



FAIRFAX COUNTY

21-2
OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 500
Fairfax, Virginia 22035-0001

V I R G I N I A

August 20, 1999

Telephone: 703-324-3100

FAX: 703-324-3900

TTY: 703-324-3900

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

RE: Proffered Condition Amendment Number PCA 94-Y-033
(Concurrent with SEA 94-Y-038 and RZ 1999-SU-018)

Dear Mr. Martin:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on July 26, 1999 approving Proffered Condition Amendment PCA 94-Y-033 in the name of AJB Associates, Incorporated, on subject parcels 33-4 ((1)) 3; 33-2 ((1)) 6A, subject to the proffers dated July 14, 1999, consisting of approximately 103.48 acres located in Providence District.

The Board also:

- Waived the service drive requirement along Route 50.
- Directed that the Director of the Department of Public Works and Environmental Services be authorized to approve a modification of the peripheral parking lot landscaping for both the auto park site and the Stonecroft Business park site only as is necessary to ensure that the minimum landscape buffer of 15 feet is maintained along Stonecroft Boulevard for both applications.

Sincerely

Patti M. Hicks
Deputy Clerk to the Board of Supervisors

PMH/ns

PCA 94-Y-033
August 20, 1999

- 2 -

cc: Chairman Katherine K. Hanley
Supervisor - Sully 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
Fred R. Beales, Supervisor Base Property, 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 Acqu. & Planning Div., Park Authority
District Planning Commissioner
Thomas Dorman, Director, Facilities Mgmt. Div., DPW&ES

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 26th day of July, 1999, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROFFERED CONDITION AMENDMENT PCA 94-Y-033
(CONCURRENT WITH SEA 94-Y-038 AND RZ 1999-SU-018)

WHEREAS, AJB Associates, Incorporated 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 Sully 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 26th day of July, 1999.



Patti M. Hicks

Deputy Clerk to the Board of Supervisors



Planning
 Site Engineering
 Transportation
 Environmental
 Surveying Mapping

Greenhorn & O'Mara, Inc.

211 WAPLES MILL ROAD
 Spring, VA 22151

FAIRFAX, VIRGINIA 22030

PHONE 703-385-9800

Founded in 1950
 FAX 703-385-5721

DESCRIPTION OF
 TR DULLES CORP.
 PARCEL 1 AND PARCEL 2
 DEED BOOK 8354 AT PAGE 26
 SPRINGFIELD DISTRICT
 FAIRFAX COUNTY, VIRGINIA

RECEIVED
 DEPARTMENT OF PLANNING AND ZONING

DEC 22 1998

ZONING EVALUATION DIVISION

Parcel 1 (Map No.33-2-((1))-Parcel 6A)

Beginning at an iron pipe found in the northerly line of N/F Aaronson Properties, said pipe also being the southwesterly corner of N/F Fairfax Park L.P.; thence departing Fairfax Park L.P. and running along and with the line of said Aaronson Properties.

North 71° 38' 04" West, 1038.65 feet to an iron pipe found, being the westerly corner of N/F Everett G. Germain, Jr.; thence departing Aaronson Properties and running along and with the line of said Everett G. Germain Jr. the following twenty-one (21) courses:

- North 30° 45' 46" East, 243.32 feet to an iron pipe found; thence.
- North 25° 39' 01" West, 473.82 feet to an iron pipe found; thence.
- North 36° 17' 59" East, 103.11 feet to an iron pipe found; thence.
- North 01° 54' 32" West, 92.01 feet to an iron pipe found; thence.
- South 65° 02' 41" West, 106.97 feet to an iron pipe found; thence.
- South 30° 40' 13" West, 319.62 feet to an iron pipe found; thence.
- North 47° 25' 53" West, 149.20 feet to an iron pipe found; thence.
- South 86° 12' 00" West, 124.33 feet to an iron pipe found; thence.
- North 21° 40' 29" West, 278.88 feet to an iron pipe found; thence.
- North 36° 00' 07" East, 94.80 feet to an iron pipe found; thence.
- South 75° 33' 02" East, 107.51 feet to an iron pipe found; thence.

