



APPLICATION ACCEPTED: November 17, 2015

PLANNING COMMISSION: June 29, 2016

BOARD OF SUPERVISORS: July 12, 2016 @ 4:00 p.m.

County of Fairfax, Virginia

June 15, 2016
STAFF REPORT
SEA 88-S-077-07
SULLY DISTRICT



APPLICANT: Golden Brook, LLC

ZONING: C-6 (Community Retail Commercial)
WS (Water Supply Protection Overlay)

PARCEL: 44-1 ((9)) 6

ACREAGE: 1.42 acres

FAR: 0.09

OPEN SPACE: 20%

PLAN MAP: Mixed Use

SE CATEGORY: Category 5 – Commercial and Industrial Uses of Special Impact

PROPOSAL: Fast-food restaurant with drive-through

WS

STAFF RECOMMENDATIONS:

- Staff recommends approval of SEA 88-S-077-07, subject to the proposed development conditions in Appendix 1.

Michael H. Lynskey, ASLA

- Staff recommends approval of the following modification:
 - Direct to the Director of DPWES to approve a deviation of tree preservation target, per PFM Sect. 12-0508.3A, in favor of a conditioned commitment to maintain and/or replace existing streetscape trees located within utility easements.

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

It should be further 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 special exception 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 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Exception Amendment

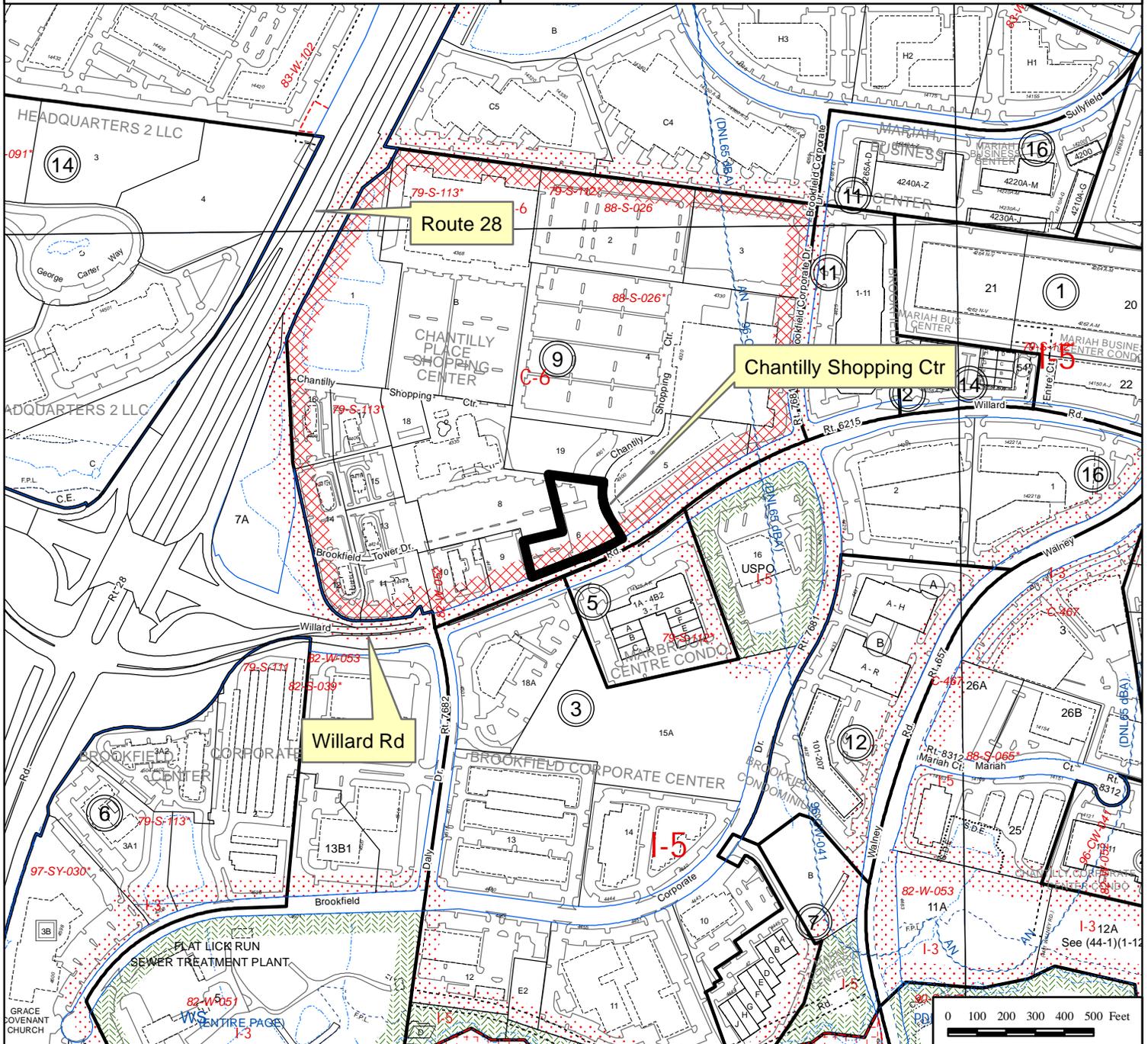
SEA 88-S-077-07



Applicant: GOLDEN BROOK, LLC
Accepted: 11/17/2015
Proposed: FAST FOOD RESTAURANT WITH DRIVE-THROUGH WINDOW
Area: 1.41 AC OF LAND; DISTRICT - SULLY

Zoning Dist Sect: 04-0604
Located: CHANTILLY SHOPPING CENTER, CHANTILLY, VA 20151

Zoning: C-6
Overlay Dist: WS
Map Ref Num: 044-1-/09/ /0006

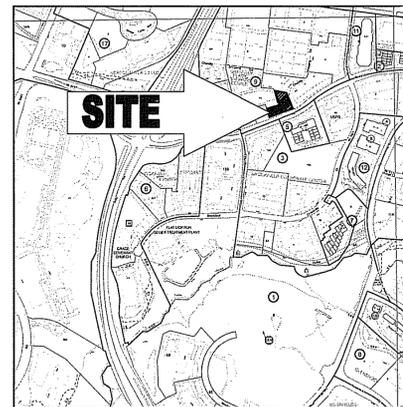
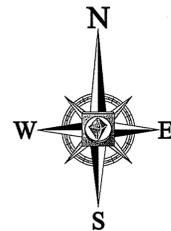


SPECIAL EXCEPTION AMENDMENT PLAT SEA-88-S-077-07

FOR

GOLDEN BROOK, LLC

LOCATION OF SITE
CHANTILLY PLACE SHOPPING CENTER
WILLARD ROAD
CHANTILLY, VA
FAIRFAX COUNTY



LOCATION MAP
 SCALE: 1"=1,000'

SHEET INDEX	
SHEET TITLE	SHEET NUMBER *
COVER SHEET	1
EXISTING CONDITIONS PLAN/ EXISTING VEGETATION MAP	2
OVERALL SHOPPING CENTER	3
SPECIAL EXCEPTION AMENDMENT PLAT	4
LANDSCAPE PLAN	5
PRELIMINARY STORMWATER MANAGEMENT PLAN	6
VRRM SPEADSHEET	7
SWM POST DEVELOPMENT DIVIDES (FOR INFORMATION ONLY)	8
TRUCK TURN AND TURN LANE EXHIBIT	9

ATTORNEY

HUNTON & WILLIAMS LLP
 1751 PINNACLE DRIVE, SUITE 1700
 McLEAN, VA 22101
CONTACTS:
 FRANCIS A McDERMOTT, ATTORNEY
 (703) 714-7422
 SUSAN K. YANTIS, PLANNER
 (703) 714-7492

OWNER/ APPLICANT

GOLDEN BROOK, LLC
 C/O THE PENCE GROUP INC.
 11708 BOWMAN GREEN DR.
 RESTON, VA 20190

PREPARED BY



BOHLER
 ENGINEERING

22636 DAVIS DRIVE, SUITE 250
 STERLING, VIRGINIA 20164
 Phone: (703) 709-9500
 Fax: (703) 709-9501
VA@BohlerEng.com
 CONTACT: DAVID B. LOGAN, PE

RECEIVED
 Department of Planning & Zoning
 MAY 06 2016
 Zoning Evaluation Division

BOHLER ENGINEERING

SITE CIVIL AND CONSULTING ENGINEERING
 LAND SURVEYING
 SUSTAINABLE DESIGN
 PROGRAM MANAGEMENT
 PERMITTING SERVICES
 TRANSPORTATION SERVICES
 LANDSCAPE ARCHITECTURE
 TRANSPORTATION SERVICES

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 NEW ENGLAND
 BOSTON, MA
 NEW YORK, NY

REVISIONS

REV	DATE	COMMENT	BY
1	11/10/15	REV. PER COUNTY COMMENTS	GRP
2	02/28/16	REV. PER COUNTY COMMENTS	NTG
3	04/08/16	REV. PER COUNTY COMMENTS	NTG
4	05/06/16	REV. PER COUNTY COMMENTS	NTG

THE FOLLOWING STATES REQUIRE NOTIFICATION BY EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN THE STATE IN VIRGINIA, MARYLAND, THE DISTRICT OF COLUMBIA, AND DELAWARE CALL - 811

(VA 1-800-552-7001) (MD 1-800-257-7777) (DC 1-800-257-7777) (DE 1-800-292-8555)

NOT APPROVED FOR CONSTRUCTION

PROJECT No.: S152053
 DRAWN BY: NTG
 CHECKED BY: DBL
 DATE: 10/14/15
 SCALE: AS NOTED
 CAD I.D.: SDS

SPECIAL EXCEPTION AMENDMENT PLAT
 FOR
GOLDEN BROOK, LLC
 LOCATION OF SITE
 CHANTILLY PLACE SHOPPING CENTER
 CHANTILLY, FAIRFAX COUNTY, VA

BOHLER ENGINEERING

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COMMONWEALTH OF VIRGINIA
 DAVID LOGAN
 Lic. No. 43616
 05/06/16
 PROFESSIONAL ENGINEER

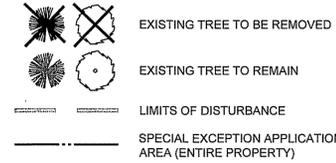
SHEET TITLE:
COVER SHEET

SHEET NUMBER:
1

TREE PRESERVATION NARRATIVE

- THERE ARE NO HAZARDOUS TREES ONSITE.
- THERE ARE NO INVASIVE SPECIES LOCATED ON SITE.
- CURRENTLY THERE ARE NO KNOWN "HERITAGE", "SPECIMEN", "MEMORIAL", OR "STREET" TREES LOCATED ON SITE OR LOCATED OFF SITE ADJACENT TO THE DEVELOPMENT SITE THAT WILL NEED TO BE PROTECTED.
- 10-YEAR TREE CANOPY WILL BE MET THROUGH PROPOSED PLANTINGS. TREES TO REMAIN ONSITE ARE ALL WITHIN EXISTING UTILITY EASEMENTS AND CANNOT BE CREDITED TOWARDS 10-YEAR TREE CANOPY REQUIREMENTS.
- OFFSITE TREES WITH CRITICAL ROOT ZONES WITHIN THE SUBJECT PROPERTY'S LIMITS OF CLEARING AND GRADING WILL HAVE ROOT PRUNING PERFORMED ALONG THE LIMITS OF WORK. ROOT PRUNING IN ACCORDANCE WITH FAIRFAX COUNTY PFM PLATE 7-12 WILL OCCUR BEFORE ROUGH GRADING OF THE SITE. ROOT PRUNING ACTIVITIES WILL BE SPECIFIED WITH THE SITE PLAN.
- TREE PROTECTION FENCING WILL BE INSTALLED IN ACCORDANCE WITH FAIRFAX COUNTY PFM REGULATIONS. TREE PROTECTION MEASURES WILL BE DESIGNED AND SPECIFIED WITH THE SITE PLAN.
- NO TREES ARE TO BE TRANSPLANTED ONSITE.
- AT THE TIME OF SITE PLAN A DETAILED TREE PRESERVATION PLAN WILL BE SUBMITTED THAT ADDRESSES THE PRESERVATION MEASURES REQUIRED FOR THE ARISTOCRAT PEARS ALONG CHANTILLY SHOPPING CENTER DRIVE. MEASURES MAY INCLUDE ROOT PRUNING, FERTILIZATION, RETAINING WALL CONSTRUCTION TO MINIMIZE ROOT DISTURBANCE, AND PRUNING FOR CONSTRUCTION ACTIVITIES.
- THE BUILDING FOOTPRINT SHOWN ON THIS PLAN IS AN APPROXIMATE BUILDING ENVELOPE AND MAY CHANGE DURING FINAL SITE PLAN DESIGN. IF IT IS DETERMINED AT THE TIME OF SITE PLAN THAT THE PIN OAKS OR PEAR TREES PROPOSED TO BE PRESERVED WITH THIS PLAN CANNOT BE PRESERVED, REPLACEMENT TREES WILL BE PROVIDED THAT ARE ON THE FAIRFAX COUNTY PFM LIST OF APPROVED TREES AND WILL BE OF A NON-INVASIVE AND NON-PROBLEMATIC SPECIES WITHIN THE PLANTING AREA SHOWN ON THIS PLAN.

EXISTING VEGETATION MAP/TREE PRESERVATION LEGEND



22636 Davis Drive, Suite 250
Sterling, VA 20164
PHONE 703.709.9500

April 8, 2016

Keith Cline, Director
Urban Forestry Management Division
Department of Public Works & Environmental Services
County of Fairfax
12055 Government Center Parkway, 5th Floor
Fairfax, VA 22035

RE: SEA-88-5-077-07
Chantilly Place Shopping Center
Willard Road
Chantilly, Fairfax Co., VA
BEVA#S152053

Dear Mr. Cline:

This letter is a request to deviate from the Tree Preservation target value proposed in Table 12.3 for the redevelopment of Parcel 0441-09-006 at Chantilly Place Shopping Center.

We submit this deviation request for the Tree Preservation Target requirements in accordance with PFM 12-0508.3. The property consists of an existing parking lot within a larger shopping center. Existing vegetation consists of pin oak and pear which are listed in the PFM as undesirable or problematic tree species within the county. The 10% required tree canopy will be met through the planting of new nursery stock that meets the requirements for proposed tree canopy as shown in the PFM.

The majority of onsite trees are proposed to be preserved however they are either located in utility easements or are invasive and problematic species and therefore cannot be credited towards meeting the tree preservation target value. We believe that under PFM section 12-0508.3A(2) the existing vegetation falls under the category of trees that do not meet standards for health and structural condition and other vegetation and risk management requirements.

Should you have any questions or require additional information, please do not hesitate to contact our office at (703) 709-9500.

Sincerely,

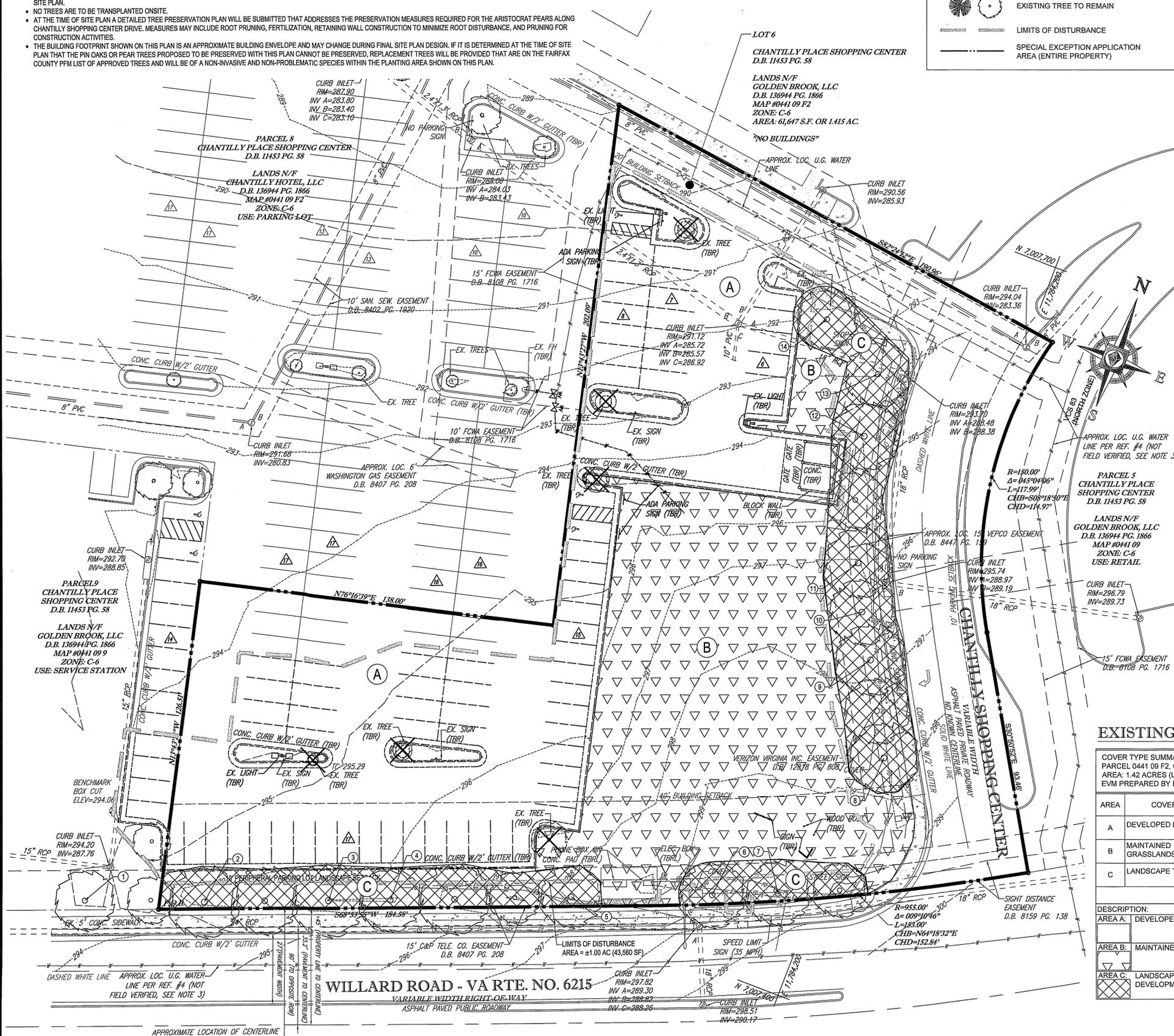
Bohler Engineering

Nicholas T. Georgas

Nicholas T. Georgas, R.L.A.
Landscape Architect

NG/rl
RE:152053(Administrative) Letter#160408 Ltr Keith Cline

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Tree Condition Analysis for Parcel 0441 09 F2
Tree Condition Analysis Performed by Nicholas Georgas, ISA Certified Arborist MA-5061A on 07/29/13

