



APPLICATION FILED: December 8, 2006
PLANNING COMMISSION: June 28, 2007
BOARD OF SUPERVISORS: Not Yet Scheduled

County of Fairfax, Virginia

June 14, 2007

STAFF REPORT

APPLICATION PCA 1999-MV-025-03 & SE 2006-MV-033

MOUNT VERNON DISTRICT

APPLICANT: Exxon Mobil Corporation

PRESENT ZONING: C-6

PARCEL(S): 107-4((23)) B

ACREAGE: 1.47 acres

FLOOR AREA RATIO (FAR): 0.13 (Overall Shopping Center)
0.08 (Special Exception Area)

OPEN SPACE: 30% (Overall Shopping Center)
43% (Special Exception Area)

PLAN MAP: Mixed Use

SE CATEGORY: Category 5; Service Station, Quick Service
Food Store and Car Wash

PROPOSAL: The applicant has requested approval of a special exception (SE 2006-MV-033) and to amend the proffers for RZ 1999-MV-025 for a 1.47 acre portion of the Lorton Station Shopping Center (Pad Site A) to permit the development of a service station, quick service food store and car wash on Pad Site A.

STAFF RECOMMENDATIONS:

Staff recommends that PCA 1999-MV-025-3 be approved subject to the draft proffers contained in Appendix 1.

O:\clewi4\PCA CDP FDP\PCA 1999-MV-025-3 and SE 2006-MV-033, Exxon-Mobil\Cover.doc

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 that SE 2006-MV-033 be approved subject to the development conditions in Appendix 2.

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

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

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

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Proffered Condition Amendment

PCA 1999-MV-025-03

Applicant: EXXON-MOBIL CORPORATION
Accepted: 12/08/2006
Proposed: TO AMEND RZ 1999-MV-025 PREVIOUSLY APPROVED FOR COMMERCIAL DEVELOPMENT TO PERMIT SERVICE STATION, CAR WASH AND QUICK SERVICE FOOD STORE

Area: 1.47 AC OF LAND; DISTRICT - MOUNT VERNON

Zoning Dist Sect: SOUTHWEST QUADRANT OF THE INTERSECTION OF LORTON ROAD AND LORTON MARKET STREET

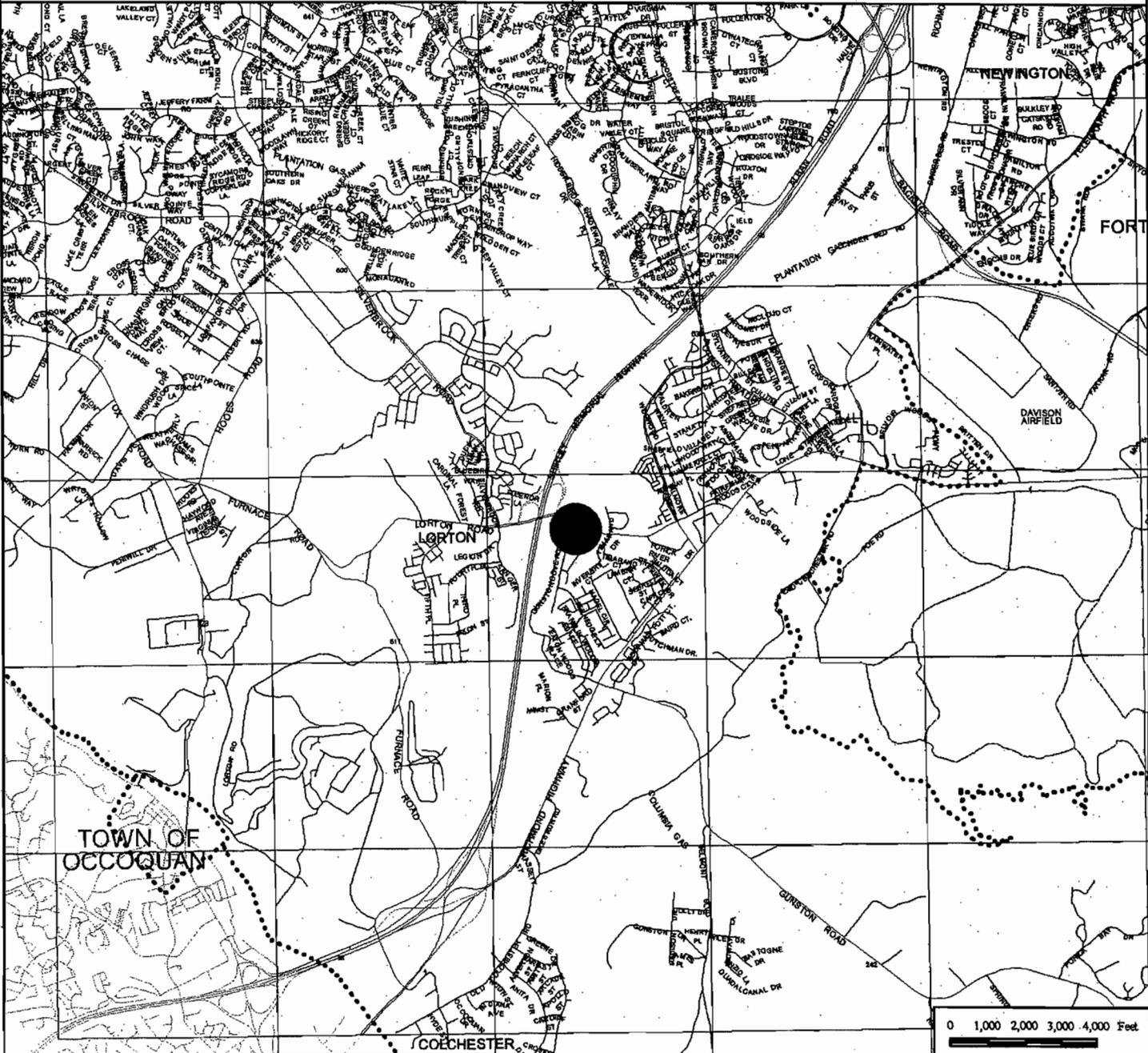
Zoning: C-6
Overlay Dist:
Map Ref Num: 107-4 /23/ / B

Special Exception

SE 2006-MV-033

Applicant: EXXON-MOBIL CORPORATION
Accepted: 12/08/2006
Proposed: SERVICE STATION, CAR WASH AND QUICK FOOD SERVICE FOOD STORE
Area: 1.47 AC OF LAND; DISTRICT - MOUNT VERNON

Zoning Dist Sect: 04-0604
Art 9 Group and Use: 5-20 5-21 5-03
Located: 9400 LORTON MARKET STREET
Zoning: C-6
Plan Area: 4,
Overlay Dist:
Map Ref Num: 107-4 /23/ / B



Proffered Condition Amendment

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Zoning: C-6

Overlay Dist:

Map Ref Num: 107-4 /23/ / B

Special Exception

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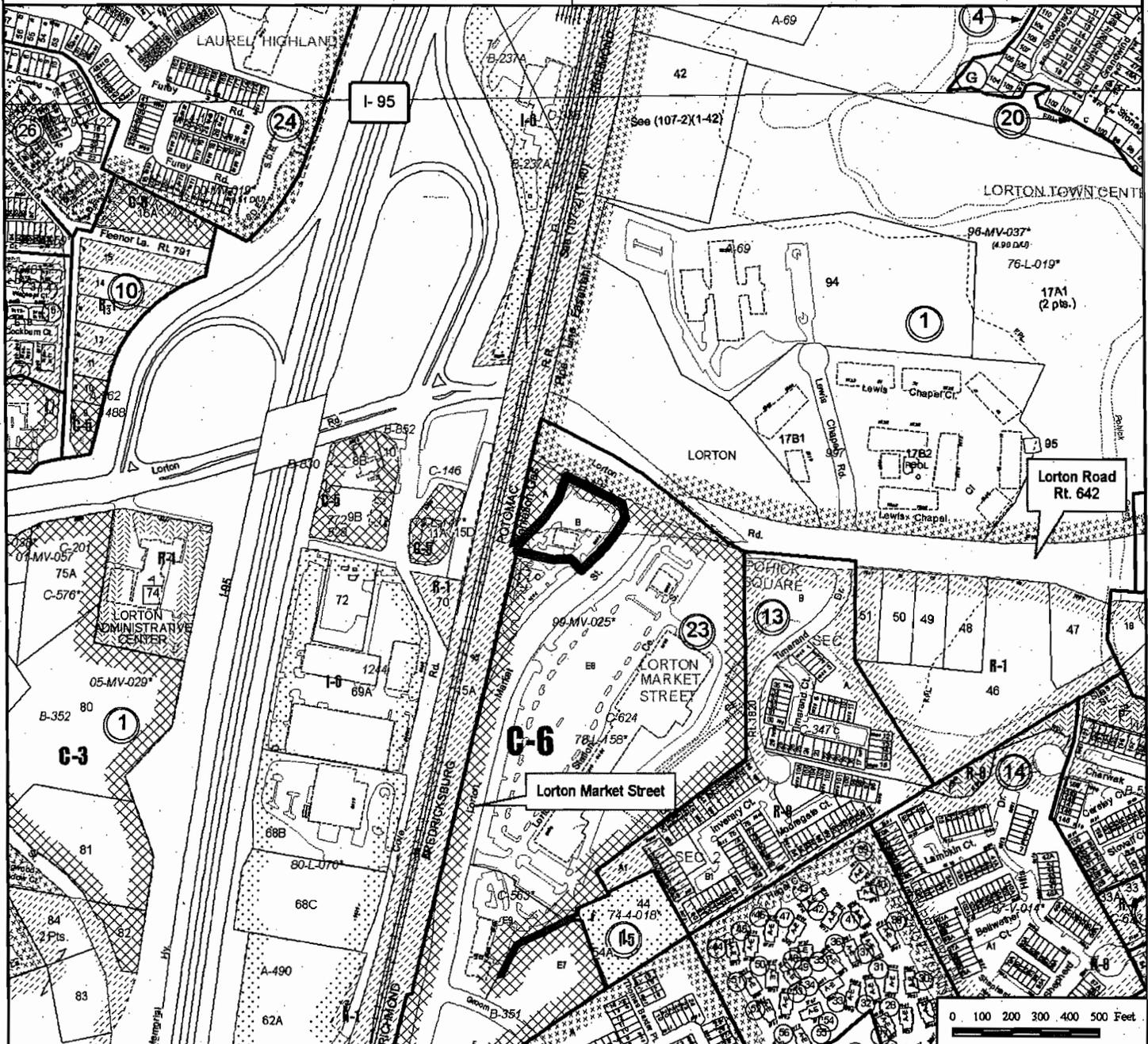
Located: 9400 LORTON MARKET STREET

Zoning: C-6

Plan Area: 4,

Overlay Dist:

Map Ref Num: 107-4 /23/ / B



SPECIAL EXCEPTION PLAT/GENERALIZED DEVELOPMENT PLAN

EXXON MOBIL CORPORATION

PARCEL B LORTON MARKET STREET LORTON ROAD & LORTON MARKET STREET MOUNT VERNON MAGISTERAL DISTRICT FAIRFAX COUNTY, VIRGINIA

LEGEND
FOR ENTIRE PLAN SET
(NOT TO SCALE)

	<p>PROPOSED</p> <p>OWNER PROPERTY LINE / ADJ. LINE NEIGHBORING PROPERTY LINE / ADJ. PARCEL LINE</p> <p>CONCRETE CURB CONCRETE CURB & GUTTER STONE CURB SANDWICH SIGNAGE MARK SANDWICH SIGNAGE LITERAL 1/4" WATER LINE 1/4" ELECTRIC LINE 1/2" GAS LINE 1" FIRE ALARM LINE 1" CABLE LINE</p> <p>SPOT ELEVATIONS CONCRETE LINE SIGNAGE SANDWICH SIGNAGE STONE SIGNAGE WATER VALVE WATER TAP GAS VALVE GAS METER TYPICAL GAS SECTION</p> <p>WALLS OF DETAIL</p> <p>TERRACE WALL CURB WALL CLEAR DRIP SANDWICH LABEL STONE LABEL TYPICAL LIGHT ACORN LIGHT TRAFFIC LIGHT TRAFFIC POLE TYPICAL SIGN TYPICAL SIGN POST</p> <p>FURNISHING DETAILS</p> <p>ELECTRIC METER TELEPHONE METER CABLE BOX ELECTRIC PANEL WATERING WELL</p> <p>SEE PG. RECORDED BURNING TRAFFIC POLE SIGNAGE POLE LIGHT</p>
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OWNER/APPLICANT
EXXON MOBIL CORPORATION
3225 GALLOWS ROAD
FAIRFAX, VA 22037



PREPARED BY:
BOHLER ENGINEERING, P.C.
22630 DAVIS DRIVE, SUITE 200
STERLING, VIRGINIA 20164
(703) 709-9500
CONTACT: MARK E. HOFFMAN

SHEET INDEX	
1	COVER SHEET
2	EXISTING CONDITIONS AND EVM PLAN
3	SITE PLAN
4-5	LANDSCAPE PLAN AND DETAILS
6-10	BUILDING ELEVATIONS
11	PRELIMINARY STORM WATER MANAGEMENT PLAN
12	PHOTOMETRIC PLAN

RECEIVED
Department of Planning & Zoning
MAY 21 2007
Zoning Evaluation Division

ExxonMobil
FUELS MARKETING

U.S. Region
Engineering

BOHLER ENGINEERING, P.C.

1001 N. LORTON MARKET STREET
MOUNT VERNON MAGISTERAL DISTRICT
FAIRFAX COUNTY, VA 22037

PROJECT NO. 07-0475
SHEET NO. 1 OF 12

DATE: 8/2/06

BY: M.E.H.

CHECKED BY: M.E.H.

APPROVED BY: M.E.H.

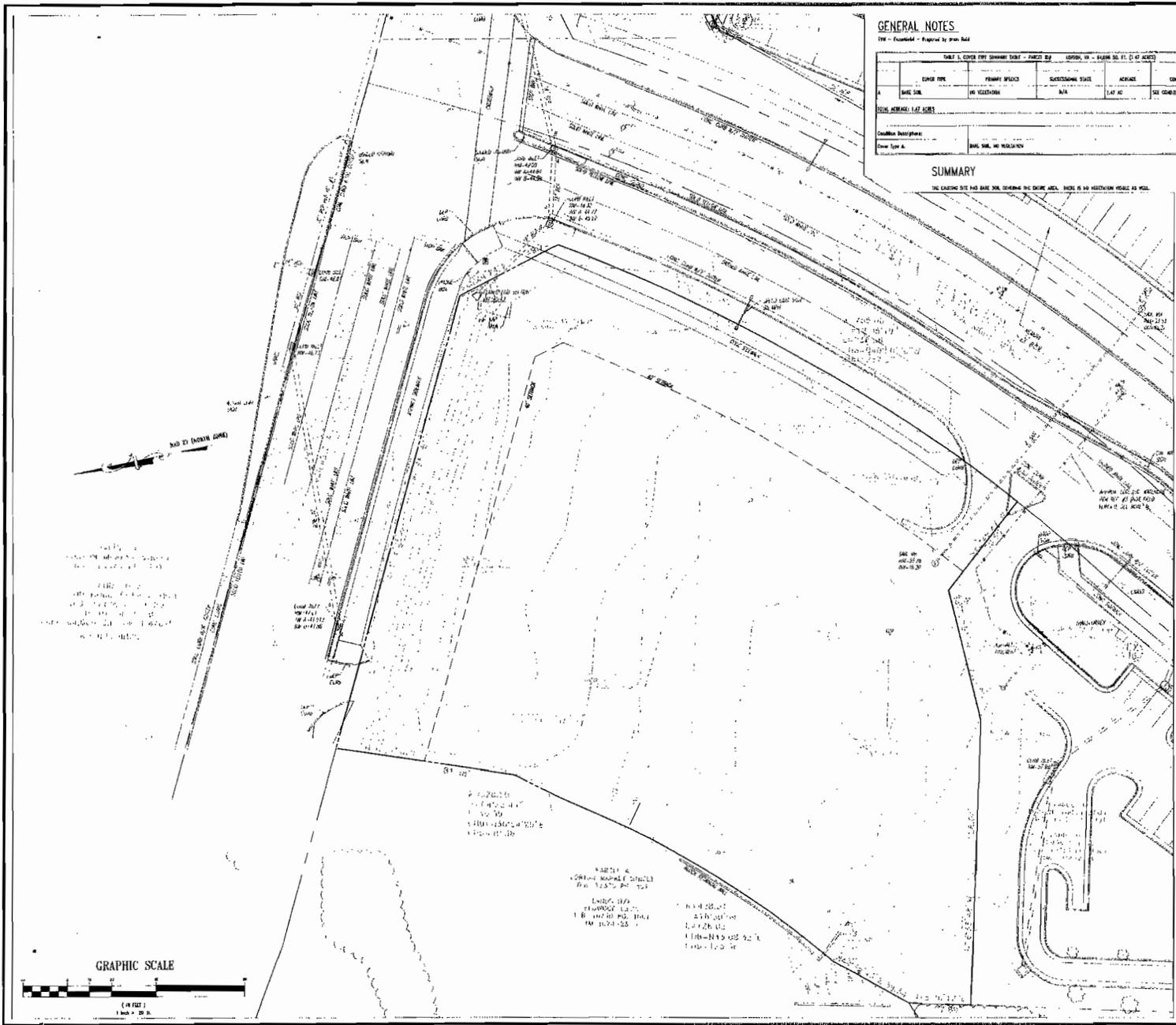
SCALE: AS SHOWN

ORDER NO. SES

DATE: 8/2/06

PROJECT NO. S034006

SHEET NO. 1



GENERAL NOTES

TABLE 1. COVER FROM SHIMMER TOWER - PROJECT 201 (LONDON, VA - 14,000 SQ. FT. (1.4 ACRES))

CURVE DATA	PROPERTY ADDRESS	EASEMENTAL STATE	ACRES	COMMENTS
1. 100.00'	100.00'	VA	1.47 AC	SEE COVER SHEET

TOTAL AREA: 1.47 ACRES

Customer Information:
 Owner: Type A
 Site: 22078, 100.00'

SUMMARY

THE EXISTING SITE HAS BEEN SHOWN IN THE DOTTED AREA. THERE IS AN EASEMENT HERE AS WELL.



LOCATION MAP

DATE: 10/10/06
 SCALE: 1"=200'

ExxonMobil
 FUELS MARKETING
 A Division of ExxonMobil

U.S. Program
 Engineering Inc.

BOHLER ENGINEERING, P.C.

1001 N. MARKET STREET
 SUITE 100
 LONDON, VA 22701
 TEL: 540-361-1111
 FAX: 540-361-1112

PROFESSIONAL SEAL
 DANIEL M. BOHLER
 No. 154115
 State of Virginia

D.M. DUKE

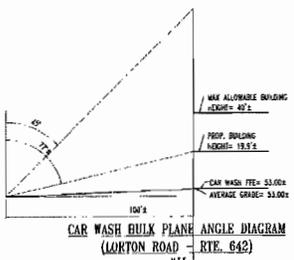
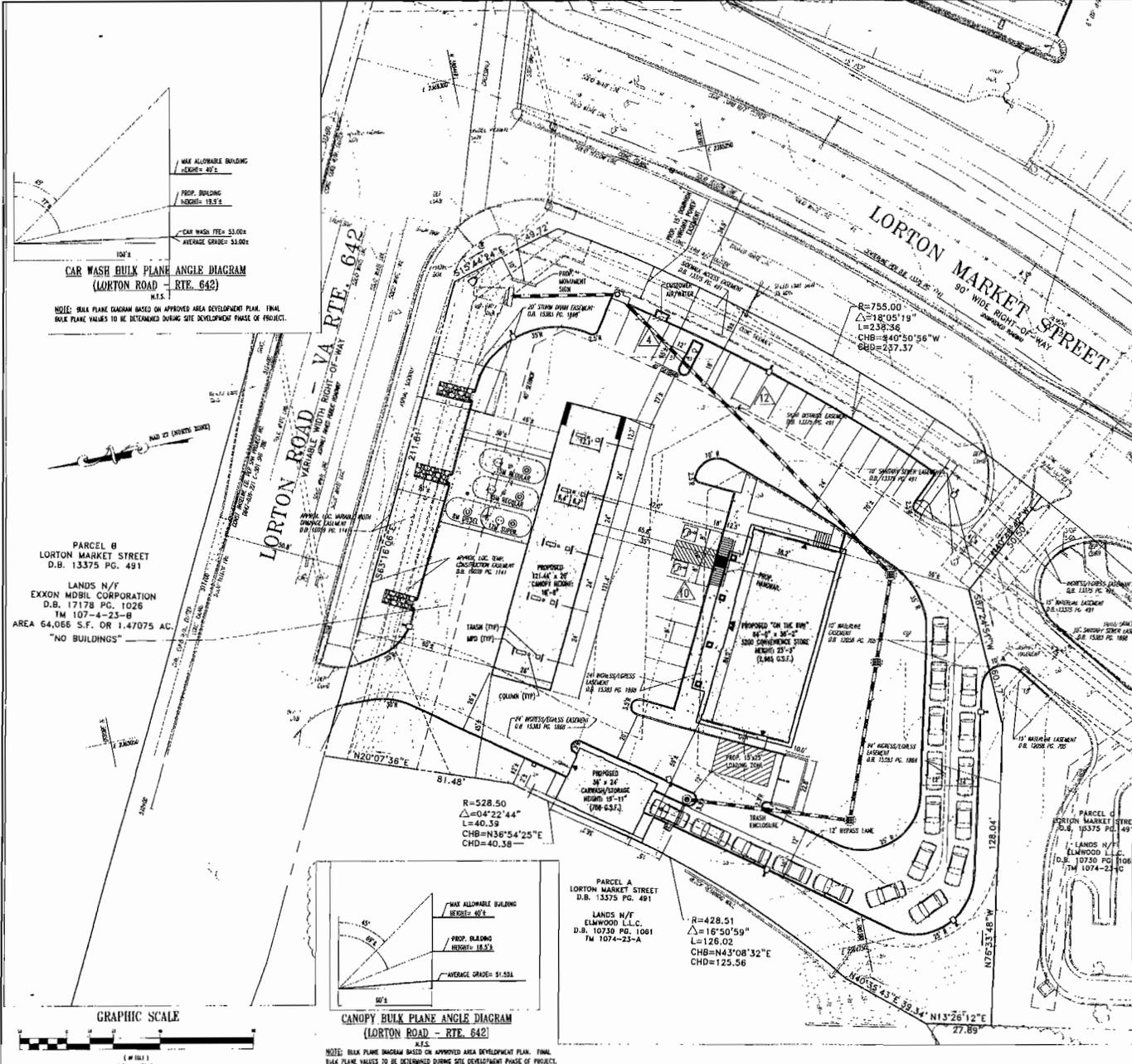
PROFESSIONAL SEAL
 DANIEL M. BOHLER
 No. 154115
 State of Virginia



NO.	DATE	DESCRIPTION
1	10/10/06	ISSUED FOR PERMITS
2	10/10/06	REVISED PERMITS
3	10/10/06	REVISED PERMITS

LOTION ROAD & LONDON MARKET STREET
 (MOUNT VERNON MANIFESTAL DISTRICT) FARMEX COUNTY, VA
 PROPOSED SERVICE STATION AND
 QUICK SERVICE FOOD STORE PLUS CAR WASH
 EXISTING CONDITIONS AND EWM PLAN

PROJECT NO.	2-0475
SCALE FOR THIS PLAN	1"=200'
DATE OF THIS PLAN	10/10/06
PROJECT NAME	3200 C-STORE
DATE OF THIS PLAN	10/10/06
SCALE	1"=200'
DATE OF THIS PLAN	10/10/06
PROJECT NO.	S034006
DATE OF THIS PLAN	10/10/06
PROJECT NO.	2
DATE OF THIS PLAN	10/10/06

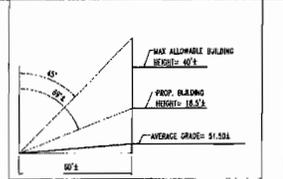


PARCEL B
 LORTON MARKET STREET
 D.B. 13375 PG. 491

LANDS N/F
 EXXON MOBIL CORPORATION
 D.B. 17178 PG. 1026
 TM 107-4-23-B
 AREA 64.056 S.F. OR 1.47075 AC.
 "NO BUILDINGS"

PARCEL A
 LORTON MARKET STREET
 D.B. 13375 PG. 491

LANDS N/F
 ELWOOD L.L.C.
 D.B. 10739 PG. 1061
 TM 1074-23-A



NOTE: BULK PLANE DIAGRAM BASED ON APPROVED AREA DEVELOPMENT PLAN. FINAL BULK PLANE VALUES TO BE DETERMINED DURING SITE DEVELOPMENT PHASE OF PROJECT.