PROFFERS

PCA 94-Y-033

July 14, 1999

Pursuant to Section 15.2-2303(A) Code of Virginia, 1950 edition as amended, subject to the Board of Supervisors' approval of the following amendment to the proffers as approved in RZ 94-Y-033, the Applicant proffers the following which shall supersede all previously approved proffers:

1. EXHIBITS -

- a. Proffered Exhibits. The Applicant commits to develop the Subject Property in substantial conformance with the following exhibits:
 - i. The Generalized Development Plan/Special Exception plat ("GDP/SE" plat), Sheets 2 and 3 of 13, dated December 1998 and revised June 1999 as revised through July 6, 1999, prepared by Greenhorne & O'Mara, Inc.
 - ii. Conceptual Landscape Plan, Sheets 4 and 5 of 13, dated December 1998 and revised June 1999, prepared by Greenhorne & O'Mara, Inc.
 - iii. Route 50 Sign and Flag, Sheet 7 of 13, dated December 1998 and revised July 6, 1999, prepared by Greenhorne & O'Mara, Inc.
 - iv. Pedestrian Access Details, Sheet 8 of 13, dated December 1998 and revised July 6, 1999, prepared by Greenhorne & O'Mara, Inc.

- b. Illustrative Exhibits. The following illustrative exhibits are submitted with these proffers for illustrative purposes only. Final building and individual dealership lot size and location may change at time of final site plan submission, but shall be generally consistent in character with that depicted on the Illustrative Exhibits. Specific features, such as architecture, Floor Area Ratio, entry, peripheral lot and parking lot landscaping will be provided throughout the site in conformance with the proffered paragraphs herein and with the proffered exhibits.
 - i. Route 50 and Stonecroft Boulevard Screening Elevations, Sheet 6 of 13, dated December 1998 and revised July 6, 1999, prepared by Greenhorne & O'Mara, Inc.
 - ii. Conceptual Dealership Layout, Sheet 9 of 13, dated December 1998 and revised July 6, 1999, prepared by Greenhorne & O'Mara, Inc.
 - iii. Conceptual Dealership Perspective View, Sheet 10 of 13, dated June 1999, prepared by Intec Group, Inc.

- iv. Proposed Frontage and Loop Road Improvements, Sheet 11 of 13, dated July 6, 1999, prepared by Greenhorne & O'Mara, Inc.
 - v. Concept Study, Sheet 12 of 13, dated December 1998 and revised July 6, 1999, prepared by Greenhorne & O'Mara, Inc.
 - vi. Illustrative Plan, Sheet 13 of 13, dated December 1998 and revised July 6, 1999, prepared by Greenhorne & O'Mara, Inc.
2. **USES** - Permitted uses shall be limited to:
- a. Vehicle sale, rental and ancillary service establishment.
 - b. Service station - a maximum of four pump islands, limited to gasoline service only.
 - c. Car wash.
 - d. Body shop. There shall be only one body shop serving the auto park, located on the western side of the Property. The Applicant shall include language in the dealership association documents which sets forth this limitation.
3. **FLOOR AREA RATIO (FAR)** - The maximum floor area ratio shall not exceed 0.20. The maximum number of vehicle sales buildings shall be 10. Notwithstanding the maximum overall site 0.20 FAR, individual lots within the development may exceed a 0.20 FAR.
4. **BUILDING HEIGHT** - The maximum building height shall be limited to 40 feet.
5. **ARCHITECTURE** - All of the vehicle sales buildings shall be constructed with the same exterior materials and will have a common architectural design and building facade. Rear building facades visible from Route 50 and Stonecroft Boulevard and the body shop buildings shall be architecturally treated to be similar with the front facades.
6. **PEDESTRIAN CROSSINGS** - There shall be a minimum of three (3) painted crosswalks across the interior loop road with corresponding directional signs for pedestrian access purposes.
7. **SIGNAGE/ENTRANCE FEATURE** -
- a. A freestanding sign shall be permitted along the Subject Property's Route 50 frontage in substantial conformance with the Signage Plans (Sheet 7 of 13), prepared by Greenhorne & O'Mara, Inc., dated December 1998. Building mounted signs and directional signs shall be permitted in conformance with applicable provisions of the