#	Species	Size (DBH in inches)	Condition Rating (%)	Species Rating (%)	Preserve or Remove Tree	Remarks	CRZ (feet)
1	Pin Oak	16	90%	75%	Preserve		16
2	Pin Oak	15	85%	75%	Preserve		15
3	Pin Oak	14	90%	75%	Preserve		14
4	Pin Oak	12	85%	75%	Preserve		12
5	Pin Oak	12	85%	75%	Preserve		12
6	Pin Oak	13	75%	75%	Preserve		13
7	Pin Oak	14	85%	75%	Preserve		14
8	Aristocrat Pear	13	75%	60%	Preserve		13
9	Aristocrat Pear	12	70%	60%	Preserve		12
10	Aristocrat Pear	13	85%	60%	Preserve		13
11	Aristocrat Pear	14	85%	60%	Preserve		14
12	Aristocrat Pear	12	85%	60%	Preserve		12
13	Aristocrat Pear	12	65%	60%	Preserve		12
14	Aristocrat Pear	13	75%	60%	Preserve		13

EXISTING VEGETATION MAP (EVM)

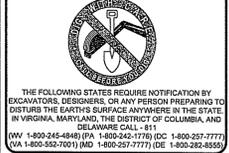
COVER TYPE SUMMARY TABLE (FOR LIMITS OF SPECIAL EXCEPTION AMENDMENT AREA ONLY)
PARCEL 0441 09 F2, CHANTILLY, FAIRFAX COUNTY, VA
AREA: 1.42 ACRES (LIMITS OF SPECIAL EXCEPTION AREA)
EVM PREPARED BY BOHLER ENGINEERING ON 07/29/13

AREA	COVER TYPE	PRIMARY SPECIES	SUCCESSIONAL STAGE	ACREAGE	CONDITION	COMMENTS
A	DEVELOPED LAND	N/A	N/A	0.87 AC	N/A	SEE DESCRIPTION BELOW
B	MAINTAINED GRASSLANDS	N/A	N/A	0.35 AC	N/A	SEE DESCRIPTION BELOW
C	LANDSCAPE TREE CANOPY	PIN OAK, LINDEN, AND ARISTOCRAT PEAR	N/A	0.20 AC	GOOD	SEE DESCRIPTION BELOW
				TOTAL ACREAGE: 1.42 AC		

DESCRIPTION:
AREA A: DEVELOPED LAND CONSISTING OF EXISTING PARKING LOT AND ASSOCIATED LANDSCAPE ISLANDS
AREA B: MAINTAINED GRASSLAND OF EXISTING PAD SITE
AREA C: LANDSCAPE TREE CANOPY CONSISTING OF PIN OAK, ARISTOCRAT PEAR, AND LINDEN PLANTED DURING THE ORIGINAL DEVELOPMENT OF THE AREA

REVISIONS

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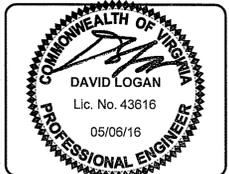


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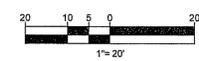
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SPECIAL EXCEPTION AMENDMENT PLAT
FOR
GOLDEN BROOK, LLC
LOCATION OF SITE
CHANTILLY PLACE SHOPPING CENTER
CHANTILLY, FAIRFAX COUNTY, VA

BOHLER ENGINEERING
22636 DAVIS DRIVE, SUITE 250
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SHEET TITLE:
EXISTING CONDITIONS PLAN/ EXISTING VEGETATION MAP
SHEET NUMBER:
2



COMPLIANCE CHART FOR THE FAIRFAX COUNTY ZONING ORDINANCE

SECTION	REQUIREMENTS	CALCULATIONS (REQUIRED/PROPOSED)	COMPLIANCE
13-203 PERIPHERAL PARKING LOT LANDSCAPING	<p>PERIPHERAL PARKING LOT LANDSCAPING</p> <p>WHERE THE PROPERTY LINE ABUTS THE RIGHT-OF-WAY OF A STREET:</p> <p>A. A LANDSCAPING STRIP TEN (10) FEET IN WIDTH, WHICH SHALL NOT INCLUDE A SIDEWALK OR TRAIL, SHALL BE LOCATED BETWEEN THE PARKING LOT AND THE PROPERTY LINE.</p> <p>B. AT LEAST ONE (1) TREE FOR EACH FIFTY (40) FEET SHALL BE PLANTED IN THE LANDSCAPING STRIP; HOWEVER, THIS SHALL NOT BE CONSTRUED AS TO REQUIRE THE PLANTING OF TREES ON FIFTY (40) FOOT CENTERS.</p>	<p>WILLARD ROAD</p> <p>REQUIRED: 288 LF OF PROPERTY LINE MEASURES FROM PROPOSED LOT LINE (EXCLUDES ENTRANCES)</p> <p>8 TREES REQUIRED</p> <p>10 EXISTING TREES WILL REMAIN TO FULFILL THE PLANTING REQUIREMENT.</p>	COMPLIES

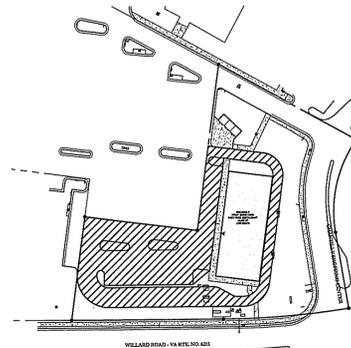
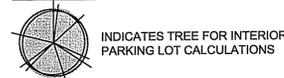
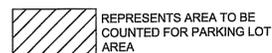


TABLE 12.13 INTERIOR PARKING LOT LANDSCAPING CALCULATIONS

AREA TO BE COUNTED:	24,698 S.F.
INTERIOR LANDSCAPING REQUIRED (5%):	1,235 S.F.
TOTAL SHADE TREE CANOPY PROVIDED: 7 PROPOSED TREES @ 200S.F. EACH:	1,400 S.F.
TOTAL AREA REQUIRED =	1,235 S.F. (5%)
TOTAL AREA PROVIDED =	1,400 S.F. (5.3%)



LANDSCAPE LEGEND

SYMBOL	QTY	TYPE/USE	10 YEAR CANOPY COVERAGE	10 YEAR CANOPY COVERAGE TOTAL
	22	3 - 3 1/2" CATEGORY IV DECIDUOUS TREE	250	5,500
	11	2 - 2 1/2" CAL. CATEGORY II DECIDUOUS TREE	100	1,100
	155	SHRUB		

SPECIES DIVERSITY WILL BE PROVIDED AT THE TIME OF SITE PLAN IN ACCORDANCE WITH PFM SECTION 12-0515.1L

AT THE TIME OF SITE PLAN LANDSCAPE TREES PROVIDED WILL BE DRAWN FROM BUT NOT LIMITED TO THE FOLLOWING LIST: AMERICAN BEECH, WHITE OAK, AMERICAN BASSWOOD, EASTERN RED CEDAR, AMERICAN HOLLY, WILLOW OAK, RHODODENDRON, VIRGINIA SWEETSPIRE, MOUNTAIN LAUREL, AND OTHERS.

TABLE 12.3 TREE PRESERVATION TARGET CALCULATIONS AND STATEMENT

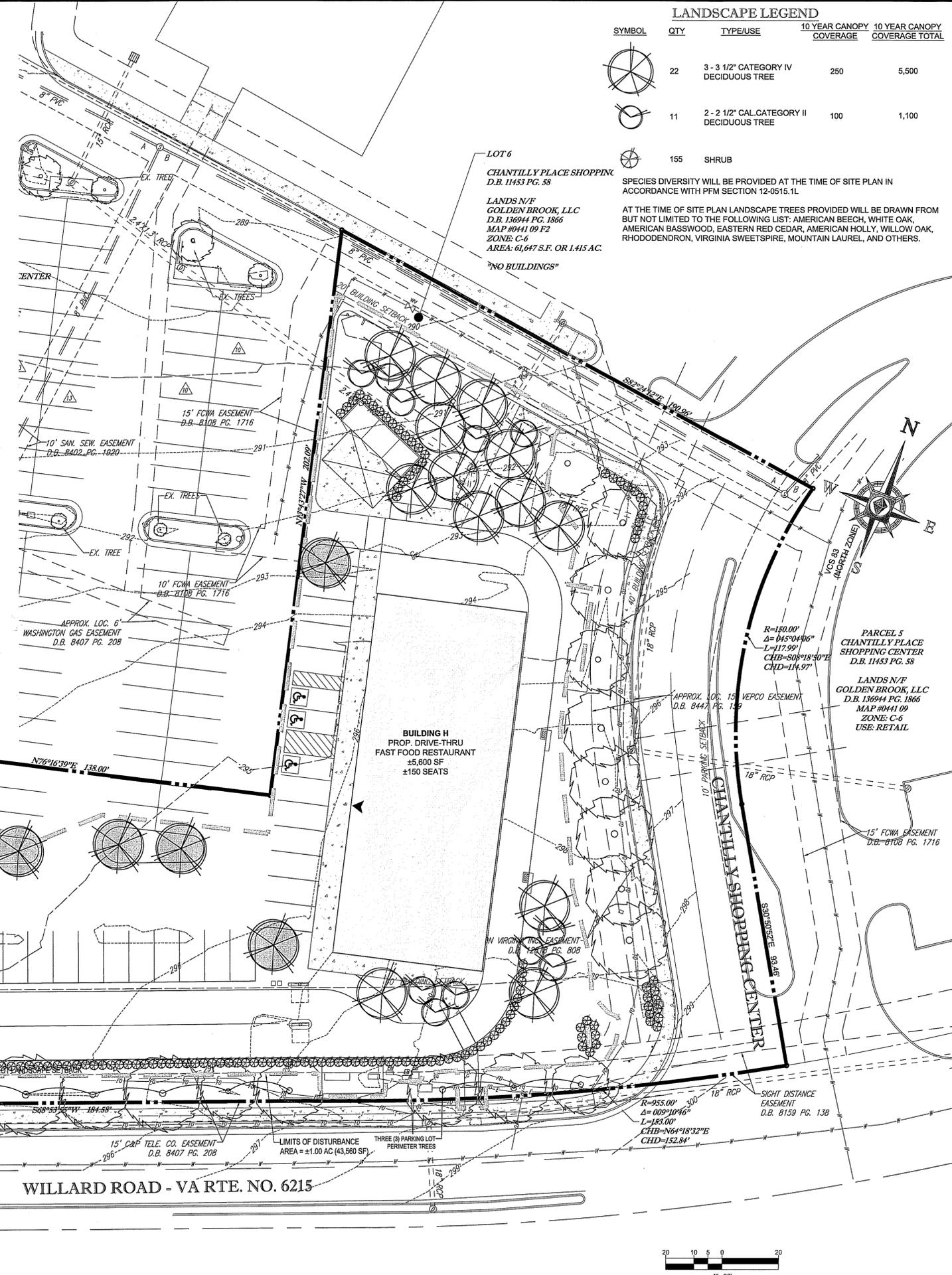
A	PRE-DEVELOPMENT AREA OF EXISTING TREE CANOPY	8,712
B	PERCENTAGE OF GROSS SITE AREA COVERED BY EXISTING TREE CANOPY	14.1%
C	PERCENTAGE OF 10-YEAR TREE CANOPY REQUIRED FOR SITE (SEE PFM TABLE 12.4)	10%
D	PERCENTAGE OF THE 10-YEAR TREE CANOPY REQUIREMENT THAT SHOULD BE MET THROUGH TREE PRESERVATION	14.1%
E	PROPOSED PERCENTAGE OF CANOPY REQUIREMENT THAT WILL BE MET THROUGH TREE PRESERVATION	0.0%
F	HAS THE TREE PRESERVATION TARGET MINIMUM BEEN MET?	NO
G	IF NO FOR LINE F, THEN A REQUEST TO DEVIATE FROM THE TREE PRESERVATION TARGET SHALL BE PROVIDED ON THE PLAN THAT STATES ONE OR MORE OF THE JUSTIFICATIONS LISTED IN 12-0507.3	
H	IF STEP G REQUIRES A NARRATIVE, IT SHALL BE PREPARED IN ACCORDANCE WITH 12-0507.4	
I	PLACE THIS INFORMATION PRIOR TO THE 10-YEAR TREE CANOPY CALCULATIONS AS PER INSTRUCTIONS IN TABLE 12.12	

A DEVIATION REQUEST FROM THE TREE PRESERVATION TARGET VALUE HAS BEEN INCLUDED ON SHEET 2.

TABLE 12.10 10-YEAR TREE CANOPY CALCULATION WORKSHEET

STEP	DESCRIPTION	TOTALS
A. TREE PRESERVATION TARGET AND STATEMENT		
A1	PLACE THE TREE PRESERVATION TARGET CALCULATIONS AND STATEMENT HERE PRECEDING THE 10-YEAR TREE CANOPY CALCULATIONS	
B. TREE CANOPY REQUIREMENT		
B1	IDENTIFY GROSS SITE AREA =	61,647
B2	SUBTRACT AREA DEDICATED TO PARKS AND ROAD FRONTAGE =	0
B3	SUBTRACT AREA OF EXEMPTIONS =	0
B4	ADJUSTED GROSS SITE AREA (B1-B2) =	61,647
B5	IDENTIFY SITES ZONING AND OR USE =	COMMERCIAL
B6	PERCENTAGE OF 10-YEAR TREE CANOPY REQUIRED =	10%
B7	AREA OF 10-YEAR TREE CANOPY REQUIRED (B4 x B6) =	6,165
B8	MODIFICATION OF 10-YEAR TREE CANOPY REQUIREMENTS REQUESTED?	NO
B9	IF B8 YES, THEN LIST PLAN SHEET WHERE MODIFICATION REQUEST IS LOCATED	N/A
C. TREE PRESERVATION		
C1	TREE PRESERVATION TARGET AREA =	671
C2	TOTAL CANOPY AREA MEETING STANDARDS OF § 12-0200 =	0
C3	C2 X 1.25 =	0
C4	TOTAL CANOPY AREA PROVIDED BY UNIQUE OR VALUABLE FOREST OR WOODLAND COMMUNITIES =	0
C5	C4 X 1.5 =	0
C6	TOTAL CANOPY AREA PROVIDED BY "HERITAGE," "MEMORIAL," "SPECIMEN," OR "STREET" TREES =	0
C7	C6 X 1.5 TO 3.0 =	0
C8	CANOPY AREA OF TREES WITHIN RESOURCE PROTECTION AREAS AND 100-YEAR FLOODPLAINS =	0
C9	C8 X 1.0 =	0
C10	TOTAL OF C3, C5, C7, AND C9 =	0
D. TREE PLANTING		
D1	AREA OF CANOPY TO BE MET THROUGH TREE PLANTING (B7-C10) =	6,165
D2	AREA OF CANOPY PLANTED FOR AIR QUALITY BENEFITS =	0
D3	X 1.5 =	0
D4	AREA OF CANOPY PLANTED FOR ENERGY CONSERVATION =	0
D5	X 1.5 =	0
D6	AREA OF CANOPY PLANTED FOR WATER QUALITY BENEFITS =	0
D7	X 1.5 =	0
D8	AREA OF CANOPY PROVIDED BY NATIVE TREES =	0
D9	X 1.5 =	0
D10	AREA OF CANOPY PROVIDED BY IMPROVED CULTIVARS AND VARIETIES =	0
D11	X 1.5 =	0
D12	AREA OF CANOPY PROVIDED THROUGH TREE SEEDLINGS =	0
D13	X 1.0 =	0
D14	AREA OF CANOPY PROVIDED THROUGH NATIVE SHRUBS OR WOODY SEED MIX =	0
D15	X 1.0 =	0
D16	PERCENTAGE OF D14 REPRESENTED BY D15 =	0
D17	AREA OF CANOPY NOT MEETING MULTIPLIER CRITERIA =	6,600
D18	TOTAL CANOPY AREA PROVIDED THROUGH TREE PLANTING =	6,600
D19	IS AN OFFSITE PLANTING RELIEF REQUESTED?	NO
D20	TREE BANK OR TREE FUND?	N/A
D21	CANOPY AREA REQUESTED TO BE PROVIDED THROUGH OFFSITE BANKING OR TREE FUND =	0
D22	AMOUNT TO BE DEPOSITED INTO THE TREE PRESERVATION AND PLANTING FUND =	\$0
E. TOTAL OF 10-YEAR TREE CANOPY PROVIDED		
E1	TOTAL OF CANOPY AREA PROVIDED THROUGH TREE PRESERVATION (C10) =	0
E2	TOTAL OF CANOPY AREA PROVIDED THROUGH TREE PLANTING (D17) =	6,600
E3	TOTAL OF CANOPY AREA PROVIDED THROUGH OFFSITE MECHANISM (D19) =	0
E4	TOTAL OF 10-YEAR TREE CANOPY PROVIDED =	6,600
	PERCENTAGE OF 10-YEAR TREE CANOPY PROVIDED =	10.71%

