet
2. Notes & Tabulations
3. Special Exception Plat
4. Waivers, Rezoning Conditions and Analysis (Sheet 1 of 2)
5. Waivers, Rezoning Conditions and Analysis (Sheet 2 of 2)
6. Elevations & Signage

III. Conformance with the Comprehensive Plan, Applicable Ordinances, Waivers/Modifications

The proposed use conforms to the provisions of all applicable ordinances, regulations, standards, conditions, and previously approved waivers as further indicated below:

- A modification (#5590) to required Transitional Screening was approved on February 8, 1982;
- A waiver (#025877) of standard on-site County stormwater detention requirements was approved on November 20, 2003;
- A modification (#026084) to the required sight distance requirements (PFM Section 7-0405) was approved on December 18, 2003;
- The use of an Innovative BMP (Filterra™ System) was approved on March 29, 2004 (#026275);
- A trail waiver (#025875) was approved on December 15, 2003;
- A modification (#025876) to the inter-parcel connection requirements was approved on December 4, 2003;
- No changes to the building or parking areas will occur. Disturbed land area is proposed for the installation of new waterline that will result in 250 square feet or less of disturbed land area. Therefore, additional Stormwater Runoff Quality Control (BMP) requirements per Public Facilities Manual Section 6-0400 are not required for this Special Exception

The Property is located in the UP5 Reston Community Planning Sector of the Upper Potomac Planning District (Area III) of the Comprehensive Plan and is planned for a village center. The property is located in the Hunter Mill Magisterial District. The proposed restaurant will utilize an existing retail space and will not change the existing FAR of the shopping center. The proposed fast food restaurant is consistent with the Comprehensive Plan.

IV. Conformance with General Standards of Zoning Ordinance Section 9-006

The following information provides details about how this special exception application satisfies the general standards in Z.O. Section 9-006.

1. The proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan: The proposed plan conforms to the guidelines of the Comprehensive Plan. The proposed fast food restaurant use will be compatible with the existing neighborhood shopping center development.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning ordinance regulations: The PRC Zoning District is intended for retail and commercial services uses and fast food restaurants are permitted with the approval of a Special Exception per Z.O. Section 6-304.
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 proposed fast food restaurant will not adversely affect the future development of the shopping center or any neighboring properties. The proposed use is consistent and compatible with the current uses of the shopping center.

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: Vehicular and pedestrian access will be provided via the approved parking, travel-ways and sidewalks per the approved overall shopping center per site plan #4453-SP-03-02.
5. In addition to the standards which may be set forth in this Article for a particular use, the Board shall require landscaping and screening in accordance with the provisions of Article 13, Landscaping and Screening of the Zoning Ordinance. Landscaping will be provided via the previously approved and constructed landscape areas as part of site plan #4453-SP-03-02.
6. Open space shall be provided in an amount equivalent to that specified for in the zoning district in which the proposed use is located. Open space will be provided via the previously approved and constructed open space areas as part of site plan #4453-SP-03-02.
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. Adequate utilities, stormwater management and parking are provided on-site as depicted on the Special Exception Plat and per previously approved site plan #4453-SP-03-02.
8. Signs shall be regulated by the provisions of Article 12, Signs, in the Zoning Ordinance; however the BZA may impose more strict requirements for a given use than those set forth in this Ordinance. Signage will be provided in accordance with Article 12 of the Zoning Ordinance.

V. Conformance with the Zoning Ordinance Regulations Section 9-011

The following information provides specific details about the proposed fast food restaurant as required in Z.O. Section 9-011.

- A. Type of Operation: The proposed restaurant will be a fast food restaurant with seating for approximately 50 customers.
- B. Hours of Operation: The proposed restaurant will provide services to the neighboring area and the hours of operation will be between 11 AM and 10 PM Sunday through Saturday. These hours of operation are consistent with existing Chipotle locations throughout the VA/MD/DC Metro area.