PARCEL C
 LORTON MARKET STREET
 D.B. 13375 PG. 491

LANDS N/F
 ELWOOD L.L.C.
 D.B. 10739 PG. 1061
 TM 1074-23-B

R=428.51
 $\Delta=16^{\circ}50'59''$
 L=126.02
 CHB=N43°08'32"E
 CHD=125.56

PARCEL D
 LORTON MARKET STREET
 D.B. 13375 PG. 491

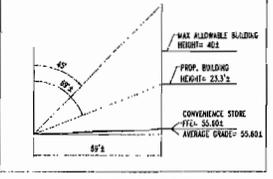
LANDS N/F
 ELWOOD L.L.C.
 D.B. 10739 PG. 1061
 TM 1074-23-C

R=755.00
 $\Delta=18^{\circ}05'19''$
 L=238.56
 CHB=S40°50'56"W
 CHD=237.57

- GENERAL NOTES:**
1. PROPERTY OWNED BY EXXON IS LOCATED ON FAIRFAX COUNTY TAX ASSIGNMENT MAP # 107-4(123)B HAS A TOTAL AREA OF 1.471 ACRES AND IS ZONED C-8. THIS SPECIAL EXCEPTION IS FOR THE ENTIRE PROPERTY.
 2. THE PURPOSE OF THIS SPECIAL EXCEPTION IS FOR A SERVICE STATION AND QUICK-SERVICE FOOD STORE WITH CAR WASH. A PROFFER CONDITION AMENDMENT TO ADD AN IDENTIFICATION AND PRICE SIGN TO THE SITE IS ALSO INCLUDED.
 3. THE EXISTING SITE IS VACANT WITH BASE SOIL AND NO VEGETATION.
 4. BOUNDARY AND FIELD SURVEY (TOPOGRAPHIC SURVEY WITH 1' CONTOUR INTERVALS) PERFORMED BY:
 - ENGINEER: POINT ASSOCIATES, INC.
 - 21530 DAVIS DRIVE, SUITE 200
 - STERLING, VA 20154
 - (703) 804-9400 - (703) 804-9197 (FAX)
 - FILE # S004006.08
 - TELEC. BOUNDARY & TOPOGRAPHIC SURVEY
 - DATED: 02/04/05
 5. OWNER/DEVELOPER: EXXON MOBIL CORPORATION
 3225 GALLONS ROAD
 FAIRFAX, VA 22037
 6. ZONING DATA: C-8 (COMMUNITY RETAIL).
 7. THE PROPOSED SITE WILL NOT IMPACT ANY BURIAL SITE.
 8. NO UTILITY EASEMENTS HAVING A WIDTH OF 25' OR MORE ARE KNOWN TO EXIST ON THIS SITE.
 9. NO RESOURCE PROTECTION AREA, ENVIRONMENTAL QUALITY CORRIDOR OR FLOOD PLAIN IS KNOWN TO EXIST ON THIS PROPERTY.
 10. ZONING REQUIREMENTS:

	FAIRFAX COUNTY ZONING REQUIREMENTS	PROPOSED AREA OF SPECIAL EXCEPTION
A. MINIMUM LOT AREA	40,000 S.F.	64,066 S.F. (1.47 AC.)
B. MINIMUM LOT WIDTH	200'	200'
C. MINIMUM BUILDING SETBACK		
FRONT (NORTH & EAST)	45' BULK PLANE OR 60' W/L	50' & 70'
SIDE (WEST)	N/A	25'
REAR (SOUTH)	20'	55'
D. MINIMUM PARKING SLABBACK		
FRONT (NORTH & EAST)	10'	21' & 18'
SIDE (WEST)	4'	12'
REAR (SOUTH)	4'	41'
E. PARKING REQUIREMENTS:		
E.S. SPACES/1000 GSF OF RETAIL USE (E.S. & 2,000 = 18.4)	23 SPACES	36 SPACES
TOTAL PARKING (INCLUDES 2 HANDICAP)		
LOADING SPACES (15-25)	1	18 SPACES
CAR WASH STANDING SPACES	10 SPACES	
F. MAXIMUM BUILDING HEIGHT	40'	24' & 3
G. GROSS FLOOR AREA	37500	3771
H. FLOOR AREA RATIO	0.40	0.56
I. OPEN SPACE	15%	43%

11. THIS SITE WILL BE SERVED BY PUBLIC WATER AND SEWER.
12. ALL SIGNAGE SHALL CONFORM TO ARTICLE 19 OF THE FAIRFAX COUNTY ZONING ORDINANCE.
13. ALL OUTDOOR LIGHTING SHALL CONFORM TO ARTICLE 14 OF THE FAIRFAX COUNTY ZONING ORDINANCE.
14. THE PROPERTY IS LOCATED IN ZONE R (AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN) PER MAP SCHEDULED FINAL FLOOD INSURANCE RATE MAP, FAIRFAX COUNTY, VIRGINIA (UNINCORPORATED AREAS), PAGE 125 OF 150, COMMITMENT-FINAL NUMBER S-5525 0125 D, MAP REVISED MARCH 5, 1998.
15. ALL HANDICAP PARKING SPACES SHALL BE CONSTRUCTED TO MEET ADA REQUIREMENTS.
16. THE PROPOSED USE CONFORMS TO THE PROVISIONS OF ALL APPLICABLE ORDINANCES, REGULATIONS AND ADOPTED STANDARDS OF FAIRFAX COUNTY.
17. CONSTRUCTION OF PROPOSED IMPROVEMENTS PROJECTED TO BEGIN IN FALL 2008 AND DEVELOPMENT TIME IS PROJECTED TO LAST 6 MONTHS.
18. THE ELEVATIONS/DEPTH ON SHEETS 3-9 ARE FOR INFORMATIONAL PURPOSES AND ARE SUBJECT TO CHANGE WITH FINAL DESIGN AND DRAINAGE/SITE PLAN APPROVAL.



NOTE: BULK PLANE DIAGRAM BASED ON APPROVED AREA DEVELOPMENT PLAN. FINAL BULK PLANE VALUES TO BE DETERMINED DURING SITE DEVELOPMENT PHASE OF PROJECT.



LOCATION MAP
 CORNER LOC. THE MAP PLANE FROM THE N.W. CORNER OF THE INTERSECTION OF LORTON MARKET STREET AND LORTON ROAD

ExxonMobil
 U.S. Region
 Engineering

DOHLER ENGINEERING, P.C.
 CIVIL & CONCRETE ENGINEER
 PROJECT NUMBER: 0304006.08
 FEEDBACK/ISSUE & REV. PLANNO
 NUMBER: 0000000

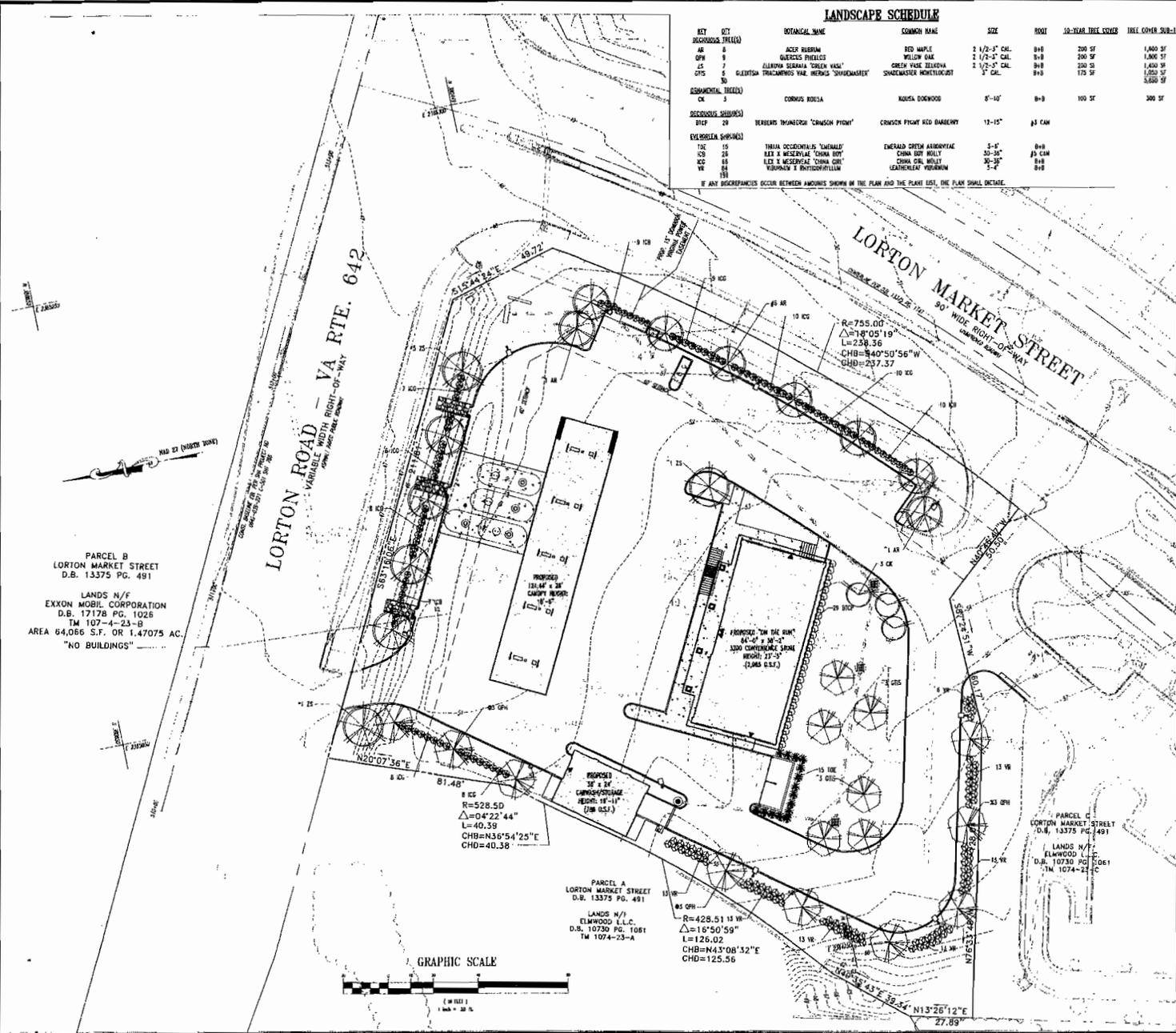
D.M. DUKE

PROFESSIONAL ENGINEER
 CIVIL ENGINEERING
 STATE OF VIRGINIA
 EXPIRES 12/31/08
 DANIEL M. DUKE
 No. 051470
 05/16/05

NO.	REVISION	DATE
1	ISSUED FOR PERMITS	02/04/05
2	REVISED PERMITS	02/04/05
3	REVISED PERMITS	02/04/05

LORTON ROAD & LORTON MARKET STREET
 2-0475
 3200 C-STORE
 1"=20'
 DATE OF APPROVAL: 02/04/05
 DRAWN BY: DRGR
 CHECKED BY: SEC
 SCALE: 8/2/05

PROJECT NO.
 S034006
 SHEET NO.
 3



LANDSCAPE SCHEDULE

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	10-YEAR TREE SIZE	TREE COVER SUB-TOTAL
RECURRING TREES							
AS	8	ASER RUBUM	RED MAPLE	2 1/2"-3" CAL.	8"Ø	200 SF	1,600 SF
OPN	8	QUERCUS PHELLO	WILLOW OAK	2 1/2"-3" CAL.	8"Ø	200 SF	1,600 SF
JS	7	ELAEAGNUS SYRIACA 'DORON VASE'	GREEN VASE YEW/OLIVE	2 1/2"-3" CAL.	8"Ø	200 SF	1,600 SF
QPS	6	QUERCUS PRINCEPS 'VA. REDS'	SHINGLED HOOPSLAUGHT	3" CAL.	8"Ø	175 SF	1,400 SF
ESSENTIAL TREES							
CR	3	CORNUS ROSEA	ROSEA DOGWOOD	8"-10"	8"Ø	100 SF	300 SF
RECURRING SHRUBS							
DRS	1	VERBENA THUNBERGII 'CRIMSON PINN'	CRIMSON PINN RED DANDELION	12"-15"	3/4" CAN		
ESSENTIAL SHRUBS							
TD	15	TRIFOLIUM OCCIDENTALE 'IMPERIAL'	EMERALD GREEN AERONYCTAE	3"-5"	8"Ø		
CS	25	LEUCISPERMUM 'CHINA BOY'	CHINA BOY HOLLY	30"-36"	3/4" CAN		
KS	15	LEUCISPERMUM 'CHINA BOY'	CHINA BOY HOLLY	30"-36"	3/4" CAN		
VE	84	VERBENA THUNBERGII 'CRIMSON PINN'	CRIMSON PINN RED DANDELION	12"-15"	3/4" CAN		
VE	150	VERBENA THUNBERGII 'CRIMSON PINN'	CRIMSON PINN RED DANDELION	12"-15"	3/4" CAN		

IF ANY DISCREPANCIES OCCUR BETWEEN AMOUNTS SHOWN IN THE PLAN AND THE PLAN LIST, THE PLAN SHALL CONTROL.

COMPLIANCE CHART FOR THE PUBLIC FACILITIES MANUAL

SECTION	REQUIREMENTS	CALCULATIONS (DEMANDS/PROVIDED)	COMPLIANCE
10-010.1	THE COVER CALCULATIONS ALL DEMANDS SHALL BE MET BY THE PROPOSED LANDSCAPE PLAN AND SHALL BE PROVIDED IN THE LANDSCAPE PLAN SHEET & A TREE COVER TO BE MET.	PROPOSED DEMANDS: 1,600 SF (AS) + 1,600 SF (OPN) + 1,600 SF (JS) + 1,400 SF (QPS) = 6,200 SF PROVIDED: 6,200 SF	COMPLIES
10-010.2	THE COVER CALCULATIONS ALL DEMANDS SHALL BE MET BY THE PROPOSED LANDSCAPE PLAN AND SHALL BE PROVIDED IN THE LANDSCAPE PLAN SHEET & A TREE COVER TO BE MET.	PROPOSED DEMANDS: 300 SF (CR) + 1,600 SF (TD) + 1,600 SF (CS) + 1,600 SF (KS) + 1,600 SF (VE) = 6,700 SF PROVIDED: 6,700 SF	COMPLIES
10-010.3	THE COVER CALCULATIONS ALL DEMANDS SHALL BE MET BY THE PROPOSED LANDSCAPE PLAN AND SHALL BE PROVIDED IN THE LANDSCAPE PLAN SHEET & A TREE COVER TO BE MET.	PROPOSED DEMANDS: 1,600 SF (AS) + 1,600 SF (OPN) + 1,600 SF (JS) + 1,400 SF (QPS) + 300 SF (CR) = 6,500 SF PROVIDED: 6,500 SF	COMPLIES
10-010.4	THE COVER CALCULATIONS ALL DEMANDS SHALL BE MET BY THE PROPOSED LANDSCAPE PLAN AND SHALL BE PROVIDED IN THE LANDSCAPE PLAN SHEET & A TREE COVER TO BE MET.	PROPOSED DEMANDS: 1,600 SF (AS) + 1,600 SF (OPN) + 1,600 SF (JS) + 1,400 SF (QPS) + 300 SF (CR) + 1,600 SF (TD) + 1,600 SF (CS) + 1,600 SF (KS) + 1,600 SF (VE) = 10,300 SF PROVIDED: 10,300 SF	COMPLIES

COMPLIANCE CHART FOR THE FAIRFAX COUNTY ZONING ORDINANCE

SECTION	REQUIREMENTS	CALCULATIONS (DEMANDS/PROVIDED)	COMPLIANCE
10-010.1	IF ANY PARKING LOT EXCEEDS 20 OR MORE SPACES, THE LANDSCAPE SCHEDULE IS NOT REQUIRED BY SECTION 10-010.1.	PROPOSED SITE: 130' x 28' CANOPY BUILDING + 64' x 30' BUILDING = 10,300 SF PROVIDED: 10,300 SF	COMPLIES
10-010.2	IF ANY PARKING LOT EXCEEDS 20 OR MORE SPACES, THE LANDSCAPE SCHEDULE IS NOT REQUIRED BY SECTION 10-010.1.	PROPOSED SITE: 130' x 28' CANOPY BUILDING + 64' x 30' BUILDING = 10,300 SF PROVIDED: 10,300 SF	COMPLIES
10-010.3	IF ANY PARKING LOT EXCEEDS 20 OR MORE SPACES, THE LANDSCAPE SCHEDULE IS NOT REQUIRED BY SECTION 10-010.1.	PROPOSED SITE: 130' x 28' CANOPY BUILDING + 64' x 30' BUILDING = 10,300 SF PROVIDED: 10,300 SF	COMPLIES

TREE COVER CALCULATIONS

GROSS SITE AREA:
64,000 SF

TREE COVER REQUIRED:
57,335 SF x 1.10 TREE COVER REQUIRED (COMMERCIAL) = 63,069 SF REQUIRED

CREDITS:
0

EQUAL TREE COVER PROVIDED:
63,069 SF (100%)

ExxonMobil
FUELS MARKETING
A DIVISION OF EXXON MOBIL CORPORATION

U.S. Regional Engineering

BOHLER ENGINEERING, P.C.
P.L.L.C. & LANDSCAPE ARCHITECTS
PROJECT MANAGER
MANAGEMENT & P.L.L.C.
MANAGEMENT SERVICES

D.M. DUKE
LANDSCAPE ARCHITECT
REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT
NO. 033120
STATE OF VIRGINIA

FAIRFAX COUNTY
ZONING DEPARTMENT
2-0475
2020 CC-STORE
NO. 100-100

LANDSCAPE PLAN
LORTON MARKET STREET
LANDSCAPE PLAN
QUICK SERVICE FOOD STORE PLUS OUR WASH

PROJECT NO. **S034006**

DATE: 8/2/06

SCALE: 1"=20'

DATE: 8/2/06

SCALE: 1"=20'

DATE: 8/2/06

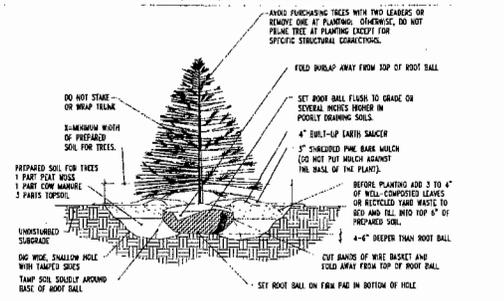
SCALE: 1"=20'

LANDSCAPE SPECIFICATIONS

- 1. SOIL TESTS**
THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SOIL TESTS, INCLUDING SOIL PREPARATION, PLANTING, AND MAINTENANCE. ALL TESTS SHALL BE PERFORMED BY A LICENSED PROFESSIONAL ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SOIL TESTS, INCLUDING SOIL PREPARATION, PLANTING, AND MAINTENANCE. ALL TESTS SHALL BE PERFORMED BY A LICENSED PROFESSIONAL ENGINEER.
- 2. MATERIALS**
A. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AND SHALL BE APPROVED BY THE ARCHITECT. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AND SHALL BE APPROVED BY THE ARCHITECT.
- 3. PLANTING**
A. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL FLORICULTURAL SOCIETY'S "STANDARDS FOR THE INDUSTRY". ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL FLORICULTURAL SOCIETY'S "STANDARDS FOR THE INDUSTRY".
- 4. MAINTENANCE**
A. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL PLANTING FOR A PERIOD OF ONE YEAR AFTER THE DATE OF COMPLETION OF THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL PLANTING FOR A PERIOD OF ONE YEAR AFTER THE DATE OF COMPLETION OF THE PROJECT.