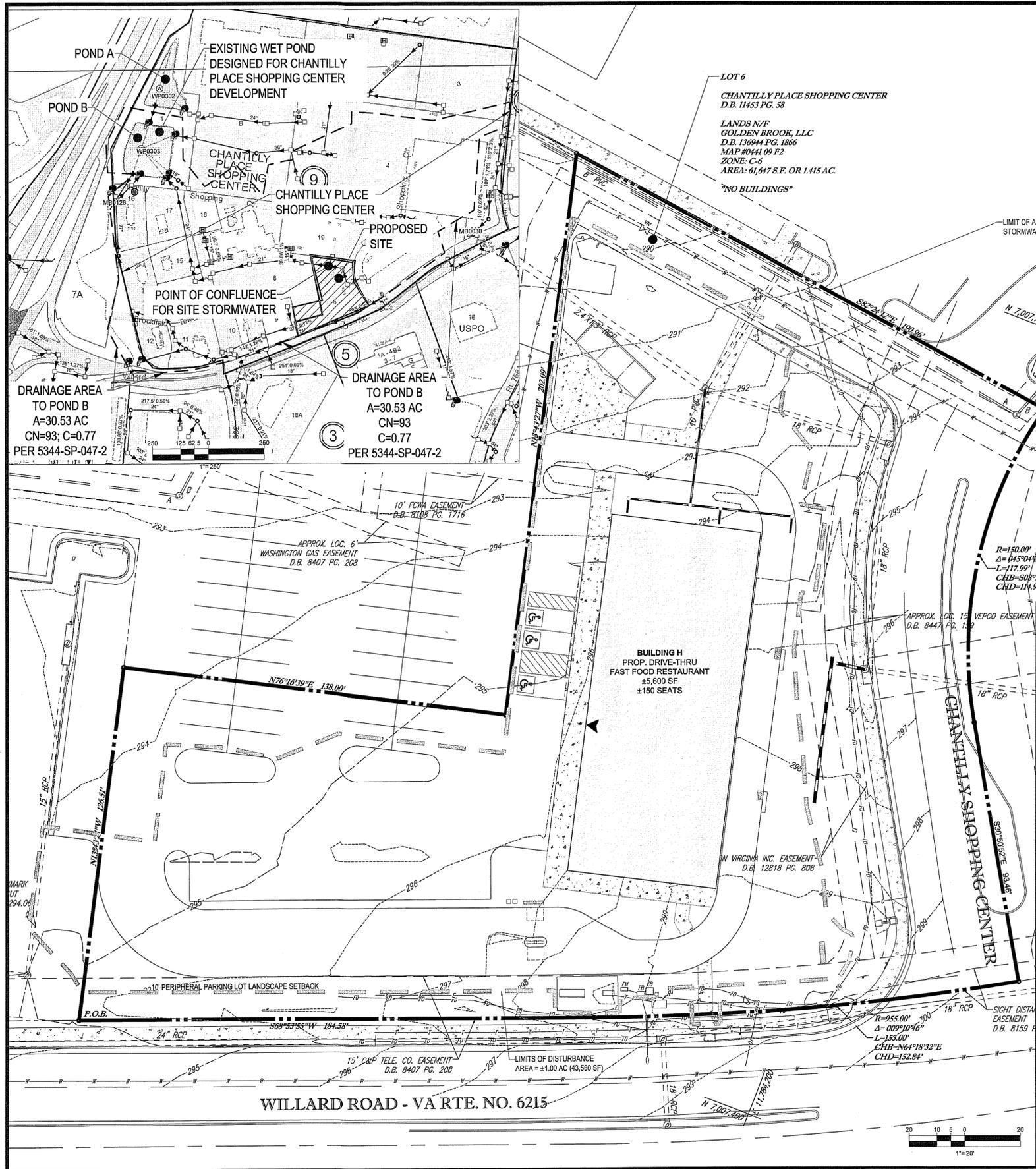
TREE CANOPY CALCULATIONS ARE BASED ON THE LOT AREA OF 61,647 SF



BOHLER ENGINEERING

SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING PROGRAM MANAGEMENT LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN PERMITTING SERVICES TRANSPORTATION SERVICES

MEMBERSHIP: VIRGINIA, NORTH CAROLINA, SOUTH CAROLINA, GEORGIA, ALABAMA, MISSISSIPPI, ARIZONA, CALIFORNIA, TEXAS, FLORIDA, ILLINOIS, INDIANA, OHIO, PENNSYLVANIA, MARYLAND, DELAWARE, DISTRICT OF COLUMBIA, NEW YORK, NEW JERSEY, NEW HAMPSHIRE, VERMONT, NEW MEXICO, UTAH, WYOMING, NEBRASKA, KANSAS, OKLAHOMA, MINNESOTA, WISCONSIN, IOWA, MISSOURI, ARKANSAS, LOUISIANA, ALABAMA, MISSISSIPPI, ARIZONA, CALIFORNIA, TEXAS, FLORIDA, ILLINOIS, INDIANA, OHIO, PENNSYLVANIA, MARYLAND, DELAWARE, DISTRICT OF COLUMBIA, NEW YORK, NEW JERSEY, NEW HAMPSHIRE, VERMONT, NEW MEXICO, UTAH, WYOMING, NEBRASKA, KANSAS, OKLAHOMA, MINNESOTA, WISCONSIN, IOWA, MISSOURI, ARKANSAS, LOUISIANA, ALABAMA, MISSISSIPPI, ARIZONA, CALIFORNIA, TEXAS, FLORIDA, ILLINOIS, INDIANA, OHIO, PENNSYLVANIA, MARYLAND, DELAWARE, DISTRICT OF COLUMBIA, NEW YORK, NEW JERSEY, NEW HAMPSHIRE, VERMONT, NEW MEXICO, UTAH, WYOMING, NEBRASKA, KANSAS, OKLAHOMA, MINNESOTA, WISCONSIN, IOWA, MISSOURI, ARKANSAS, LOUISIANA, ALABAMA, MISSISSIPPI, ARIZONA, 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PRE TO POST SWM SUMMARY

YEAR STORM	Tc	INTENSITY (IN/HR)	SITE AREA (AC.)	IMPERVIOUS PRE (AC.)	IMPERVIOUS POST (AC.)	WEIGHTED C FACTOR (PRE DEVELOPED)	WEIGHTED C FACTOR (POST DEVELOPED)	PRE DEVELOPED RELEASE RATE (CFS)	POST DEVELOPED RELEASE RATE (CFS)
2	5 Min	5.45	1.415	0.43	1.145	0.5	0.79	3.86	6.09
10	5 Min	7.27	1.415	0.43	1.145	0.5	0.79	5.14	8.13

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

THE FOLLOWING INFORMATION IS REQUIRED TO BE SHOWN OR PROVIDED IN ALL ZONING APPLICATIONS, OR A WAIVER REQUEST OF THE SUBMISSION REQUIREMENT WITH JUSTIFICATION SHALL BE ATTACHED. NOTE: WAIVERS WILL BE ACTED UPON SEPARATELY. FAILURE TO ADEQUATELY ADDRESS THE REQUIRED SUBMISSION INFORMATION MAY RESULT IN A DELAY IN PROCESSING THIS APPLICATION.

THIS INFORMATION IS REQUIRED UNDER THE FOLLOWING ZONING ORDINANCE SECTIONS:
 SPECIAL PERMITS (SECT. 8-011 2J & 2L) SPECIAL EXCEPTIONS (SECT. 9-011 2J & 2L)
 CLUSTER SUBDIVISION (SECT. 9-615 1G & 1N) COMMERCIAL REVITALIZATION DISTRICTS (SECT. 9-622 2A (12) & (14))
 DEVELOPMENT PLANS PRC DISTRICT (SECT. 16-302 3 & 4L) PRC PLAN (SECT. 16-303 1E & 1O)
 FDP P DISTRICTS (SECT. 18-502 1A (9) & (17)) AMENDMENTS (SECT. 18-202 10F & 10I)

1. PLAT IS AT A MINIMUM SCALE OF 1"=50' (UNLESS IT IS DEPICTED ON ONE SHEET WITH A MINIMUM SCALE OF 1"=100').
2. A GRAPHIC DEPICTING THE STORMWATER MANAGEMENT FACILITY(IES) AND LIMITS OF CLEARING AND GRADING ACCOMMODATE THE STORMWATER MANAGEMENT FACILITY(IES), STORM DRAINAGE PIPE SYSTEMS AND OUTLET PROTECTION, POND SPILLWAYS, ACCESS ROADS, SITE OUTFALLS, ENERGY DISSIPATION DEVICES, AND STREAM STABILIZATION MEASURES AS SHOWN ON THIS SHEET. IF INFILTRATION IS PROPOSED THE SOILS SHOULD BE TESTED FOR SUITABILITY PRIOR TO SUBMISSION OF THE DEVELOPMENT PLAN AND RESULTS OF THE INFILTRATION TEST PROVIDED AS PART OF THE DESCRIPTION OF THE FACILITY.
3. PROVIDE:

FACILITY NAME/TYPE & NO.	ON-SITE AREA SERVED (ACRES)	OFF-SITE AREA SERVED (ACRES)	DRAINAGE AREA (ACRES)	FOOTPRINT AREA (SF)	STORAGE VOLUME (CF)	IF POND, DAM HEIGHT (FT)
EX. WET POND B	1.415 AC.	0.00 AC.	1.415 AC.	EX. WET POND	EX. WET POND	N/A
TOTAL:	1.415 AC.	0.00 AC.	1.415 AC.	EX. WET POND	EX. WET POND	N/A

4. ONSITE DRAINAGE CHANNELS, OUTFALLS AND PIPE SYSTEMS ARE SHOWN ON THIS SHEET. POND INLET AND OUTLET PIPE SYSTEMS ARE SHOWN ON SHEET(S) NOT APPLICABLE.
5. MAINTENANCE ACCESS (ROAD) TO STORMWATER MANAGEMENT FACILITY(IES) ARE NOT APPLICABLE. TYPE OF MAINTENANCE ACCESS ROAD SURFACE NOTED ON THE PLAT IS NOT APPLICABLE (ASPHALT, GEOBLOCK, GRAVEL, ETC.).
6. LANDSCAPING AND TREE PRESERVATION IN AND NEAR THE STORMWATER MANAGEMENT FACILITY IS SHOWN ON SHEET(S) NOT APPLICABLE. *SITE LANDSCAPING OS SHOWN ON SHEET 4.
7. STORMWATER MANAGEMENT AND BMP NARRATIVES AND DESCRIPTIONS OF HOW DETENTION AND BEST MANAGEMENT PRACTICES REQUIREMENTS WILL BE MET ARE PROVIDED ON THIS SHEET. VRRM SPREADSHEET SHOWN ON SHEET 7.
8. A DESCRIPTION OF EXISTING CONDITIONS OF EACH NUMBERED SITE OUTFALL EXTENDED DOWNSTREAM FROM THE SITE TO A POINT WHICH IS AT LEAST 100 TIMES THE SITE AREA OR WHICH HAS A DRAINAGE AREA OF AT LEAST ONE SQUARE MILE (640 ACRES) IS PROVIDED ON NOT APPLICABLE. IF THE OUTFALL IS PROPOSED TO BE IMPROVED OFF-SITE IT SHOULD BE SPECIFICALLY NOTED.
9. A DETAILED DESCRIPTION AND ANALYSIS OF HOW THE CHANNEL PROTECTION REQUIREMENTS AND FLOOD PROTECTION REQUIREMENTS OF EACH NUMBERED OUTFALL WILL BE SATISFIED PER STORMWATER MANAGEMENT ORDINANCE AND PUBLIC FACILITIES MANUAL ARE PROVIDED ON THIS SHEET.
10. EXISTING TOPOGRAPHY WITH MAXIMUM CONTOUR INTERVALS OF TWO (2) FEET AND A NOTE AS TO WHETHER IT IS AN AIR SURVEY OR FIELD RUN IS PROVIDED ON SHEET(S) 2.
11. A SUBMISSION WAIVER IS REQUESTED FOR : NOT APPLICABLE.
12. STORMWATER MANAGEMENT IS NOT REQUIRED BECAUSE : REFERENCE SWOD #5344-SWOD-002-1 APPROVAL. REVISED: 8/4/15

STORM WATER MANAGEMENT & BMP NARRATIVE

THE SUBJECT SITE CONSISTS OF A VACANT LOT ON TAX MAP 0441-09-9 IN CHANTILLY SHOPPING CENTER, WHICH INCLUDES VARIOUS STAND-ALONE RESTAURANT PADS, A HOTEL, RETAIL AND A SIZEABLE PARKING AREA. THE ADJACENT LOTS INCLUDE AN OFFICE AND RETAIL COMPLEX CALLED "SULLYFIELD BUSINESS PARK" TO THE NORTH, WILLARD ROAD (RTE 6215) TO THE SOUTH, SULLY ROAD (RTE 28) TO THE WEST, AND BROOKFIELD CORPORATE DRIVE TO THE EAST.

CHANTILLY PLACE SHOPPING CENTER CONTAINS TWO IN-LINE EXTENDED WET-RETENTION PONDS SERVING THE ENTIRE SHOPPING CENTER FOR WATER QUALITY AND QUANTITY CONTROL. THE TWO PONDS SERVE AN OVERALL DRAINAGE AREA OF APPROXIMATELY 48.8 ACRES AND WERE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH "CHANTILLY PLACE PHASE II" PLAN #5344-SP-28-2, PREPARED BY HUNTLEY, NYCE, AND ASSOCIATES, AND APPROVED 5/8/1982. THE APPROXIMATE DRAINAGE AREAS FOR THE TWO PONDS WERE REEXAMINED AT THE TIME OF A MORE RECENT SITE PLAN, "GREENE TURTLE" PLAN #5344-SP-047-2, PREPARED BY URBAN ENGINEERING AND APPROVED 1/25/2014, AND DEMONSTRATES THE DRAINAGE AREA FOR EXISTING WET POND B IS APPROXIMATELY 30.5 ACRES, WHICH INCLUDES THE SUBJECT SITE, AND IS SHOWN ON SHEET 8. STORMWATER FROM THE SITE WILL BE CAPTURED THROUGH ONSITE INLETS AND ROUTED TO POND B VIA UNDERGROUND STORM DRAIN PIPES.

THE PROPOSED SITE SHALL CONSIST OF A FAST FOOD RESTAURANT WITH DRIVE-IN FACILITY WITH A TWO LANES AND A CANOPY. THE OVERALL TOPOGRAPHY OF THE SUBJECT SITE CONSISTS OF MODERATE GRADES AND SLOPING TOWARDS THE NORTHWEST, INTO THE SHOPPING COMPLEX.

THE INITIAL DESIGN FOR THE SUBJECT SITE PROPOSED A ONE-STORY BUILDING WITH A FOOTPRINT OF 9300 SF AND TOTAL IMPERVIOUS AREA OF APPROXIMATELY 1.08 AC, PER "CHANTILLY PLACE PHASE II". THIS SPECIAL EXCEPTION AMENDMENT PROPOSES A 55600 SF BUILDING FOOTPRINT AND ADJACENT DRIVE-THRU. THE IMPERVIOUS AREA PROPOSED SITE IS APPROXIMATELY 1.145 AC, WHICH IS A 4.59% INCREASE IN IMPERVIOUS AREA, LESS THAN THE 18% REQUIREMENT PER SWMO SECTION 124-5-4 (A)(1). THE WEIGHT C FACTOR FOR THE PROPOSED SITE IS 0.79. PER "CHANTILLY PLACE PHASE II", AN OVERALL EFFECTIVE C FACTOR OF 0.85 WAS USED FOR THE SUBJECT SITE AND THE OVERALL CHANTILLY PLACE SHOPPING CENTER IN THE DESIGN OF THE TWO WET PONDS. AS A RESULT OF A DECREASE IN THE INITIAL PROPOSED C FACTOR FOR THE SUBJECT SITE, BEST MANAGEMENT PRACTICES (BMP'S) WILL BE PROVIDED FOR THE SUBJECT SITE THROUGH THE EXISTING OFF-SITE WET POND B. PER "CHANTILLY PLACE PHASE II" PLANS, THE TWO EXISTING WET PONDS IN SERIES WERE DESIGNED WITH 50.54% PHOSPHOROUS REMOVAL RATE, WHICH IS GREATER THAN THE 50% REMOVAL REQUIREMENT PER THE WATER SUPPLY OVERLAY DISTRICT (WS) AND SECTION 124-5-4 (A)(2) OF THE STORMWATER MANAGEMENT ORDINANCE (SWMO).