- C. Estimated number of patrons: It is anticipated that the restaurant will support approximately 500 customers for lunch and 250 customers for dinner.
- D. Proposed number of employees: It is anticipated that the restaurant will employ approximately 13 full-time employees on-site at any one time.
- E. Estimated traffic impact to include the maximum expected trip generation and the distribution of trips by mode and time of day: The fast food restaurant (without drive through) is expected to generate approximately 2,148 trips per day according to the *Institute of Transportation Engineers 8th Edition Trip Generation Manual*. The restaurant is anticipated to generate 0 trips in the morning peak hour, 205 trips in the Lunch Time peak hour, and 78 trips in the PM peak hour. While the normal background peak traffic flow occurs during the morning or afternoon rush hour, the restaurant's peak hours are expected to occur in the middle of the day between 11:00 AM and 1:30 PM, outside of normal rush hour and the dinner time peak flow of 5:30 PM and 6:30 PM.
- F. Vicinity or general area to be served by the use: The fast food restaurant will serve customers in the vicinity of the shopping center.
- G. Description of building façade and architecture of proposed new building: The fast food restaurant will utilize the existing one-story building that is part of the South Lakes Shopping Center.
- H. A listing of all known hazardous or toxic substances as set forth in applicable County, State, and Federal Regulations: To the best of the Applicant's knowledge, the use represented herein will not generate, utilize, store, treat and/or dispose of any hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations, Part 116.4, 302.4, and 355; any hazardous waste as set forth in Commonwealth of Virginia, Department of Waste Management VR 672-10-1 of the Virginia Hazardous Waste Management Regulations; and/or any petroleum products as defined in Title 40, code of Federal Regulations Part 280. However, any such substances that may be utilized, stored and/or disposed of in conjunction with the use will be in accordance with said regulations.
- I. A Statement that the proposed use conforms to the provisions of all applicable ordinances, regulations, standards, or conditions: To the best of the Applicant's knowledge the proposed development will comply with all applicable ordinances, regulations, standards, or conditions unless otherwise stated with this Application.

VI. Conformance with Category 6 Uses, Zoning Ordinance Regulations Section 9-503

In addition to the general standards addressed in Section 9-006, the Zoning Ordinance requires that all Category 6 special exception uses shall comply with the following standards per Section 9-503 of the Zoning Ordinance.

1. Except as qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located: All bulk regulation and lot size requirements required in the PRC Zoning District will be satisfied as depicted on the Special Exception Plat.
2. All uses shall comply with the performance standards specified for the zoning district in which located: The proposed fast food restaurant will satisfy the performance standards of the PRC Zoning District.
3. Before establishment, all uses, including modification or alteration to existing uses, shall be subject to the provision of Article 17, Site Plans. Should any of the provisions of Article 17 be applicable then the plan will be in conformance with the requirements.

We appreciate your consideration of this application for Special Exception for the proposed Chipotle.

BOWMAN CONSULTING GROUP



Jonathan Bondi
Bowman Consulting Group
Authorized Agent for the Applicant



February 17, 2012
Ms. Megan Brady
Fairfax County Zoning Evaluation Division
Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035

RE: Special Exception Application for Chipotle Mexican Grill at the South Lakes Shopping Center, statement outlining Chipotle's sustainable measures in their restaurants.

Dear Ms. Brady:

The following is a list of sustainable measures that Chipotle will take in their restaurant at the South Lakes Shopping Center:

- Chipotle uses six ton to ten ton high efficiency Roof top units which fall into the 12.5-13 EER category.
- Chipotle will use a time clock and photo cell to control the exterior signage – This will ensure that the signage lights are only on when necessary and is an energy saving measure.
- Occupancy Sensors are installed in the restrooms which will only turn on the lights when movement is detected in the restrooms - This is an energy saving measure.
- Chipotle's exterior sign will be lit by LED lights – This is a more energy efficient means of illuminating the sign and is an energy saving measure.
- Chipotle employs a Lightstat Thermostat with automatic temperature setback when the store is not occupied – This is an energy saving measure.
- Chipotle will use the RetroPlate system on the concrete floor in the dining room. The system uses water borne sealers that eliminated the need for caustic sealers. The system is LEED qualified and uses safe, naturally occurring materials to enhance the strength of the concrete.
- Low and No VOC paints– Chipotle will use a combination of Low-VOC and No-VOC paints from PPG in their store.
- Chipotle makes an effort to recycle cardboard in the kitchen and glass/ plastic from the dining room where the local programs are available.
- The pre-rinse sprayer at the four-compartment sink is rated for 1.25 GPM and is considered a low-flow faucet – This is an energy saving measure.
- Chipotle will use dual flow water closets it will either use 1.1 or 1.6 gallons per flush depending on which button is pressed - This is an energy saving measure.
- Chipotle will use high efficiency lighting throughout the store. The high efficiency lighting has been often found to be 10%-30% below the energy code, but it varies from store to store and until this store is designed we cannot be sure of exactly where this store will fall.
- Chipotle will use low flow (.5 GPM) hand sinks in the restrooms. – This is an energy saving measure.
- Chipotle will use high efficiency water heaters (95%-98% efficient). – This is an energy saving measure.
- Prior to final construction bond release, a Licensed Architect or Professional Engineer will certify that the green measures in this list were incorporated.

Thank you for attention to this matter.

Please do not hesitate to call if you have any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Saum", written in a cursive style.

Jennifer Saum

Project Manager



architecture + planning LLC

February 17, 2012
Ms. Megan Brady
Fairfax County Zoning Evaluation Division
Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035

RE: Special Exception Application for Chipotle Mexican Grill at the South Lakes Shopping Center, statement addressing the odor concern addressed at the Reston Planning and Zoning Meeting.

Dear Ms. Brady:

In response to the concerns brought up at the Reston Planning and Zoning Meeting, I contacted Joanna Reith, the contact for the Harbor Point Condominium Association about any concerns that they may have with odors that may be produced after Chipotle moves into the Shopping Center. In my conversation with Ms. Reith, we discussed the measures that Chipotle takes to mitigate odor produced from their exhaust fans. Chipotle Mexican Grill employs the use of filters that are integral to the Captive Aire hoods and exhaust fans and are very good at mitigating odors in shopping centers similar to the South Lakes Shopping Center. I also discussed that the only time that Chipotle typically gets complaints is in dense urban locations, where the roof conditions are such that they trap the odor and there are apartments on the floors above. I told Ms. Reith that if she or the Board of Directors at Harbor Point had any questions or concerns that they could contact me directly.

Thank you for attention to this matter.

Please do not hesitate to call if you have any questions or comments.

Sincerely,

Jennifer Saum

Project Manager



COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX

4100 CHAIN BRIDGE ROAD
FAIRFAX, VIRGINIA 22030

APPENDIX 4



June 6, 1984

Mr. William F. Naylor
10018 Whitefield Street
Fairfax, Virginia 22032

Re: Special Exception
Number SE 84-C-024

Dear Mr. Naylor:

At a regular meeting of the Board of Supervisors held on June 4, 1984, the Board approved Special Exception Number SE 84-C-024, in the name of Subway Sandwich Shop, located as Tax Map 27-1 ((9)) 2-A for use as a sandwich shop as a quick service food store pursuant to Section 6-304 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans. Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception Plat and these conditions.
4. The lighting behind Safeway and at the adjacent parking area, to be designated for employee parking, shall be improved.
5. Said employee parking area shall be maintained in a manner similar to that in the rest of the Center.
6. The 4 foot wide walks/stairs shall be installed through the parking lot islands as indicated on the approved Site Plan.