NOTES FOR DECIDUOUS AND EVERGREEN TREE PLANTINGS:

- NO SOIL OR MULCH SHALL BE PLACED AGAINST ROOT COLLAR OF PLANT.
- REMOVE ALL SOPE FROM TRENCH A TOP OF ROOT BALL. FOLD BURGLAP BACK 1/3 FROM TOP OF ROOT BALL.
- PLANTING DEPTH SHALL BE THE SAME AS SHOWN IN BURSTING.
- PREVENTION SHOW THE TREE ROOT BALL AND ADJUST PREPARED SOIL SEVERAL TIMES DURING THE FIRST MONTH AFTER PLANTING AND REGULARLY THROUGHOUT THE FOLLOWING TWO SUMMERS.
- THE NUMBER OF PLANTING PIT ENHANCERS SHOULD BE ENOUGH TO AVOID MATING OF SOIL. LAYERS AS NEW SOIL IS ADDED. IT IS PREFERRED TO USE THE FIRST LOT (2 TO 4 IN) OF PLANTING SOIL AND THE SECOND.



EVERGREEN TREE PLANTING DETAIL

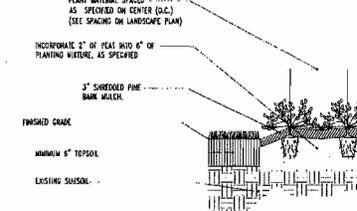
NOT TO SCALE

SEEDING SPECIFICATIONS

- PERIOD OF SEEDING AREA IS TO BE TOPDRESSED, FINE GRASS, AND MIXED OF ALL GRASSES LARGER THAN 1/2" DIAMETER.
- PERIOD OF SEEDING, CONSULT MANUFACTURER'S RECOMMENDATION AND INSTRUCTIONS.
- SEEDING RATES:
A. PERENNIAL GRASS: 1/2 LB/1,000 SQ FT
B. PERENNIAL GRASS: 1/2 LB/1,000 SQ FT
C. PERENNIAL GRASS: 1/2 LB/1,000 SQ FT
D. PERENNIAL GRASS: 1/2 LB/1,000 SQ FT

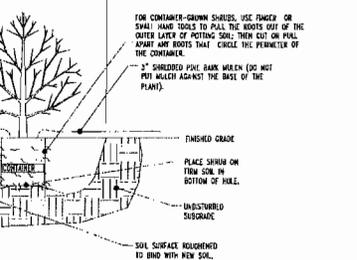
DECIDUOUS TREE PLANTING DETAIL

NOT TO SCALE



PERENNIAL/GROUND COVER PLANTING DETAIL

NOT TO SCALE



GENERAL RANGE OF SOIL MODIFICATIONS & VOLUMES FOR VARIOUS SOIL CONDITIONS

POST-CONSTRUCTION SOIL CONDITION	MIN. VOLUME PREPARED SOIL (PER TREE LOT)	TYPE OF PREPARATION
GOOD SOIL (NOT PREVIOUSLY GRADED OR COMPACTED, TOPSOIL, LAYER 1/2")	6 FT. ON THICKNESS OF THE ROOT BALL, WHICHEVER IS GREATER	LOOSEN THE EXISTING SOIL TO THE WIDTHS AND DEPTHS SHOWN IN DETAILS ABOVE
COMPACTED SOIL (NOT PREVIOUSLY GRADED, TOPSOIL, LAYER DESTROYED BUT NOT ELIMINATED)	15 FT.	LOOSEN THE EXISTING SOIL TO THE WIDTHS AND DEPTHS SHOWN IN DETAILS ABOVE, AND COMPOSTED ORGANIC CONTENT UP TO 5% DRY WEIGHT.
GRADED SURFACE AND CLEAN FILL WITH CLAY CONTENT BETWEEN 4 & 35%	20 FT.	REMOVE EXISTING SOIL TO THE WIDTHS AND DEPTHS SHOWN, ADD 8-10 IN. OF LOAM TOPSOIL.
POOR QUALITY FILL, HEAVY CLAY SOILS, SOILS CONTAMINATED WITH HAZARDOUS TOXIC MATERIAL	20 FT.	REMOVE EXISTING SOIL TO THE WIDTHS AND DEPTHS SHOWN, ADD 8-10 IN. OF LOAM TOPSOIL.

REFERENCE: ARCHITECTURAL GRAPHIC STANDARDS 1998 COMPLEMENTARY SUPPLEMENT.

Exxon MOBIL
FUEL & OIL MARKETING

U.S. Region
Engineering
BOHLER ENGINEERING, P.C.

D.M. DUKE
ARCHITECTURAL ENGINEER

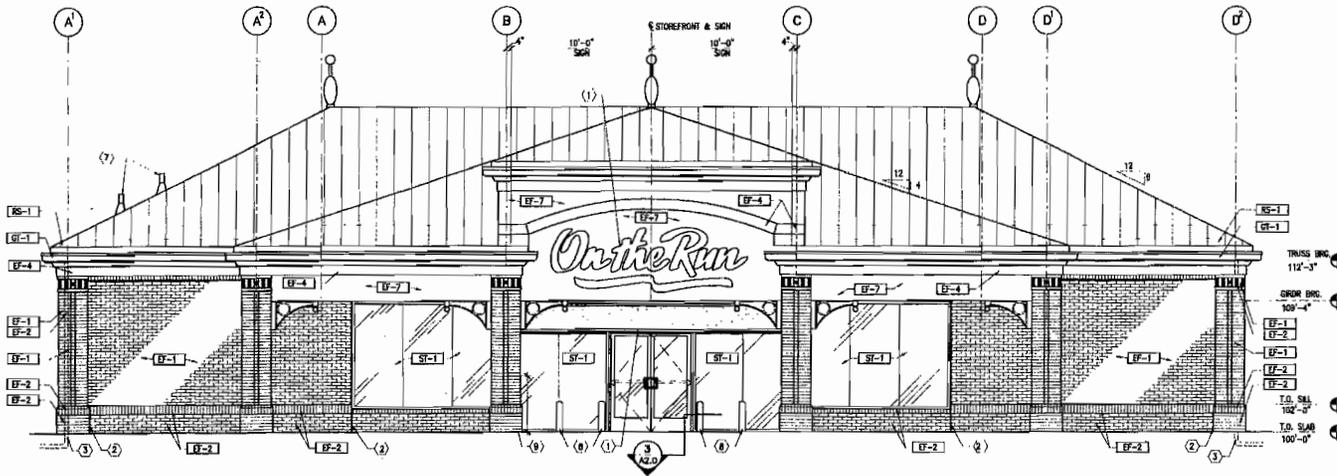
PLANT MATERIAL SPACED AS SPECIFIED ON CENTER (O.C.) (SEE SCHEMATIC ON LANDSCAPE PLAN)

INCORPORATE 3" OF FINE WOOD CHIPS (SEE SCHEMATIC ON LANDSCAPE PLAN)

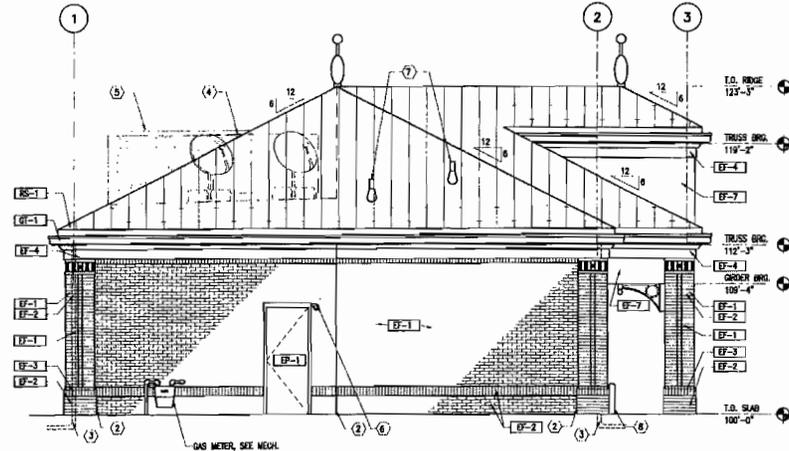
FOR CONTAINER-GROWN SHRUBS, USE TRENCH OR SMALL HAND TOOLS TO PULL THE ROOTS OUT OF THE OUTER LAYER OF POTTING SOIL. THEN CUT ON FINAL SPREAD AND ROOTS THAT CROSS THE PERIMETER OF THE CONTAINER.

MISS SUTLIV
2-0475
3200 C-STREET
8/2/06

5



1 FRONT ELEVATION
SCALE: 1/4"=1'-0"



2 LEFT ELEVATION
SCALE: 1/4"=1'-0"

THIS SHEET FOR INFORMATIONAL PURPOSES ONLY

BOLLARD SPECIFICATIONS

- 1" 4" DIAMETER STAINLESS STEEL PIPE
 - POLYURETHANE CONCRETE WITH DOME TOP
- CONTACT DENNY ANDREWS,
ANTHONY DESIGN
IDEAL SHIELD
DETROIT, MI
800-308-7200
5 1/4" O.D.
P13 - EXODOR GREY



INSTALLATION:
- STEEL PIPE TO BE SET SO THAT BOLLARD IS 4" BELOW AND 24" ABOVE SLAB OR CURB
- FILL STEEL PIPE WITH CONCRETE TO TOP AND TAP WITH HAMMER TO ELIMINATE VOIDS
- AFTER STEEL PIPE HAS SET 48 HOURS, PAINT WITH RECI. PRIMER
- AFTER PRIMER HAS DRIED COVER WITH (IDEAL SHIELD) SLEEVE. FOLLOWING MANUFACTURERS INSTRUCTIONS

3 BOLLARD DETAIL
SCALE: 3"=1'-0"

KEYED NOTES:

- (1) SIGNAGE BY OTHERS.
- (2) MASONRY FINISH CONTROL JOINT.
- (3) MATERIAL, DOWNSPOUT.
- (4) EXTERIOR KEY SWITCH.
- (5) ROOF SCREEN.
- (6) ELECTRICAL ITEM, PAINT COLOR [EF-1]
- (7) MECHANICAL VENT.
- (8) BOLLARD.
- (9) EXTERIOR KEY SWITCH, 54" MAX. MOUNTING HEIGHT.

EXTERIOR FINISHES

- [EF-1] BRICK
COLOR: FLASHED NORTHERN ROSE
GROUP:
BY: GENERAL SIMILE OR LOCAL SUPPLIER
- [EF-2] BRICK
COLOR: KENNINGTON HALLMARK, SHENANDOAH SERIES
GROUP:
BY: DUNN MURRAY BRICK OR LOCAL SUPPLIER
- [EF-3] NOT USED
- [EF-4] EIFS BY "DYMITE" (LIGHT)
COLOR: #113 NATURAL WHITE
FINISH: SANDPBLE
CONTACT: (DYMITE) CONTACT NAME, PHONE NUMBER
- [EF-5] NOT USED
- [EF-6] EIFS BY "DYMITE" (MEDIUM)
COLOR: #109 EGGSHELL CREAM
FINISH: SANDPBLE
CONTACT: (DYMITE) CONTACT NAME, PHONE NUMBER
- [EF-7] EIFS BY "DYMITE" (BARGE)
COLOR: #117 COLONIAL WHITE
FINISH: SANDPBLE
CONTACT: (DYMITE) CONTACT NAME, PHONE NUMBER

EXTERIOR PAINTS

- [EP-1] COLOR: TO MATCH BRICK
BY: SHERRIN WILLIAMS
LOCATIONS: EXTERIOR FACE OF DOOR/FRAME,
REFER TO EXTERIOR ELEVATIONS.

STOREFRONT

- [SF-1] ALUMINUM STOREFRONT WITH BRIT GLAZING
CENTER OR FLUSH GLAZING ACCEPTABLE.
COLOR: CLEAR ANODIZED ALUMINUM FINISH
BY: KAWNEER COMPANY, INC. (FORM 46)
(800-888-8888) / (770) 448-3555 (OR EQUAL)
GLAZING TO BE 1/2" TEMPERED CLEAR MONOLITHIC
GLASS WITH POLISHED EDGES, PROVIDED BY LOCAL
GLAZING MANUFACTURER.
NOTE: ALL MATERIALS AND APPLICATION TO MEET
OR EXCEED LOCAL OR STATE REQUIREMENTS

ROOF SURFACE

- [RS-1] METAL ROOF
TYPE: STD. SEAM MET. ROOF
COLOR: MURKET GRAY
BY: PAC-CLAD
- [RS-2] SINGLE PLY MEMBRANE ROOFING
TYPE: HYBRID/CURED EPDM SYSTEM OR
MODIFIED BITUMEN SYSTEM
BY: FIRESTONE BUILDING PRODUCTS CO.
(800) 486-3075 (OR EQUAL)

GUTTER

- [G-1] PREFINISHED SEAMLESS 6" OCE GUTTER
COLOR: FACTORY FINISHED TERRA BRONZE
3/4" MINIMUM THICKNESS
CONSPICUOUS 3/4"
DTM ACRYLIC GLOSSE.
SHERRIN WILLIAMS (800) 321-8104

ExxonMobil
FUELS MARKETING
U.S. Region
Engineering

BOHLER
ENGINEERING,
PC.

PROFESSIONAL ENGINEER
STATE OF MISSISSIPPI
NO. 10000
D.M. DUKE

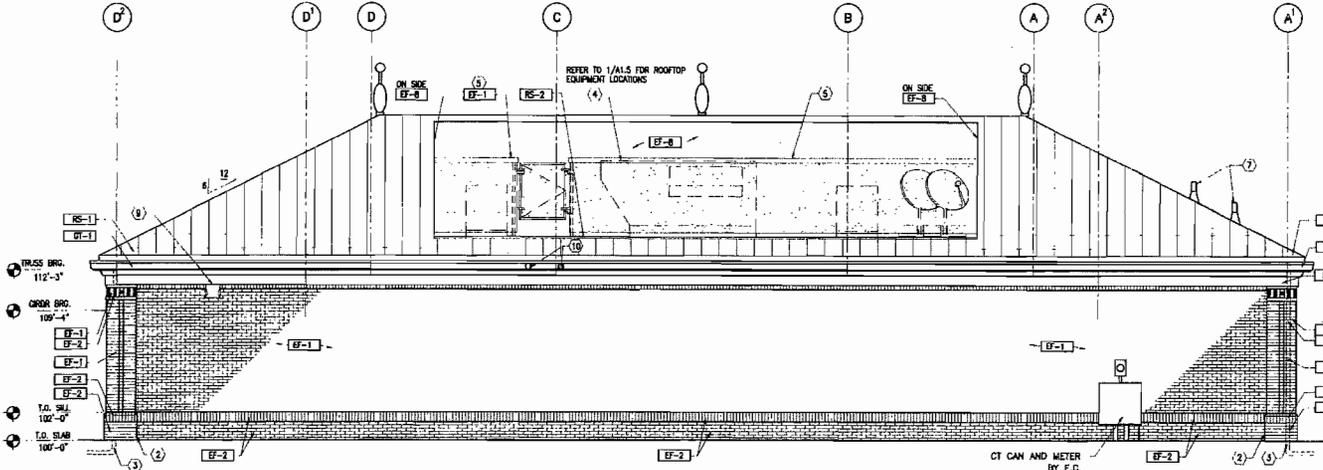
PROFESSIONAL ENGINEER
STATE OF MISSISSIPPI
NO. 10000
D.M. DUKE

EXTERIOR ELEVATIONS

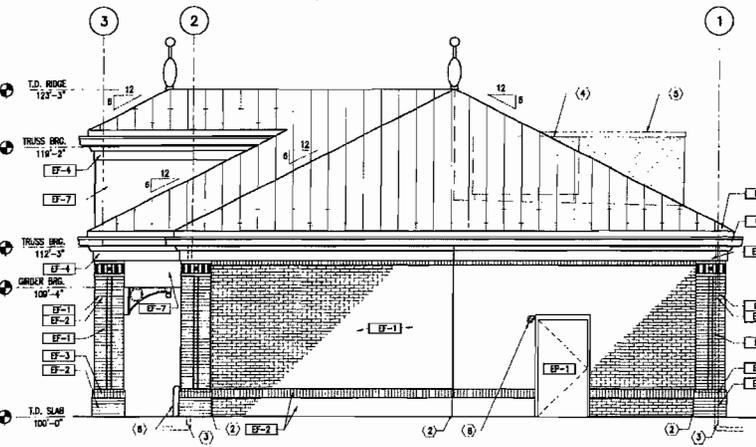
LOTION ROAD & LUDLOW MARKET STREET
LUDLOW, MISSISSIPPI
PROPOSED SERVICE STATION AND
QUICK SERVICE FOOD STORE PLUS CAR WASH
BUILDING ELEVATIONS

DATE: 2-24-75
SCALE: AS NOTED
DRAWN BY: J. H. STORE
CHECKED BY: J. H. STORE
DATE: 8/2/06

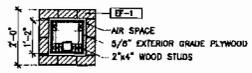
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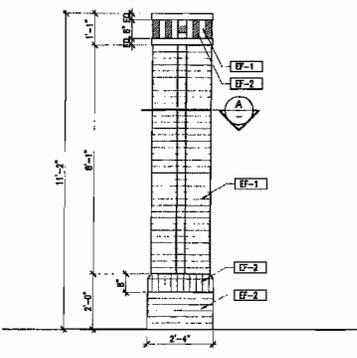
1 REAR ELEVATION
SCALE: 1/4"=1'-0"



2 RIGHT ELEVATION
SCALE: 1/4"=1'-0"



SECTION 'A'
SCALE: 1"=1'-0"



3 PILLAR DETAILS
SCALE: 1/2"=1'-0"

KEYED NOTES:

- (1) NOT USED
- (2) MASONRY FINISH CONTROL JOINT.
- (3) INTERNAL DOWNSPOUT.
- (4) EQUIPMENT BEYOND.
- (5) ROOF SCHED.
- (6) ELECTRICAL ITEM, PAINT COLOR [BF-1]
- (7) MECHANICAL VENT.
- (8) BOLLARD, SIZE DETAIL 3/4x10
- (9) MECHANICAL EXHAUST VENT STACK.
- (10) PORTABLE LADDER BRACKETS BY "JOY SAFETY PRODUCTS-JOY.COM" BOLTS TO GUTTER WITH RUBBER WASHER

EXTERIOR FINISHES

- [BF-1] BRICK
COLOR: FLASHED NORTHERN ROSE
GROUP:
BY: GENERAL, STATE OR LOCAL SUPPLIER
- [BF-2] BRICK
COLOR: KENSMOTON HALLMARK, SHENANDOAH SERIES
GROUP:
BY: OLD VIRGINIA BRICK OR LOCAL SUPPLIER
- [BF-3] NOT USED
- [BF-4] ELFS BY "DRYVIT," (LIGHT)
COLOR: #103 NATURAL WHITE
FINISH: SANDPERLE
CONTACT: (DRYVIT) CONTACT NAME, PHONE NUMBER
- [BF-5] NOT USED
- [BF-6] ELFS BY "DRYVIT," (MEDIUM)
COLOR: #109 EDGEMOOR CREAM
FINISH: SANDPERLE
CONTACT: (DRYVIT) CONTACT NAME, PHONE NUMBER
- [BF-7] ELFS BY "DRYVIT," (DARK)
COLOR: #117 COLONIAL WHITE
FINISH: SANDPERLE
CONTACT: (DRYVIT) CONTACT NAME, PHONE NUMBER
- [BF-8] VINYL VERTICAL SIDING (DOUBLE 6" STYLE)
COLOR: FACTORY FINISH COLOR
"STERLING GRAY" OR MATCH ROOF [RS-1]
BY: "CERTANTIC" "TROMAX"
(www.certant.com) / (800) 223-8880
(OR EQUAL)

EXTERIOR PAINTS

- [EP-1] COLOR: TO MATCH BRICK
BY: SHERWIN WILLIAMS
LOCATIONS: EXTERIOR FACE OF DOOR/FRAME,
REFER TO EXTERIOR ELEVATIONS.