THE VRRM SPREADSHEET FOR THE SUBJECT SITE IS PROVIDED ON SHEET 7 AND DEMONSTRATES COMPLIANCE WITH THE REQUIRED PHOSPHOROUS REMOVAL RATE FOR THE REDEVELOPED SITE VIA THE TWO EXISTING WET PONDS. ALTHOUGH THE VRRM SPREADSHEET SHOWS A REMOVAL REQUIREMENT OF 20% FOR THE REDEVELOPMENT, THE TWO EXISTING WET PONDS PROVIDE 50.54% REMOVAL AND COMPLY WITH THE STRICTER REMOVAL REQUIREMENT OF 50% PER THE WATER SUPPLY OVERLAY DISTRICT (WS) AND SWMO SECTION 124-5-4 (A)(2). ADDITIONAL BMP AND DETENTION COMPUTATIONS FOR EXISTING WET POND B TO SHOW COMPLIANCE WITH QUALITY AND DETENTION REQUIREMENTS PER FAIRFAX COUNTY PFM SECTION 6 AND SMO CHAPTER 124, WILL BE PROVIDED AT THE TIME OF SITE PLAN AS NECESSARY. WAIVER WILL BE PROVIDED FOR ONSITE STORM WATER MANAGEMENT, WHICH WILL REDUCE THE PEAK FLOW TO PREDEVELOPMENT RATES. THE VRRM SPREADSHEET IS PROVIDED ON SHEET 7 AND IS SHOWN FOR EXISTING BMP AND DETENTION MEASURES, AS THERE WILL BE NO ADDITIONAL STORMWATER MANAGEMENT MEASURES PROPOSED. IF, DUE TO DESIGN CONSTRAINTS, MODIFICATIONS NEED TO BE MADE, THE APPLICANT RESERVES THE RIGHT TO PROVIDE ADDITIONAL BMP MEASURES IF THE EXISTING POND IS DETERMINED TO BE INADEQUATE.

STORMWATER ORDINANCE DETERMINATION #5344-SWOD-002-1, DATED 2/29/16, HAS BEEN APPROVED 4/12/16 BY FAIRFAX COUNTY TO BE GRANDFATHERED UNDER THE STORMWATER MANAGEMENT PROVIDED FOR THE OVERALL DEVELOPMENT.

OUTFALL ANALYSIS

THE PROPOSED DEVELOPMENT OUTFALLS TO THE WEST INTO AN EXISTING CLOSED CONDUIT STORM SYSTEM AND DAYLIGHTS INTO EXISTING WET POND B, WHICH SERVES THE CHANTILLY PLACE SHOPPING CENTER. THIS SYSTEM ULTIMATELY LEADS TO THE POTOMAC RIVER.

THE EXTENT OF REVIEW FOR THE PROPOSED DEVELOPMENT FLOW (1.145 ACRE SITE AREA) IS AT THE POINT WHERE THE FLOW ENTERS THE EXISTING FAIRFAX COUNTY WET POND (WP0303). THE WATER FOR THIS OUTFALL AREA IS CAPTURED BY EXISTING CURB INLETS OR SHEET FLOWS TO PAVEMENT AT THE LIMITS OF DISTURBANCE. THE TWO WET PONDS WERE DESIGNED FOR AN ULTIMATE DEVELOPED CONDITION FOR CHANTILLY PLACE SHOPPING CENTER AND ASSUMED A CONSERVATIVE C-FACTOR OF 0.85. PER "CHANTILLY PLACE PHASE II", THE IMPERVIOUS AREA FOR THE SUBJECT SITE WILL INCREASE BY 50.5% FROM PRE TO POST DEVELOPMENT. HOWEVER, THE WEIGHTED C FACTOR OF 0.79 FOR THE PROPOSED SITE IS LESS THAN THE EFFECTIVE C FACTOR OF 0.85 FOR INITIAL DESIGNED USE OF THE SUBJECT SITE AND OVERALL SHOPPING CENTER.

AN INCREASE IN RUNOFF VOLUME AND PEAK FLOW RATE OF STORMWATER FROM EXISTING CONDITIONS IS ANTICIPATED AND IT WILL NOT BE GREATER THAN THE INITIAL DESIGNED CONDITION OF THE EXISTING OUTFALL. EROSION AND SEDIMENT CONTROL MEASURES WILL BE DESIGNED WITH THE SITE PLAN AND SHALL BE IMPLEMENTED DURING ANY LAND-DISTURBING ACTIVITY TO PREVENT OUTFALL EROSION TO THE EXISTING WET PONDS. FURTHER ANALYSIS OF THE DOWNSTREAM DRAINAGE SYSTEM TO DEMONSTRATE THE ADEQUACY WILL BE INCLUDED WITH THE SITE PLAN, PER PFM SECTION 6-2023.1.

THE 10-YEAR POST DEVELOPED PEAK RUNOFF RATE WILL INCREASE FROM 5.14 CFS TO 8.13 CFS FROM PREDEVELOPED CONDITIONS, AS SHOWN IN THE PRE TO POST SWM SUMMARY ON THIS SHEET. THE INITIAL DESIGN ASSUMED A 10-YEAR POST DEVELOPED PEAK RUNOFF RATE OF 8.74 CFS, PER C-FACTOR OF 0.85. POST DEVELOPED CONDITIONS WILL BE IN COMPLIANCE WITH SWMO SECTION 124-5-6 B AND ADDITIONAL COMPUTATIONS WILL BE PROVIDED WITH THE SITE PLAN TO SATISFY FLOOD PROTECTION REQUIREMENTS PER SWMO SECTION 124-5-6.

EXTENT OF DRAINAGE AREA TO EXISTING WET POND B (WP0303) IS SHOWN ON THIS SHEET PER #4333-SP-047-2 AND ON SHEET 8. THE ENTIRE SITE AREA IS ENCOMPASSED IN THE OVERALL DRAINAGE AREA TO WET POND B AND THE LIMITS OF THE DRAINAGE AREA WILL NOT BE ALTERED AS A RESULT OF THE PROPOSED DEVELOPMENT. STORMWATER ORDINANCE DETERMINATION #5344-SWOD-002-1, DATED 2/29/16, HAS BEEN APPROVED 4/12/16 BY FAIRFAX COUNTY TO BE GRANDFATHERED UNDER THE STORMWATER MANAGEMENT PROVIDED FOR THE OVERALL DEVELOPMENT.

BOHLER ENGINEERING

SITE CIVIL AND CONSULTING ENGINEERING
 LAND SURVEYING PROGRAM MANAGEMENT LANDSCAPE ARCHITECTURE
 SUSTAINABLE DESIGN PERMITTING SERVICES TRANSPORTATION SERVICES

NEW YORK, NY
 NEW JERSEY
 NEW HAMPSHIRE
 MASSACHUSETTS
 CONNECTICUT
 PENNSYLVANIA
 MARYLAND
 VIRGINIA
 NORTH CAROLINA
 SOUTH CAROLINA
 GEORGIA
 ALABAMA
 MISSISSIPPI
 LOUISIANA
 ARIZONA
 CALIFORNIA
 TEXAS
 FLORIDA

REVISIONS

REV	DATE	COMMENT	BY
1	11/10/15	REV. PER COUNTY COMMENTS	GRP
2	02/26/16	REV. PER COUNTY COMMENTS	NTG
3	04/08/16	REV. PER COUNTY COMMENTS	NTG
4	05/06/16	REV. PER COUNTY COMMENTS	NTG

THE FOLLOWING STATES REQUIRE NOTIFICATION BY EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN THE STATES OF VIRGINIA, MARYLAND, THE DISTRICT OF COLUMBIA, AND DELAWARE CALL: (VA) 1-800-245-4849 (PA) 1-800-245-1783 (DC) 1-800-251-7777 (MD) 1-800-552-7001 (DE) 1-800-292-8559

NOT APPROVED FOR CONSTRUCTION

PROJECT NO.:	S152053
DRAWN BY:	NTG
CHECKED BY:	DBL
DATE:	10/14/15
SCALE:	1"=20'
CAD I.D.:	SEC

SPECIAL EXCEPTION AMENDMENT PLAT

FOR

GOLDEN BROOK, LLC

LOCATION OF SITE
 CHANTILLY PLACE SHOPPING CENTER
 CHANTILLY, FAIRFAX COUNTY, VA

BOHLER ENGINEERING

22638 DAVID DRIVE, SUITE 250
 STERLING, VIRGINIA 20164
 Phone: (703) 709-9500
 Fax: (703) 709-9501
 VA@BohlerEng.com

COMMONWEALTH OF VIRGINIA

DAVID LOGAN
 Lic. No. 43616
 05/08/16
 PROFESSIONAL ENGINEER

PRELIMINARY STORMWATER MANAGEMENT PLAN

SHEET NUMBER: **6**

DESCRIPTION OF THE APPLICATION

The applicant requests approval to amend a Special Exception, previously approved to permit a service station/mini-mart, car wash, drive-in financial institution, fast-food restaurants, hotel, vehicle rental establishment, and an increase in building height, on approximately 50 acres known as the Chantilly Place Shopping Center, zoned C-6 and WS, and consisting of several parcels. The proposed SEA would permit an additional fast-food restaurant with drive-through on one of the parcels that was subject to the prior SE, consisting of 1.42 acres, and would apply only to that parcel; the remaining SE parcels would not be affected.

Figure 1 – Details of Proposed Use.	
Use:	Fast-food restaurant with drive-through
Number of Seats:	Approximately 150
Gross Floor Area (GFA):	5,600 sq ft
Floor Area Ratio (FAR):	0.09
Building Height:	+/-30 ft
Hours of Operation:	24 hours, 7 days/week
Employees:	Maximum of 20 at one time
Parking Spaces:	35 spaces (3 ADA accessible)

Staff's proposed development conditions, the applicant's affidavit, and the applicant's Statement of Justification are included in Appendices 1, 2 and 3, respectively.

LOCATION AND CHARACTER

The Chantilly Shopping Center lies in the northeast quadrant of the intersection of Willard Road and Route 28. The shopping center consists of 50 acres, containing the Dulles Expo Center, Wal-Mart Supercenter, Holiday Inn, a strip center featuring storefront retail, and several freestanding fast-food and traditional restaurants, most located in what is designated a "fast-food court" (in the southwestern portion of the shopping center). A service station/car wash also lies within the shopping center, along

Willard Road. The current Special Exception Amendment application would only affect a 1.42-acre portion (Parcel 6) of the original 49.75-acre Special Exception area, located at the intersection of Willard Road and Chantilly Shopping Center Drive, which is currently undeveloped except for some surface parking associated with a common parking lot.



Figure 2: Project location and adjacent uses.

Zoning and Adjacent Uses

The Chantilly Shopping Center, which surrounds the application property to the north, east, and west, is zoned C-6. Brookfield Office Park, to the south of Willard Rd., is zoned I-5 and is occupied by office, light industrial uses, and a Post Office. Within the Chantilly Shopping Center, adjacent uses include a service station/quick service food store/carwash to the west; a recently constructed Greene Turtle restaurant to the north; and a Holiday Inn to the northwest; all of which front on a common parking area. The strip shopping center, located across Chantilly Shopping Center Drive to the east, features its own parking area.

Figure 3: Surrounding Use Descriptions			
Direction	Use	Zoning	Comprehensive Plan Recommendation
North	Greene Turtle restaurant, Holiday Inn, Expo Center, Wal-Mart	C-6	Mixed Use
West	Service Station/Quick-Service Food Store/Car Wash		
East	Strip Retail Center		
South (across Willard Rd.)	Brookfield Office Park (Office and accessory uses), Post Office	I-5	Mixed Use and Public Facility

ZONING BACKGROUND

The shopping center was developed in 1989. The property has been subject to the following zoning approvals (proffers, plans and development conditions are on file with DPZ):

- **RZ 88-S-026** (October 30, 1989): The Board of Supervisors rezoned 50 acres (including the subject property) to C-6 to permit the development of the retail center, including a restaurant park and one or more office buildings, up to a maximum FAR of 0.35, subject to proffers dated October 27, 1989. A concurrent Special Exception approval (**SE 88-S-077**) permitted a service station with quick service food store, car wash, fast-food restaurants with drive-through windows, up to two drive-in banks, and an increase in building height to 75 feet for the potential office buildings, subject to development conditions.
- **PCA 88-S-026** and **SEA 88-S-077** (December 6, 1993): The Board amended the approved proffers and Special Exception Plat to expand the permitted size of the previously-approved food store and car wash. The associated proffers (dated November 17, 1993) revised Proffer 22 only, and otherwise left prior proffers intact, while the development conditions superseded the previous conditions on the entire SE area. The approved SEA Plat only dealt with the food store/car wash uses and left the previous SE Plat in effect for the remainder of the site.

- **SEA 88-S-077-02** (May 18, 1998): The Board approved a Special Exception amendment to permit the addition of 961 square feet of land area to the service station/food store/car wash site in order to allow two additional pump islands and expanded canopy. This amendment also formally changed the use from a service station/quick-service food store/car wash to a service station/mini-mart/car wash. The associated development conditions superseded the previous conditions on the entire SE area, while the approved SEA Plat only dealt with the service station/food store/car wash uses and left the previous SE Plat in effect for the remainder of the site.
- **PCA 88-S-026-02** and **SEA 88-S-077-03** (June 8, 1998): The Board amended the approved proffers to permit two hotels at the retail center and amended the SE to allow a height increase to 75 feet for the hotel uses. The approved proffers (dated April 16, 1998) were in addition to previously-approved proffers, and the associated SEA Plat and development conditions superseded the previous plat and conditions on the entire SE area.
- **SEA 88-S-077-04** (July 21, 2003): The Board approved a Special Exception Amendment to permit a vehicle rental establishment to be located within the retail building on parcel F-2. The associated SEA Plat and development conditions dealt only with the proposed vehicle rental establishment, and were in addition to the previous SE Plat and conditions.
- **SEA 88-S-077-05** (September 25, 2012): The Board approved a Special Exception Amendment to permit a freestanding sign along Route 28 to exceed the normally permitted sign area. The associated SEA Plat and development conditions dealt only with the proposed sign, and were in addition to the previous SE Plat and conditions.
- **PCA 88-S-026-03** and **SEA 88-S-077-06** (October 8, 2013): The Board amended the approved GDP and proffers, and approved a Special Exception Amendment, to permit an option to expand and reconfigure the existing service station, quick service food store and car wash. The SEA applied to only the 1.45-acre service station parcels (now Parcels 9 and 10), while the concurrent PCA applied to 4.07 acres, including the subject parcel (now Parcel 6), and included proffer language that would also permit future relocation of Building I, as shown on the original GDP, outside of the 1.45-acre SEA parcel. This proffer change allowed the future by-right development of the Greene Turtle restaurant on Parcel 19 (as a "relocation" of Building I). The amended proffers (dated September 5, 2013) applied only to the 4.07-acre PCA area, and otherwise left the prior proffers intact. The SEA Plat and conditions only applied to the 1.45-acre SEA area, and left the prior SE Plat and conditions in effect on the rest of the original SE area.

Site Layout and Circulation:

The proposed 5,600 square-foot fast-food restaurant with drive-through would be located in a currently undeveloped portion of the parcel, with parking provided for the use on-site. The parking area would also connect to the large common parking lot that provides parking to the surrounding uses, and provides a source of additional parking for the use, if needed. The primary access location for the restaurant would be via Chantilly Shopping Center Drive, from which directional signage would direct drive-thru customers to the appropriate drive aisle, which provides a straight path to the drive-thru entrance. A long double drive-thru access aisle would be constructed along the Willard Road frontage, separated from the roadway by the existing line of street trees that would be retained. The proposed drive-thru aisle tapers to one lane after the ordering stations, and would wrap around the east side of the building – allowing clearance to retain existing street trees along Chantilly Shopping Center Drive. The aisle exits to the north of the building, close to the exit point of the property back onto Chantilly Shopping Center Drive. A screened dumpster enclosure is proposed near the exit of the drive-thru aisle.

Access Improvements:

Upon analysis of both the existing and proposed traffic volumes entering and exiting the shopping center at the Willard Road and Chantilly Shopping Center Drive intersection, it was determined that an additional dedicated turn lane right-turn lane on Willard Road would be warranted.

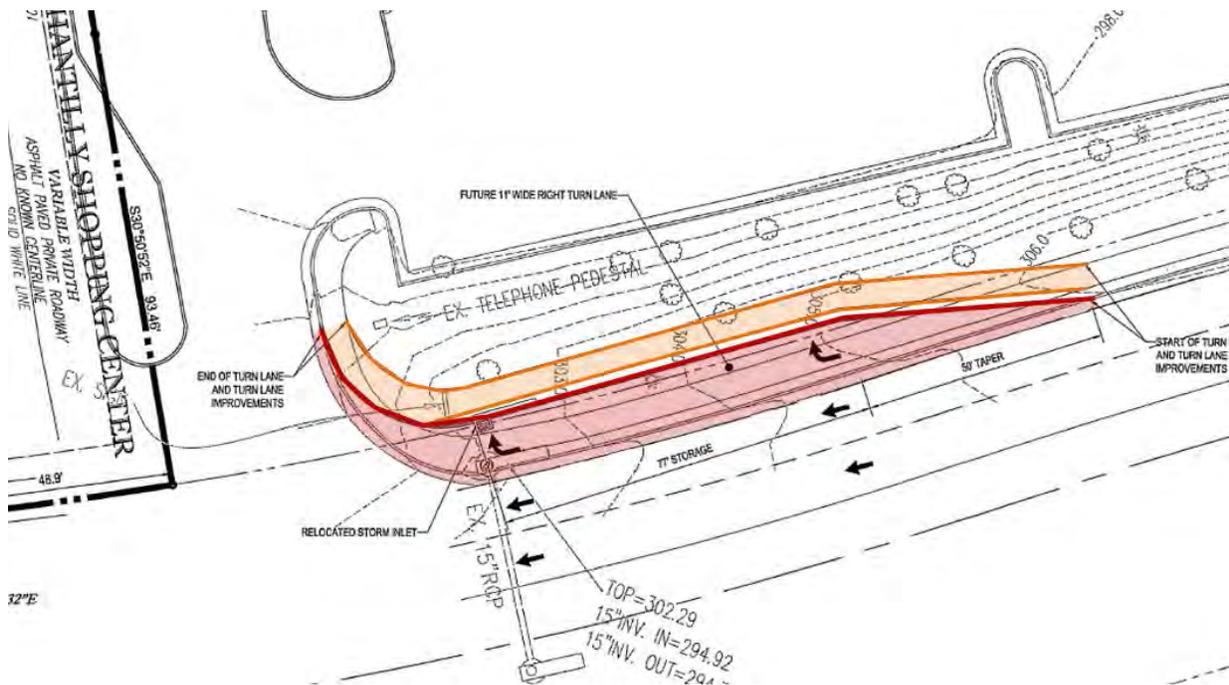


Figure 5: Proposed turn lane and sidewalk relocation on Willard Road.

