



County of Fairfax, Virginia

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

April 24, 2013

Reissued letter
(Attachment A added)

Robert A. Lawrence
Reed Smith LLP
3110 Fairview Park Drive, Suite 1400
Falls Church, VA 22042

RE: Special Exception Amendment Application SEA 93-Y-032
(Concurrent with Proffered Condition Amendment Application PCA 86-S-083-05)

Dear Mr. Lawrence:

At a regular meeting of the Board of Supervisors held on January 29, 2013, the Board approved Special Exception Amendment Application SEA 93-Y-032 in the name of Branch Banking and Trust Company. The subject property is located in the S.E. quadrant of the intersection of Braddock Road and Stone Road, on approximately 114.92 acres of land zoned C-6 and WS in the Sully District [Tax Map 54-1 ((17)) E]. The Board's action amends Special Exception Application SE 93-Y-032 previously approved for a drive-in financial institution to permit an additional drive-in financial institution and associated modifications to site design and development conditions, pursuant to Sections 4-604 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions which supersede all previous development conditions; conditions carried forward unchanged from previous approvals are marked with an asterisk (*):

1. This Special Exception is granted for and runs with the land indicated in this application, and is not transferable to other land.*
2. 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.
 - A. Any plan submitted pursuant to the Special Exception Amendment shall be in substantial conformance with the approved Special Exception Plat entitled, "Special Exception Plat Sully Station II Village Center", prepared by VIKA Incorporated, dated November 30, 1988 and revised through March 9, 1990, and these conditions*;

Office of the 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>

- B. In the event that the alternate layout for a drive-in financial institution for the southern 1.04± acre portion is implemented, any plan for that portion shall be in substantial conformance with the Proffered Condition Amendment/Special Exception Amendment (PCA/SEA) Plat entitled "Proffered Condition Amendment and Special Exception Amendment Plat for Branch Banking & Trust Company", prepared by Bohler Engineering dated October 26, 2011, as revised through October 17, 2012, and these conditions.
- C. Minor modifications to the approved Special Exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.*
4. Subject to the proffers accepted in conjunction with RZ 86-S-083, as amended, and the regulations for the C-6 District in the Zoning Ordinance, uses in the Shopping Center, with the exception of the drive in financial institutions, may change from that reflected on the PCA/SEA Plat without requiring a Special Exception Amendment so long as no other changes are proposed to the overall plat, beyond those permitted as minor modifications.*
5. The maximum hours of operation for the drive in financial institutions shall be limited as follows:
- Lobby: Monday through Friday 9 a.m. to 9 p.m. and Saturday through Sunday 9 a.m. to 6 p.m.
- Drive-In: Monday through Friday 8 a.m. to 9 p.m. and Saturday through Sunday 8 a.m. to 6 p.m.
- Automatic Teller Machines (ATM): No maximum
6. The final architectural design of the financial institution located at the southern end of the site shall be consistent with the design and the general type, quality, and proportion of materials depicted in the photographic exhibit attached to these development conditions as Attachment "A".
7. The drive-in financial institution at the southern end of the site shall incorporate environmentally sustainable attributes into its building program, that may include, but not necessarily be limited to, such elements as high-efficiency mechanical systems, use of materials with recycled content, a high performance and insulated building envelope, water efficient fixtures, low volatile organic compounds in paints, sealants and finish materials, construction waste management, and storage and collection of recyclables.
8. A maximum of three (3) drive-thru lanes shall be allowed for the drive-in financial institution at the southern end of the site. The fourth lane (the outermost lane) shown on the PCA/SEA Plat shall be used as a by-pass lane only.

9. Signs shall be lighted only during the hours of operation for the drive-in financial institution at the southern end of the site, exclusive of ATM hours.
10. The public access easement for the paved multi-use pedestrian trail to the rear of the Village Center Shopping Center shall be continued to the south, in a form approved by the County Attorney, to be recorded over a width of 14 feet along the full length of the eastern boundary of the 1.04± acre area in the southern portion of the site, at the time of site plan approval for the drive-in financial institution at the southern end of the site.
11. Before the issuance of the Non-Rup for the drive-in financial institution at the southern end of the site, an asphalt surfaced multiuse trail measuring 10 feet in width shall be constructed within the center of the 14 foot easement identified in Number 10, above. The trail shall be built to a standard acceptable to the Fairfax County Department of Transportation (FCDOT) and the Department of Public Works and Environmental Services (DPWES).
12. Interior parking lot landscaping consistent with that provided throughout the Village Center Shopping Center shall be provided within the parking area for the drive-in financial institution at the southern end of the site, with species selection and location subject to the review and approval of the Urban Forest Management Division, DPWES.

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 amendment to permit a drive-in financial institution at the southern end of the site shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted. 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:

- Waived paragraph 6 of Section 11-203 of the Zoning Ordinance to allow a waiver of the loading space requirement in favor of the layout shown on the PCA/SEA Plat

- Waived the tree preservation target pursuant to Section 12-0508 of the Public Facilities Manual in favor of the proposed vegetation shown on the PCA/SEA Plat

Sincerely,



Catherine A. Chianese
Clerk to the Board of Supervisors

cc: Chairman Sharon Bulova
Supervisor Michael Frey, Sully District
Tim Shirocky, Acting Director, Real Estate Division, Dept. of Tax Administration
Barbara C. Berlin, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Angela K. Rodeheaver, Section Chief, Transportation. Planning Division
Donald Stephens, Department of Transportation
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
Planning Commission
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation

Attachment "A"



Photographic Example of Proposed Building Architecture for Drive-In Financial Institution at Southern End of Site