STOREFRONT

- [ST-1] ALUMINUM STOREFRONT WITH BUTT GLAZING
CENTER OR FLUSH GLAZING ACCEPTABLE.
COLOR: CLEAR ANODIZED ALUMINUM FINISH
BY: KAMLER COMPANY, INC. (TRIPLEX 451)
(www.kamler.com) / (770) 448-8888 (OR EQUAL)
GLAZING TO BE 1/2" TEMPERED CLEAR MONOLITHIC
GLASS WITH POLISHED EDGES, PROVIDED BY LOCAL
GLAZING MANUFACTURER.
NOTE: ALL MATERIALS AND APPLICATION TO MEET
OR EXCEED LOCAL OR STATE REQUIREMENTS

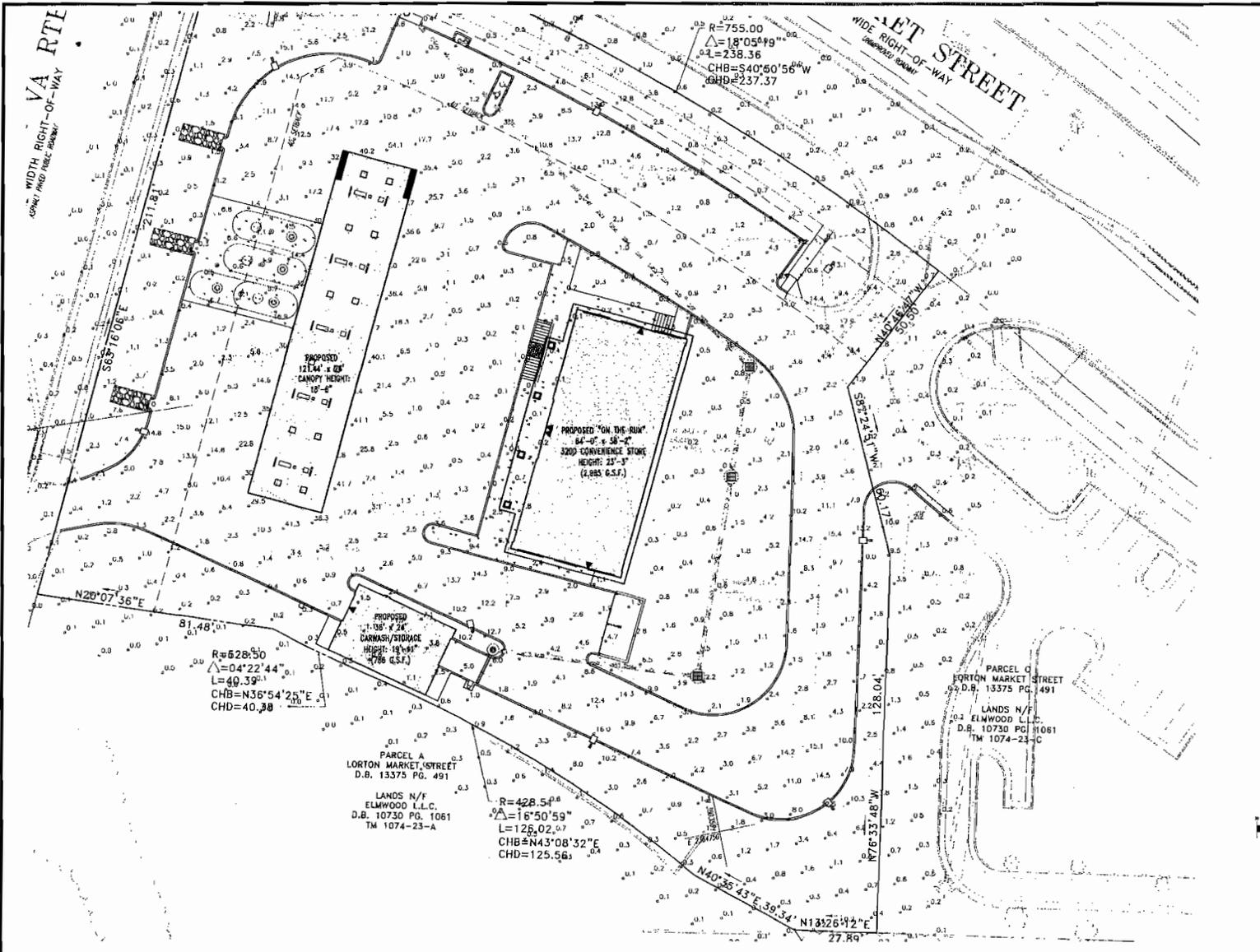
ROOF SURFACE

- [RS-1] METAL ROOF
TYPE: STU. SEAM MET. ROOF
COLOR: MUSHNET GRAY
BY: PAC-CLAD
- [RS-2] SINGLE PLY MEMBRANE ROOFING
TYPE: RUBBERGUARD EPDM SYSTEM OR
MODIFIED BITUMEN SYSTEM
BY: FROSTING BUILDING PRODUCTS CO.
(800) 448-9475 (OR EQUAL)

GUTTER

- [GF-1] PREFINISHED SEAMLESS 6" GUTTER
COLOR: FACTORY FINISHED TERRA BRONZE
OR "JAPANESE THICKNESS"
DOWNSPOUTS: 1 1/2"
STYL ACRYLIC GLASS.
SHERWIN WILLIAMS (800) 321-8164

THIS SHEET FOR INFORMATIONAL PURPOSES ONLY



ExonMobil
FUELS MARKETING

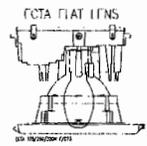
U.S. REGION
Richmond, VA

BOHLER ENGINEERING, P.C.

ARCHITECT & ENGINEERING
PROJECT MANAGER
LANDMARK & LAND SERVICES
LANDMARK ENGINEERING

D.M. DUKE

PROFESSIONAL ENGINEER
No. 031004
Virginia State Board of Professional Engineers



NO.	REVISION	DATE	BY	CHKD.

PROJECT: LORTON MARKET STREET
D.B. 13375 PG. 491
LANDS N/F ELMWOOD L.L.C.
D.B. 10730 PG. 1061
TM 1074-23-A

QUICK SERVICE FOOD STORE PLUS CAR WASH

PHOTOMETRIC PLAN

Numeric Summary						Statistical Area Summary					
Label	Avg	Max	Min	Avg/Min	Max/Min	Label	Avg	Max	Min	Avg/Min	Max/Min
ALL CALC POINTS	1.00	30.9	0.0	N.A.	N.A.	CANOPY	18.23	30.9	13.8	1.44	2.24
						INSIDE CURB	3.76	16.6	0.1	37.60	156.00

Luminaire Schedule		Label		Arrangement	Lumens	LLF	Description	Total Watts
Symbol	Qty	Label	Label					
■	20	A	A	SINGLE	16000	0.720	ECTA S 175 PSMV MT F	210
■	8	B	B	SINGLE	30000	0.720	CH2M FT 520 PSMV MT F-5 18' POLE	368

DATE: 8/2/08
SCALE: 1"=40'
DRAWN BY: J. J. JENNINGS
CHECKED BY: J. J. JENNINGS
DATE: 8/2/08

S034006

12

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

DESCRIPTION OF THE APPLICATION

The applicant, Exxon Mobil Corporation, seeks to amend the proffers for RZ 1999-MV-025 for a 1.47 acre portion of the Lorton Station Shopping Center. The applicant is also seeking approval of a special exception (SE 2006-MV-033) for a service station, quick service food store and car wash. A service station/fast food restaurant had been previously approved for the site (SE 99-V-020); however, that special exception expired. The proffers approved with the original rezoning listed a combination service station/mini-mart and fast food restaurant up to 3,750 square feet (SF) in size as permitted uses on Pad A. The applicant is now seeking to amend the proffers and proffered Generalized Development Plan (GDP), as well as the approval of a special exception (SE), to permit a service station, car wash and quick service food store on the site (a total of 3,771 SF of building improvements). The proposed hours of operation would be 24 hours a day, seven days a week. The estimated number of employees would be a maximum of four employees on site at any one time.

No waivers or modifications have been requested with this application.

A reduction of the combined Generalized Development Plan/Special Exception Amendment Plat (GDP/SE Plat) is included in the front of this report. The applicant's draft proffer statement for PCA 1999-MV-025-03 is included as Appendix 1. Appendix 2 is the proposed development conditions for SE 2006-MV-033. The applicant's affidavit is in Appendices 3 and 4 the statements provided by the applicant are in Appendix 5.

LOCATION AND CHARACTER

Subject Site

Pad Site A of the Lorton Station Shopping Center is located in the southwest quadrant of the intersection of Lorton Road and Lorton Market Street. It is bounded by the Richmond, Fredericksburg and Potomac (RF&P) railroad tracks to the west. The 1.47 acre application property is a portion ("Pad Site A") of the original 32.97 acre application property subject to both RZ 1999-MV-025 and SE 99-MV-020. The proffers approved with the original rezoning listed service station/mini-mart with fast food restaurant as a permitted use on Pad A only, and the approved GDP showed a 3,750 gross square foot building footprint on Pad A. The site has been cleared and graded but is currently vacant. Access to the site is provided from eastbound Lorton Road and southbound Lorton Market Street. The site can also be accessed from the south via an interparcel access across Pad Site B.

Surrounding Area

Pad Site B, which is located to the south of the subject site, is also cleared and graded but vacant. While the approved GDP for Pad Site B depicts a 2,500 square foot (SF) fast food restaurant for the site, it should be noted that an application has been filed which seeks to develop Pad Site B with a 6,000 SF full-service car wash (PCA 1999-MV-025-4 and SE 2007-MV-005). A public hearing on these applications before the Planning Commission has been scheduled for June 28, 2007. The existing main shopping center building, located to the east of the site, across Lorton Market Street, contains 134,500 square feet of retail space and 16,000 square feet of other non-residential space on a second story. In addition, this area includes 21,000 square feet of office space to the south of the main building, where an existing child care center located (previously approved with PCA 1999-MV-025 & SEA 99-V-020). Also to the east of the subject site in the southeastern quadrant of the intersection of Lorton Road and Lorton Market Street (Pad Site C of the shopping center) is an existing drive-in bank. This drive-in bank was approved pursuant to PCA 1999-MV-025-2 and SEA 99-V-020.

The following chart addresses the area surrounding the subject site:

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Open Space - Lorton Station	PDH-5	Mixed Use
South	Vacant (approved GDP depicts fast food restaurant)	C-6	Mixed Use
East	Retail (Lorton Station Shopping Center)	C-6	Mixed Use
West	Retail (service station);Commuter Parking Lot (both uses located on other side of RF&P railroad tracks)	C-5; R-1	Retail

BACKGROUND

On April 24, 2000, the Board of Supervisors approved RZ 1999-MV-025 to rezone 32.97 acres from the I-3, I-6, and PDH-5 Districts to the C-6 District subject to proffers dated April 18, 2000. The application property was included in the land area subject to RZ 1999-MV-025.

On April 24, 2000, the Board of Supervisors approved SE 99-V-020 for a combined service station/mini-mart and fast food restaurant, a fast food restaurant with drive-in facilities, a drive-through pharmacy, and an increase in building height to permit construction of a clock tower, subject to development conditions. The application property for the subject applications (PCA 1999-MV-025-3 and SE 2006-MV-033) was included in the land area subject to SE 99-V-020.

On November 18, 2002, the Board of Supervisors approved additional time (30 months) to commence construction for SE 99-MV-020. However, this additional time expired on April 24, 2005, and no additional time was sought. As a result, the special exception approval for the service station/fast food restaurant on Pad Site A expired.

On May 9, 2005, the Board of Supervisors approved PCA 1999-MV-025 to allow a child care center in a shopping center, subject to proffers dated April 1, 2005. The application property was included in the land area subject to PCA 1999-MV-025. Concurrently, the Board of Supervisors approved SEA 99-V-020 to allow a 6,600 square foot child care center to be included within the main building of the shopping center. The application property for the subject applications was not included in the land area subject to SEA 99-V-020.

On January 8, 2007, the Board of Supervisors approved PCA 1999-MV-025-2 to allow a drive-in bank on Pad Site C of the shopping center, subject to proffers dated December 1, 2006. Concurrently, the Board of Supervisors approved SEA 99-V-020-2 to permit a 4,500 SF drive-in bank within Pad Site C of the shopping center. As noted in the Surrounding Site Description, this drive-in bank has been constructed and is currently operating.

Copies of the approved proffers and development conditions for these applications are provided in Appendices 6-9.

COMPREHENSIVE PLAN PROVISIONS

Plan Area:	IV
Planning District:	Lower Potomac Planning District
Planning Sector:	Lorton – South Route 1 (LP2)

The application property is located in Sub-unit E-8 of the Lorton – South Route 1 Community Planning Sector. On pages 75-74 of the Area IV volume of the Comprehensive Plan, 2003 edition, as amended through 2-10-03, under Lower Potomac Planning District, Lorton-South Route 1 Community Planning Sector (LP2), Recommendations, Land Use, Sub-unit E8, the Comprehensive Plan states:

Sub-unit E8

Sub-unit E8 is located east of the RF&P Railroad tracks south of Lorton Road and includes Parcels 107-4((1))44, 52, 53, 55 and 57. Sub-unit E8 is planned for a mix of uses such as office, open space, retail, cultural center, hotel/motel and recreational uses. Development of a mixed-use project should be contingent upon satisfactory achievement of the following conditions:

- Substantial and logical parcel consolidation should be provided so that the area is developed as one unified project to provide for high quality design and an integration of uses;*
- A thorough heritage resources survey should precede development and the recovery of significant heritage resources should be undertaken in conjunction with development;*
- The overall floor area ratio is appropriate up to .25 FAR;*
- Substantial contribution towards transportation improvements should be provided, including improvements to the railroad/ Lorton Road underpass;*
- Uses and intensities should generally be arranged so that new uses situated next to existing residential uses are compatible in height, scale and intensity. Generous buffering and screening should be employed between non-residential and residential land uses;*
- Good design principles should be employed including the provision of pedestrian and vehicular circulation systems within and to the sub-unit with special attention given to the linkages to the commuter rail station;*
- Landscaping and trees should be used in parking lots, plazas, and streetside areas and medians along major roads to create boulevard-like effects;*
- Architectural design features such as variations of window materials, as well as public space furniture or entry accents are encouraged. When appropriate, arcades, awnings or other building features to distinguish ground floor retail are desirable;*
- Comprehensive sign systems that establish a distinctive theme and identity and eliminate visual clutter are desirable. Building mounted and ground mounted shopping center signs incorporated within a planting strip are encouraged. Pole mounted signs are discouraged; and*
- Safe pedestrian access to the commuter rail station from adjacent recreational areas and from across Lorton Road, Pohick Road and the RF&P Railroad should be provided.*

The Plan Map shows this property as planned for Mixed Use.

ANALYSIS

**Generalized Development Plan (GDP)/Special Exception (SE) Plat
(Reduction at front of staff report)**

Title of Combined GDP/SE Plat: Exxon Mobil Corporation,
Parcel B Lorton Market Street

Prepared By: Bohler Engineering, P.C.

Original and Revision Dates: August 2, 2006 as revised through
May 18, 2007

GDP/SE Plat Description:

Exxon Mobil Corporation, Parcel B Lorton Market Street	
Sheet #	Description of Sheet
1 of 12	Cover sheet, legend, sheet index, vicinity map
2 of 12	Existing conditions and existing vegetation map
3 of 12	Site layout, general notes, site tabulations
4 of 12	Landscape plan, landscaping schedule, tree cover calculations
5 of 12	Landscape details and specifications
6 of 12	Building elevations
7 of 12	Building elevations
8 of 12	Building elevations (car wash)
9 of 12	Building elevations (canopy)
10 of 12	Building elevations (dumpster enclosure)
11 of 12	Preliminary stormwater management plan
12 of 12	Photometric plan

Service Station/Car Wash/Quick Service Food Store: The proposed service station/quick service food store structure would be 2,985 SF in size. It would be oriented in the center of the site, facing Lorton Road. Between Lorton Road and the service station/quick service food store structure would be a canopy. The canopy would be 18' 6" high and cover eight pumps. The 786 SF car wash structure would be located on the western property line of the site. Vehicles seeking to use the car wash would enter the queue in the southeastern corner of the site (at the Lorton Market Street entrance). The GDP/SE Plat indicates that, with double stacking, up to 18 cars could queue up for the car wash without blocking the interparcel access between Pad Sites A and B. An escape lane is proposed between the car wash and the dumpster enclosure. The loading area and dumpster enclosure is depicted to be located to the west of the service station/quick service food store structure.

Access: As noted earlier in this report, the subject site has been cleared and graded and curb, gutter and entrances to the pad site have been installed. Access to the site is provided from eastbound Lorton Road and southbound Lorton Market Street. The site can also be accessed from the south via an interparcel access across Pad Site B. Likewise, the interparcel access will provide vehicles leaving the site with access to a median break along Lorton Market Street so that vehicles can turn onto northbound Lorton Market Street. There is a 10-foot wide asphalt trail along the site's Lorton Road frontage and an existing sidewalk along the site's Lorton Market Street frontage. In addition, a pedestrian signal is located at the intersection of Lorton Road and Lorton Market Street.

Parking/Stacking/Loading: A total of 26 parking spaces will be provided (six more than the 20 space requirement). Ten of these spaces are located in front of the quick service food store. Sixteen (16) spaces are provided along the site's Lorton Market Street frontage. As noted earlier, 18 stacking spaces are provided for the proposed car wash. Finally, a loading zone is proposed to the west of the service station/quick service food store structure, abutting the dumpster enclosure.

Architecture/Signage: The proposed quick service food store would be brick with a standing seam metal roof. The only windows would be located on either side of the proposed entrance. Brick pillars would be located at each corner. A gable is proposed on the roof, which would highlight the blue, yellow and red sign for the quick service food store, which would be located above the store's entrance. Likewise, the architecture for the car wash would mimic the quick service food store. It would be constructed of brick, with a standing metal seam roof and a gable highlighting the sign for the car wash. In all cases, the rooftop equipment would only be visible from the southern end of the structures.

Landscaping: Forty-three percent (43%) open space is provided. Deciduous street trees (between 2.5" and 3" in caliper) would be provided along the site's Lorton Road and Lorton Market Street frontages. The trees would be spaced every 35 feet on center. A row of deciduous shrubs would be planted between each tree. This same planting scheme would be carried around to the southern and western property lines of the site. Deciduous and ornamental trees are also proposed to be planted at the back of the quick service food store.

Stormwater Management: Stormwater detention and Best Management Practices (BMPs) requirements have been satisfied for the entire Lorton Station shopping center through an extended detention pond as shown on the approved site plan revision, 4865-SPV-005-A-1, which was approved on February 14, 2003. In addition, in order to provide adequate outfall, the outfall narrative proposes a number of improvements to the existing conveyance system located to the east of the site, including the addition of a new section of storm drain pipe and modifications to existing ditches.

Land Use Analysis

The proposal to add a service station, quick service food store and car wash to the previously approved shopping center is consistent with the land use recommendations of the Comprehensive Plan with regard to this property.

Transportation Analysis (Appendix 10)**Issue: Stacking**

Access to the subject site was previously approved with RZ 1999-MV-025 and SE 99-V-020. Vehicles seeking to use the car wash would enter the queue in the southeastern corner of the site (at the Lorton Market Street entrance). Staff was concerned that stacking for the car wash might block the interparcel access along Lorton Market Street. For that reason, staff recommended that the applicant evaluate relocating the car wash structure behind the quick service food store and reversing the stacking flow into the car wash so that any stacking for the car wash would occur on-site and not block the interparcel access.

Resolution:

The applicant expressed concern that reversing the flow of the car wash queue would create traffic problems within the site. Instead, the applicant has demonstrated that stacking for 18 vehicles can be accommodated for the proposed car wash and as such, it is unlikely that those vehicles will block the interparcel access along Lorton Market Street. The applicant has also provided an escape lane for those vehicles queuing for the car wash. For these reasons, staff believes that this issue is now resolved.

Environmental Analysis (Appendix 11)**Issue: Lighting**

Par. 1 of Sect. 14-903 of the Zoning Ordinance states that service station and service station/mini-mart canopy lighting shall not exceed a maintained lighting level of thirty (3) footcandles under the canopy as measure horizontally at grade.

Resolution:

The applicant's photometric plan (Sheet 12 of the GDP/SE Plat) depicts that the proposed lighting will satisfy this requirement. Therefore, this requirement is satisfied.

Issue: Stormwater Management

Stormwater detention and Best Management Practices (BMPs) requirements have been satisfied for the entire Lorton Station shopping center through an extended detention pond as shown on the approved site plan revision, 4865-SPV-005-A-1, which was approved on February 14, 2003. Based on the stormwater outfall information presented, however, it appears that the existing conditions of the outfall will not meet the amended requirements of the Public Facilities Manual (PFM), effective February 7, 2006, concerning stormwater outfalls. Concentrated stormwater must discharge into an adequate channel or drainage system and within adequate stormwater easements. Stormwater outfall improvements and/or off-site easements will be required for the proposed development in order for the site plan to be approved. Such improvements should also be shown on the GDP/SE Plat.

Resolution:

In order to provide adequate outfall, the applicant is now proposing improvements to the existing conveyance system located to the east of the site, including the addition of a new section of storm drain pipe and modifications to existing ditches. Some of the proposed improvements may require additional drainage easements along Timarand Drive. Should the applicant be unable to secure these off-site easements, the remaining improvements (as listed in the adequate outfall narrative on Sheet 11) would be made. In either case, the applicant believes that these proposed improvements would provide adequate outfall for the site. Therefore, with the implementation of the staff-proposed development condition, this issue is resolved.

ZONING ORDINANCE PROVISIONS (Appendix 12)

Bulk Standards

This application request to allow a drive-in bank on a 1.47 acre portion of the shopping center previously approved pursuant to RZ 1999-MV-025 is in conformance with the bulk standards applicable in the C-6 District. The bulk standards and other requirements of the C-6 District are contained in Appendix 11.

Bulk Standards C-6		
Standard	Required	Provided
Lot Size	40,000 square feet	64,066 square feet (1.47 acres)
Maximum Building Height	60 feet	24 feet
Front Yard (Lorton Road)	45° angle of bulk plane, but not less than 40 feet	60 feet
Front Yard	45° angle of bulk plane, but	70 feet

Bulk Standards C-6		
Standard	Required	Provided
(Lorton Market Street)	not less than 40 feet	
Side Yard	No requirement	2 feet (car wash structure)
Rear Yard	20 feet	41 feet
FAR	0.40	0.06
Open Space	15%	43%
Parking Spaces	20 spaces	26 spaces
<i>There are no transitional screening and barrier requirements for the subject site.</i>		

Special Exception Requirements (See Appendix 12)

General Standards (Sect. 9-006)

General Standard 1 requires that the proposed use be in harmony with the Comprehensive Plan. Staff has concluded the proposed service station, car wash and quick service food store is in harmony with the land use recommendations of the Comprehensive Plan, including Plan guidelines for floor area ratio, and pedestrian and vehicular circulation.