SE 84-C-024
June 6, 1984

7. All Tenants in the Center shall be encouraged to direct their respective employees to park in the areas designated for employee parking:
 - a. Building B and Safeway - Along roadway behind Safeway and in the parking area at the end of Building B.
 - b. Building A - Along outer-most parking tier (near the First National Bank) and in the lot around Perpetual American Bank (subject to any conditions in Perpetual's lease).
8. A concrete walk shall be installed from main parking lot to the access roadway behind Safeway along the east end of Safeway; subject to receipt of all required easements, permits and any other terms or agreements required as a condition precedent to the installation of said walkway.
9. A report on the parking and traffic flow situations shall be reviewed, analyzed and prepared after the implementation of items 1 thru 5 above and the achievement of 100% occupancy of the Center. At that time, the Landlord will convene a meeting of the Lessees and the Planning Commissioner to discuss the findings.

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.

Under Section 9-015 of the Zoning Ordinance, this Special Exception shall automatically expire, without notice, eighteen (18) months after the approval date of the Special Exception unless the activity authorized has been established, or unless construction has commenced, and is diligently pursued,

SE 84-C-024
June 6, 1984

or unless additional time is approved by the Board of Supervisors because of the occurrence of conditions unforeseen at the time of the approval of this Special Exception. A request for additional time shall be justified in writing, and must be filed with the Zoning Administrator prior to the expiration date.