Fairfax County Zoning Ordinance. The Applicant reserves the right to provide additional signs subject to the provisions of Article 12 of the Zoning Ordinance and with all required approvals without the need for approval of a Proffered Condition Amendment.

- b. The flagpole lighting shall be designed to be focused directly on the flag and to prevent off-site light spillage.
8. **LANDSCAPING** - Landscaping shall be provided on-site in substantial conformance with the GDP/SE plat and the Conceptual Landscape Plan, prepared by Greenhorne & O'Mara, Inc., dated November 1994. Landscaping shall be provided in substantial conformance with the following guidelines:
- a. Street Trees. Street trees shall be planted on both sides of the interior loop road. The trees shall be planted approximately 40 to 50 feet on center. The trees shall be a minimum of 2.5 inches caliper at planting. Species of trees shall be one or more of the species noted on the Conceptual Landscape Plan, to be determined in consultation with the Urban Forester.
 - b. Dealership Entry Features. Each dealership shall have an identifiable entry along the interior loop road. Entry features shall be provided as shown on Sheet 9 of 13 and shall include:
 - i. Peripheral parking lot landscaping on both sides of the path connecting the individual dealership parking lots. Landscaping shall consist of shrubs, ornamental trees and seasonal flowers.
 - ii. Building foundation plantings consisting of shrubs and seasonal flowers.
 - iii. A 5-foot wide sidewalk from the closest edge of pavement of the interior loop road to the main entrance of each dealership building.
 - c. Parking Lot Landscaping. Parking lot islands with shade trees shall be planted within each dealership's visitor and employee parking lots. One tree and island shall be provided at a minimum for every 12 parking spaces. There shall be no parking lot landscaping island requirement to landscape new or used care storage areas. New or used car storage areas shall be designated as such on the site plan(s).
 - d. Buffer Strips Between Dealerships. A minimum eight-foot wide buffer strip shall be provided between every dealership lot. Trees, as shown on the Conceptual Landscape Plan, interspersed with evergreen trees shall be planted (at a minimum of 2.5 inches caliper at time of planting) and 30 feet on center within the buffer strip.

- e. Body Shop Landscaping. The body shop lot shall be landscaped as follows:
 - i. Evergreen trees shall be planted (a minimum of six feet in height at time of planting) in a staggered row along the front property line and at least two other property lines. The trees shall be planted 15 to 20 feet on center or as determined to be appropriate by the Urban Forester.
 - ii. A 25-foot wide undisturbed buffer strip, shall be provided along the property line directly adjacent to any 100-year floodplain.
 - f. Buffer Along Southern Property Line. A minimum 7.5-foot wide buffer strip shall be provided along the southern property line, as shown on the Conceptual Landscape Plan in coordination with a similar buffer strip on the contiguous property. In consultation with the Urban Forester and in coordination with the buffer proposed in conjunction with RZ 1999-SU-018, the buffer shall consist of either the retention of existing trees and understory vegetation, a heavily landscaped berm, as shown on Sheet 5 of 13, or a combination thereof.
 - g. Tree Cover. The cumulative coverage of the landscaping provided as outlined in Sub-Paragraph 6.a. through e. above and in conjunction with Paragraphs 9 and 10 below shall result in a minimum composite site plan tree coverage calculation of seventeen percent (17%) of the gross site. Individual dealership lots and phased site plans may provide less than seventeen percent (17%) tree coverage.
9. **ROUTE 50 BUFFER** - A buffer, a minimum of 50 feet in width, shall be provided along the Subject Property's Route 50 frontage as shown on the GDP/SE plat and Conceptual Landscape Plan. The buffer area shall consist of a combination of existing vegetation in the areas designated as wetlands, berms and landscaping as shown on the Conceptual Landscape Plan in coordination with the Urban Forester. The intent of this proffer is to visually screen car storage and rear buildings from Route 50. A small segment of the buffer area will be improved with the monument sign and associated landscaping as shown on the GDP/SE plat and the Project Sign Plan.
10. **STONECROFT BOULEVARD BUFFER** - A buffer, a minimum of 15 feet in width including berms shall be provided along the Subject Property's Stonecroft Boulevard frontage as shown on the GDP/SE Plat and conceptual Landscape Plan. The buffer shall be supplemented with additional vegetation to include evergreen trees and/or additional understory plantings if determined necessary by the Urban Forester, to affectively screen parking areas from view of Stonecroft Boulevard.