Construction of a turn lane is included in the proposal, although existing constraints along that frontage made construction of a full-length 100-foot (plus 100-foot taper) VDOT turn lane impractical. In coordination with VDOT and FCDOT, an abbreviated 77-foot turn lane, with 50-foot taper, is proposed to be constructed, as detailed on Sheet 9 of the SEA Plat. Additional pedestrian connections are also proposed along Willard Road, and to the north of the site.

Landscaping and Tree Preservation:

The majority of the existing site vegetation consists of street trees, located within utility easements along Willard Road and Chantilly Shopping Center Place. Trees located within utility easements are not eligible for tree preservation credit (since they are subject to possible removal for utility work in the future), and there is little other quality vegetation on the site; therefore, the Applicant has requested a deviation from the Tree Preservation requirements of the PFM, as described in a request letter included on Sheet 2 of the SEA Plat. The existing street trees would be preserved, even though they cannot be claimed for preservation or canopy credit. Tree Canopy and landscaping requirements would be met through planting of new vegetation on the site, as shown on the Landscape Plan (Sheet 5 of the SEA Plat).

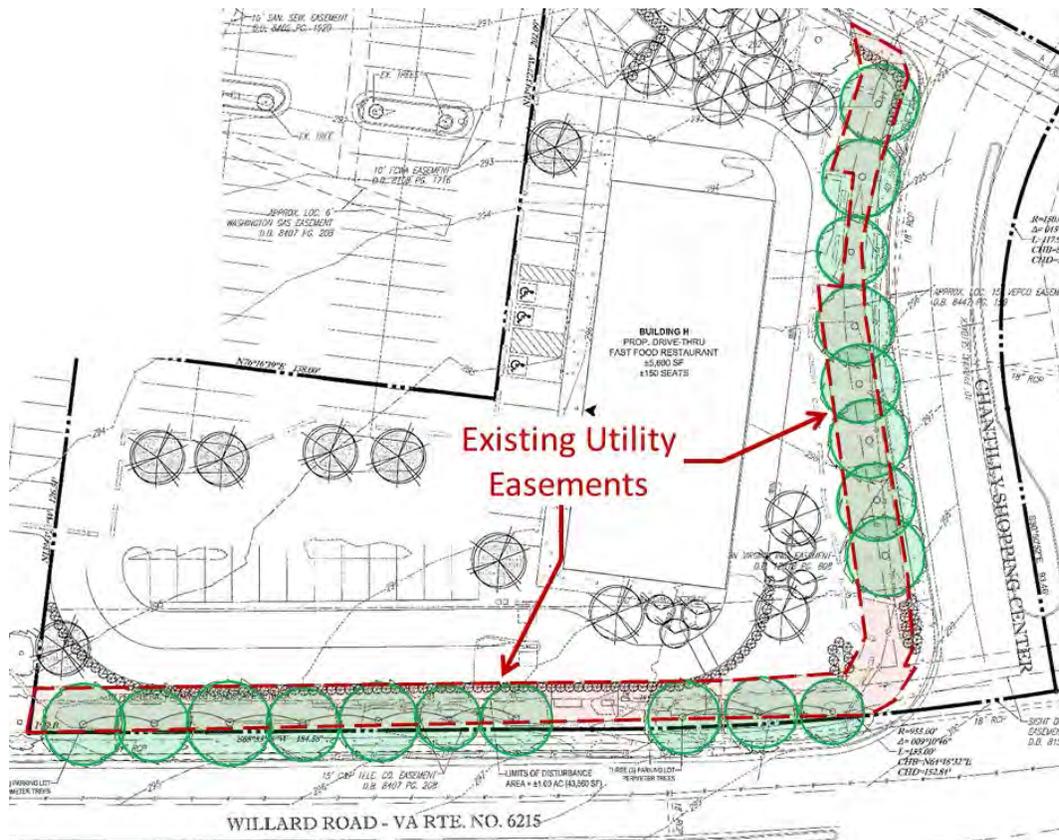


Figure 6: Existing street trees, located within VEPCO easement.

Stormwater Management:

Stormwater Management requirements for the site, including additional Watershed Quality Protection Overlay requirements, are proposed to be achieved by utilization of the regional wet pond for the overall development, which was designed in anticipation of the development of this parcel. Preliminary calculations, demonstrating compliance with applicable County and State regulations, are provided on Sheets 6 to 8 of the SEA Plat.

Requested Waivers and Modifications:

- Direction to the Director of DPWES to approve:
 - Deviation of tree preservation target, per PFM Sect. 12-0508.3A.

Coordinated Site Plans

Chantilly Shopping Center has been subject to a series of coordinated site plans since the initial development of the property in 1989. Subsequent additions to the site plan have included updated tabulations for demonstrating that the parking, open space, landscaping, and other requirements of the original plan for the overall shopping center remain in compliance with the zoning approvals. Any site plan associated with the current proposal would also be expected to demonstrate coordination with and compliance with governing zoning approvals for the overall shopping center. Preliminary tabulations to this effect are included on the SEA Plat.

COMPREHENSIVE PLAN GUIDANCE (Appendix 5)

(Fairfax County Comprehensive Plan, 2013 Edition, Dulles Suburban Center, Amended through 10-20-2015)

Plan Area:	III
Planning District:	Bull Run
Planning Sector:	BR3 – Flatlick
Special Area:	Dulles Suburban Center – Land Unit E-3
Plan Map:	Mixed Use

Area Plan:

The area plan contains specific language for this site, calling for a mixed-use center containing office, retail, an exhibition center, and a hotel, at a maximum FAR of 0.70. Any development above 0.35 FAR should address traffic on the surrounding roadways and include a grid of streets that promotes safe and improved vehicular and pedestrian circulation. The area plan does not directly address auto-oriented uses, although it does recommend a coordinated, high-quality style of architecture.

The Policy Plan contains additional guidance for drive-thru facilities that emphasizes safe drive-thru circulation and pedestrian systems. A commitment to Green Building certification is also expected by the Policy Plan for new development within Suburban Center areas.

ZONING ORDINANCE PROVISIONS (Appendix 4)

Drive-through fast-food uses are permitted by-right in the C-6 District, if located within a common shopping center building that contains at least six other uses. The proposed fast-food establishment would be considered part of a larger shopping center, but would occupy its own structure; therefore, the use requires a Category 5 Special Exception (per Sect. 9-501, Par. 11). The proposal is subject to General Standards for all Special Exceptions (Sect. 9-006), Evaluation Standards for all Category 5 Uses (Sect. 9-503), and Additional Standards for Fast-food Restaurants (Sect. 9-505). The Water Supply Protection (WS) Overlay District also applies to this parcel, which requires any development to reduce projected phosphorus runoff by one-half (the typical requirement for new development is a 40 percent reduction). Other standard Zoning Ordinance provisions and Public Facility Manual (PFM) requirements apply, including those pertaining to Parking and Loading, Landscaping and Screening, Tree Cover, Stormwater Management, and others.

STAFF ANALYSIS

COMPREHENSIVE PLAN (Appendix 5)

The proposed use is in conformance with the Comprehensive Plan, as a component of the mixed-use center, and the resulting FAR of the center would remain within the Plan recommended range. The applicant has designed a drive-through facility that provides a logical and efficient traffic circulation, and proposes to install directional signage to provide additional guidance to drive-through customers. The proposal includes construction of a dedicated right-turn lane on Willard Road, to further ensure that traffic entering and exiting the site may be accommodated with no negative impacts to the local transportation infrastructure.

The Area Plan for the Dulles Suburban Center envisions high-quality design, landscaping, architecture, signage, and lighting. No specific details are provided on the SEA Plat with regards to building architecture, signage design, and/or lighting to demonstrate that the proposal would conform to that Plan language. The Applicant does not yet have a specific tenant confirmed for the space, and is not yet prepared to offer specific architectural or signage details, but has agreed to proposed Development Conditions that require all four sides of the proposed building be architecturally treated in a style compatible with the character of the remainder of the shopping center (utilizing

either brick, tile, concrete tile, masonry block, glass and/or metal materials) and to use compatible materials for all directional signage associated with the use..

Green Building guidance of the Policy Plan has been addressed by a proposed Development Condition, developed in collaboration between County staff and the Applicant, which requires the project to implement a variety of Green Building measures. In summary, staff believes that the proposal generally conforms to Area Plan guidance, and the applicant has sufficiently addressed applicable Policy Plan recommendations.

CONFORMANCE WITH GOVERNING APPROVALS

The subject property remains subject to proffers and a Generalized Development Plan (GDP) associated with **RZ 88-S-026**, as well as a Special Exception (SE) Plat and Development Conditions that were approved concurrently with the rezoning. Both approvals have been amended through the years, with the current controlling versions shown in Figure 7, below. All referenced proffers and development conditions are on file and available for public review with the Zoning Evaluation Division of the Department of Planning and Zoning.

The current GDP/SEA Plat (approved with **PCA 88-S-026-2 / SEA 88-S-077-03** in 1998) designates a 75-foot office building (Building H) on the subject parcel. Notations on the GDP/SEA, and in the proffers, however, provide that other by-right C-6 uses may be substituted, as long as they conform to the building footprints shown on the plan and meet applicable parking requirements of the Zoning Ordinance. Fast-food restaurants are permitted by-right in the C-6 District (subject to limitations); therefore, the proposed use would remain in conformance with the GDP/SEA Plat for the property.

Additional proffers associated with the prior rezonings require proposed fast-food restaurants be compatible with the character and architecture of the remainder of the site, and require all dumpsters on the site be enclosed using materials similar to the adjacent buildings. A landscape proffer requires landscaping along Willard Road, as well as landscaping in excess of Zoning Ordinance requirements around the perimeter of the site and at site entrances. Development conditions associated with the Special Exception approvals reinforce the proffers on building materials and landscaping. Applicable development conditions will be carried forward with the current application.

Figure 7: Current Governing Documents for the Property			
	Case Number	Date	Description
Proffers	RZ 88-S-026	Oct. 27, 1989	Remain in effect, subject to amendments below.
	PCA 88-S-026	Nov. 17, 1993	Minor edits, do not effect current application.
	PCA 88-S-026-2	Apr. 16, 1998	
	PCA 88-S-026-3	Sept. 5, 2013	Allowed relocation of Building I, deleted Proffers 5 and 22.
Development Plan/SE Plat	GDP 88-S-026-02/ SEA 88-S-077-03	Mar. 17, 1998	Superseded previous GDP/SE Plat for entire RZ/SE area, remains in effect on application parcel
Development Conditions	SE 88-S-077-03	June 8, 1998	Superseded previous on entire SE area, remain in effect.
	SEA 88-S-077-04	July 21, 2003	In addition to previous, do not affect current application.
	SEA 88-S-077-05	Sept. 25, 2012	

ZONING ORDINANCE PROVISIONS (Appendix 4)

As described earlier in this report, the proposed freestanding fast-food use with drive-through is permissible in the C-6 Zoning District, subject to a Category 5 Special Exception (per Sect. 9-501, Par. 11). As reflected in Figure 8, below, the proposal would satisfy all applicable bulk and setback requirements of the C-6 District.

Figure 8: ZONING ORDINANCE PROVISIONS (Sect. 4-600, Articles 7, 9, 11, 13)		
Standard	Required	Provided
Min. Lot Area	40,000 sq. ft.	61,647 sq. ft.
Min. Lot Width	200 ft.	+/-330 ft.
Max. Bldg. Height	40 ft.	+/- 30 ft.
Front Yard (Willard Rd.)	45° bulk plane, not less than 40 ft.	40 ft.
Rear Yard (N. Line)	20 ft.	70 ft.
F.A.R.	0.40 (per Ordinance) 0.35 (per proffers)	0.09
Open Space	15%	20%
Parking Spaces	3.6 spaces per 1000 sf (21 spaces)	35 spaces (32 regular + 3 ADA accessible)
Loading Spaces	1 space	1 space
WS Overlay Requirement	50% phosphorus reduction	50% phosphorus reduction (minimum)

The requested Category 5 Special Exception requires conformance with several categories of evaluation standards, as described below:

General Standards for all Special Exceptions (Sect. 9-006)

In addition to specific standards for particular uses, all special exception uses shall satisfy the following general standards:

Standard 1: *The proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan. As discussed previously in the Staff Analysis section of this report, the proposed use is in harmony with the Comprehensive Plan. Staff considers this standard met.*

Standard 2: *The proposed use shall be in conformance with the general purpose and intent of the applicable zoning district regulations. The C-6 District is intended to*

provide locations for retail commercial and service uses, oriented to serve several neighborhoods, and ideally developed in compact centers that are planned together as a unit. Staff feels that the proposed fast-food use will serve the neighboring Expo Center and office uses, and is a component of a planned commercial center, and satisfies this standard.

Standard 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.* The location and orientation of the proposed building conforms to the original GDP, and therefore is in harmony with the overall plan for the shopping center. The site design has reserved area to preserve existing street trees along Willard Road and Chantilly Shopping Center Drive, and includes additional trees and landscaping that would screen the dumpster facilities from neighboring uses. A proposed development condition requires the building character and materials to conform to those of the surrounding shopping center, to ensure that the use appears integrated with the remainder of the shopping center. Staff finds that the proposed use will not hinder the use or development of neighboring properties, and considers this standard satisfied.

Standard 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.* The primary vehicular access to the site is via Chantilly Shopping Center Drive. In order to ensure that the additional traffic generated from the use does not adversely impact the Chantilly Shopping Center Drive / Willard Road intersection, the applicant has agreed to install a 77-foot long right-turn lane (with 50-foot taper) on west-bound Willard Road, which provides access to the shopping center. The right turn-lane should mitigate the possibility of westbound drivers on Willard Road being hindered by vehicles slowing to turn into the shopping center.

Within the site, access to the drive-through lanes would be directed, via directional signage, to the third drive aisle (as they enter from Chantilly Shopping Center Drive), providing a direct path to the drive-through entrance, which should then be easily visible to drivers. The extended drive-through lanes provide stacking spaces for 22 vehicles, which exceeds Ordinance requirement for 16 spaces, in order to further prevent the possibility of spill-over into the parking lot. If spill-over were still to occur, the separation of the drive-through entrance from the building would prevent such vehicles from impacting other vehicles parking in the lot, or pedestrians accessing the restaurant entrance.

Pedestrian access has also been addressed by including offsite sidewalk connections to the north and south of the site, to encourage pedestrians to utilize the sidewalk rather than walking in drive aisles. Staff considers this standard satisfied.

Standard 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.* There are no Article 13 screening or barrier requirements for the proposed use, since it adjoins other commercial uses. Interior parking lot landscaping is provided to satisfy Ordinance requirements, and the existing street trees provide peripheral parking lot landscaping along Willard Road. Peripheral parking lot landscaping is not required to neighboring shopping center uses, since they share a larger, coordinated parking area. Staff considers this standard satisfied.

Standard 6: *Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.* The proposed open space percentage of 20 percent exceeds the Ordinance requirement of 15 percent in the C-6 District, which satisfies this standard.

Standard 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.* Parking for the proposed use would be accommodated on the subject property, but also is included in calculations for the larger Chantilly Shopping Center, which is subject to a common site plan. Proffers and development conditions associated with the approvals require any revision to the site plan demonstrate that adequate parking is maintained for the entire shopping center.

The proposed drive-through fast-food restaurant, being a component of a larger shopping center, is subject to the shopping center parking rate of 4.8 spaces per 1,000 gross square feet, resulting in a requirement of 27 spaces. The proposal includes 35 spaces (3 of which would be ADA accessible spaces) and satisfies the requirements of the Zoning Ordinance. Sheet 3 of the SEA Plat contains detailed parking tabulations for the entire shopping center, which demonstrate that available parking at the shopping center (2,948 spaces) remains well above the minimum requirement (2,039 spaces) for the combination of uses. One loading space is also proposed for the use, as is required by the Zoning Ordinance, to be located adjacent to the dumpster enclosure, providing adequate truck access and a sidewalk connection to the building. Staff considers this standard satisfied.

Standard 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.* No specific freestanding or building-mounted signage is included on the

SEA Plat, although a possible location for a future freestanding shopping center sign is designated at the Willard Road/Chantilly Shopping Center Drive intersection. The shopping center currently has no allowance for an additional sign in this location, but reserves the right on the SEA Plat to place one there if the situation changes in the future. Proposed directional signage for the drive-through is depicted on the SEA Plat, both on and off-site, which would be allowed without a permit, in accordance with the Sect. 12-103 of the Zoning Ordinance. Staff considers this standard satisfied.

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

In addition to the general standards set forth in Sect. 9-006 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.* As described previously in this report, the proposal complies with the lot size and bulk requirements of the C-6 District.
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.* The proposed use is required to comply with all applicable performance standards contained in Article 14 of the Ordinance.
3. *Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.* The proposed use shall be subject to site plan provisions, as specified in a proposed Development Condition.