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

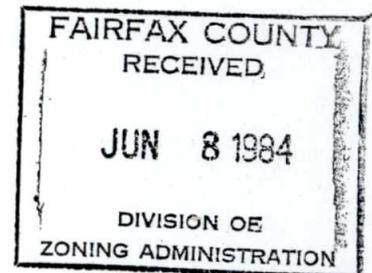
Very truly yours,

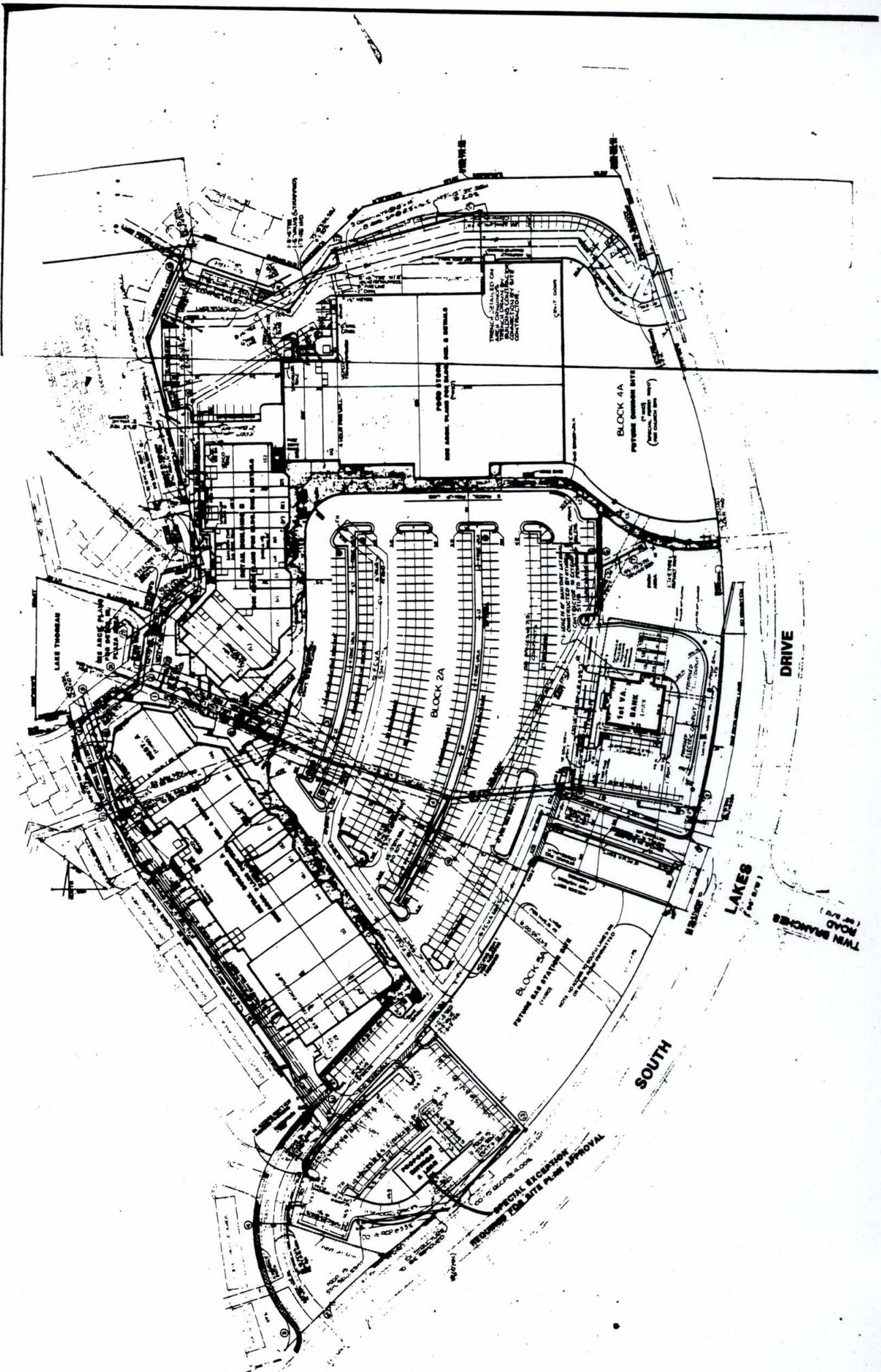


Ethel Wilcox Register, CMC
Clerk to the Board of Supervisors

EWR/mmg

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







County of Fairfax, Virginia

MEMORANDUM

DATE: March 8, 2012

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

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

FILE: 3-5 (SE 84-C-024)

SUBJECT: Transportation Impact

REFERENCE: SEA 84-C-024; Chipotle Mexican Grill of Colorado LLC
Land Identification Map: 27-1((9))0002A & 0004A

Transmitted herewith are the comments of the Department of Transportation with respect to the referenced application. These comments are based on the development plan dated March 6, 2012.

The applicant requests approval of a Special Exception to permit a fast food restaurant (Chipotle Mexican Grill, Inc.) in the existing South Lakes Village Shopping Center, Reston VA. This fast food restaurant use anticipates serving 500 customers during lunch with an approximated increase of 205 trips at lunch time peak hour. With the existing fast food restaurants in the shopping center and the anticipated increase in trips, this department recommends the following transportation safety improvements:

- Directional arrows at South Lake entrance
- Three pedestrian crossings throughout the shopping center as indicated on the development plan (one specifically at the Chipotle location)
- Restriping of the faded ADA crossing at the CVS location

FCDOT does not object to approval of the proposed application with the conditions agreed upon by the applicant's informational submittal, development plan, and the recommendations contained in this document.

AKR/mdg



COMMONWEALTH of VIRGINIA
DEPARTMENT OF TRANSPORTATION

GREGORY A. WHIRLEY
COMMISSIONER

4975 Alliance Drive
Fairfax, VA 22030

January 27, 2012

To: Ms. Barbara Berlin
Director, Zoning Evaluation Division

From: Noreen H. Maloney
Virginia Department of Transportation – Land Development Section

Subject: SEA 84-C-024; Chipotle

All submittals subsequent to the first submittal shall provide a response letter to the previous VDOT comments. Submittals without comment response letters are considered incomplete and will be returned without review.

This office has reviewed the subject application and offers the following comments.

- The application has been filed for a fast food restaurant to permit an additional fast food restaurant. Although the use is within an existing building, the County should pursue needed improvements to offset the additional peak hour traffic.