11. **TREE PRESERVATION** - Existing vegetation shall be preserved within the limits of clearing and grading, as shown on the GDP/SE plat, as follows:
 - a. Within the buffer along the Subject Property's Route 50 frontage.
 - b. Within the undisturbed wetland areas in the interior of the Subject Property.
12. **STORMWATER MANAGEMENT/BEST MANAGEMENT PRACTICES** - Stormwater management pond shall be constructed on-site as shown on the GDP/SE plat. The pond and open space area will be provided and constructed to meet Best Management Practices ("BMP") criteria. Sand filters, as approved by the Department of Public Works and Environmental Services (DPWES), may be utilized where necessary to assist in removing hydrocarbon runoff on the Subject Property. Access and maintenance easements shall be granted to Fairfax County, as determined necessary by DPWES.
13. **RECYCLING** - All uses within the auto park shall participate in a recycling program to recycle paper, aluminum, glass, used oil and other appropriate materials. The car wash facilities will be designed to recycle "a minimum of 80% of the car wash work water," in accordance with Chapter 65 of the Fairfax County Code. The body shop shall store, contain and dispose of all automobile engine fluids, in containers and per a disposal/recycling program. Prior to site plan approval, the Applicant will consult the Fairfax County Fire Marshall to develop and implement a written plan to cause proper disposal of all petroleum products, antifreeze, solvent, and other potential pollutants used, stored or collected on the Subject Property.
14. **ON-SITE RIGHT-OF-WAY** - Upon final site plan approval for the first building, or upon demand by either the Virginia Department of Transportation (VDOT) or Fairfax County, whichever first occurs, the Applicant shall dedicate and convey in fee simple, right-of-way to the Board of Supervisors along the Subject Property's frontage on Stonecroft Boulevard and ancillary easements generally as shown on the GDP/SE plat and generally consistent with the "Stonecroft Boulevard Road Improvement Plan" (Project #064196) prepared by Greenhorne & O'Mara, Inc.
15. **OFF-SITE RIGHT-OF-WAY** - Applicant shall attempt to acquire, from the existing Route 50 right-of-way to the Subject Property's proposed entrance, the necessary right-of-way along the eastern side of Stonecroft Boulevard to accommodate the proposed roadway improvements, including turning lanes, consistent with the Stonecroft Boulevard Road Improvement Plan (Project #064196). If the right-of-way is unavailable, the Applicant shall request Fairfax County to acquire necessary right-of-way through its powers of eminent domain, at Applicant's expense. The Applicant's request will not be considered until it is forwarded, in writing, to the Director of Property Management accompanied by:

- a. Plans and profiles showing the necessary right-of-way property;
- b. An independent appraisal, by an appraiser who is not employed by the County, of the value of the land taken and damages, if any to the residue of the affected property;
- c. A 60-year title search certificate of the right-of-way property to be acquired; and
- d. A Letter of Credit in an amount equal to the appraised value of the property to be acquired and of all damages to the residue which can be drawn upon by Fairfax County. It is also understood that in the event the property owner of the right-of-way property to be acquired is awarded more than the appraised value of the property and of the damages to the residue in a condemnation suit, the amount of the award shall be paid to Fairfax County by the Applicant within five (5) days of said award. It is further understood that all other costs incurred by Fairfax County in acquiring the right-of-way shall be paid to Fairfax County by the Applicant upon demand.