Additional Standards for Fast-food Restaurants (Sect. 9-505)

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.* A proffered commitment associated with the site, as well as a proposed development condition, require that the proposed building feature architectural treatment on all four facades that is in character with the remainder of the shopping center.
 - B. *Such a use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties.* Vehicular circulation is coordinated with the existing layout of the parking lot, with directional signage conveying the intended access route to the drive through – which aligns with an existing drive aisle. Pedestrian connections are proposed to connect to existing sidewalks, which also allow direct and logical pedestrian access to the use.

- 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.* The separation of the drive-through lane from the building entrance and front parking area ensures that access to the building and parking spaces is not affected by drive-through traffic. The proposed drive-through lanes offer more stacking spaces than are required by the Zoning Ordinance, as additional protection against traffic impacts to the parking lot and site circulation.
- 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.* The proposal accommodates the use on the site while allowing for additional parking and stacking spaces in excess of minimum requirements, as well as sufficient area to preserve existing street trees along both road frontages. There are no residential areas in the vicinity of the shopping center, so there would be no adverse impact on any residences.
- 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.* The proposed use is not a drive-through pharmacy, so this standard does not apply.

Staff considers all Additional Standards for Fast-food uses satisfied.

Watershed Supply Protection Overlay District (WSPOD) (Sect. 7-800)

The subject property is located in an area that is subject to WSPOD regulations, which impose a higher water quality standard on development projects within the overlay area, in order to prevent degradation of public water supply reservoirs. The regulations require any development, or redevelopment, include Best Management Practices (BMPs) that reduce phosphorus runoff from the site by 50 percent (the phosphorus reduction requirement for new development, per the Stormwater Management Ordinance, is typically 40 percent). Chantilly Shopping Center was originally developed with regional wet ponds (located on Parcel D1) that provide both Stormwater Management and Water Quality protection for the entire shopping center. The current proposal intends to utilize the existing wet ponds, as originally intended, to comply with applicable Stormwater Management and Water Quality requirements. Preliminary

calculations are included on Sheets 6-8 of the SEA Plat, which demonstrate compliance with applicable requirements.

Tree Preservation and Canopy Coverage (PFM Sect. 12)

As described in the Description of the Proposal section of this report, the existing street trees to be preserved are located within utility easements and are not eligible to receive preservation credit, although there is little to no other quality vegetation on the site. Citing PFM Sections 12-0508.3A(2 and 3), which allow a deviation to the tree preservation target if it would require preservation of trees that do not meet quality standards, or if construction activities could be expected to impact existing trees, the Applicant is requesting a Deviation of the Tree Preservation requirement. Staff does not object to the Deviation request, subject to a proposed development condition that would require the Applicant to continue to maintain the street trees and/or replace the trees (with species acceptable to the UFMD of DPWES) as might be necessary in the future, due to either natural factors or utility work within the easements. Ten-year tree canopy requirements of the PFM, which require 10 percent coverage of a development site in the C-6 District, would be met through planting of new trees on the property, as depicted on the Landscape Plan (Sheet 5 of the SEA Plat).

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Staff finds that, subject to development conditions, the proposal to permit a drive-through fast-food establishment in a C-6 District would be in harmony with the Comprehensive Plan and in conformance with applicable Zoning Ordinance provisions.

Staff Recommendations

Staff recommends that the Board of Supervisors approve application SEA 88-S-077-07, subject to the proposed Development Conditions contained in Appendix 1.

Staff recommends approval of the following waivers and modifications:

- Direction to the Director of DPWES to approve:
 - Deviation of tree preservation target, per PFM Sect. 12-0508.3A.

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

It should be further 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 Special Exception Amendment does not interfere with, abrogate, or annul any easement, covenant, or other agreement between parties, as they may apply to the property subject to this application.

APPENDICES

1. Proposed SEA Development Conditions
2. Affidavit
3. Statement of Justification
4. Zoning Ordinance Provisions
5. DPZ – Comprehensive Plan/Environmental Analysis
6. FCDOT - Transportation Analysis
7. UFMD - Urban Forest Management Analysis
8. DPWES - Stormwater Management Analysis
9. Glossary of Terms

PROPOSED DEVELOPMENT CONDITIONS
SEA 88-S-077-07
June 15, 2016

If it is the intent of the Board of Supervisors to approve SEA 88-S-077-07, located at Chantilly Shopping Center, Tax Map 44-1((09))-6 (the "Property"), to permit a fast food restaurant with drive-through, pursuant to Sect. 9-505 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance by Golden Brook, LLC, its successors and assigns (collectively the "Applicant") with the following development conditions. These conditions supersede conditions previously approved with SEA 88-S-077-03 and amended by SEA 88-S-077-04 and SEA 88-S-077-05, as to this Property only. Previous conditions carried forward, or with only minor updates, are marked with an asterisk (*). Previously approved development conditions applicable to portions of the Special Exception area not subject to this SEA shall remain in full force and effect.

1. This Special Exception Amendment ("SEA") is granted for and runs with the land indicated in this application, and is not transferable to other land. *
2. This SEA is granted only for the purpose(s), structure(s) and/or use(s) indicated on the SEA Plat approved with this application, as qualified by these development conditions. *
3. This SEA is subject to the provisions of Article 17, Site Plans. Any plan submitted in conjunction with this approval shall be in substantial conformance with the approved SEA Plat, consisting of nine (9) sheets, entitled "Special Exception Amendment Plat for Golden Brook, LLC", prepared by Bohler Engineering and dated October 14, 2015, as revised through May 6, 2016, and these conditions. Outdoor seating/dining for the proposed fast-food restaurant shall be permitted on the Property within the building envelope area depicted on the SEA Plat, provided adequate parking is provided, per the Zoning Ordinance. Minor modifications to the approved SEA Plat shall be permitted, as determined by the Zoning Administrator, pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance. *
4. Subject to approval by VDOT, and prior to receiving a Non-RUP for the fast food use, the applicant shall complete construction of an approximately 130 foot long (including taper) right turn lane on westbound Willard Road, at its intersection with Chantilly Shopping Center Drive, as shown on Sheet 9 of the SEA Plat.
5. As committed by proffer in RZ 88-S-026, and prior development conditions, the building facades and related structures (including dumpster enclosures and signage) shall be compatible with the character and architecture of the remainder of the shopping center, to be determined at the time of building plan review. All four sides

of the fast food restaurant building shall be architecturally treated, and building façade materials may include brick, tile, concrete tile, masonry block, glass and/or metal. *

6. A parking tabulation for the entire shopping center site shall be included on any site plan associated with this SEA and approved by DPWES prior to final site plan approval. No Non-Residential Use Permit (Non-RUP) for the use shall be issued unless it has been demonstrated that parking for the entire shopping center can be provided in accordance with the Zoning Ordinance, as determined by DPWES. *
7. Directional signage (as permitted by Article 12) shall be provided, as generally depicted on the SEA Plat, and as determined necessary to facilitate orderly traffic flow to and from the drive-through. Such directional signage shall be of compatible materials, and of consistent character with the architectural treatment of the shopping center. *
8. Landscaping for the proposed fast food use shall be provided in substantial conformance with the Landscape Plan shown on the SEA Plat. Any tree or shrub determined to negatively impact existing utility easements or sight distance shall be replaced with planting(s) of an appropriate size or relocated elsewhere on the site with an equal size and quantity, as determined by the Urban Forest Management Division (UFMD) of DPWES. All landscaping shall be maintained in good condition and/or replaced, as needed, for the life of the SEA. *
9. All street trees shall be considered required landscaping, and shall be maintained and/or replaced (with species acceptable to UFMD), as needed, to maintain the streetscape shown on the SEA Plat.
10. The fast food restaurant owner/operator shall be responsible for daily removal of litter on the Property.
11. Green Building Commitment:
 - (i) The Applicant shall include, as part of the site plan submission for the Building, a statement certifying that a LEED-accredited professional who is also a professional engineer or a licensed architect is a member of the design team ("LEED-AP"), and that the LEED-AP is working with the team to incorporate the green building elements identified below, or equivalent green building elements, as determined by The Environment and Development Review Branch (EDRB) of DPZ.
 - (ii) Prior to building plan approval for the Property, the Applicant shall execute a separate agreement and post a "green building escrow," in the form of cash or a letter of credit from a financial institution acceptable to DPWES and defined in the Public Facilities Manual. The amount of the escrow shall be \$2.00 per square

foot of gross floor area of the building. The green building escrow shall be in addition to and separate from other bond requirements, and shall be released prior to final construction bond release, once the following conditions have been met:

- a. The LEED-AP has submitted a certification statement, including supporting documentation, confirming that the green building elements listed below, or approved equivalent green building elements, have been incorporated into the design and construction of the Building.
- b. EDRB concurs with and accepts the certification statement.

If the Chief of EDRB does not concur or accept the certification statement, and a review of the documentation determines that the green building elements listed below have not been implemented or included in the design and construction of the project, then the Chief of EDRB shall notify the Applicant's LEED-AP. The Applicant's LEED-AP and the Chief of EDRB shall discuss the potential deficiencies and develop appropriate resolutions, which may include substitute techniques or elements that achieve the same intended sustainability or energy conservation benefits, or their equivalent. Thereafter, if the Applicant fails to take the necessary corrective actions and have the Applicant's LEED-AP submit a revised certification statement with supporting documentation within 90 days, then the entirety of the green building escrow for the property shall be released to Fairfax County and shall be posted to a fund within the county budget supporting implementation of county environmental initiatives. However, if the necessary corrective actions cannot be completed within 90 days, and the Applicant can provide documentation in support of this, then the time period may be extended as determined appropriate by the Zoning Administrator and no release of escrowed funds shall be made to either the Applicant or the county during this time period.

(iii) Green building elements:

The fast food restaurant (the "Building") shall have incorporated into its building program the following green building elements, which are based on the principles of the U.S. Green Building Council's ("USGBC") Leadership in Energy and Environmental Design for new construction ("LEED-NC") rating system; or such other equivalent green building elements from LEED-NC or an alternative rating system that may be applicable at the time of the Building's design, as determined in consultation with the Environment and Development Review Branch of DPZ ("EDRB"). All required documentation referenced below shall be provided with the certification statement, and accepted by EDRB, as described in section (ii), above.

- (a) The Applicant shall provide a secure bicycle rack for bicycles, with a total number of bike parking spaces consistent with the Fairfax County Policy and Guidelines for Bicycle Parking for a fast food restaurant of this size, as approved by FCDOT at the time of site plan review. The Applicant shall provide proof of installation and plan location.
- (b) The Applicant shall exclusively use regionally adaptive and non-invasive species for new landscape and other new plantings on the Property. The Applicant shall provide a planting list showing species and location of plantings.
- (c) The Applicant shall install on the building a roofing membrane with a Solar Reflectance Index (SRI) appropriate to the slope of the roof (i.e., for a low-sloped roof (<2:12) equal to or greater than 78 for a minimum of 75% of the total roof area; and for a high-sloped roof (>2:12) equal to or greater than 29). The Applicant shall provide proof of installation, roof area calculations and manufacturers' product data.
- (d) The Applicant shall install water-efficient landscaping, as determined by the Urban Forest Management Division ("UFMD"), to be detailed on a landscape plan included with the site plan that lists the species, number, size, and spacing of trees and plant materials, and shall provide proof of installation and the installation date.
- (e) For new lighting installed for the use associated with this SEA, the Applicant shall provide an exterior site lighting system that uses full cutoff fixtures and LED technology to minimize light pollution and reduce energy consumption. The Applicant shall provide lighting specifications and locations.
- (f) The Applicant shall install motion sensor faucets and flush valves, and ultralow-flow plumbing fixtures that have a maximum water usage as listed below. The Applicant shall provide proof of installation and manufacturers' product data.
 - Water Closet (gallons per flush, gpf) 1.28
 - Urinal (gpf) 0.5
 - Showerheads (gallons per minute, gpm*) 2.0
 - Lavatory faucets (gpm**) 1.5
 - Kitchen and janitor sink faucets 2.20
 - Metering faucets 0.25

* When measured at a flowing water pressure of 80 pounds per square inch (psi).
** When measured at a flowing water pressure of 60 pounds per square inch (psi).

- (g) The Applicant shall hire a commissioning authority and develop and incorporate commissioning requirements into the design and construction of the building. The commissioning authority hired by the Applicant shall develop and implement a commissioning plan and verify the installation and performance of the systems to be commissioned, as well as preparing a final report. The Applicant shall provide proof of hiring of the commissioning authority, as well as the final commissioning report.
- (h) The project shall not have any chlorofluorocarbon (CFC) based refrigerants in any of the building systems. The Applicant shall provide manufacturer's specification sheets for any refrigerant installed in the building.
- (i) The project shall benchmark energy usage using the ENERGY STAR Portfolio Manager. The Applicant shall provide a report from Portfolio Manager prior to final bond release.
- (j) The Applicant shall provide an area for the separation, collection and storage of glass, paper, metal, plastic and cardboard generated by both customers and employees. There shall be a dedicated area for the storage of the recycled materials. The Applicant shall provide proof of installation, installation locations and a copy of the Applicant's recycling hauling contract.
- (k) The Applicant shall use low-emitting materials for all adhesives, sealants, paints, coatings, flooring systems, composite wood, and agrifiber products, as well as furniture and furnishings if available. Low-emitting is defined according to the following table:

Application	(VOC Limit g/L less water)
• Carpet Adhesive	50
• Rubber floor adhesive	60
• Ceramic tile adhesive	65
• Anti-corrosive/ anti-rust paint	250
• Clear wood finishes	350

The Applicant shall provide proof of installation and the manufacturers' product data.

- (l) For any carpet, the Applicant shall install carpet and carpet padding that shall meet the testing and product requirements of the Carpet and Rug Institute Green Label Plus Program. The Applicant shall provide proof of installation and the manufacturers' product data.
- (m) For tile flooring, the Applicant shall install vinyl composition tile and rubber tile flooring that shall meet the requirements of the FloorScore certification

program. The Applicant shall provide proof of installation and the manufacturers' product data and certification letter.

- (n) The Applicant shall install only LED or fluorescent lamps in all interior building lighting fixtures. The Applicant shall provide a maximum lighting power allowance of 1.25 watts/square foot (code maximum is 1.5 watts/square foot for retail area and 0.9 watts/per square foot for the service department area). The Applicant shall provide proof of installation, energy usage calculations and manufacturers' product data.
- (o) The Applicant shall install Energy Star appliances and equipment for all refrigerators, dishwashers, water heaters, water coolers, and other appliances (if available). The Applicant shall provide proof of installation, installation locations, and manufacturers' product data, including the Energy Star energy guide.

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 amendment to permit a fast food restaurant with drive-through, expires 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.

SPECIAL EXCEPTION AFFIDAVIT

132558 a

DATE: May 26, 2016
(enter date affidavit is notarized)

I, Geoffrey W. Pence, 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

in Application No.(s): SEA 88-S-077-07
(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)
Golden Brook, LLC(1) Agents: Robert Frank Pence Geoffrey W. Pence Stephen P. Pence	11708 Bowman Green Drive Reston, VA 20190	Applicant/Title Owner
Hunton & Williams LLP(3) Francis A. McDermott John C. McGranahan, Jr.	1751 Pinnacle Drive, Suite 1700 McLean, VA 22102	Attorneys/Agents for Applicant
Susan K. Yantis Elaine O'Flaherty Cox	1751 Pinnacle Drive, Suite 1700 McLean, VA 22102	Planners/Agents for Applicant
Jeannie A. Mathews	1751 Pinnacle Drive, Suite 1700 McLean, VA 22102	Paralegal/Agent for Applicant

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

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Special Exception Attachment to Par. 1(a)

132558a

DATE: May 26, 2016
 (enter date affidavit is notarized)

for Application No. (s): SEA 88-S-077-07
 (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 VA, LLC(4) Agents: David B. Logan, P.E. Brian J. Clifford	22636 Davis Drive, Suite 250 Sterling, VA 20164	Engineers/Agents for Applicant
M. J. Wells and Associates, Inc.(6) Agents: Robin L. Antonucci Kevin R. Fellin Lester E. Adkins, P.E.	1420 Spring Hill Road, Suite 610 Tysons, VA 22102	Traffic Engineers/Agents for Applicant

(check if applicable)

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: May 26, 2016
(enter date affidavit is notarized)

132558a

for Application No. (s): SEA 88-S-077-07
(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)

- (1) Golden Brook, LLC
11708 Bowman Green Drive
Reston, VA 20190

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)

Robert Frank Pence, Manager and Member
Geoffrey W. Pence, Manager
Beverly M. Dietz, Member
TPG Holdings, LLC(2), Member

(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 26, 2016
(enter date affidavit is notarized)

132558 a

for Application No. (s): SEA 88-S-077-07
(enter County-assigned application number (s))

=====

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

(2) TPG Holdings, LLC
11708 Bowman Green Drive
Reston, VA 20190

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)

Geoffrey W. Pence
Stephen P. Pence
Brian F. Pence

=====

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

(4) Bohler Engineering VA, LLC
22636 Davis Drive, Suite 250
Sterling, VA 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)

Bohler Engineering, P.C.(5) Mark R. Joyce
Adam J. Volanth David B. Logan
Daniel M. Duke David B. Nemecek

=====

(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)

132558a

DATE: May 26, 2016
(enter date affidavit is notarized)

for Application No. (s): SEA 88-S-077-07
(enter County-assigned application number (s))

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

(5) Bohler Engineering, P.C.
22636 Davis Drive, Suite 250
Sterling, VA 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)

Adam J. Volanth

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

(6) M. J. Wells & Associates, Inc.
1420 Spring Hill Road, Suite 610
Tysons, VA 22102

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)

M. J. Wells & Associates, Inc. Employee Stock Ownership Trust (ESOT)
(All employees are eligible Plan participants; however, no one owns 10% or more of any class of stock.)