County of Fairfax, Virginia

MEMORANDUM

DATE: January 26, 2012

TO: Megan Brady
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Gilbert Osei-Kwadwo, P.E.
Engineering Analysis and Planning Branch

SUBJECT: Sanitary Sewer Analysis Report

REF: **Application No. SEA 84-C-024**
Tax Map No. 027-1-((09)) - - 0002A

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

- The application property is located in the Difficult Run (D3) watershed. It would be sewerred into the **Blue Plains** Treatment Plant.
- Based upon current and committed flow, there is excess capacity in the **Blue Plains** Treatment. For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
- An existing 15 inch line located in an easement and on the property is adequate for the proposed use at this time.
- The following table indicates the condition of all related sewer facilities and the total effect of this application.

Sewer Network	Existing Use +Application		Existing Use + Application +Previous Applications		Existing Use + Application + Comp Plan	
	Adeq.	Inadeq	Adeq.	Inadeq	Adeq.	Inadeq
Collector	X		X		X	
Submain	X		X		X	
Main/Trunk	X		X		X	

5. **Other pertinent comments:**





County of Fairfax, Virginia

MEMORANDUM

DATE: January 30, 2012

TO: Megan Brady, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Sharad Regmi, Stormwater Engineer 
Site Development and Inspections Division
Department of Public Works and Environmental Services

SUBJECT: Special Exception Amendment Application # SEA 84-C-024, Chipotle Mexican Grill, LLC., Special Exception Plat dated December 21, 2011, LDS Project # 4453-ZONA-001-1, Tax Map # 27-1-09-0002A, Hunter Mill District

We have reviewed the subject application and offer the following stormwater management comments.

Chesapeake Bay Preservation Ordinance (CBPO)

There is Resource Protection Area (RPA) on this site. However, the proposed work is outside the RPA. If the lot is currently adequately served for the proposed re-development by an existing BMP facility, applicant needs to provide a narrative and show the existing BMP facilities on the plat (ZO 9-011.2.J (1) (c)).

Floodplain

There is regulated floodplain on the property. Applicant needs to provide a statement on the plat that the proposed work is outside the floodplain.

Downstream Drainage Complaints

There is no recent downstream drainage complaint on file.

Stormwater Detention

A land disturbance of approximately 800 square feet is proposed. Applicant needs to show the "Limits of Clearing and Grading (LCG)" on the plat. If the lot is currently adequately served for the proposed re-development by existing SWM facilities, applicant needs to provide a narrative and show the existing SWM facilities on the plat (ZO 9-011.2.J (1) (c)).



Brent Krasner, Staff Coordinator

Special Exception Amendment Application # SEA 84-C-024, Chipotle Mexican Grill

February 1, 2012

Page 2 of 2

Site Outfall

An outfall narrative has not been provided. Applicant needs to provide the description of the adequacy and stability of the outfall (ZO 9-011.2.J (2) (c)). Zoning Ordinance (ZO 9-011.2.J (2) (c)) requires the applicant to provide outfall narrative to a point which is at least 100 times the site area. A demonstration of adequate outfall meeting PFM requirements will be required at Site Plan/Minor Site Plan submission (PFM 6-0203 & 6-0204.1).

Please contact me at 703-324-1720 if you require additional information.

SR/

cc: Craig Carinci, Director, Stormwater Planning Division, DPWES
Shahab Baig, SDID, DPWES
Zoning Application File



County of Fairfax, Virginia

MEMORANDUM

February 21, 2012

TO: Megan Brady, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Hugh Whitehead, Urban Forester II *HW*
Forest Conservation Branch, DPWES

SUBJECT: South Lakes Village Center-Chipotle, SEA 84-C-024

I have reviewed the above referenced Special Exception Plat and Statement of Justification, stamped as received by the Zoning Evaluation Division on January 11, 2012 and November 30, 2011, respectively. A site visit was conducted on February 14, 2012.

As you have confirmed in our conversation February 17, 2012, this SEA application is for a change in use. No site work is proposed. Tree canopy requirements, and interior and peripheral parking lot landscaping requirements have been adequately addressed for the entire shopping center with the previous approval and completion of site plan 004453-SP-003.

Forest Conservation Branch staff has no comments regarding the SEA application, at this time.

If there are any questions, please contact me at (703)324-1770.