16. **OFF-SITE TRANSPORTATION IMPROVEMENTS -**

Applicant shall, in conjunction with the Applicant of RZ 1999-SU-018, commit to construct all improvements to Route 50 and Stonecroft Boulevard in accordance with the Route 50/Stonecroft Boulevard Road Improvement Plan (VDOT Project #064106) as outlined below and as shown on the attached Exhibit A. These intersection and roadway improvements shall be in the following two phases:

- a. Phase 1. Applicant shall construct all intersection improvements at Route 50 and Stonecroft Boulevard in accordance with the referenced VDOT Plans to include the following:
 - i. Two (2) left turn lane on westbound Route 50 onto southbound Stonecroft Boulevard.
 - ii. A right turn deceleration lane on eastbound Route 50 along the Dulles Auto Park Route 50 frontage.
 - iii. An acceleration lane on eastbound Route 50 which transitions into the existing acceleration lane on eastbound Route 50 further to the east of the referenced intersection.

The Phase 1 improvements shall be completed and available for public use, although not necessarily accepted for State maintenance, prior to the issuance of the 1st Non-RUP for the Dulles Auto Park and the issuance of the 1st Non-RUP for the Stonecroft Business Park, or by July 31, 2000, whichever occurs first.

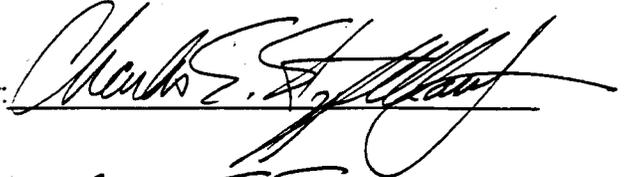
- b. Phase 2. Applicant shall construct a full four lane divided section with turn lanes of Stonecroft Boulevard from the aforesaid Phase 1 limits to a point slightly south of the Stonecroft Business Park entrance in accordance with the referenced VDOT Plans and Exhibit A. In addition, Applicant shall install a traffic signal in accordance with VDOT standards at the Route 50/Stonecroft Boulevard intersection. The Phase 2 improvements shall be completed and available for public use, although not necessarily accepted for State maintenance, prior to issuance of the 2nd Non-RUP for the Dulles Auto Park and the 3rd Non-RUP for the Stonecroft Business Park, or by July 31, 2000, whichever occurs first.
 - c. At the time of site plan approval for the first building within the Dulles Auto Park or within 30 days of written request by VDOT or the County, whichever occurs first, the Applicant shall escrow \$134,250 with DPWES for construction of Stonecroft Boulevard as a one-half section of a four lane divided roadway from the terminus of the aforementioned Phase 2 improvements to the southern property line of the Stonecroft Business Park. The amount of escrow shall include the value of a northbound 12-foot wide left hand turn lane, 300 feet in length with a 120-foot taper. This \$134,250 escrow represents one-half of the total cost (\$268,500) to complete the aforementioned improvements. The remaining \$134,250 shall be paid by the Applicant in conjunction with RZ 1999-SU-018. Using the Board of Supervisors approval as the base date, the amount of escrow shall be adjusted in accordance with the construction cost index as published in the Engineering News Record by McGraw-Hill.
17. **TRAILS** - Pedestrian/bike trails shall be constructed as follows:
 - a. An 8-foot wide trail, as determined by DPWES, located both on-site within easements and within portions of right-of-way (to avoid wetlands) shall be constructed along the Subject Property's Route 50 frontage.
 - b. A 6 or 8-foot wide asphalt trail, width to be determined by DPWES prior to commencement of the construction of the roadway, located entirely within right-of-way shall be constructed along the Subject Property's Stonecroft Boulevard frontage.
18. **SPECIAL EXCEPTION USES** - The optional car wash and service station is intended for the use of auto park employees, agents and auto park customers only. There shall be no advertisement or signage at Route 50 or Stonecroft Boulevard to the public which promotes patronage of these accessory uses by the general public.
19. **OFF-STREET PARKING** - Each dealership lot shall be developed with at least the minimum number of parking spaces for visitors and employees as required by the Zoning Ordinance for the corresponding gross floor area, service bays and numbers of employees.