(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 26 2016
(enter date affidavit is notarized)

132558a

for Application No. (s): SEA 88-S-077-07
(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)

(3) Hunton & Williams LLP
1751 Pinnacle Drive, Suite 1700
McLean, VA 22102

(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**)

Lawrence C. Adams	Jeffrey M. Blair	M. Brett Burns
Syed S. Ahmad	Andrew J. Blanchard	P. Scott Burton
Michael F. Albers	J. Tom Boer	Ellis M. Butler
Kenneth J. Alcott	Matthew P. Boshier	Ferdinand A. Calice
Fernando C. Alonso	James W. Bowen	Matthew J. Calvert
Walter J. Andrews	Lawrence J. Bracken, II	Daniel M. Campbell
Chinawat Assavapokee (nmi)	James P. Bradley	Thomas H. Cantrill
L. Scott Austin	David F. Brandley, Jr.	Curtis G. Carlson
Ian Phillip Band	Shannon S. Broome	J. C. Chenault, V
John J. Beardsworth, Jr.	Benjamin P. Browder	Whittington W. Clement
Ryan A. Becker	A. Todd Brown, Sr.	Herve' Cogels (nmi)
Steven H. Becker	Tyler P. Brown	Cassandra C. Collins
Stephen John Bennett	F. William Brownell	Ashley Cummings (nmi)
Melinda R. Beres	Kevin J. Buckley	Alexandra B. Cunningham
Lucas Bergkamp (nmi)	Kristy A. Niehaus Bulleit	Samuel A. Danon
Lon A. Berk	Joseph B. Buonanno	John J. Delionado
Mark B. Bierbower	Nadia S. Burgard	Stephen P. Demm
Stephen R. Blacklocks	Eric R. Burner	Dee Ann Dorsey

(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 Attachment to Par. 1(c)DATE: May 26, 2016
(enter date affidavit is notarized)

132558a

for Application No. (s): SEA 88-S-077-07
(enter County-assigned application number (s))**PARTNERSHIP NAME & ADDRESS:** (enter complete name & number, street, city, state & zip code)(3) Hunton & Williams LLP (Continued)
1751 Pinnacle Drive, Suite 1700
McLean, VA 22102(check if applicable) The above-listed partnership has no limited partners.**NAMES AND TITLES OF THE PARTNERS:** (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)

Edward L. Douma	Kevin M. Georgerian	Timothy L. Jacobs
Colleen P. Doyle	John T. Gerhart, Jr.	Lori Elliott Jarvis
Alison M. Dreizen	Andrew G. Geyer	Matthew D. Jenkins
Sean P. Ducharme	Jeffrey W. Giese	Harry M. Johnson, III
Deidre G. Duncan	Neil K. Gilman	Robert M. Johnson
Roger Dyer (nmi)	C. Christopher Giragosian	James A. Jones, III
Frederick R. Eames	Ryan A. Glasgow	Kevin W. Jones
Heather Archer Eastep	Douglas S. Granger	Laura Ellen Jones
Maya M. Eckstein	Laurie A. Grasso	Dan J. Jordanger
W. Jeffery Edwards	J. William Gray, Jr.	Roland Juarez (nmi)
Marvin W. Ehrlich	Robert J. Grey, Jr.	Thomas R. Julin
John C. Eichman	Greta T. Griffith	Andrew Kamensky (nmi)
Tara L. Elgie	Brett L. Gross	David A. Kelly
Emmett N. Ellis	Steven M. Haas	Douglas W. Kenyon
Edward W. Elmore, Jr.	Brian L. Hager	Michael C. Kerrigan
Frank E. Emory, Jr.	Robert J. Hahn	Ryan T. Ketchum
Juan C. Enjamio	Jarrett L. Hale	Scott H. Kimpel
Phillip J. Eskenazi	Leslie S. Hansen	Robert A. King
Joseph P. Esposito	Eric J. Hanson	Charles H. Knauss
Kelly L. Faglioni	Jason W. Harbour	Edward B. Koehler
Susan S. Failla	Jeffrey L. Harvey	Torsten M. Kracht
Eric H. Feiler	John D. Hawkins	Christopher G. Kulp
Kevin C. Felz	Rudene Mercer Haynes	David Craig Landin
Lindsay H. Ferguson	Timothy J. Heaphy	Gregory F. Lang
Edward F. Fernandes	Mark S. Hedberg	Kurt G. Larkin
Norman W. Fichthorn	Gregory G. Hesse	Andrew W. Lawrence
Andrea Bear Field	E. Perry Hicks	Corey A. Lee
Kevin J. Finto	David A. Higbee	L. Steven Leshin
Melanie Fitzgerald (nmi)	Thomas Y. Hiner	Brent A. Lewis
Michael F. Fitzpatrick, Jr.	D. Bruce Hoffman	Catherine D. Little
Robert N. Flowers	Robert E. Hogfoss	David C. Lonergan
Aaron M. Flynn	John R. Holzgraefe	Nash E. Long, III
William M. Flynn	Cecelia Philipps Horner	Kirk A. Lovric
Lauren E. Freeman	David B. Horner	David S. Lowman, Jr.
Steven C. Friend	George C. Howell, III	Kimberly C. MacLeod
Edward J. Fuhr	Kevin F. Hull	Michael J. Madden, Jr.
Charles A. Gall	Jamie Zysk Isani	Tyler Maddry (nmi)
Daniel C. Garner	Judith H. Itkin	Manuel E. Maisog
Douglas M. Garrou	Makram B. Jaber	Rori H. Malech

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

Special Exception Attachment to Par. 1(c)DATE: May 26, 2016
(enter date affidavit is notarized)132558afor Application No. (s): SEA 88-S-077-07
(enter County-assigned application number (s))**PARTNERSHIP NAME & ADDRESS:** (enter complete name & number, street, city, state & zip code)(3) Hunton & Williams LLP (Continued)
1751 Pinnacle Drive, Suite 1700
McLean, VA 22102(check if applicable) The above-listed partnership has no limited partners.**NAMES AND TITLES OF THE PARTNERS:** (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)

Alan J. Marcuis	Cecilia Y. Oh	Carl F. Schwartz
Brian R. Marek	Leslie A. Okinaka	Matthew A. Scoville
Fernando Margarit (nmi)	John D. O'Neill, Jr.	P. Watson Seaman
Laura C. Marshall	Brian V. Otero	James S. Seevers, Jr.
Jeffrey N. Martin	Raj Pande (nmi)	Douglass P. Selby
John S. Martin	Randall S. Parks	Joel R. Sharp
J. Michael Martinez de Andino	Peter S. Partee, Sr.	Michael R. Shebelskie
Walfrido J. Martinez	J. Steven Patterson	Ryan A. Shores
Laurie Uustal Mathews	Djordje Petkoski (nmi)	Kendal A. Sibley
John Gary Maynard, III	Ryan P. Phair	George P. Sibley, III
William H. McBride	James M. Pinna	Donald F. Simone
Michael C. McCann	Eric R. Pogue	Aaron P. Simpson
T. Allen McConnell	Laurence H. Posorske	Jo Anne E. Sirgado
Janet Sadler McCrae	Kurtis A. Powell	Laurence E. Skinner
Alexander G. McGeoch	Lewis F. Powell, III	Caryl Greenberg Smith
John C. McGranahan, Jr.	Robert T. Quackenboss	John R. ("J. R.") Smith
Gustavo J. Membiela	John Jay Range	Yisun Song (nmi)
Uriel A. Mendieta	Robert S. Rausch	Lisa J. Sotto
Peter J. Mignone	Baker R. Rector	Joseph C. Stanko, Jr.
Patrick E. Mitchell	Shawn Patrick Regan	Todd M. Stenerson
Jack A. Molenkamp	Sona Rewari (nmi)	John J. Stenger
T. Justin Moore, III	Thomas A. Rice	Gregory N. Stillman
Thurston R. Moore	Jennings G. ("J. G.") Ritter, II	Brian J. Tanenbaum
Ann Marie Mortimer	Kathy E. B. Robb	Andrew J. Tapscott
Jay B. Mower	Daryl B. Robertson	Robert M. Tata
Michael J. Mueller	Gregory B. Robertson	Eric Jon Taylor
Eric J. Murdock	Patrick L. Robson	W. Lake Taylor, Jr.
Ted J. Murphy	Robert M. Rolfe	Wendell L. Taylor
Thomas P. Murphy	Ronald D. Rosener	Andrew S. V. Thomas
David A. Mustone	Adam J. Rosser	John Charles Thomas
James P. Naughton	Brent A. Rosser	Gary E. Thompson
Wim Nauwelaerts (nmi)	William L. S. Rowe	Paul M. Tiao
Eric J. Nedell	Marguerite R. ("Rita") Ruby	B. Cary Tolley, III
Michael Nedzbala (nmi)	Stephen M. Sayers	John R. R. Tormey
William L. Newton	Arthur E. Schmalz	Bridget C. Treacy
Lonnie D. Nunley, III	Gregory J. Schmitt	Andrew J. Turner
Michael A. Oakes	John R. Schneider	Daniel E. Uyesato
Peter K. O'Brien	Howard E. Schreiber	Emily Burkhardt Vicente
John T. O'Connor	Jeffrey P. Schroeder	Daniel G. Vivarelli, Jr.

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



County of Fairfax, Virginia

MEMORANDUM

Office of the County Attorney
 Suite 549, 12000 Government Center Parkway
 Fairfax, Virginia 22035-0064
 Phone: (703) 324-2421; Fax: (703) 324-2665
www.fairfaxcounty.gov

DATE: May 27, 2016

TO: Michael Lynskey, Staff Coordinator
 Zoning Evaluation Division
 Department of Planning and Zoning

FROM: Jo Ellen Groves, Paralegal 
 Office of the County Attorney

SUBJECT: Affidavit
 Application No.: SEA 88-S-077-07
 Applicant: Golden Brook, LLC
 PC Hearing Date: 6/29/16
 BOS Hearing Date: Not yet scheduled

REF.: 132558

Attached is an affidavit which has been approved by the Office of the County Attorney for the referenced case. Please include this affidavit dated 5/26/16, which bears my initials and is numbered 132558a, when you prepare the staff report.

Thank you for your cooperation.

Attachment

cc: (w/attach) Domenic Scavuzzo, Planning Technician I (Sent via e-mail)
 Zoning Evaluation Division
 Department of Planning and Zoning

SPECIAL EXCEPTION AFFIDAVIT

132558 a

DATE: May 26, 2016
(enter date affidavit is notarized)

I, Geoffrey W. Pence, 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

in Application No.(s): SEA 88-S-077-07
(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)
Golden Brook, LLC(1) Agents: Robert Frank Pence Geoffrey W. Pence Stephen P. Pence	11708 Bowman Green Drive Reston, VA 20190	Applicant/Title Owner
Hunton & Williams LLP(3) Francis A. McDermott John C. McGranahan, Jr.	1751 Pinnacle Drive, Suite 1700 McLean, VA 22102	Attorneys/Agents for Applicant
Susan K. Yantis Elaine O'Flaherty Cox	1751 Pinnacle Drive, Suite 1700 McLean, VA 22102	Planners/Agents for Applicant
Jeannie A. Mathews	1751 Pinnacle Drive, Suite 1700 McLean, VA 22102	Paralegal/Agent for Applicant

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

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Special Exception Attachment to Par. 1(a)

132558a

DATE: May 26, 2016
(enter date affidavit is notarized)

for Application No. (s): SEA 88-S-077-07
(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 VA, LLC(4) Agents: David B. Logan, P.E. Brian J. Clifford	22636 Davis Drive, Suite 250 Sterling, VA 20164	Engineers/Agents for Applicant
M. J. Wells and Associates, Inc.(6) Agents: Robin L. Antonucci Kevin R. Fellin Lester E. Adkins, P.E.	1420 Spring Hill Road, Suite 610 Tysons, VA 22102	Traffic Engineers/Agents for Applicant

(check if applicable)

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: May 26, 2016
(enter date affidavit is notarized)

132558a

for Application No. (s): SEA 88-S-077-07
(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)

- (1) Golden Brook, LLC
11708 Bowman Green Drive
Reston, VA 20190

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)

Robert Frank Pence, Manager and Member
Geoffrey W. Pence, Manager
Beverly M. Dietz, Member
TPG Holdings, LLC(2), Member

(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 26, 2016
(enter date affidavit is notarized)

132558 a

for Application No. (s): SEA 88-S-077-07
(enter County-assigned application number (s))

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

(2) TPG Holdings, LLC
11708 Bowman Green Drive
Reston, VA 20190

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)

Geoffrey W. Pence
Stephen P. Pence
Brian F. Pence

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

(4) Bohler Engineering VA, LLC
22636 Davis Drive, Suite 250
Sterling, VA 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)

Bohler Engineering, P.C.(5)	Mark R. Joyce
Adam J. Volanth	David B. Logan
Daniel M. Duke	David B. Nemecek

(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)

132558a

DATE: May 26, 2016
(enter date affidavit is notarized)

for Application No. (s): SEA 88-S-077-07
(enter County-assigned application number (s))

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

(5) Bohler Engineering, P.C.
22636 Davis Drive, Suite 250
Sterling, VA 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)

Adam J. Volanth

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

(6) M. J. Wells & Associates, Inc.
1420 Spring Hill Road, Suite 610
Tysons, VA 22102

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)

M. J. Wells & Associates, Inc. Employee Stock Ownership Trust (ESOT)
(All employees are eligible Plan participants; however, no one owns 10% or more of any class of stock.)

(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 26 2016
(enter date affidavit is notarized)

132558a

for Application No. (s): SEA 88-S-077-07
(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)

(3) Hunton & Williams LLP
1751 Pinnacle Drive, Suite 1700
McLean, VA 22102

(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**)

Lawrence C. Adams	Jeffrey M. Blair	M. Brett Burns
Syed S. Ahmad	Andrew J. Blanchard	P. Scott Burton
Michael F. Albers	J. Tom Boer	Ellis M. Butler
Kenneth J. Alcott	Matthew P. Boshier	Ferdinand A. Calice
Fernando C. Alonso	James W. Bowen	Matthew J. Calvert
Walter J. Andrews	Lawrence J. Bracken, II	Daniel M. Campbell
Chinawat Assavapokee (nmi)	James P. Bradley	Thomas H. Cantrill
L. Scott Austin	David F. Brandley, Jr.	Curtis G. Carlson
Ian Phillip Band	Shannon S. Broome	J. C. Chenault, V
John J. Beardsworth, Jr.	Benjamin P. Browder	Whittington W. Clement
Ryan A. Becker	A. Todd Brown, Sr.	Herve' Cogels (nmi)
Steven H. Becker	Tyler P. Brown	Cassandra C. Collins
Stephen John Bennett	F. William Brownell	Ashley Cummings (nmi)
Melinda R. Beres	Kevin J. Buckley	Alexandra B. Cunningham
Lucas Bergkamp (nmi)	Kristy A. Niehaus Bulleit	Samuel A. Danon
Lon A. Berk	Joseph B. Buonanno	John J. Delionado
Mark B. Bierbower	Nadia S. Burgard	Stephen P. Demm
Stephen R. Blacklocks	Eric R. Burner	Dee Ann Dorsey

(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 Attachment to Par. 1(c)DATE: May 26, 2016
(enter date affidavit is notarized)

132558a

for Application No. (s): SEA 88-S-077-07
(enter County-assigned application number (s))**PARTNERSHIP NAME & ADDRESS:** (enter complete name & number, street, city, state & zip code)(3) Hunton & Williams LLP (Continued)
1751 Pinnacle Drive, Suite 1700
McLean, VA 22102(check if applicable) The above-listed partnership has no limited partners.**NAMES AND TITLES OF THE PARTNERS:** (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)