General Standard 2 requires that the proposed use be in harmony with the purpose and intent of the applicable zoning district regulations. Staff has concluded that the purpose and intent of the C-6 District has been satisfied because the proposed uses (service station, car wash and quick service food store) are consistent with the purpose of the C-6 District to provide development in compact centers that are planned as a unit and preferably confined to one quadrant of an intersection so as to provide for orderly development, minimize traffic congestion, and provide for safe and unimpeded pedestrian movement.

General Standard 3 requires that the proposed use be harmonious with and not adversely affect the use or development of adjacent properties. The proposed service station, car wash and quick service food store are located within the Lorton Station Shopping Center, which is zoned C-6 and planned for mixed uses. The original rezoning had proposed a combination service station and fast food restaurant to be located on Pad Site A. In addition, a special exception was previously approved for a service station/fast food restaurant on Pad Site A. In staff's opinion, the uses proposed for the subject applications (service station, car wash and quick service food store) are similar in nature to the previously-approved service station/fast food restaurant. During consideration of SE 99-V-020, it was found that the proposed service station/fast food restaurant would not affect the use or development of adjacent properties. Therefore, staff does not believe that these currently proposed uses will adversely affect the use or development of adjacent properties.

General Standard 4 states that pedestrian and vehicular traffic associated with the use not be hazardous or conflict with existing or anticipated traffic in the neighborhood. The access to the overall site was previously approved with RZ 1999-MV-025. Vehicles seeking to use the car wash would enter the queue in the southeastern corner of the site (at the Lorton Market Street entrance). As stated in the Transportation Analysis, staff had suggested that the applicant evaluate relocating the car wash structure behind the quick service food store and reversing the stacking flow into the car wash so that any stacking for the car wash would occur on-site and not block the interparcel access along Lorton Market Street. The applicant is concerned that reversing the flow of the car wash queue would create traffic problems within the site. The applicant has demonstrated that stacking for 18 vehicles can be accommodated for the proposed car wash and as such, it is unlikely that those vehicles will block the interparcel access along Lorton Market Street. The applicant has also provided an escape lane for those vehicles queuing for the car wash. Staff also recommends a development condition which would prohibit any stacking or waiting for the car wash within the service drive along Lorton Market Street. In order to ensure enforcement of this condition, this condition would further require that the car wash be monitored by an employee who will ensure that vehicles seeking to utilize the car wash do not stack/stand within the service drive. With the implementation of this development condition, staff believes that this standard has been satisfied.

General Standard 5 addresses the requirements of Article 13, Landscaping, and Screening. The existing landscaping for the site was previously approved with RZ 1999-MV-025. It was also approved with SE 99-V-020 for the previously-proposed service station/fast food restaurant. Staff continues to conclude that this standard has been satisfied.

General Standard 6 requires that open space be provided as required in the zoning district. Forty-three percent (43%) of the site is proposed to be open space, which exceeds the 15% requirement. Therefore, staff concludes that this standard has been satisfied.

General Standard 7 addresses the adequate provision of utilities, drainage, parking and loading at the site. Adequate utilities, drainage, and parking requirements have been met with this application. The minimum required parking required for the service station, car wash and quick service food store is 20 parking spaces. The applicant proposes 26 parking spaces, including 2 handicapped accessible spaces. A 15-foot by 25-foot loading area is proposed to the west of the proposed quick service food store. In addition, as noted earlier in this report, 18 stacking spaces will be provided for the car wash. Existing conditions of the outfall do not meet the requirement of the PFM. In order to provide adequate outfall, the applicant has proposed a number of improvements to the existing conveyance system to the north of the subject site.

General Standard 8 states that all signs are regulated by the provisions of Article 12, Signs. Staff has proposed a development condition to ensure all signs on the site will be in accordance with Article 12 of the Zoning Ordinance; therefore this standard has been satisfied.

Category 5 Standards (Sect. 9-503)

Standard 1 states that 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.

The application meets the lot size and bulk requirements for the C-6 District.

Standard 2 states that 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. Par. 1 of Sect. 14-903 of the Zoning Ordinance states that service station and service station/mini-mart canopy lighting shall not exceed a maintained lighting level of thirty (3) footcandles under the canopy as measure horizontally at grade. The applicant's photometric plan (Sheet 12 of the GDP/SE Plat) depicts that the proposed lighting will satisfy this requirement.

Standard 3 states that before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans. Staff has proposed a development condition to ensure that this Special Exception will be subject to the provisions of Article 17. With the implementation of this condition, this standard is satisfied.

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

Additional Standard 1(A) states that such use shall have the same architectural features on all sides or shall be architecturally compatible with the building group or neighborhood with which it is associated. The applicant has provided architecture for the proposed structures, which staff believes is similar to the main shopping center building. With the implementation of the staff-proposed development condition, staff believes that this standard has been satisfied.

Additional Standard 1(B) states that such use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties. The vehicular circulation proposed with this application is consistent with the circulation previously approved with RZ 1999-MV-025. A 10-foot wide asphalt trail is located along the site's Lorton Road frontage and a five-foot wide concrete sidewalk is located along the site's Lorton Market Street frontage. This sidewalk provides connections to the abutting pad sites to the south. In addition, a crosswalk and pedestrian signal are located at the intersection of Lorton Road

and Lorton Market Street which provides access to the abutting Lorton Station Shopping Center and bank on Pad Site C. An interparcel access is located along Lorton Market Street to provide vehicular access between the subject site and Pad Site B to the south. This interparcel access also provides vehicles with access to a median break along Lorton Market Street so that vehicles can exit onto northbound Lorton Market Street.

Additional Standard 1(C) states that the site shall be designed to minimize the potential for 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 pedestrian access to all uses on the site. As noted earlier, the access to the overall site and the previously-approved service station/fast food restaurant on the subject site were previously approved with RZ 1999-MV-025 and SE 99-V-020. The entrances to the site (one from eastbound Lorton Road and one from southbound Lorton Market Street) are already constructed as part of the development of the overall shopping center. In addition, access to Pad Site A is provided via an interparcel access across Pad Site B, which provides access to the median break along Lorton Market Street. As noted earlier in this report, vehicles seeking to use the car wash would enter the queue in the southeastern corner of the site (at the Lorton Market Street entrance). Since the applicant has demonstrated that stacking for 18 vehicles can be accommodated for the proposed car wash without blocking the interparcel access along Lorton Market Street, staff recommends a development condition which would prohibit any stacking or standing for the car wash within the service drive along Lorton Market Street. In order to ensure enforcement of this condition, this condition would further require that the car wash be monitored by an employee who will ensure that vehicles seeking to utilize the car wash do not stack/stand within the service drive. With the implementation of this development condition, staff believes that this standard has been satisfied.

Additional Standard 1(D) states that 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. The subject site is located within a pad site of a commercial shopping center, which is surrounded by a major road, railroad tracks and other commercial uses. As such, staff does not believe that the proposed uses will adversely affect any nearby existing or planned residential areas; therefore this standard has been met.

Additional Standard 1(E) states that there shall be no outdoor storage or display of goods offered for sale except for the outdoor storage or display of goods permitted at a service station or service station/mini-mart. Staff has proposed a development condition to ensure that there will be no outdoor storage or display of goods offered for sale; therefore this standard has been met.

Additional Standard 3(A) states that in the C-6 District, there shall be no outdoor storage or display of goods offered for sale except for the outdoor storage or display of goods permitted at a service station or service station/mini-mart. With the implementation of the staff-proposed development condition, this standard will be satisfied.

Additional Standard 3(B) states that in the C-6 District, service stations and service station/mini-marts shall not be used for the performance of major repairs, and shall not include the outdoor storage of more than two (2) abandoned, wrecked or inoperable vehicles on the site for more than 72 hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, this standard states that in no event shall any one (1) abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding 72 hours. With the implementation of the staff-proposed development conditions, this standard will be satisfied.

Proffers and Development Conditions

The draft proffers for the proffered condition amendment incorporate the proffers previously accepted by the Board of Supervisors with the approval of RZ 1999-MV-025 and PCA 1999-MV-025 and add a service station, quick service food store and car wash as permitted uses on Pad Site A. Except for the proposed change in use (from a service station/fast food restaurant to a service station/quick service food store/car wash), these amendment applications conform to those proffers. The proffers accepted pursuant to the approval of RZ 1999-MV-025 will remain in effect for the portions of the original application property not included in this proffered condition amendment application.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The proposal to add a service station, car wash and quick service food store to Pad Site A, located in the southwestern quadrant of Lorton Road and Lorton Market Street is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions.

Recommendation

Staff recommends that PCA 1999-MV-025-3 be approved subject to the draft proffers contained in Appendix 1.

Staff recommends that SE 2006-MV-033 approved be subject to the development conditions in Appendix 2.

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 rezoning does not interfere with, abrogate or annul any easement, 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. Draft Proffers
2. Proposed Development Conditions
3. Rezoning Affidavit (PCA 1999-MV-025-03)
4. Special Exception Affidavit (SE 2006-MV-033)
5. Statement of Justification
6. Clerk to the Board's Letter and Proffers for RZ 1999-MV-025
7. Clerk to the Board's Letter regarding SE 99-V-020
8. Clerk to the Board's Letter and Proffers for PCA 1999-MV-025
9. Clerk to the Board's Letter and Proffers for PCA 1999-MV-025-2
10. Transportation Analysis
11. Stormwater Analysis
12. Selected Excerpts from the Zoning Ordinance
13. Glossary of Terms

DRAFT PROFFERS**PCA 1999-MV-025-3****May 22, 2007**

Pursuant to Section 15.2-2303(a) Code of Virginia, 1950, as amended, Exxon Mobil Corporation (hereinafter referred to as the "Applicant"), for themselves, their successors and assigns in PCA 1999-MV-025-3, filed for property identified as Tax Map reference 107-4 ((23)) B (hereinafter referred to as the "Application Property") hereby proffer that development of the Application Property shall be subject to approved proffers associated with RZ 1999-MV-025, dated April 18, 2000, which shall remain in full force and effect except as amended below. In the event that PCA 1999-MV-025-3 is denied, these proffer revisions shall immediately be null and void and of no further force and effect.

1. GENERALIZED DEVELOPMENT PLAN

- a. Subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance (hereinafter referred to as the "Zoning Ordinance"), development of the Application Property for use as a car wash, service station and quick service food store shall be in substantial conformance with a generalized development plan/special exception plat (collectively, the "GDP"), entitled "Parcel B Lorton Market Street" consisting of twelve (12) sheets prepared by Bohler Engineering, P.C., dated August 2, 2006, and revised through May 18, 2007.
- b. Pursuant to Paragraph 5 of Section 18-204 of the Zoning Ordinance, minor modifications to the GDP may be permitted as determined by the Zoning Administrator. The Applicant reserves the right to make minor adjustments to the layout at time of site plan submission based on building footprints, final engineering, and utility locations, provided that the changes are in substantial conformance with the GDP, and there is no decrease to the amount of open space, setbacks, or distances to peripheral lot lines as dimensioned on the GDP.

Amend Existing Proffer 3, to add use in list of permitted uses.

3. Uses

- a. The following additional use is permitted within the buildings shown on the GDP/SE plat:
 - Pad A only: Car wash, service station and quick service food store (up to 3,775 square feet of gross floor).

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

Title Owner of Tax Map 107-4 ((23)) B

Exxon Mobil Corporation

William P. Crowe, Agent & Attorney-in-Fact for Exxon Mobil Corp
By: William P. Crowe, its Agent and Attorney-in-Fact

[SIGNATURES END]

PROPOSED DEVELOPMENT CONDITIONS**SE 2006-MV-033****May 31, 2007**

If it is the intent of the Board of Supervisors to approve SE 2006-MV-033 located at 9400 Lorton Market Street, Tax Map 107-4 ((23)) B, to permit a service station, quick service food store and car wash, pursuant to Section 4-604 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s), and/or use(s) indicated on the Special Exception Plat (SE Plat) approved with this application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved SE Plat entitled "Exxon-Mobil Corporation, Parcel B Lorton Market Street" prepared by Bohler Engineering, P.C., consisting of twelve (12) sheets, dated August 2, 2006, with revisions through May 18, 2007. Minor modifications to the approved Special Exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. A copy of these special exception conditions shall be posted in a conspicuous place, and made available to the public and all departments of the County of Fairfax during hours of operation.
5. No stacking or waiting for the car wash shall be permitted in the service drive along Lorton Market Street. The car wash shall be monitored by an employee who will ensure that vehicles seeking to utilize the car wash do not stack/wait within the service drive.
6. Architecture for the building, car wash and canopy shall be in substantial conformance with that shown on the SE Plat.
7. No more than one freestanding identification sign shall be permitted on the site which shall be a monument-style sign as depicted on the SE Plat (all uses may be represented on such sign). Irrespective of any representations on the SE Plat, all signs (including building-mounted signs) shall meet the requirements of Article 12, as well as the sight line requirements of the Zoning Ordinance, VDOT and the PFM.
8. Temporary promotional banners (other than those allowed by the Zoning Ordinance), balloons, flags, or rooftop displays shall not be permitted on site.

9. All lighting, including security, pedestrian and/or other incidental lighting, shall meet the standards of Article 14 of the Zoning Ordinance.
10. There shall be no outside storage or display of goods offered for sale.
11. To ensure protection of groundwater quality, all existing and future underground storage tanks on the site shall be maintained or installed in accordance with current federal, state, and local regulations as may be determined by the State Water Quality Control Board, DPWES, and the Fire and Rescue Department.
12. A landscape plan shall be submitted concurrent with site plan review and shall provide, at a minimum, the number and sizes of trees and plantings consistent with that shown on the SE plat. Species choice shall be coordinated with Urban Forest Management (UFM), and the landscape plan shall be subject to the review and approval of UFM. All landscaping shall be property maintained. All dead and/or dying landscaping materials shall be replaced within the closest succeeding planting cycle per the review and approval of UFM.
13. The car wash shall be equipped to capture at least 80% of the waste water associated with a single cycle of the car wash operation. All waste water discharged from the car wash shall be discharged to the sanitary sewer system.
14. The trash dumpster shall be fully screened from view as depicted on the SE Plat. The subject site shall be patrolled by employees to pick up any trash on-site and to ensure that the doors to the dumpster enclosure are fully closed and in good working condition.
15. The service station shall not be used for the performance of major vehicle repairs. There shall be no storage of abandoned, wrecked or inoperable vehicles on the site. There shall be no dismantling, wrecking or sale of vehicles or parts thereof on the site.
16. Prior to any site plan approval, it shall be demonstrated to the satisfaction of DPWES that adequate outfall can and shall be provided.

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, at a minimum, the service station, carwash or quick service food store use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

REZONING AFFIDAVIT

DATE: May 21, 2007
 (enter date affidavit is notarized)

I, Jason B. Heinberg, attorney/agent, do hereby state that I am an
 (enter name of applicant or authorized agent)

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

942880

in Application No.(s): PCA 1999-MV-025-03
 (enter County-assigned application number(s), e.g. RZ 88-V-001)

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

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Exxon Mobil Corporation Agents: William P. Crowe David N. O'Toole	3225 Gallows Road Fairfax, Virginia 22037-0001	Applicant/Title Owner of Tax Map 107-4 ((23)) B
William P. Crowe, Steve C. Doerr, Rich W. Hilchey, and Steve C. Polkey, Agents and Attorneys-in-Fact for Exxon Mobil Corporation		
CB Richard Ellis Real Estate Services, Inc. f/k/a Trammell Crow Company Agents: John R. Thomas Tyler J. Paytas	c/o Exxon Mobil Corporation 3225 Gallows Road Fairfax, Virginia 22037-0001	Agent for Applicant/Title Owner

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

* 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).

Rezoning Attachment to Par. 1(a)

DATE: May 21, 2007
 (enter date affidavit is notarized)

942886

for Application No. (s): PCA 1999-MV-025-03
 (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)
Bohler Engineering, P.C. Agents: Daniel M. Duke Mark E. Hoffman	22630 Davis Drive, Suite 200 Sterling, Virginia 20164	Engineers/Agent
WD Partners, Inc. Agents: Wallace A. Perkins Sabine Osceola (nmi)	1201 Dublin Road Columbus, Ohio 43215	Architects/Agent
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C. Agents: Martin D. Walsh Timothy S. Sampson Lynne J. Strobel Elizabeth D. Baker M. Catharine Puskar Inda E. Stagg Jason B. Heinberg Kara M. Whisler Abby C. Denham Susan K. Yantis Tara E. Wiedeman Megan C. Shilling Elizabeth A. McKeeby Blair A. Lonergan	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent

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

REZONING AFFIDAVIT

DATE: May 21, 2007
(enter date affidavit is notarized)

94288 e

for Application No. (s): PCA 1999-MV-025-03
(enter County-assigned application number(s))

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

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

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Exxon Mobil Corporation
3225 Gallows Road
Fairfax, Virginia 22037-0001

DESCRIPTION OF CORPORATION: (check one statement)

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

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

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice President, Secretary, Treasurer, etc.)
David N. O'Toole, Construction Project Coordinator

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

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

Rezoning Attachment to Par. 1(b)

DATE: May 21, 2007
(enter date affidavit is notarized)

942886

for Application No. (s): PCA 1999-MV-025-03
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Bohler Engineering, P.C.
22630 Davis Drive, Suite 200
Sterling, Virginia 20164

DESCRIPTION OF CORPORATION: (check one statement)

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

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)
Ludwig (nmi) Bohler
Eric L. Steinfeld

=====

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

=====

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Walsh, Colucci, Lubeley, Emrich & Walsh, PC
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

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 J. Bomgardner, E. Andrew Burcher, Thomas J. Colucci, James P. Downey (former), Peter M. Dolan, Jr., Jay du Von, Jerry K. Emrich, William A. Fogarty, John H. Foote, H. Mark Goetzman, Bryan H. Guidash, Michael D. Lubeley, J. Randall Minchew, M. Catharine Puskar, John E. Rinaldi, Lynne J. Strobel, Garth M. Wainman, Nan E. Walsh, Martin D. Walsh

=====

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

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

Rezoning Attachment to Par. 1(b)

DATE: May 21, 2007
(enter date affidavit is notarized)

942886

for Application No. (s): PCA 1999-MV-025-03
(enter County-assigned application number (s))

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

WD Partners, Inc.
1201 Dublin Road
Columbus, Ohio 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 SHAREHOLDER: (enter first name, middle initial, and last name)

Christopher K. Doerschlag
Wolfgang Doerschlag

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

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

CB Richard Ellis Real Estate Services, Inc. f/k/a Trammell Crow Company c/o Exxon Mobil Corporation
3225 Gallows Road
Fairfax, Virginia 22037-0001

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)

Publicly traded on NYSE.

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

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

REZONING AFFIDAVIT

DATE: May 21, 2007
(enter date affidavit is notarized)

942886

for Application No. (s): PCA 1999-MV-025-03
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state and zip code)
None

(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)

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

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

REZONING AFFIDAVIT

DATE: May 21, 2007
(enter date affidavit is notarized)

94288-6

for Application No. (s): PCA 1999-MV-025-03
(enter County-assigned application number(s))

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

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

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

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

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

None

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

REZONING AFFIDAVIT

DATE: May 21, 2007
(enter date affidavit is notarized)

942 886

for Application No. (s): PCA 1999-MV-025-03
(enter County-assigned application number(s))

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 "Rezoning Attachment to Par. 3" form.

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

WITNESS the following signature:

(check one)

Jason B. Heinberg
] Applicant

Applicant's Authorized Agent

Jason B. Heinberg, attorney/agent

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

Subscribed and sworn to before me this 21 day of May, 2007, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K. Folle
Notary Public

My commission expires: 11/30/2007

SPECIAL EXCEPTION AFFIDAVITDATE: May 21, 2007
(enter date affidavit is notarized)I, Jason B. Heinberg, attorney/agent, do hereby state that I am an
(enter name of applicant or authorized agent)(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below

942876

in Application No.(s): SE 2006-MV-033
(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)
Exxon Mobil Corporation Agents: W.P. Crowe David N. O'Toole	3225 Gallows Road Fairfax, Virginia 22037-0001	Applicant/Title Owner of Tax Map 107-4 ((23)) B
William P. Crowe, Steve C. Doerr, Rich W. Hilchey, and Steve C. Polkey, Agents and Attorneys-in-Fact for Exxon Mobil Corporation		
CB Richard Ellis Real Estate Services, Inc. f/k/a Trammell Crow Company Agents: John R. Thomas Tyler J. Paytas	c/o Exxon Mobil Corporation 3225 Gallows Road Fairfax, Virginia 22037-0001	Agent for Applicant/Title Owner

(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: May 21, 2007
 (enter date affidavit is notarized)

942876

for Application No. (s): SE 2006-MV-033
 (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)
Bohler Engineering, P.C. Agents: Daniel M. Duke Mark E. Hoffman	22630 Davis Drive, Suite 200 Sterling, Virginia 20164	Engineers/Agent
WD Partners, Inc. Agents: Wallace A. Perkins Sabine Osceola (nmi)	1201 Dublin Road Columbus, Ohio 43215	Architects/Agent
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C. Agents: Martin D. Walsh Timothy S. Sampson Lynne J. Strobel Elizabeth D. Baker M. Catharine Puskar Inda E. Stagg Jason B. Heinberg Kara M. Whisler Abby C. Denham Susan K. Yantis Tara E. Wiedeman Megan C. Shilling Elizabeth A. McKeeby Blair A. Lonergan	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent

(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: May 21, 2007
(enter date affidavit is notarized)

942876

for Application No. (s): SE 2006-MV-033
(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)
Exxon Mobil Corporation
3225 Gallows Road
Fairfax, Virginia 22037-0001

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

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

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

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

Special Exception Attachment to Par. 1(b)

DATE: May 21, 2007
(enter date affidavit is notarized)

94 2876

for Application No. (s): SE 2006-MV-033
(enter County-assigned application number (s))

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

Bohler Engineering, P.C.
22630 Davis Drive, Suite 200
Sterling, Virginia 20164

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)

Ludwig (nmi) Bohler
Eric L. Steinfelt

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

Walsh, Colucci, Lubeley, Emrich & Walsh, PC
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

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 J. Bomgardner, E. Andrew Burcher,	William A. Fogarty, John H. Foote	M. Catharine Puskar, John E. Rinaldi
Thomas J. Colucci, Peter M. Dolan, Jr.,	H. Mark Goetzman	Lynne J. Strobel
James P. Downey (former)	Bryan H. Guidash	Nan E. Walsh
Jay du Von	Michael D. Lubeley	Garth M. Wainman
Jerry K. Emrich	J. Randall Minchew	Martin D. Walsh

(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: May 21, 2007
(enter date affidavit is notarized)

942876

for Application No. (s): SE 2006-MV-033
(enter County-assigned application number (s))

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

WD Partners, Inc.
1201 Dublin Road
Columbus, Ohio 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)

Christopher K. Doerschlag
Wolfgang Doerschlag

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

CB Richard Ellis Real Estate Services, Inc. f/k/a Trammell Crow Company
c/o Exxon Mobil Corporation
3225 Gallows Road
Fairfax, Virginia 22037-0001

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)

Publicly traded on NYSE.