HCW/
UFMID #: 167442

cc: RA File
DPZ File





County of Fairfax, Virginia

DATE: January 31, 2012

TO: Megan Brady, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Kevin R. Wastler, EH Supervisor *KRW*
Technical Review and Information Resources Section
Fairfax County Health Department

SUBJECT: Special Exception Plat Analysis

REFERENCE: Application No. SEA 84-C-024

After reviewing the application, the Health Department has no additional comments to make regarding the application. Plans must be submitted for review by the applicant regarding all required Health Department codes and regulations regarding a restaurant which is a part of this application.



PART 3 6-300 PRC PLANNED RESIDENTIAL COMMUNITY DISTRICT

6-301 Purpose and Intent

The PRC District is established to permit the development of planned communities on a minimum of 750 contiguous acres of land, which at the time of the initial rezoning to establish a PRC District is owned and/or controlled by a single individual or entity. Such planned communities shall be permitted only in accordance with a comprehensive plan, which plan, when approved, shall constitute a part of the adopted comprehensive plan of the County and shall be subject to review and revision from time to time.

The PRC District regulations are designed to permit a greater amount of flexibility to a developer of a planned community by removing many of the restrictions of conventional zoning. This flexibility is intended to provide an opportunity and incentive to the developer to achieve excellence in physical, social and economic planning. To be granted this zoning district, the developer must demonstrate the achievement of the following specific objectives throughout all of his planning, design and development.

1. A variety of housing types, employment opportunities and commercial services to achieve a balanced community for families of all ages, sizes and levels of income.
2. An orderly and creative arrangement of all land uses with respect to each other and to the entire community.
3. A planned and integrated comprehensive transportation system providing for a separation of pedestrian and vehicular traffic, to include facilities such as mass transportation, roadways, bicycle or equestrian paths and pedestrian walkways.
4. The provision of cultural, educational, medical, and recreational facilities for all segments of the community.
5. The location of structures to take maximum advantage of the natural and manmade environment.
6. The provision of adequate and well-designed open space for the use of all residents.
7. The staging of development in a manner which can be accommodated by the timely provision of public utilities, facilities and services.

To these ends, rezoning to and development under this district will be permitted only in accordance with a comprehensive plan and development plan prepared and approved in accordance with the provisions of Article 16.

6-302 Permitted Uses

Subject to the use limitations set forth in Sect. 305 below and the exceptions permitted by Sections 303 and 304 below, the following and similar uses as may be approved

shall be permitted only in those locations respectively designated Residential, Neighborhood Convenience Center, Village Center, Town Center and Convention/Conference Center on an approved development plan and PRC plan, if applicable, prepared in accordance with the provisions of Article 16.

C. The following uses are permitted in those locations approved for a Village Center which should be a central location for activity of retail, community and leisure uses on a scale serving a number of neighborhoods. A village center should be easily accessible to both vehicles and pedestrians. Within such a center, the primary emphasis should be on the pedestrian circulation system. A village center should contain uses such as professional offices, a supermarket, a hardware store, specialty shops and other uses as listed below.

- (1) Accessory uses, accessory service uses and home occupations as permitted by Article 10.
- (2) Business service and supply service establishments.
- (3) Commercial and industrial uses of special impact (Category 5), limited to:
 - (a) Amusement arcades
 - (b) Automobile-oriented uses
 - (c) Car washes
 - (d) Drive-in financial institutions
 - (e) Drive-through pharmacies
 - (f) Fast food restaurants
 - (g) Golf courses, country clubs
 - (h) Marinas, docks and boating facilities, commercial
 - (i) Quick-service food stores
 - (j) Retail sales establishments-large, limited by the provisions of Sect. 9-533
 - (k) Service stations
 - (l) Service station/mini-marts
- (4) Commercial recreation uses (Group 5), limited to:
 - (a) Billiard and pool halls
 - (b) Bowling alleys
 - (c) Commercial swimming pools, tennis courts and similar courts
 - (d) Dance halls
 - (e) Health clubs
 - (f) Miniature golf courses
 - (g) Skating facilities
 - (h) Any other similar commercial recreation use
- (5) Community uses (Group 4).
- (6) Dwellings, as set forth in Par. A above.
- (7) Eating establishments.
- (8) Financial institutions.
- (9) Funeral chapels.
- (10) Garment cleaning establishments.
- (11) Institutional uses (Group 3).