Visitor parking shall be clearly marked and located directly in front and/or on the side of the main entrance to the dealership building. Employee parking and parking for vehicles being serviced shall be clearly marked and segregated from visitor parking. New car storage shall not be located along the loop road or the front entrance of each dealership building. Parking of vehicles within any open space, landscaped areas and on the loop road shall be strictly prohibited.

20. **ARCHAEOLOGY** - The Applicant shall notify the County Archaeologist a minimum of 20 days prior to any land disturbing activity on the site. The Applicant shall permit the County Archaeology to recover any artifacts that are exposed during construction, with the understanding that this action will not interfere with or delay construction.
21. **INTERPARCEL ACCESS** - At time of site plan approval for the northwestern portion of the Subject Property, the Applicant shall record an ingress/egress easement for the benefit of tax map 33-2 ((1)) 6. The easement and access road shall be in the general location depicted on the GDP/SE plat.
22. **SHUTTLE SERVICE** - Prior to the issuance of a Non-RUP for the third vehicle sales building, the Applicant shall provide a free shuttle bus service for vehicle service customers to Dulles International Airport and/or a mass transit station.
23. **BUS SHELTER** - Prior to the issuance of a Non-RUP for the third vehicle sales building, the Applicant shall construct a bus shelter within Stonecroft Boulevard right-of-way along the Property's frontage. The location of the bus shelter shall be determined in consultation with the County Department of Transportation. The Applicant shall be responsible for removal of trash from the bus shelter.
24. **OPEN SPACE RESTORATION** - The Applicant shall restore the open space area adjacent to the stormwater management pond and the auto body area as shown on the GDP/SE Plant with native species seedings in accordance with PFM specifications, as approved by the Urban Forester.

[SIGNATURE APPEARS ON THE FOLLOWING PAGE]

AJB ASSOCIATES, INC.

By: 

Name: CHARLES S. STRINGFELLOW, JR.

Title: VICE-PRESIDENT / TREASURER

Corporate Resolution
of
AJB Associates, Inc.

At a meeting of the Board of AJB Associates, Inc. held on the 13th of July, 1999, it was duly resolved as follows:

1. That Charles S. Stringfellow, Jr. as an officer of AJB Associates, Inc., is authorized to take all actions on behalf of AJB Associates, Inc. with respect to Rezoning PCA94-Y-033, including signing the Proffer Statement.

AJB Associates, Inc.