(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: May 21, 2007
(enter date affidavit is notarized)

942876

for Application No. (s): SE 2006-MV-033
(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)
None

(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)

(check if applicable) [] 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 AFFIDAVIT

DATE: May 21, 2007
(enter date affidavit is notarized)

942870

for Application No. (s): SE 2006-MV-033
(enter County-assigned application number(s))

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

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

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

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

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

None

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

Application No.(s): SE 2006-MV-033
(county-assigned application number(s), to be entered by County Staff)

SPECIAL EXCEPTION AFFIDAVIT

DATE: May 21, 2007
(enter date affidavit is notarized)

942874

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) Jason B. Heinberg [] Applicant [x] Applicant's Authorized Agent

Jason B. Heinberg, attorney/agent
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 21 day of May, 2007, in the State/Comm. of Virginia, County/City of Arlington.

Kristine K. Follen
Notary Public

My commission expires: 11/30/2007



**WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC**

Lynne J. Strobel
(703) 528-4700 Ext. 5418
lstrobel@arl.thelandlawyers.com

RECEIVED
Department of Planning & Zoning

NOV 29 2006

Zoning Evaluation Division

November 29, 2006

Via Hand Delivery

Barbara A. Byron, Director
Zoning Evaluation Division
Fairfax County Department of Planning & Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

Re: Proposed Special Exception and Partial Proffered Condition Amendment
Applicant: Exxon-Mobil Corporation

Dear Ms. Byron:

Please accept the following as a statement of justification for a special exception and partial proffered condition amendment application on property identified among the Fairfax County tax map records as 107-4 ((23)) B (the "Subject Property").

The Subject Property is located in the southwest quadrant of the intersection of Lorton Road and Lorton Market Street in the Mount Vernon Magisterial District. The Subject Property contains approximately 1.47 acres, is zoned to the C-6 District pursuant to rezoning RZ 1999-MV-025 that was approved by the Board of Supervisors on April 24, 2000, and is subject to proffers dated April 18, 2000. RZ 1999-MV-025 encompasses a larger 32.97 acre land area, and allows, among other things, a maximum of 187,500 gross square feet ("GSF") of commercial development in the Lorton Station South Commercial Center. More specifically, the approved generalized development plan/special exception plat (the "GDP") permits up to 6,250 GSF on a triangular shaped parcel located west of Lorton Market Street that includes the Subject Property and is identified as Pads A and B. The Subject Property, identified as Pad A, is approved for +/- 3,750 GSF of development. Furthermore, the GDP permits 181,500 GSF of commercial development, including a shopping center, townhouse office and Pad C, located in the area east of Lorton Market Street (collectively, the "Commercial Center Property").

Also on April 24, 2000, the Board of Supervisors approved special exception SE 99-V-020 on land area including the Subject Property for a combined service station/mini-mart and fast food restaurant (Pad A), a fast food restaurant with drive-through facilities (Pad B), a drive-through pharmacy (Pad C) and an increase in building height to permit the construction of a clock tower. The special exception was approved for a period of thirty (30) months, during which each use was required to be established or construction commenced and diligently

prosecuted. The combined service station/mini-mart and fast food restaurant approved on the Subject Property was not established during the specified time period and subsequently expired. The Applicant is proposing to establish a service station with a quick service food store and car wash that is similar to the use originally approved on the Subject Property.

The Subject Property is located in the Lower Potomac Planning District (Area IV), Lorton-South Route 1 Community Planning Sector, Sub-Unit E-8 of the Fairfax County Comprehensive Plan (the "Plan"). Sub-Unit E-8 is planned for a mix of uses, such as offices, open space, retail, cultural center, hotel/motel and recreation uses. The proposed retail use conforms to the recommendations set forth in the Plan.

As noted above, the Applicant proposes the construction of a service station, quick service food store and car wash on the Subject Property containing a total of 3,771 GSF in building improvements. The proposed quick service food store contains approximately 2985 GSF. A single bay car wash that contains approximately 786 GSF is proposed at the western end of the Subject Property with a stacking lane located along the southern portion of the site. This configuration will allow adequate on-site stacking for the car wash and create a convenient circulation pattern on the Subject Property. A canopy with eight (8) proposed multiple product dispensers is located in the interior of the site to the north of the quick service food store.

The proposed GDP depicts an attractive landscaping plan around the perimeter of the Subject Project. This landscaping will include a combination of deciduous and ornamental trees. The plantings around the perimeter of the Subject Property will provide visual screening for the use from surrounding roadways and adjacent commercial uses. Points of access are proposed from Lorton Road and Lorton Market Street. The design of the service station and associated structures is consistent with the character and style of the proffered architectural standards for the larger Lorton Station development that includes the Subject Property.

In accordance with Section 9-011 of the Fairfax County Zoning Ordinance (the "Ordinance"), please accept the following information:

- The type of operation proposed is a service station with a quick service food store and car wash.
- Hours of operation:

The service station, quick service food store and car wash will be open twenty-four hours a day, seven days a week.
- The estimated number of patrons is approximately 2500 to 5500 persons each day.
- The estimated number of employees is a maximum of four (4) on site at any one time.

- The proposed use will generate approximately 2445 trips per day with approximately 169 trips/per hour during the peak A.M. period and 217 trips/per hour during the peak P.M. period.
- The general area to be served by the use is southeastern Fairfax County.
- The proposed use contains 3,771 GSF in improvements, which are comprised of a service station with 2,985 GSF and a car wash containing approximately 786 GSF. The building architecture utilizes a combination of brick and glass, with a metal seam standing roof, that is in conformance with the Lorton Station architectural proffers.
- Petroleum products, as defined in Title 40, Code of Federal Regulations, are the only known hazardous or toxic substances to be utilized and stored on the Subject Property.
- The proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards and any applicable conditions.

The Applicant also proposes a partial proffered condition amendment (“Partial PCA”) to permit a modest reallocation of approved, unused density associated with the Commercial Center Property to the Subject Property. The Partial PCA also proposes the construction of an identification and price sign on the Subject Property. As the location and design of the sign are not identified on the approved GDP, a Partial PCA is required to install this feature. Pursuant to Sect. 18-204(6) of the Ordinance, a partial PCA may be filed in circumstances when the amendment (1) would not adversely affect the use of the property subject to the proffered conditions, but not incorporated into the amendment application, (2) would not inhibit, adversely affect, or preclude the fulfillment of the proffered conditions applicable to the area not included in the application, and (3) would not increase the overall intensity of the development.

In this case, the Partial PCA request does not adversely affect the remainder of the development subject to RZ 1999-MV-025, as it proposes a service station with a quick service food store and car wash that is similar to a special exception use that previously was approved on the Subject Property, but subsequently expired. The Applicant’s proposal also will have no effect on the fulfillment of the approved proffered conditions and associated GDP. The Partial PCA proposes a total development of 3,771 GSF, which is only 21 GSF more than the +/-3,750 GSF identified on the Subject Property pursuant to the GDP. In addition, the approved, unified site plan for the Commercial Center Property, referenced as 4865-SPV-11-D-1 (relevant sheets enclosed), illustrates building improvements containing 160,183 GSF, where 181,500 GSF is permitted pursuant to the GDP. Of the 21,317 GSF of unused intensity associated with the Commercial Center Property, the Applicant proposes to reallocate just 21 GSF to the Subject Property. Such a reallocation of intensity is consistent with the GDP, as the “+/-” symbol preceding the 3,750 GSF associated with the Subject Property indicates that minor modifications to reallocate unused GSF may be permissible. Finally, the modest increase of 21 GSF on the Subject Property will not increase the overall intensity of 187,500 GSF for the entire commercial

November 29, 2006

Page 4

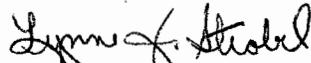
development. The proposed sign also satisfies the above criteria set forth in Sect. 18-204(6), as it will be in keeping with the proffered architectural standards for Lorton Station. The sign will also enable patrons to locate the use and will facilitate commerce.

In conclusion, the Applicant's proposal is in harmony with the purpose and intent of the Ordinance and the recommendations of the Plan. The proposed use is similar to the use that was originally approved for the Subject Property several years ago, but never established. The service station, quick service food store and car wash is anticipated to be a neighborhood-serving use that will be convenient to residents in and around southeastern Fairfax County. Finally, the Applicant has prepared a special exception proposal that includes attractive landscaping and high-quality architecture that is consistent with prior Lorton Station zoning approvals.

Should you have any questions regarding this proposal, or require additional information, please do not hesitate to contact me. I would appreciate the acceptance of this application and the scheduling of a public hearing before the Fairfax County Planning Commission at your earliest convenience.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, P.C.



Lynn J. Strobel

LJS/aab

cc: Tyler Paytas
Daniel Duke
Mark Hoffman
Jason B. Heinberg
Martin D. Walsh

{A0100260.DOC / 1 Statement of Justification dated 11/29/06 000096 000053}



**WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC**

Jason B. Heinberg
(703) 528-4700 Ext. 5417
jheinberg@arl.thelandlawyers.com

April 10, 2007

RECEIVED
Department of Planning & Zoning
APR 10 2007
Zoning Evaluation Division

Via E-Mail and U.S. Mail

Catherine Lewis
Zoning Evaluation Division
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

Re: PCA 1999-MV-025-3/SE 2006-MV-033
Applicant: Exxon Mobil Corporation

Dear Ms. Lewis:

The referenced applications are currently scheduled for a public hearing before the Fairfax County Planning Commission on May 31, 2007. Staff requested that the Applicant assess the feasibility of reorienting the entrance to the car wash toward the south, instead of north as shown on the special exception plat/generalized development plan (the "GDP"). As I understand it, the concern is that the current configuration may cause vehicles to block the public access easement that provides interparcel access between the application property and the property to the south that is identified among the Fairfax County tax map records as 107-4 ((23)) C. The public access easement, a copy of which is enclosed, is recorded among the Fairfax County land records in Deed Book 13375 at page 491.

The Applicant explored two options to reorient the car wash entrance. One option is to reorient the car wash entrance to the south, while maintaining the same building footprint and location. This option is unacceptable for safety reasons, as the design would bifurcate the stacking spaces between the western property boundary and the northern/eastern property boundaries adjacent to the pump aisles. Redesigning the site in this manner would result in dangerous conflicts between drivers queuing for the car wash and traffic entering the site from Lorton Road.

The second option is to relocate the car wash behind the quick service food store. This layout is illustrated in the enclosed sketch prepared by Bohler Engineering, entitled "Car Wash Stacking Sketch B". This option allows contiguous stacking spaces to the south and rear of the quick service food store, however, the current layout is safer and more efficient as described below.

I would appreciate your consideration of the following information:

- The existing configuration creates a safer, more efficient circulation pattern by segregating the car wash traffic from the other uses, evenly distributing traffic throughout the entire site, and maintaining required travel aisle widths. The Applicant desires to minimize vehicular traffic between the gas pumps and quick service food store to create a safe pedestrian zone. The current layout achieves this goal by discouraging vehicular traffic associated with the car wash from using this drive area. Vehicles enter the car wash queue behind the quick service food store and are encouraged, through the placement of the car wash and extended curbing, to exit the site via the travel aisle between Lorton Road/Lorton Market Street and the pump aisles.
- Reconfiguring the car wash entrance exacerbates traffic conflicts between the vehicles using the car wash, the pump aisles and the quick service food store. Additionally, the travel aisle between the entry to the stacking lane and the canopy narrows to seventeen (17) feet in width, which does not meet the requirements of the Public Facilities Manual.
- The revised GDP provides eighteen (18) stacking spaces and a bypass lane. The stacking spaces provided are nearly double the Zoning Ordinance requirement of ten stacking (10) spaces. The excess stacking spaces provide more than adequate capacity to accommodate vehicles during peak times. Reversing the flow of car wash traffic only accommodates thirteen (13) stacking spaces.
- The Applicant will post an employee at the car entrance wash during peak times to monitor operations and ensure that the travel aisle is not obstructed by queuing vehicles. Further, the Applicant will continue to provide unobstructed interparcel access pursuant to the recorded easement.
- The existing layout permits vehicles to enter the property from three points at the location of the interparcel access to Lorton Market Street. Reversing the traffic flow causes vehicles to exit the car wash at a location that creates an additional, fourth direction of traffic flow at the intersection.
- Positioning the car wash building directly behind the quick service food store results in the structure being more visible to adjacent properties and roadways. The current location conceals the structure and deemphasizes this component of the use.

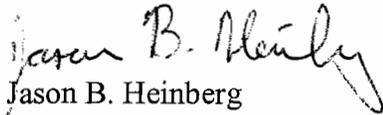
April 10, 2007

Page 3

Based on the foregoing, the Applicant concludes that the existing site layout is optimal and that the car wash should not be reoriented. I trust that the information contained herein will adequately address Staff's concerns. Should you have any questions regarding the above, or the enclosed, please do not hesitate to give me a call. As always, I appreciate your cooperation and assistance.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, P.C.


Jason B. Heinberg

JBH/aab

Enclosures

cc: Tyler Paytas
Mark Hoffman
Jim Clark
Daniel Duke
Lynne J. Strobel
Martin D. Walsh (w/o encl.)

{A0113789.DOC / 1 Lewis ltr 4/10/07 000096 000053}



FAIRFAX COUNTY

OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

V I R G I N I A

Telephone: 703-324-3151

FAX: 703-324-3926

TTY: 703-324-3903

May 12, 2000

Keith C. Martin, Esquire
Walsh, Colucci, Stackhouse, Emrich and Lubeley, P.C.
2200 Clarendon Boulevard – 13th Floor
Arlington, Virginia 22201-3359

RE: Rezoning Application Number RZ 1999-MV-025
(Concurrent with PCA 1996-MV-037-2 and SE 99-V-020)

Dear Mr. Martin:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on April 24, 2000, granting Rezoning Application Number RZ 1999-MV-025 in the name of Elmwood LLC, to rezone certain property in the Mount Vernon District from the I-3, I-6, and PDH-5 Districts to the C-6 District, subject to the proffers dated April 18, 2000, on subject parcel 107-4 ((1)) 52, 53, 55, 56, 57 and Pt. 17A1 consisting of approximately 32.97 acres.

The Board also:

- Approved modifications to the transitional screening requirement along the eastern, southern and northern boundaries.
- Waived the barrier requirements along the eastern, southern and northern boundaries.

Sincerely,

Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

RZ 1999-MV-025

May 12, 2000

- 2 -

cc: Chairman Katherine K. Hanley
Supervisor-Mount Vernon District
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Michael R. Congleton, Deputy Zoning Administrator
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Thomas Conry, Dept. Mgr. - GIS - Mapping/Overlay
Robert Moore, Trnsprt'n. Planning Div., Dept. of Transportation
Ellen Gallagher, Project Planning Section, Dept. of Transportation
Michelle Brickner, Deputy Director, DPW&ES
DPW&ES - Bonds & Agreements
Frank Edwards, Department of Highways - VDOT
Land Acq. & Planning Div., Park Authority
District Planning Commissioner
Thomas Dorman, Director, Facilities Mgmt. Div., DPW&ES

RECEIVED
DEPARTMENT OF PLANNING AND ZONING
MAY 15 2000
ZONING EVALUATION DIVISION

PROFFERS

ELMWOOD, LLC

RZ 1999-MV-025

April 18, 2000

Pursuant to Section 15.1-2303 (A), Code of Virginia, 1950, as amended, the undersigned applicants and property owners for themselves and for their successors and assigns (hereinafter "Applicant"), filed for a rezoning to the C-6 District on property identified as tax map reference 107-4 ((1)), Parcels 52, 53, 55, 56, and 57 and pt 17A1 (hereinafter referred to as "Application Property") hereby agree to the following proffers, provided the "Board of Supervisors" (hereinafter referred to as "Board") approves the rezoning of the Application Property. If the Board accepts these proffers, then all previously adopted proffers shall become null and void.

1. GENERALIZED DEVELOPMENT PLAN

- a. Subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance (hereinafter referred to as "Zoning Ordinance"), development of the Application Property shall be in substantial conformance with the GDP/SE plat, prepared by Dewberry & Davis, dated February 28, 2000.
- b. Pursuant to 18-204, minor modifications may be permitted as determined by the Department of Public Works and Environmental Services (DPWES). Further, the Applicant may revise the building footprints as shown on the GDP/SE plat without requiring approval of an amended GDP or a proffer condition amendment application, provided that such changes are in conformance with the Zoning Ordinance and are in substantial conformance with the GDP/SE plat and do not increase floor area ratio or decrease the amount of open space or change the setbacks.

2. TRANSPORTATION

- a. Dedication. At time of site plan approval or upon demand by Fairfax County or Virginia Department of Transportation (VDOT), whichever occurs first, the Applicant shall dedicate and convey in fee simple to the Board right-of-way as shown on the GDP/SE plat as follows:
 - i. Lorton Road. Dedicate Right-of-way and ancillary easements along Application Property's frontage as shown on GDP/SE plat in conformance with VDOT Project Number 642-029-221, Sections C-501, C-502, B-657 and B-658, as well as right-of-way required for right and left turn access into the

Application Property as required in the covenant recorded in Deed Book 7509 at page 1628 among the Deed records of Fairfax County, Virginia.

- ii. Spine Road. Ninety (90) foot, right-of-way to provide for a four-lane divided road running from Lorton Road to the southernmost entrance to the commercial center, then tapering to a sixty-six (66) foot right-of-way, four-lane undivided road to the Application Property's southern boundary, as shown on the GDP/SE plat. The Applicant may submit a request for a waiver of the Public Facilities Manual (PFM) standards for right-of-way to accommodate the sixty-six (66) foot wide right-of-way. If the waiver is not granted, the roadway will conform to the PFM or VDOT standards. Right-of-way shall be dedicated where necessary to accommodate right and left turn lanes.
- iii. Residential Access Road. Fifty-two (52) foot right of way for a two-lane public road extending from the Project Spine Road to the southeastern boundary of the Application Property as generally shown on the GDP/SE plat.

b. Road Improvements.

i. Spine Road.

- Subject to the VDOT and DPWES approval, the Applicant shall construct a four-lane divided roadway section, with right and left turn lanes as shown on the GDP/SE plat where necessary, between Lorton Road and the southernmost commercial center entrance, then tapering down to a four-lane undivided section to the southern boundary of the Application Property as shown on the GDP/SE plat. In addition, the four-lane undivided road shall be constructed by the Applicant southbound off site within right-of-way dedicated by others to a point where it meets existing Gunston Cove Road, where it tapers to a two-lane section.
- The Spine Road shall be open to traffic prior to the issuance of the first non-residential use permit (non-RUP).
- The Applicant shall construct a five (5) foot wide sidewalk along the eastern side of the Spine Road as shown on the GDP/SE Plat.

ii. Lorton Road.

- Prior to the issuance of the first non-RUP and subject to VDOT and DPWES approval, the Applicant shall construct necessary pavement transitions and turn lanes at the intersection of Lorton Road and the Spine Road as they exist at time of Site Plan approval. These improvements shall be designed to tie into VDOT Project Number 642-029-221, Sections C-501, C-502, B-657 and B-658.
- At the time of site plan approval, the Applicant shall escrow funds in an amount determined by DPWES to the County for a one-half section of the six lane divided roadway project to include right and left turn lanes referenced in Paragraph 2.a.i along the frontage of the Application Property, subject to applicable credits, as agreed upon by VDOT and DPWES, for the cost of an interim improvements on Lorton Road constructed by the Applicant that can be used as ultimate improvements. If Lorton Road has already been funded, escrowed funds will be used for another Lorton Area road improvement.

iii. Residential Access Road. Prior to the issuance of the first non-RUP, the Applicant shall construct a two-lane road (38 feet of pavement) to public street standards within the dedicated right-of-way connecting to and in coordination with related road improvements as proffered in RZ-1999-MV-057.

iv. Lorton Road Signalization.

