



County of Fairfax, Virginia

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

May 2, 2012

Jonathan D. Bondi
Bowman Consulting Group, Ltd
14020 Thunderbolt Place, Suite 300
Chantilly, VA 20151

RE: Special Exception Amendment Application SEA 84-C-024

Dear Mr. Bondi:

At a regular meeting of the Board of Supervisors held on May 1, 2012, the Board approved Special Exception Amendment Application SEA 84-C-024 in the name of Chipotle Mexican Grill of Colorado LLC D/B/A Chipotle Mexican Grill. The subject property is located at 11160 South Lakes Drive #G2 on approximately 10.56 acres of land zoned PRC in the Hunter Mill District [Tax Map 27-1 ((9)) 2A and 4A]. The Board's action amends Special Exception Application SE 84-C-024 previously approved for a fast food restaurant to permit additional fast food restaurant and an increase in land area of the shopping center with associated modifications to development conditions pursuant to Sections 6-304 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions which supersede all previous development conditions; conditions carried forward unchanged from previous approvals are marked with an asterisk (*):

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception Amendment 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 Amendment 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.

Office of the Clerk to the Board of Supervisors
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035

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<http://www.fairfaxcounty.gov/bosclerk>

4. This Special Exception Amendment 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. Irrespective 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.

7. The applicant shall provide \$1500 in an escrow account with the Fairfax County Department of Public Works and Environmental Services (DPWES) prior to the issuance of a non-RUP for the fast food restaurant to be used by Fairfax County for pedestrian and bicycle improvements within or along the perimeter of the South Lakes Village Shopping Center.

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 Amendment 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.

The Board also:

- Reaffirmed the following waivers and modifications associated with the most recently approved site plan for the shopping center:
 - Modified the transitional screening and barrier requirements.
 - Modified the required sight distance requirements.
 - Waived the trail for the South Lakes Drive frontage.
 - Modified the interparcel connection requirements.

Sincerely,

Catherine A. Chianese
Clerk to the Board of Supervisors

May 2, 2012...

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