- (12) Kennels, limited by the provisions of Sect. 305 below.
- (13) Light public utility uses (Category 1).
- (14) Offices.
- (15) Personal service establishments.
- (16) Public uses.
- (17) Quasi-public uses (Category 3).
- (18) Repair service establishments.
- (19) Retail sales establishments.
- (20) Taxi stands.
- (21) Theatres.
- (22) Transportation facilities (Category 4), limited to:
 - (a) Bus or railroad stations
 - (b) Electrically-powered regional rail transit facilities
 - (c) Regional non-rail transit facilities
- (23) Vehicle light service establishments.
- (24) Veterinary hospitals, limited by the provisions of Sect. 305 below.

6-304 Special Exception Uses

The following uses shall be permitted uses in those areas as qualified when they are specifically designated on an approved development plan; otherwise they may be allowed in such qualified areas only as a special exception use upon approval of the Board.

- 1. All uses presented in Par. A, B, C, D and E in Sect. 302 above as a Category use.
- 2. Heavy public utility uses (Category 2), limited to sewage treatment and disposal facilities - Residential.
- 3. Hotels, motels - Village and town centers.
- 4. Category 5 - Commercial and Industrial Uses of Special Impact, limited to:
 - A. Bed and breakfasts
 - B. Commercial off-street parking in Metro Station areas as a temporary use

6-307 Bulk Regulations

- 1. Maximum building height: No Regulation
- 2. Minimum yard requirements:
 - A. The location and arrangement of structures shall not be detrimental to existing or prospective adjacent dwellings or to the existing or prospective development of the neighborhood.
 - B. No single family detached dwelling shall be erected closer than sixteen (16) feet to any other single family dwelling unless a lesser distance is specifically identified on an approved development plan.
 - C. No single family detached or attached dwelling or accessory structure shall be erected closer than fifteen (15) feet to any public street right-of-way line unless shown on an approved PRC plan.
- 3. Maximum floor area ratio: No Regulation
- 4. Maximum percentage of lot coverage: No Regulation

SPECIAL EXCEPTION STANDARDS

General Standards (Sect. 9-006)

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.

Standards for all Category 5 Uses (Sect. 9-503)

In addition to the general standards set forth in Sect. 006 above, all Category 5 special exception uses shall satisfy the following standards:

1. Except as qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located.
2. All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan or photometric plan as may be required by Part 9 of Article 14.
3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

Additional Standards for Automobile-Oriented Uses, Car Washes, Drive-In Financial Institutions, Drive-Through Pharmacies, Fast Food Restaurants, Quick-Service Food Stores, Service Stations and Service Stations/Mini-Marts (Sect. 9-505)

In all districts where permitted by special exception:

- A. Such a use shall have on all sides the same architectural features or shall be architecturally compatible with the building group or neighborhood with which it is associated.
- B. Such a use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties.
- C. The site shall be designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation. Parking and stacking spaces shall be provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the site.
- D. In reviewing such a use or combination of uses, it shall be determined that the lot is of sufficient area and width to accommodate the use and that any such use will not adversely affect any nearby existing or planned residential areas as a result of the hours of operation, noise generation, parking, glare or other operational factors.
- E. For a drive-through pharmacy, signs shall be required to be posted in the vicinity of the stacking area stating the limitations on the use of the window service and/or drive-through lane. Such signs shall not exceed two (2) square feet in area or be located closer than five (5) feet to any lot line.

GLOSSARY

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

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

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

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

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

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

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

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

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

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-455) 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 be function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code; includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential-Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DUI/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		