- The Applicant shall submit a warrant signal analysis to VDOT, at the time of the connection of the Spine Road to Lorton Road and/or prior to the issuance of the first non-RUP or upon demand by VDOT, whichever occurs first. The Applicant shall design and install signalization at the Application Property's entrance onto Lorton Road if approved and warranted by VDOT. The signal shall include a pedestrian cycle. In the event VDOT Project Number 642-029-221, Sections C-501, C-502, B-657 and B-658 is not complete prior to the issuance of the first non-RUP, then the Applicant shall escrow funds in an amount determined by DPWES for the design and installation of signalization including a pedestrian cycle, regardless of the conclusions of the signal warrant study.

v. Lorton Road Trail.

- Prior to the issuance of the first Non-RUP, the Applicant shall construct a ten (10) foot wide multi-purpose trail within dedicated right-of-way along the Application Property's Lorton Road frontage unless said trail is constructed first as part of the VDOT project identified in Proffer 2.a.i.

c. Interparcel Access.

- i. Prior to site plan approval for any portion of the Application Property adjacent to Tax Map Parcel 107-4 ((1)) 44, the Applicant shall submit a plat for subsequent DPWES approval showing dedication of a 30-foot wide public ingress/egress easement on site from Tax Map 107-4 ((1)) 44 to the public Spine Road or to the Residential Access road either directly or through the center's parking lot.
- ii. Applicant shall record the easement among the land records of Fairfax County, Virginia prior to site plan approval.
- iii. Applicant shall provide written evidence of Applicant's coordination with the land owner of Tax Map Parcel 107-4 ((1)) 44 on the location of this easement, subject to the approval of DPWES.
- iv. The plat shall also include all on-site sanitary sewer and storm drainage easements necessary to connect Parcel 44 to adjacent utilities.

d. Right Turn In/Off Lorton Road. The Applicant acknowledges that the proposed right turn-in only entrance along Lorton Road as shown on the GDP/SE Plat is subject to DPWES and VDOT site plan approval, and if deleted will not require a PCA or DPZ interpretation. If the entrance is deleted, the area will be landscaped consistent with the adjacent frontage landscaping shown on the GDP/SE plat.

e. Gunston Cove Road Bridge. Prior to the issuance of the first non-RUP, the Applicant shall submit to Fairfax County a preliminary engineering study of the feasibility and estimated cost of replacing the existing Gunston Cove Road bridge. The methodology and assumption of the study shall be reviewed and approved by DOT prior to submission of the study.

f. Lorton Road Fund.

- i. At time of final site plan approval, the Applicant shall contribute funds in the amount of \$3.02 per gross square foot of building area, as adjusted by changes to the Consumer Price Index as published in the Engineering News Records from the date of rezoning approval and subject to credit for the value of the off-site design, engineering, bonding, construction and landscaping improvements outlined in paragraph 2.b.i., 4.a.i. and the study outlined in paragraph 2.e.

3. Uses.

- a. The following uses shall be permitted within the buildings as shown on the GDP/SE plat:

- Retail Sales Establishment
- Business Supply and Service Establishment
- Personal Services Establishment
- Offices
- Eating Establishments
- Financial Institutions
- Fast Food Restaurants with drive-thru windows (Pad B only)
- Pharmacies with drive-thru windows (Pad C only)
- Service Station/Mini Mart and Fast Food Restaurant (Pad A only)
- Commercial Recreation Uses
- Health Club
- Medical Clinic
- Private schools of general and special education
- Other permitted uses under the C-6 District

- b. The Applicant reserves the right to substitute an eating establishment (sit down restaurant) or other C-6 permitted uses for the pharmacy building as shown on the GDP/SE plat without the need for a PCA.
- c. The following areas shall be developed solely as non-retail uses:
 - The 21,000 sq. ft. of townhouse offices shown on the GDP/SE plat.
 - The 16,000 sq. ft. in the second story of the main center building subject to the location requirements as set forth in paragraph 6.d. below.
 - Non-retail uses shall include, but are not limited to: Office, Private Schools of General and Special Education, Commercial Recreation, and Health Club, and Medical Clinics.
- d. Adult video stores shall be prohibited within the Application Property.

4. LANDSCAPING

- a. The Applicant shall plant the following vegetation within noted areas as shown on the GDP/SE plat as follows subject to DPWES approval, VDOT approval, where applicable, and in coordination with the office of the Urban Forester, subject to meeting sight distance constraints:
 - i. Street trees planted fifty feet on center along Spine Road from Lorton Road to the Residential Access Road. Street trees planted 100 feet on center along the eastern side of the Spine Road south of the Residential Access Road to a point where Spine Road intersects with Gunston Hill Road. On the western side of the Spine Road, south of the Residential Access Road, street trees will have an average spacing of 100 feet, with actual spacing adjusted to account for steep slopes and existing utilities.
 - ii. Peripheral and internal parking lot landscaping as generally shown on the GDP/SE plat.
 - iii. Median plantings as shown on the Sheets 6 and 7 of the GDP/SE Plat.
- b. The sidewalk/plaza along the main portion of the commercial center shall be of sufficient width to accommodate landscaping and tree planters as well as pedestrian traffic, as generally shown on the GDP/SE plat.

5. SIGNAGE

- a. All building mounted and monument signs shall be in the general location shown on the GDP/SE Plat. Notwithstanding the signage shown on the GDP/SE plat, all signs shall be in conformance with Article 12 of the Zoning Ordinance or subject to the approval of a future special exception for waiver of certain sign regulations. The monument sign as depicted on the GDP/SE Plat may require the approval of a special exception for waiver of certain sign regulations.
- b. There shall be no pole-mounted signs within the Application Property, except where necessary to regulate parking and traffic control.

6. ARCHITECTURE

- a. The architectural style and scale of the main buildings shall be in general conformance with the illustrative shown on Sheets 4 and 5 of the GDP/SE Plat. Specific architectural details such as number and location of towers and window location may be modified.
- b. The architecture of the buildings within Pads A, B and C shall be consistent with the architecture of the main building as achieved through the use of similar architectural styles, materials, mass, proportions, color, and quality of design details. Accent colors may be used on areas such as doors, windows, awnings, and other trim or architectural details as may be appropriate to convey a corporate identity.
- c. Outdoor seating may be integrated with the overall design of the restaurant/retail buildings.
- d. The central portion of the main commercial center building(s) shall be designed to accommodate a two-story component, as shown on the GDP/SE Plat. However, subject to an interpretation by the Zoning Administrator, the two-story component may be relocated, if determined that the proposed location and design is integrated into the center and compatible with the illustrative shown on Sheets 4 of 5 of the GDP/SE Plat.
- e. All service areas, loading facilities, and trash dumpsters shall be screened from view through either fencing, existing or proposed landscaping, or building design.
- f. Pedestrian amenities such as benches, trash receptacles and street lights shall be provided, throughout the center in substantial conformance with the illustrative amenities features as shown on the GDP/SE plat.

7. CLOCK TOWER MONUMENT

- a. A clock tower monument for the Lorton Community shall be constructed as generally shown on the GDP/SE plat. The architectural design of the tower shall be in general conformance with the illustration shown on the GDP/SE plat.
- b. Clock tower lighting shall be limited to the internal illumination of the proposed clock face and the community logo.

8. LIGHTING

- a. All lighting shall be focused on parking/driving areas and sidewalks. Lighting shall comply with the glare standards of Article 14. Full cut off lighting should be provided for any proposed lighting of parking and loading areas. Outdoor lighting for signs identifying the Application Property shall be designed to minimize glare.
- b. Security lighting at the rear of the center shall be shielded and directed downward.

9. ARCHEOLOGY

- a. Prior to site plan approval, the Applicant shall submit a Phase I Archeology Study to Heritage Resources Branch covering an area of the Application Property as identified by Heritage Resources Branch, unless the Heritage Resources Branch determines there is little or no potential for evidence of archeological significance.

10. COMMUTER PARKING

- a. A minimum of 65 spaces as delineated on the GDP/SE plat shall be reserved for commuter parking Monday through Friday, 6:00 a.m. to 7:00 p.m. The spaces shall be clearly marked with signage.
- b. Prior to the issuance of the first non-RUP, the Applicant shall construct a bus shelter with trash receptacles, adjacent to the Application Property in a location approved by the Fairfax Department of Transportation Transit Operations. The shopping center management shall be responsible for trash removal at the bus shelter.

11. BICYCLE RACKS

- a. The Applicant shall install bicycle racks in two separate locations within the Application Property.

12. STORMWATER MANAGEMENT

- a. The Applicant shall construct stormwater management ponds in the locations as shown on the GDP/SE plat. The stormwater management facility located in the southern portion of the Application Property shall be designed to accommodate stormwater runoff and best management practices criteria for the adjacent proposed residential development subject to RZ 1999-MV-057/ PCA 86-V-045. The owners of the commercial center shall be responsible for maintenance of this facility. At the time of subdivision plat approval, the Applicant shall execute the necessary agreements to address shared SWM. Said agreements shall be in a form as approved by the Fairfax County Attorney and recorded among the land records.
- b. Landscaping to the maximum extent allowed shall be provided around the SWM areas pursuant to Board policy, subject to approval of DWPEs.

13. TREE PRESERVATION

- a. The Applicant shall preserve and protect the existing trees and associated wetlands as shown on the GDP/SE plat.

14. SEVERABILITY

Any of the sections may be subject to a Proffered Condition Amendment ("PCA") without joinder and/or consent of the other sections, if such PCA does not affect any other sections. Previously approved proffered conditions applicable to the section (s) which is not the subject of such a PCA shall otherwise remain in full force.

15. SUCCESSOR AND ASSIGNS

These proffers will bind and inure to the benefit of the Applicant and his or her successors and assigns.

16. COUNTERPARTS

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

Proffers/RZ 1999-MV-025

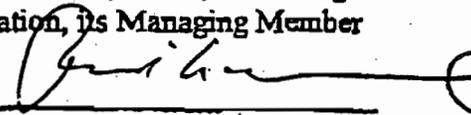
TITLE OWNER OF
TAX MAP 107-4 ((1)) 52

ELMWOOD, LLC

By: KSI America, L.P., a Virginia limited
partnership

By: KSI Services/America, LLC, a
Virginia limited liability company,
General Partner

By: KSI Services, Inc., a Virginia
corporation, its Managing Member

By: 

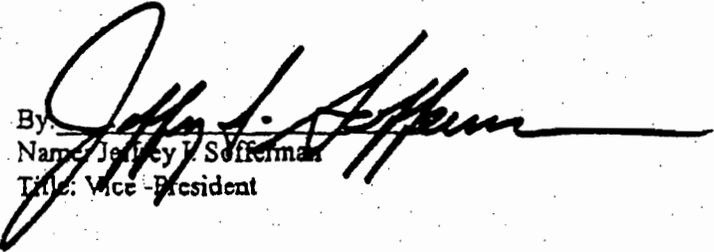
Name: Richard W. Hausler

Title: President

[SIGNATURES CONTINUE ON NEXT PAGE]

Proffers/RZ 1999-MV-025

TITLE OWNER OF
TAX MAP 107-4 ((1)) 53, 55 - 57
COMMONWEALTH ATLANTIC LAND
COMPANY

By: 
Name: Jeffrey V. Soffer
Title: Vice-President

[SIGNATURES CONTINUE ON NEXT PAGE]



FAIRFAX COUNTY

APPENDIX 7

OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

V I R G I N I A

Telephone: 703-324-3151

FAX: 703-324-3926

TTY: 703-324-3903

May 12, 2000

Keith C. Martin, Esquire
Walsh, Colucci, Stackhouse, Emrich and Lubeley, P.C.
2200 Clarendon Boulevard - 13th Floor
Arlington, Virginia 22201-3359

RE: Special Exception Number SE 99-V-020
(Concurrent with RZ 1999-MV-025 and PCA 1996-MV-037-2)

Dear Mr. Martin:

At a regular meeting of the Board of Supervisors held on April 24, 2000, the Board approved Special Exception Number SE 99-V-020 in the name of Elmwood LLC, located at Tax Map 107-4 ((1)) 52, 53, 55, 56, 57, and Pt. 17A1 for a combined service station/mini-mart and fast food restaurant, a fast food restaurant with drive-in facilities and drive-through pharmacy pursuant to Section 4-604 of the Fairfax County Zoning Ordinance and an increase in building height to permit construction of a clock tower pursuant to the provisions of Section 9-610, by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception Plat entitled Lorton Station South Commercial Center, prepared by Dewberry & Davis and dated February 28, 2000, and these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance.

4. The clock tower shall be limited to a maximum of sixty-five feet in height and shall be constructed as depicted on the architectural detail on Sheet 3 of the Generalized Development Plan/Special Exception (GDP/SE) Plat as determined by DPWES.
5. The community identification sign on the clock tower shall not be installed unless the Zoning Administrator determines that such a sign is permitted by the Zoning Ordinance and a sign permit issued.
6. The building on Pad A shall be limited to a maximum of 3750 square feet gross floor area.
7. The building on Pad B shall be limited to a maximum of 2500 square feet gross floor area.
8. The building on Pad C shall be limited to a maximum of 10,000 square feet gross floor area.
9. The building on Pad C may be converted to other uses permitted in the C-6 District and by the proffers without the approval of a Special Exception Amendment.
10. The lighting of the canopy for the service station/mini-mart shall be limited to the following: downward lights under the canopy; no upwardly directed lights; and, the fascia shall not be backlit except for any sign panels which may be located on the fascia of the canopy.
11. The areas around the three stormwater management facilities located on this property shall be landscaped to the maximum extent allowed pursuant to the policy regarding landscaping around stormwater management ponds adopted by the Board of Supervisors on May 8, 1999, subject to the approval of the Urban Forestry Branch, DPWES. The plant materials used for such landscaping shall consist of native plant species.
12. The drive-through window for the pharmacy shall be used only for the drop off and pick-up of prescriptions and other medical items. General retail sales shall not be permitted through the drive-through window. Signs shall be posted in the stacking area for the drive-through window stating the limitations on use of the window service. Such signs shall not exceed the size limitations outlined in Sect. 9-505.

13. The service station/mini-mart shall not be used for the performance of major repairs and shall not include the outdoor storage of any abandoned, wrecked or inoperable vehicles on the site. Accessory outdoor storage and display of goods offered for sale shall be limited to fifty (50) square feet. Sales of alcoholic beverages, rental of video tapes and video cassette recorders and the preparation of food, other than that allowed in a Limited Food-Service Establishment pursuant to Chapter 43.1 of The Code, shall not be permitted. The use of microwave ovens by customers for purchased food items shall be allowed.

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 for any given use, without notice, thirty (30) months after the date of approval for any of the uses unless that use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the Special Exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

The Board also:

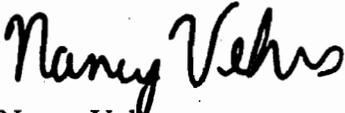
- **Approved modifications to the transitional screening along the eastern, southern, and northern boundaries.**
- **Waived the barrier requirements along the eastern, southern, and northern boundaries.**

SE 99-V-020
May 12, 2000

- 4 -

If you have questions regarding the expiration of this Special Exception or filing a request for additional time they should be directed to the Zoning Evaluation Division in the Department of Planning and Zoning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Sincerely,



Nancy Velts
Clerk to the Board of Supervisors

NV/ns

cc: Chairman Katherine K. Hanley
Supervisor - Mount Vernon District
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Michael R. Congleton, Deputy Zoning Administrator
Frank Jones, Assistant Chief, PPRB, DPZ
Audrey Clark, Director, BPRD, DPW&ES
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Robert Moore, Trnsprt'n. Planning Div., Department of Transportation
Ellen Gallagher, Project Planning Section, Department of Transportation
Michelle A. Brickner, Director, Site Development Services, DPW&ES
DPW&ES - Bonds & Agreements
Department of Highways, VDOT
Land Acqu. & Planning Div., Park Authority
District Planning Commissioner

RECEIVED
DEPARTMENT OF PLANNING AND ZONING
MAY 15 2000

ZONING EVALUATION DIVISION



FAIRFAX COUNTY

OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

Tel: 703-324-3151 • Fax: 703-324-3926 • TTY: 703-324-3903

V I R G I N I A

www.fairfaxcounty.gov/gov/bos/clerkhomepage.htm
Email: clerktothebos@fairfaxcounty.gov

May 26, 2005

Kara M. Whisler
Walsh, Colucci, Lubeley, Emrich & Terpak, PC
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201-3359

RE: Proffered Condition Amendment Number PCA 1999-MV-025
(Concurrent with SEA 99-V-020)

Dear Ms. Whisler:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on May 9, 2005, approving Proffered Condition Amendment PCA 1999-MV-025 in the name of Minnieland Private Day School, Incorporated, to amend proffers for RZ 1999-MV-025 previously approved for commercial development to allow a child care center in a shopping center with an overall Floor Area Ratio (FAR) of 0.19, subject to the proffers dated April 1, 2005. The shopping center is located in the southeast quadrant of the intersection of Lorton Market Street and Lorton Road (Tax Map 107-4 ((23)) E 4 and E 5, consisting of approximately 22.20 acres located in Mount Vernon District.

The Board also modified the transitional screening requirements, as previously approved, along the northern, eastern, and southern boundaries and waived the barrier requirements, as previously approved, along all boundaries.

Sincerely,

Patti M. Hicks
Deputy Clerk to the Board of Supervisors

PMH/ns

cc: Chairman Gerald E. Connolly
Supervisor Gerald W. Hyland, Mount Vernon District
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Leslie B. Johnson, Deputy Zoning Administrator for Zoning Permit Review Branch
Thomas Conry, Dept. Mgr. - GIS - Mapping/Overlay
Angela K. Rodeheaver, Section Chief, Trnsprt'n. Planning Div.
Charles Strunk, Project Planning Section, Dept. of Transportation
Michelle Brickner, Deputy Director, DPWES
Kenny King, Proffer Administrator, Plans & Document Control, OSDS, DPWES
Deloris Harris, DPWES
Department of Highways - VDOT
Kirk Holley, Park Planning Branch Mgr., FCPA
District Planning Commissioner
Jack Seamon, Acting Director, Facilities Mgmt. Div., DPWES
Gary Chevalier, Office of Capital Facilities, Fairfax County Public Schools

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 9th day of May, 2005, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROFFERED CONDITION AMENDMENT PCA 1999-MV-025
(CONCURRENT WITH SEA 99-V-020)

WHEREAS, Minnieland Private Day School, Incorporated filed in the proper form an application to amend the proffers for RZ 1999-MV-025 hereinafter described, by amending conditions proffered and accepted pursuant to Virginia Code Ann. § 15.2-2303(a), and

WHEREAS, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Mount Vernon District, and more particularly described as follows (see attached legal description):

Be, and hereby is further restricted by the amended conditions proffered and accepted pursuant to Virginia Code Ann., § 15.2-2303(a), which conditions are incorporated into the Zoning Ordinance as it affects said parcel, and

BE IT FURTHER ENACTED, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcels.

GIVEN under my hand this 9th day of May, 2005.



Patti M. Hicks

Deputy Clerk to the Board of Supervisors

NOTES

1. THE PROPERTY DELINEATED HEREON IS LOCATED ON FAIRFAX COUNTY TAX ASSESSMENT MAP NO. 107-4 ((23)) E1, E2, E3 AND IS ZONED C-1.
2. THIS PROPERTY IS NOW IN THE NAME OF:
ELMWOOD RETAIL LLC
DB 13940 PG. 24

ELMWOOD TOWNHOUSE LLC
DB 14168 PG. 166
3. BOUNDARY AND NORTH MERIDIAN INFORMATION AS SHOWN HEREON ARE BASED ON EXISTING LAND RECORDS AND A SURVEY BY BOWMAN CONSULTING GROUP.
4. TITLE REPORT FURNISHED BY MERIT TITLE COMPANY DATED DECEMBER 31, 1998, FILE # F-97-0614.
5. IRON PIPES SET FOR MONUMENTATION SHALL BE SET IN THE GROUND AT ALL LOT CORNERS, ANGLE POINTS IN THE OUTER LINES OF THE SUBDIVISION AND AT ALL POINTS OF ANGLES AND CURVATURES IN THE RIGHT OF WAY OF ALL STREETS WITHIN THE SUBDIVISION AND IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF FAIRFAX COUNTY, VIRGINIA. PFM 2-0105.
—○— DENOTES IRON PIPE TO BE SET.
6. THE PROPERTY SHOWN HEREON LIES IN ZONE "X" (AREA DETERMINED TO BE OUTSIDE 500 YEAR FLOODPLAIN.) AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP FOR UNINCORPORATED AREAS OF FAIRFAX COUNTY, VIRGINIA, COMMUNITY-PANEL NUMBER 515525-0125D, MAP REVISED MARCH 5, 1990.
7. THERE ARE NO KNOWN GRAVES OR BURIAL SITES ON THE PROPERTY.
8. ALL PREVIOUSLY RECORDED RIGHTS-OF-WAY, EASEMENTS OR OTHER INTEREST OF THE COUNTY REMAIN IN FULL FORCE AND EFFECT UNLESS OTHERWISE SHOWN ON THIS PLAT.
9. ENGINEERING GEOLOGY AND/OR SOIL REPORTS HAVE BEEN REVIEWED AND APPROVED BY THE DIRECTOR OF ENVIRONMENTAL MANAGEMENT FOR THE PROPERTY DESCRIBED HEREIN AND ARE AVAILABLE FOR REVIEW IN THE OFFICE OF SITE DEVELOPMENT SERVICES. SITE CONDITIONS ARE OF SUCH NATURE THAT LAND SLIPPAGE OR FOUNDATION PROBLEM POSSIBILITIES REQUIRED THE SUBMITTAL OF SOILS REPORTS. A COPY OF SAID SOIL REPORT IS AVAILABLE IN THE OFFICE OF SITE DEVELOPMENT SERVICES.

PROFFERS

Minnieland Private Day School, Inc.