By: Catherine A. Steadman
Catherine A. Steadman, Secretary

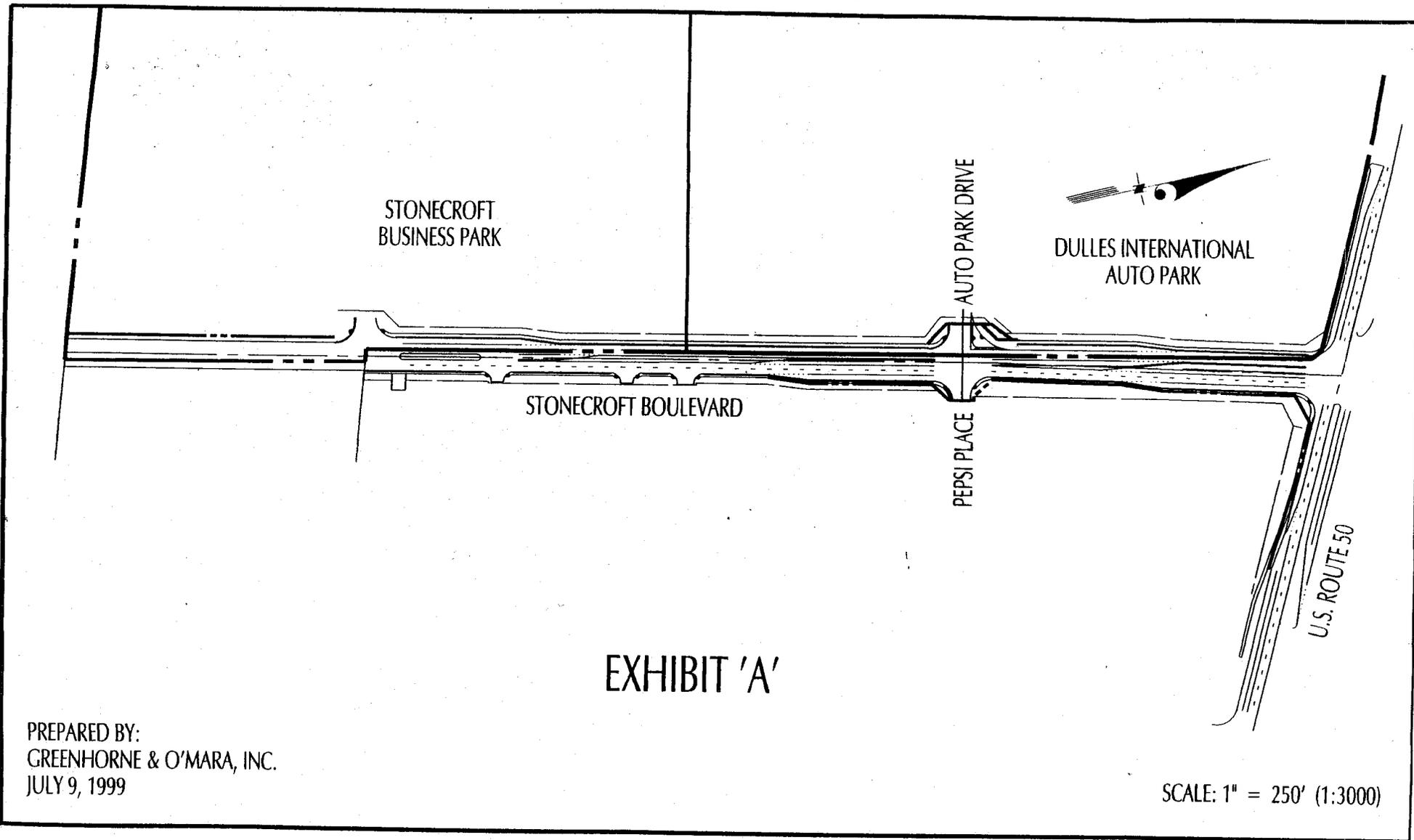
COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX

The foregoing instrument was acknowledged before me this 13th day of July, 1999, by Catherine A. Steadman, the Secretary of AJB Associates, Inc., on behalf of the Corporation.

Deborah W. Goodall
Notary Public

My Commission Expires:

DEBORAH W. GOODALL
Notary Public
Commonwealth of Virginia
My commission expires July 31, 192001



STONECROFT
BUSINESS PARK

DULLES INTERNATIONAL
AUTO PARK

AUTO PARK DRIVE

STONECROFT BOULEVARD

PEPSI PLACE

U.S. ROUTE 50

EXHIBIT 'A'

PREPARED BY:
GREENHORNE & O'MARA, INC.
JULY 9, 1999

SCALE: 1" = 250' (1:3000)