COUNTY OF FAIRFAX
 Department of Planning and Zoning
 Zoning Evaluation Division
 12055 Government Center Parkway, Suite 801
 Fairfax, VA 22035 (703) 324-1290, TTY 711
www.fairfaxcounty.gov/dpz/zoning/applications

APPLICATION No: SEA 93-7-032
 (Staff will assign)
 RECEIVED
 Department of Planning & Zoning
Concurrent w/ PCA 86-5083-8

MAY 18 2012

Zoning Evaluation Division

APPLICATION FOR A SPECIAL EXCEPTION
 (PLEASE TYPE or PRINT IN BLACK INK)

APPLICANT	NAME Branch Banking and Trust Company
	MAILING ADDRESS 6400 Arlington Boulevard, Suite 1140 Falls Church, Virginia 22042
	PHONE HOME () WORK (703) 241-4866
	PHONE MOBILE ()
PROPERTY INFORMATION	PROPERTY ADDRESS
	TAX MAP NO. 54-1-((17)), Parcel E SIZE (ACRES/SQ FT) 14.92 acres/649,915 SF
	ZONING DISTRICT C-6 & WSPOD MAGISTERIAL DISTRICT Sully
	PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION: C-6 & WSPOD
SPECIAL EXCEPTION REQUEST INFORMATION	ZONING ORDINANCE SECTION Category 5 - Special Exception Section 9-500
	PROPOSED USE Drive In Financial Institution
AGENT/CONTACT INFORMATION	NAME Robert A. Lawrence
	MAILING ADDRESS Reed Smith LLP 3110 Fairview Park Drive, Suite 1400, Falls Church, VA 22042
	PHONE NUMBER HOME WORK 703 641-4284
	PHONE NUMBER MOBILE
MAILING	Send all correspondence to (check one): <input type="checkbox"/> Applicant -or- <input checked="" type="checkbox"/> Agent/Contact
<p>The name(s) and addresses of owner(s) of record shall be provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter the subject property as necessary to process the application.</p> <p>Robert A. Lawrence <u>TYPE/PRINT NAME OF APPLICANT/AGENT</u></p> <p><i>Robert A. Lawrence</i> <u>SIGNATURE OF APPLICANT/AGENT</u></p>	

SEA 2012-0020

KCS 6/7/12

DO NOT WRITE IN THIS SPACE

Date application accepted: 6/7/12 Application Fee Paid: \$ 16,375.00

Virginia Ruffner
 10

SEA 93-Y -032

Zoning Application Closeout Summary Report

Printed: 2/26/2013

General Information

APPLICANT: BRANCH BANKING AND TRUST COMPANY
DECISION DATE: 01/29/2013
CRD: NO
HEARING BODY: BOS
ACTION: APPROVE
STAFF COORDINATOR: BRENT KRASNER
SUPERVISOR DISTRICT: SULLY (PREV P)

DECISION SUMMARY:

ON JANUARY 29, 2013, THE BOARD UNANIMOUSLY APPROVED SEA 93-Y-032 ON A MOTION BY SUPERVISOR FREY SUBJECT TO DEVELOPMENT CONDITIONS DATED JANUARY 28, 2013.

APPLICATION DESCRIPTION:

AMEND SE 93-Y-032 PREVIOUSLY APPROVED FOR DRIVE IN FINANCIAL INSTITUTION TO PERMIT AN ADDITIONAL DRIVE IN FINANCIAL INSTITUTION

Zoning Information

Existing Zoning		Proposed Zoning		Approved Zoning	
<u>DISTRICT</u>	<u>AREA</u>	<u>DISTRICT</u>	<u>AREA</u>	<u>DISTRICT</u>	<u>AREA</u>
				C-6	14.92 ACRES

Tax Map Numbers

0541 ((17)) () E

Approved Land Uses

Zoning District: C-6

<u>LAND USE</u>	<u>DU'S</u>	<u>RES LAND AREA</u>	<u>ADU'S</u>	<u>WOU'S</u>	<u>GFA</u>	<u>FAR</u>	<u>NRES LAND AREA</u>
DRIV/BANK					3,221	0.07	1.04 ACRES

TOTALS

Approved Waivers/Modifications

WAIVE TREE PRESERVATION TARGET AREA PERCENTAGE
 WAIVE LOADING SPACE REQUIREMENT

2/26/2013

Approved Development ConditionsDEVELOPMENT CONDITION STATEMENT DATE: 01-28-2013

<u>DEVELOPMENT CONDITION</u>	<u>DUE</u>	<u>TRIG #</u>	<u>TRIG EVENT</u>	<u>CONTRIB</u>	<u>EXPIR DTE</u>
SITE PLANS	01-01-0001	0	N/A	0	01-01-0001
ARCHITECTURE BUILDING MATERIALS / COLORS	01-01-0001	0	N/A	0	01-01-0001
ARCHITECTURE / GREEN BUILDING / LEEDS	01-01-0001	0	N/A	0	01-01-0001
SIGNAGE	01-01-0001	0	N/A	0	01-01-0001
ACCESS EASEMENTS - TRANSPORTATION	01-01-0001	0	SITE PLAN	0	01-01-0001
PARKING LOT LANDSCAPING	01-01-0001	0	SITE PLAN	0	01-01-0001
USE RESTRICTIONS	01-01-0001	0	N/A	0	01-01-0001
APPROVED FOR LOCATION/STRUCTURE/USES ETC ON PLATS	01-01-0001	0	N/A	0	01-01-0001
DRIVE THRU WINDOWS	01-01-0001	0	N/A	0	01-01-0001
TRAILS - CONTRIBUTION	01-01-0001	0	NON-RUP	0	01-01-0001
OTHER - GENERAL	01-01-0001	0	N/A	0	01-01-0001

2/26/2013