PCA 1999-MV-025

April 1, 2005

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950, as amended, subject to the Board of Supervisors approving this Proffered Condition Amendment for Tax Map 107-4 ((23)) E4 and E5 (the "Property"), Minnieland Private Day School, Inc. (the "Applicant") and owners, for themselves, their successors and assigns, hereby reaffirm the previous proffers applicable to the Property accepted pursuant to the approval of RZ 1999-MV-025 and dated April 18, 2000, which will remain in full force and effect, except as amended as follows:

Replace Existing Proffer 1.a. to reflect updated plan/plat information:

1. GENERALIZED DEVELOPMENT PLAN

- a. Subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance hereinafter referred to as "Zoning Ordinance", development of the Property shall be in substantial conformance with the GDP/SEA plat, prepared by Bowman Consulting Group, Ltd., dated November 5, 2004, as revised through March 14, 2005.

Amend Existing Proffer 3, to add use in list of permitted uses.

3. Uses

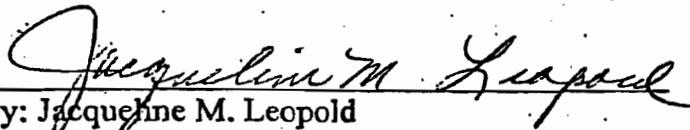
- a. The following additional use is permitted within the buildings shown on the GDP/SEA plat:

- *Child Care Center*

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

APPLICANT/LESSEE

MINNIELAND PRIVATE DAY SCHOOL, INC.


By: Jacqueline M. Leopold
Its: President

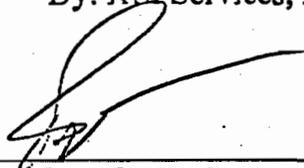
[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNER OF TAX MAP 107-4 ((23)) E4/
LESSOR

ELMWOOD RETAIL L.L.C.

By: Lorton Valley, L.C., Its Sole Member

By: KSI Services, Inc., Its Manager



By: Robert C. Kettler
Its: Chairman

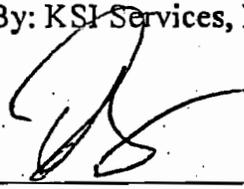
[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNER OF TAX MAP 107-4 ((23)) E5/
LESSOR

ELMWOOD TOWNHOUSE L.L.C.

By: Lorton Valley, L.C., Its Sole Member

By: KSI Services, Inc., Its Manager



By: Robert C. Kettler
Its: Chairman

[SIGNATURES END]



County of Fairfax, Virginia

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

January 16, 2007

Katherine Youngbluth
Cooley, Godward, Kronish, LLP
Reston Town Center
One Freedom Square
11951 Freedom Drive
Reston, VA 20190

RE: Proffered Condition Amendment Number PCA 1999-MV-025-02
Concurrent with: SEA 99-V-020-02

Dear Ms. Youngbluth:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on January 8, 2007. The Board's action approved Proffered Condition Amendment PCA 1999-MV-025-02 in the name of Bank of America, NA, and is subject to the proffers dated December 1, 2006. The Board's action amends the proffers for RZ 1999-MV-025-02 previously approved for commercial development to permit a drive-in bank with an overall Floor Area Ratio (FAR) of 0.13. The subject parcel is located in the southwest quadrant of the intersection of Lorton Road on approximately 1.34 acres. The subject parcel is zoned C-6 and located in the Mount Vernon District. Tax Map 107-4 ((23)) E4pt.

The Board also:

- Approved Special Exception Amendment Application SEA 99-V-020-02, subject to the development conditions dated November 29, 2006.
- Approved modification of the transitional screening requirements on the northern, eastern, and southern boundaries and the previously approved waiver of the barrier requirement along all boundaries.

Sincerely,

Nancy Vehrs
Clerk to the Board of Supervisors

NV/cwb

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

Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903
Email: clerktothebos@fairfaxcounty.gov
<http://www.fairfaxcounty.gov/bosclerk>

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 8th day of January, 2007, the following ordinance was adopted.

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROFFERED CONDITION AMENDMENT PCA 1999-MV-025-02
(CONCURRENT WITH SEA 99-V-020-02)

WHEREAS, Bank of America filed in the proper form an application requesting amendment to the plan of a certain parcel of land, hereinafter described, by amending conditions proffered and accepted pursuant to Virginia Code Ann. § 15.2-2303(a), and

WHEREAS, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

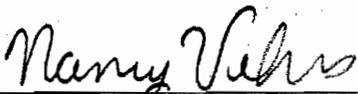
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Mount Vernon District, and more particularly described as follows (see attached legal description):

Be, and hereby is further restricted by the amended conditions proffered and accepted pursuant to Virginia Code Ann., § 15.2-2303(a), which conditions are incorporated into the Zoning Ordinance as it affects said parcel, and

BE IT FURTHER ENACTED, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcels.

GIVEN under my hand this 8th day of January, 2006.



Nancy Vehrs
Clerk to the Board of Supervisors

PROFFERS

Bank of America, N.A.

PCA 1999-MV-025-02

December 1, 2006

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950, as amended, subject to the Board of Supervisors approving this Proffered Condition Amendment for Tax Map 107-4 ((23)) Pt.E4 (the "Property"), Bank of America, N.A. (the "Applicant") and owners, for themselves, their successors and assigns, hereby reaffirm the previous proffers applicable to the Property accepted pursuant to the approval of RZ 1999-MV-025 and dated April 18, 2000, which will remain in full force and effect, except as amended as follows:

Replace Existing Proffer 1.a. to reflect updated plan/plat information:

1. GENERALIZED DEVELOPMENT PLAN

a. Subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance therein after referred to as "Zoning Ordinance", development of the Property shall be in substantial conformance with the GDP/SEA plat, prepared by Bowman Consulting Group, Ltd., dated June 8, 2006 as revised through October 23, 2006.

Amend Existing Proffer 3, to add use in list of permitted uses.

3. Uses

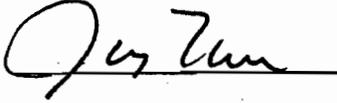
a. The following additional use is permitted within the buildings shown on the GDP/SEA plat:

- *Drive-In Bank (up to 10,000 SF on Pad "C" only)*

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

APPLICANT/LESSEE

By: **Bank of America, N.A.**

By: 

Name: Jay Taylor

Title: Senior Vice President

**TITLE OWNER OF TAX MAP 107-4 ((23)) E4/
LESSOR**

Columbia Lorton Station Marketplace, LLC

By: COLUMBIA LORTON STATION
MARKETPLACE, LLC, a Delaware limited
liability company

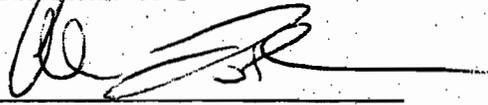
By: Columbia Lorton Station Marketplace
Member, LLC, a Delaware limited liability
company, its member

By: Columbia Regency Partners II, LLC, a
Delaware limited liability company, its member

By: Regency Centers, L.P., a Delaware limited
partnership, its manager

By: Regency Centers Corporation, a Florida
corporation, its general partner

By: _____



Name:

ALAN T. ROTH

Title:

Vice President

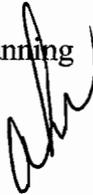


County of Fairfax, Virginia

MEMORANDUM

DATE: May 1, 2007

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

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

FILE: 3-4 (RZ 1999-MV-025)
3-5 (SE 2006-MV-033)

SUBJECT: Transportation Impact

REFERENCE: PCA 1999-MV-025-03; SE 2006-MV-033; Exxon-Mobil
Traffic Zone: 1504
Land Identification Map: 107-4 ((23)) B

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the revised plan dated March 6, 2007.

The application proposes to amend a previously approved special exception that was subject to commence construction at or before a thirty month period.

The applicant also proposes a proffered condition amendment (PCA) to permit a modest reallocation of the approved, unused density to establish a service station with a quick food store and car wash. The PCA also proposes the construction of an identification sign on the subject property.

The department has reviewed the application and mentions the following.

The applicant has demonstrated that stacking for 18 vehicles can be accommodated in the queue lane for the proposed car wash. In addition, an escape lane is provided for those vehicles queuing for the car wash. Therefore, this department does not object to the subject application.

AKR/AK C:PCA1999-MV-025-03Exxon-Mobil-LortonStation
CC: Michelle Brickner, Director, Design Review, DPW & ES



County of Fairfax, Virginia

MEMORANDUM

DATE: May 2, 2007

TO: Cathy Lewis, Senior Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM:  Jeremiah Stonefield, Chief Stormwater Engineer
Site Review East, Environmental and Site Review Division
Department of Public Works and Environmental Services

SUBJECT: Proffer Condition Amendment Application Review, PCA 1999-MV-025-03, and Special Exception (SE), 2006-MV-033, SE Plat and Generalized Development Plan, ExxonMobil Corporation, dated April 9, 2007 (SE Plat), Tax Map #107-4-23-0000-B (Property), Mount Vernon District

We have reviewed the referenced submission and offer the following comments related to stormwater management:

Chesapeake Bay Preservation Ordinance (CBPO)

There are no mapped Resource Protection Areas on the Property. Best Management Practices (BMPs) requirements have been satisfied for the entire Lorton Market Street development through an extended detention pond as shown on the approved site plan revision, 4865-SPV-005-A-1, approved 2/14/03. The revision reflects alterations to the storm sewer in the area that results in the site no longer draining to the pond. The SEA Plat should reference this revision to demonstrate detention and BMP have been met for the overall development even without the gas station site area being controlled.

Floodplain Regulations

There are no regulated floodplains on the Property.

Downstream Drainage Complaints

There are no relevant drainage complaints on file downstream of the subject Property since the approval of the site plan.

Stormwater Detention

Stormwater detention requirements have been satisfied for the entire Lorton Market Street development through an extended detention pond as shown on the site plan revision, 4865-SPV-005-A-1, approved 2/14/03.



Site Outfall

Based on the stormwater outfall information presented, it appears that the existing conditions of the outfall will not meet the amended requirements of the PFM, effective February 7, 2006, concerning stormwater outfalls. Concentrated stormwater must discharge into an adequate channel or drainage system and within adequate stormwater easements. Stormwater outfall Improvements and/or offsite easements will be required for the proposed development in order for the Site Plan to be approved. The improvements should be shown on the Plat.

Please contact me at 4-1720 if you have any questions or require further clarification.

cc: Steve Aitcheson, Director, Stormwater Planning Division, DPWES
Valerie Tucker, Chief Stormwater Engineer, Site Review East, ESRD, DPWES
Zoning Application File (4865-ZONA-002-2)

FAIRFAX COUNTY ZONING ORDINANCE

reduces non-stormwater management open space, tree save and/or landscaping area on the lot; or

- (7) Include the addition of any building or additions to buildings except that accessory structures clearly subordinate to the use, and minor additions to buildings may be permitted, provided that:
 - (a) the sum total of all such structures or additions shall not exceed the greater of 500 square feet of gross floor area, or five (5) percent of the approved gross floor area up to a maximum of 2500 square feet of gross floor area; and
 - (b) the maximum permitted FAR for the zoning district shall not be exceeded.
- C. For all approved special exception uses, any request for an addition shall require the provision of written notice by the requester in accordance with the following:
- (1) the notice shall include the letter of request with all attachments as submitted to the Zoning Administrator, a statement that the request has been submitted, and where to call for additional information; and
 - (2) the notice shall be sent to the last known address of the owners, as shown in the real estate assessment files of the Department of Tax Administration, of all property abutting and across the street from the site, or portion thereof, which is the subject of the request, and shall be delivered by hand or sent by certified mail, return receipt requested.

The request for an addition submitted to the Zoning Administrator shall include: an affidavit from the requester affirming that the required notice has been provided in accordance with the above; the date that the notice was delivered or sent; the names and addresses of all persons notified; and the Tax Map references for all parcels notified. No request for an addition shall be considered by the Zoning Administrator unless the affidavit has been provided in accordance with this paragraph.

When it is determined by the Zoning Administrator that a modification is not in substantial conformance with the approved special exception, such modification shall require the approval of an amendment to the special exception in accordance with Sect. 014 below or a new special exception.

9-005 Establishment of Categories

For purposes of applying specific conditions upon certain types of special exception uses, and for allowing special exception uses to be established only in those zoning districts which are appropriate areas for such uses, all special exception uses are divided into categories of associated or related uses, as hereinafter set forth in this Article 9.

9-006 General Standards

SPECIAL EXCEPTIONS

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.

9-007 Conditions and Restrictions

In addition to those standards set forth in this Article, the Board, in approving a special exception, may impose such conditions and restrictions upon the proposed use as it may deem necessary in the public interest to secure compliance with the provisions of this Ordinance and to protect the viability of the implementation of the adopted comprehensive plan. Such conditions or restrictions may include but need not be limited to a time limitation on the length of the exception in accordance with the provisions of Sect. 008 below and may require the posting of a guarantee or bond in a reasonable amount by the applicant.

9-008 Time Limitations, Extensions, Renewals

In addition to the time limits set forth in this Article, the Board may require, as a condition of the approval of any special exception, that it shall be approved for a specified period of time; that it may be subsequently extended for a designated period by the Zoning Administrator; or

SPECIAL EXCEPTIONS

R-30 District: Limited to uses 12, 15, 17, 27 and 38

R-MHP District: Limited to uses 12, 15, 27 and 38

PDH District: Limited to uses 11, 27 and 35

PDC District: Limited to uses 11 and 27

PRC District: Limited to uses 27 and 35

C-1 District: Limited to uses 10, 27 and 38

C-2 District: Limited to uses 6, 9, 10, 27 and 38

C-3 District: Limited to uses 6, 9, 10, 14, 18, 21, 22, 25, 27 and 38

C-4 District: Limited to uses 6, 9, 10, 14, 21, 22, 25, 27 and 38

C-5 District: Limited to uses 2, 3, 6, 11, 15, 17, 20, 21, 23, 27, 33, 34, 36, 37, 38, 39 and 41

C-6 District: Limited to uses 2, 3, 4, 6, 11, 14, 15, 17, 20, 21, 23, 25, 27, 30, 33, 34, 36, 37, 38 and 39

C-7 District: Limited to uses 2, 3, 4, 6, 7, 8, 10, 11, 15, 17, 20, 21, 23, 25, 26, 27, 30, 33, 34, 36, 37, 38 and 39

C-8 District: Limited to uses 2, 3, 4, 6, 7, 10, 11, 15, 16, 17, 20, 21, 23, 24, 25, 27, 30, 33, 34, 36, 37, 38 and 39

C-9 District: Limited to uses 2, 3, 4, 6, 10, 11, 17, 18, 20, 21, 23, 25, 26, 27, 33, 36 and 37

I-I District: Limited to use 27

I-1 District: Limited to uses 27 and 38

I-2 District: Limited to uses 9, 14, 15, 18, 22, 27 and 38

I-3 District: Limited to uses 3, 6, 9, 14, 15, 16, 18, 21, 22, 25, 26, 27, 29, 37, 38, 39 and kennels (outdoor)

I-4 District: Limited to uses 3, 6, 9, 14, 15, 18, 19, 21, 22, 25, 27, 28, 32, 37, 38, 39 and kennels (outdoor)

I-5 District: Limited to uses 3, 6, 7, 9, 11, 14, 18, 19, 20, 21, 23, 25, 27, 32, 33, 37, 38, 39 and kennels (outdoor)

I-6 District: Limited to uses 3, 6, 7, 11, 13, 18, 19, 20, 21, 23, 27, 31, 33, 37, 38, 39 and kennels (outdoor)

9-503 Standards for all Category 5 Uses

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.

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9-504

Additional Standards for Amusement Arcades

1. Such a use shall not be located closer than 1000 feet to any school. In addition, except when located under the roof of a shopping center, such a use shall not be located within 100 feet of any adjoining property which is in an R district.
2. Such use shall be established only after approval by the Board of a plan setting forth acceptable rules for the operation of the establishment. Such plan shall specify (a) procedures to preclude gambling and loitering; (b) regulations regarding the use of the establishment by school age children; and (c) procedures for the enforcement of the rules.
3. In addition, the Board shall impose such conditions and restrictions as it may deem necessary to assure that the use will be compatible with and will not adversely impact the adjacent area. Such conditions and restrictions may include, but need not be limited to, the following:
 - A. Hours of operation.
 - B. Number of adult attendants required to be on the premises at all times.
 - C. Size of the establishment and the number of amusement machines.

9-505

Additional Standards for Automobile-Oriented Uses, Car Washes, Drive-In Banks, Drive-Through Pharmacies, Fast Food Restaurants, Quick-Service Food Stores, Service Stations and Service Stations/Mini-Marts

1. 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.

SPECIAL EXCEPTIONS

2. In the C-3 and C-4 Districts, in addition to Par. 1 above:
 - A. All such uses, except drive-in banks, shall be an integral design element of a site plan for an office building or office building complex containing not less than 35,000 square feet of gross floor area.
 - B. Such a use shall have no separate and exclusive curb cut access to the abutting highway.
 - C. There shall be no outside storage or display of goods offered for sale.
 - D. Service stations shall not include any ancillary use such as vehicle or tool rental, and shall be limited to the servicing and retail sales of products used primarily by passenger vehicles.
 - E. Service stations shall not be used for the performance of major repairs, and shall not include the outdoor storage of more than two (2) abandoned, wrecked or inoperable vehicles on the site for more than seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, in no event shall any one (1) abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding seventy-two (72) hours.
3. In the C-5 and C-6 Districts, in addition to Par. 1 above:
 - A. There shall be no outdoor storage or display of goods offered for sale except for the outdoor storage or display of goods permitted at a service station or service station/mini-mart.
 - B. Service stations and service station/mini-marts shall not be used for the performance of major repairs, and shall not include the outdoor storage of more than two (2) abandoned, wrecked or inoperable vehicles on the site for more than seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, in no event shall any one (1) abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding seventy-two hours.
4. In the C-7, C-8 and C-9 Districts, in addition to Par. 1 above:
 - A. In the C-7 or C-9 District, there shall be no outdoor storage or display of goods offered for sale except for the outdoor storage or display of goods permitted at a service station or service station/mini-mart.
 - B. Service stations and service station/mini-marts shall not be used for the performance of major repairs, and shall not include the outdoor storage of more than four (4) abandoned, wrecked or inoperable vehicles on the site for more than seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, in no event shall

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any one (1) abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding seventy-two (72) hours.

- C. The outdoor area devoted to any use such as vehicle or tool rental shall be limited to the area so designated on an approved special exception plat.
5. In the I-3, I-4, I-5 and I-6 Districts, in addition to Par. 1 above:
- A. All such uses, except drive-in banks, shall be an integral design element of a site plan for an industrial building or building complex containing not less than 30,000 square feet of gross floor area.
 - B. In an I-3 or I-4 District, there shall be no outdoor storage or display of goods offered for sale except for the outdoor storage or display of goods permitted at a service station.
 - C. In an I-3 or I-4 District, service stations shall not be used for the performance of major repairs, and shall not include the outdoor storage of more than four (4) abandoned, wrecked or inoperable vehicles on the site for more than seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, in no event shall any one (1) abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding seventy-two (72) hours.
 - D. No Building Permit shall be approved for such a use unless a Building Permit has been approved for the related industrial building(s).
 - E. The outdoor area devoted to any use such as vehicle or tool rental shall be limited to that area so designated on an approved special exception plat.
6. In the PDH and PDC Districts, in addition to Par. 1 above:
- A. In the PDH District, fast food restaurants may be permitted only in accordance with the provisions of Sect. 6-106 and the following:
 - (1) Such use may be permitted only upon a finding by the Board that the planned development is of sufficient size to support the proposed use, and that the use is designed to serve primarily the needs of the residents of the development.
 - (2) Such use shall be designed and located so as to maintain the intended secondary nature of the use, and so that the associated impacts, including but not limited to associated on-site and off-site vehicular traffic, noise, odors, and visual impact, will not adversely affect the residential character of the development and surrounding properties.
 - (3) All direct vehicular access to the use shall be provided via the internal circulation system of a commercial area of the PDH development, which commercial area shall contain not less than three (3) non-automobile-related commercial establishments.

SPECIAL EXCEPTIONS

- (4) The proposed development shall provide clearly designated pedestrian facilities for safe and convenient access from surrounding residential and commercial uses.

B. In the PDC District, fast food restaurants may be permitted only in accordance with the provisions of Sect. 6-206.

9-506 Additional Standards for Commercial Recreation Restaurants

1. All such uses shall be designed and operated as a combined use for family-oriented recreation and on-premise dining.
2. No person under 18 years of age shall be permitted to frequent the premises unless accompanied by a parent or guardian.
3. The sale and consumption of food, frozen deserts or beverages shall be limited to the premises. Notwithstanding the above, the establishment may provide a carry-out service provided that such carry-out service is clearly not the principal business of that portion of the establishment devoted to the sale and consumption of food, frozen desserts or beverages.
4. The recreation portion of the establishment shall not be advertised or operated as a separate facility.
5. Any areas devoted primarily to mechanical and/or electronic operated games shall encompass no more than twenty-five (25) percent of the total gross floor area of the establishment.

9-507 Additional Standards for Convenience Centers

1. No convenience center shall be approved in a neighborhood or subdivision which has been recorded or recorded in part prior to the effective date of this Ordinance. In addition, no convenience center shall be located on a lot adjacent to existing dwellings, unless such center was represented on an approved development plan.
2. The approval of a special exception for a convenience center shall be subject to the approval of a development plan prepared in accordance with the provisions of Sect. 16-502.
3. No convenience center shall be located within a distance of one (1) mile from any other similar retail commercial use.
4. Uses within a convenience center shall be limited to retail sales establishments, personal service establishments and quick-service food stores oriented to serve the residents of the immediate neighborhood.
5. In no event shall the gross floor area of a convenience center exceed 2000 square feet.

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. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A GENERALIZED DEVELOPMENT PLAN (GDP) is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A CONCEPTUAL DEVELOPMENT PLAN (CDP) is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A FINAL DEVELOPMENT PLAN (FDP) is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

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

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

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