Edward L. Douma	Kevin M. Georgerian	Timothy L. Jacobs
Colleen P. Doyle	John T. Gerhart, Jr.	Lori Elliott Jarvis
Alison M. Dreizen	Andrew G. Geyer	Matthew D. Jenkins
Sean P. Ducharme	Jeffrey W. Giese	Harry M. Johnson, III
Deidre G. Duncan	Neil K. Gilman	Robert M. Johnson
Roger Dyer (nmi)	C. Christopher Giragosian	James A. Jones, III
Frederick R. Eames	Ryan A. Glasgow	Kevin W. Jones
Heather Archer Eastep	Douglas S. Granger	Laura Ellen Jones
Maya M. Eckstein	Laurie A. Grasso	Dan J. Jordanger
W. Jeffery Edwards	J. William Gray, Jr.	Roland Juarez (nmi)
Marvin W. Ehrlich	Robert J. Grey, Jr.	Thomas R. Julin
John C. Eichman	Greta T. Griffith	Andrew Kamensky (nmi)
Tara L. Elgie	Brett L. Gross	David A. Kelly
Emmett N. Ellis	Steven M. Haas	Douglas W. Kenyon
Edward W. Elmore, Jr.	Brian L. Hager	Michael C. Kerrigan
Frank E. Emory, Jr.	Robert J. Hahn	Ryan T. Ketchum
Juan C. Enjamio	Jarrett L. Hale	Scott H. Kimpel
Phillip J. Eskenazi	Leslie S. Hansen	Robert A. King
Joseph P. Esposito	Eric J. Hanson	Charles H. Knauss
Kelly L. Faglioni	Jason W. Harbour	Edward B. Koehler
Susan S. Failla	Jeffrey L. Harvey	Torsten M. Kracht
Eric H. Feiler	John D. Hawkins	Christopher G. Kulp
Kevin C. Felz	Rudene Mercer Haynes	David Craig Landin
Lindsay H. Ferguson	Timothy J. Heaphy	Gregory F. Lang
Edward F. Fernandes	Mark S. Hedberg	Kurt G. Larkin
Norman W. Fichthorn	Gregory G. Hesse	Andrew W. Lawrence
Andrea Bear Field	E. Perry Hicks	Corey A. Lee
Kevin J. Finto	David A. Higbee	L. Steven Leshin
Melanie Fitzgerald (nmi)	Thomas Y. Hiner	Brent A. Lewis
Michael F. Fitzpatrick, Jr.	D. Bruce Hoffman	Catherine D. Little
Robert N. Flowers	Robert E. Hogfoss	David C. Lonergan
Aaron M. Flynn	John R. Holzgraefe	Nash E. Long, III
William M. Flynn	Cecelia Philipps Horner	Kirk A. Lovric
Lauren E. Freeman	David B. Horner	David S. Lowman, Jr.
Steven C. Friend	George C. Howell, III	Kimberly C. MacLeod
Edward J. Fuhr	Kevin F. Hull	Michael J. Madden, Jr.
Charles A. Gall	Jamie Zysk Isani	Tyler Maddry (nmi)
Daniel C. Garner	Judith H. Itkin	Manuel E. Maisog
Douglas M. Garrou	Makram B. Jaber	Rori H. Malech

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

Special Exception Attachment to Par. 1(c)DATE: May 26, 2016
(enter date affidavit is notarized)132558afor Application No. (s): SEA 88-S-077-07
(enter County-assigned application number (s))**PARTNERSHIP NAME & ADDRESS:** (enter complete name & number, street, city, state & zip code)(3) Hunton & Williams LLP (Continued)
1751 Pinnacle Drive, Suite 1700
McLean, VA 22102(check if applicable) The above-listed partnership has no limited partners.**NAMES AND TITLES OF THE PARTNERS:** (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)

Alan J. Marcuis	Cecilia Y. Oh	Carl F. Schwartz
Brian R. Marek	Leslie A. Okinaka	Matthew A. Scoville
Fernando Margarit (nmi)	John D. O'Neill, Jr.	P. Watson Seaman
Laura C. Marshall	Brian V. Otero	James S. Seevers, Jr.
Jeffrey N. Martin	Raj Pande (nmi)	Douglass P. Selby
John S. Martin	Randall S. Parks	Joel R. Sharp
J. Michael Martinez de Andino	Peter S. Partee, Sr.	Michael R. Shebelskie
Walfrido J. Martinez	J. Steven Patterson	Ryan A. Shores
Laurie Uustal Mathews	Djordje Petkoski (nmi)	Kendal A. Sibley
John Gary Maynard, III	Ryan P. Phair	George P. Sibley, III
William H. McBride	James M. Pinna	Donald F. Simone
Michael C. McCann	Eric R. Pogue	Aaron P. Simpson
T. Allen McConnell	Laurence H. Posorske	Jo Anne E. Sirgado
Janet Sadler McCrae	Kurtis A. Powell	Laurence E. Skinner
Alexander G. McGeoch	Lewis F. Powell, III	Caryl Greenberg Smith
John C. McGranahan, Jr.	Robert T. Quackenboss	John R. ("J. R.") Smith
Gustavo J. Membiela	John Jay Range	Yisun Song (nmi)
Uriel A. Mendieta	Robert S. Rausch	Lisa J. Sotto
Peter J. Mignone	Baker R. Rector	Joseph C. Stanko, Jr.
Patrick E. Mitchell	Shawn Patrick Regan	Todd M. Stenerson
Jack A. Molenkamp	Sona Rewari (nmi)	John J. Stenger
T. Justin Moore, III	Thomas A. Rice	Gregory N. Stillman
Thurston R. Moore	Jennings G. ("J. G.") Ritter, II	Brian J. Tanenbaum
Ann Marie Mortimer	Kathy E. B. Robb	Andrew J. Tapscott
Jay B. Mower	Daryl B. Robertson	Robert M. Tata
Michael J. Mueller	Gregory B. Robertson	Eric Jon Taylor
Eric J. Murdock	Patrick L. Robson	W. Lake Taylor, Jr.
Ted J. Murphy	Robert M. Rolfe	Wendell L. Taylor
Thomas P. Murphy	Ronald D. Rosener	Andrew S. V. Thomas
David A. Mustone	Adam J. Rosser	John Charles Thomas
James P. Naughton	Brent A. Rosser	Gary E. Thompson
Wim Nauwelaerts (nmi)	William L. S. Rowe	Paul M. Tiao
Eric J. Nedell	Marguerite R. ("Rita") Ruby	B. Cary Tolley, III
Michael Nedzbala (nmi)	Stephen M. Sayers	John R. R. Tormey
William L. Newton	Arthur E. Schmalz	Bridget C. Treacy
Lonnie D. Nunley, III	Gregory J. Schmitt	Andrew J. Turner
Michael A. Oakes	John R. Schneider	Daniel E. Uyesato
Peter K. O'Brien	Howard E. Schreiber	Emily Burkhardt Vicente
John T. O'Connor	Jeffrey P. Schroeder	Daniel G. Vivarelli, Jr.

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

Special Exception Attachment to Par. 1(c)DATE: May 26, 2016
(enter date affidavit is notarized)

132558a

for Application No. (s): SEA 88-S-077-07
(enter County-assigned application number (s))**PARTNERSHIP NAME & ADDRESS:** (enter complete name & number, street, city, state & zip code)(3) Hunton & Williams LLP (Continued)
1751 Pinnacle Drive, Suite 1700
McLean, VA 22102(check if applicable) The above-listed partnership has no limited partners.**NAMES AND TITLES OF THE PARTNERS:** (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)Mark R. Vowell
Amanda L. Wait
Richard L. Warren
William L. Wehrum
Peter G. Weinstock
Malcolm C. Weiss
Kevin J. White
Mark V. Wickersham
Amy McDaniel Williams
Evan C. Williams
Holly H. Williamson
Susan F. Wiltsie
Allison D. Wood
David C. Wright
Richard L. Wyatt, Jr.
David R. Yates
Manida Zimmerman (nmi)**FORMER PARTNERS:**Robert A. Acosta-Lewis
Sheldon T. Bradshaw
Jean Gordon Carter
Charles D. Case
S. Gregory Cope
John D. Epps
David S. Freed
Richard D. Gary
Christopher C. Green
Ronald M. Hanson
Daniel M. LeBey
Bradley T. Lennie
Christopher Mangin, Jr. (nmi)
Mark W. Menezes
Gary C. Messplay
Robert Dean Pope
Michael P. Richman
D. Alan Rudlin
Mary Nash K. Rusher
D. Kyle Sampson
Yeongyo Anna Suh
Julie I. Ungerman
Mark C. Van Deusen
Mitchell G. Williams(check if applicable) There is more partnership information and Par. 1(c) is continued further on a
"Special Exception Attachment to Par. 1(c)" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: May 26, 2016
(enter date affidavit is notarized)

132558a

for Application No. (s): SEA 88-S-077-07
(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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: May 26, 2016
(enter date affidavit is notarized)

132558a

for Application No. (s): SEA 88-S-077-07
(county-assigned application number(s), to be entered by County Staff)

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.)

Francis A. McDermott of Hunton & Williams LLP, Attorney for Applicant, has contributed in excess of \$100 to Supervisor Cook. John C. McGranahan, Jr. of Hunton & Williams LLP, Attorney for Applicant, has contributed in excess of \$100 to Supervisor Cook. Thomas P. Murphy, a partner at Hunton & Williams LLP, has contributed in excess of \$100 to Supervisor Cook. Robert F. Pence, a Manager of Golden Brook, has contributed in excess of \$100 to Supervisor Herry.

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

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

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

WITNESS the following signature:

(check one)

[] Applicant

[x] Applicant's Authorized Agent

Geoffrey W. Pence, Manager and Agent for Applicant
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 26th day of MAY, 2016, in the State/Comm. of Virginia, County/City of FAIRFAX.

Peter B. Gemma
Notary Public

My commission expires: 9/30/2018



October 13, 2015

APPLICANT'S STATEMENT

RECEIVED
Department of Planning & ZoningCHANTILLY PLACE SHOPPING CENTER
GOLDEN BROOK, LLC

OCT 14 2015

SPECIAL EXCEPTION AMENDMENT APPLICATION (SEA 88-S-077-07) Zoning Evaluation Division

Golden Brook, LLC ("Applicant") requests approval of a Special Exception Amendment application to permit the development of a proposed drive-through use associated with a fast food restaurant within the Chantilly Place Shopping Center ("Chantilly Place") on approximately 1.415 acres identified on the Fairfax County Tax Map as parcel 44-1-((9))-6 (the "Property"). The Property is located along Willard Road between the newly renovated Sunoco service station/quick service food store/car wash and the easternmost entrance to Chantilly Place. Chantilly Place comprises approximately 49.73 acres and is located in the northeast quadrant of the intersection of Route 28 and Willard Road about ½ mile south of Route 50. The shopping center consists of approximately 341,000 square feet and contains a full service hotel, store-front retail and service uses, service station/quick service food store/car wash, eating establishment, a restaurant park with six (6) fast food restaurants with drive-through windows, a Walmart store, and a premier exposition/conference facility known as The Dulles Expo Center. The Dulles Expo Center is the Washington, D.C. metropolitan area's second largest exhibition facility for consumer shows and trade events.

Chantilly Place is zoned to the C-6 Community Retail Commercial ("C-6") District, is located within the Water Supply Protection Overlay District ("WS"), and is subject to proffers approved in conjunction with RZ 88-S-026 as amended by Proffered Condition Amendments ("PCA") 88-S-026 thru PCA 88-S-026-2 (the "Rezoning"). Development of Chantilly Place is proffered for a retail center, including restaurant park and possible inclusion of one or more office buildings, up to a maximum of 0.35 FAR (774,800± square feet). The approved Generalized Development Plan ("GDP") provides for great flexibility in that the buildings can be expanded, located within large building envelopes, and converted from uses shown to by-right uses.

The fast food restaurant with drive-through is proposed to be located within the approved building envelope of Building H on the GDP. Although Building H is identified for office use, the GDP includes a note that states: "By-right uses of the C-6 zone may be substituted for the uses depicted on this Generalized Development Plan, with the understanding that those uses meet the parking requirements of Chapter 11 of the Fairfax County Zoning Ordinance." A fast food restaurant is permitted by-right under the C-6 zoning district and is in substantial conformance with the approved GDP and proffers. However, the proposed drive-through use associated with the fast food restaurant requires approval of a Special Exception ("SE").

Concurrent with the Rezoning, SE 88-S-077 was approved to permit an increase in building height up to 75 feet for several potential office structures, a service station with a quick service food store and car wash, fast food restaurants with drive-through windows and up to two (2) drive-in banks. Subsequently, several special exception amendments were approved in conjunction with SEAs 88-S-077 thru -06 to amend previously approved uses and to permit, among others, a service station with quick service food store/car wash, vehicle service establishment, two (2) hotels with a maximum building height up to 75 feet associated with PCA

88-S-026-02, and an increase in sign area for a new freestanding sign to be located along Route 28. All previous Rezoning/PCA, SE and SEA approvals for the Property (SE 88-S-077 and SEAs 88-S-077-01 thru -06) are not affected by this SEA application and no changes to them are proposed with this application.

The Property is partially developed with surface parking which extends immediately to the west to serve the shopping center uses. The fast food restaurant will consist of a gross floor area of approximately 5,600 square feet with 150 seats, and the proposed drive-through will be located on the southeast corner of the Property, fronting on Willard Road but with no direct access. Access will be provided via the internal circulation of the shopping center. Specifically, the access to the fast food restaurant would connect to the existing drive aisle within the shopping center which provides direct access to both of two entrance driveways on Willard Road. The majority of the existing parking on the Property will be reconfigured to accommodate construction of the fast food restaurant and drive-through.

Access to the proposed drive-through lane is through the internal parking lot on the southern and western portion of the Property. The drive-through has been designed so as not to impede pedestrians or vehicular circulation on the Property or on any abutting street or travel aisle. The Zoning Ordinance requires eleven spaces for the drive-through window plus a minimum of five (5) spaces for the ordering station. Two (2) ordering stations and 16 stacking spaces are proposed which satisfy this requirement. The existing mature landscaping along Willard Road will be preserved to mitigate any potential visual impacts associated with the drive-through.

The following information addresses the requirements of Paragraph 7 of Section 9-011 of the Zoning Ordinance.

A. Type of operation:

The type of operation proposed is a drive-through associated with a fast food restaurant. The fast food restaurant will consist of approximately 5,600 square feet with a approximately 150 seats. The actual number of seats will be determined during the site plan review. The drive-through window is proposed to be located on the east side of the building, and two ordering stations will be provided along the southern portion of the site, adjacent to and screened from Willard Road. The drive-through lanes include 16 stacking spaces which satisfy the Zoning Ordinance requirement.

B. Hours of operation:

The fast food restaurant and drive-through window will be open up to twenty-four (24) hours a day, seven (7) days a week in this retail/office/hotel/industrial area.

C. Estimated number of patrons/clients/patients/pupils etc.:

The estimated number of transactions is approximately 1200-1500 per day.

D. Proposed number of employees:

The estimated number of employees is a maximum of 20 on-site at any one time.

E. Estimate of traffic impact of the proposed use, including the maximum expected trip generation and the distribution of such trips by mode and time of day:

It is estimated that the proposed use will generate approximately 2,778 trips per weekday, with approximately 300 trips during the A.M. peak hour and 265 trips during the P.M. peak hour.

F. Vicinity or general area to be served by the use:

The proposed fast food restaurant will attract customers from the greater Chantilly area and Route 28, including the existing retail and hotel uses within the shopping center and the Dulles Expo Center.

G. Description of building facade and architecture of proposed new building or addition:

The building will be designed to complement the existing retail and adjacent hotel uses within the shopping center.

H. Listing of Known Hazardous or Toxic Substances:

None known at this time.

I. A statement that the proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards and any applicable conditions, or, if any waiver, exception or variance is sought by the applicant from such ordinances, regulations, standards and conditions, such shall be specifically noted with the justification for any such modification:

To the best of the Applicant's knowledge, the proposed fast food restaurant with drive-through will comply with all applicable standards, ordinances, and regulations.

The following information addresses the additional standards that are applicable for fast food restaurants pursuant to Sect. 9-505 of the Zoning Ordinance:

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:

The building will be constructed to provide an attractive appearance toward the public roadway with four-sided architecture and will be designed to be architecturally compatible with the existing retail and hotel uses within the shopping center.

- B. Such a use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties:

Overall pedestrian and vehicular circulation systems have been established within the shopping center. Sidewalks and crosswalks will be provided on the Property for connectivity (i) among the proposed fast food restaurant and the other retail, Dulles Expo, and hotel uses, and (ii) to the off-site pedestrian circulation system along Willard Road.

The proposed vehicular access for the fast food restaurant will connect with an existing internal drive aisle located adjacent to the Property on the north which connects to all shopping center external points of access.

- 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 a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the site:

The fast food restaurant with drive-through has been designed to minimize turning movement conflicts and provide safe and efficient on-site circulation. The drive-through for the fast food restaurant is located in a manner to facilitate the movement of vehicles to the drive-through lanes without impeding parking movements on the Property. The number of stacking spaces provided is in accordance with the Zoning Ordinance requirement.

Twenty-seven (27) parking spaces are required for the proposed fast food restaurant, based on the shopping center requirement of four spaces per 1,000 square feet of gross floor area, in accordance with Par. 23B. of Sect. 11-104 of the Zoning Ordinance. The Applicant proposes to provide 38 parking spaces in addition to 16 stacking spaces for the drive-through and ordering stations. Overflow parking is available within the center immediately west of the Property. Based on tabulations for the shopping center, including the proposed fast food restaurant, the shopping center would be required to provide 1,273 spaces; and 2,714 parking spaces are provided.

A five (5) foot wide sidewalk currently exists along the shopping center's easternmost entrance driveway and along Willard Road. Crosswalks will be provided to facilitate pedestrian connectivity to the restaurant and between uses within the shopping center.

- 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:

The proposed fast food restaurant with drive-through will be located within an existing developed shopping center on a parcel obviously of sufficient size and

configuration. There are no existing or planned residential areas nearby to be adversely affected.

Comprehensive Plan

The Property is located within the Dulles Suburban Center, Land Unit E-3 of the Area III portion of the Fairfax County Comprehensive Plan (the "Plan"). The Plan map designates the Property as appropriate for retail and other uses. The Plan states that the area is currently developed as a mix of office, retail and industrial uses up to a 0.35 FAR but provides an option for redevelopment of Chantilly Place as a mixed-use center up to a maximum FAR of 0.70. The Plan contains specific conditions for development above the existing 0.35 FAR proffered maximum; however, this SEA does not propose any additional development beyond the proffered maximum. The proposed drive-through associated with the fast food restaurant is in conformance with the Comprehensive Plan recommendation.

In addition, major planning objectives for the Dulles Suburban Center include:

- Support development that emphasizes local, national...business and commercial endeavors; tourism and visitor services.
- Support developments at major employment sites that incorporate retail facilities, with amenities complementing a Suburban Center setting.

The fast food restaurant with drive-through is intended to serve the surrounding commercial uses as well as visitors to the Dulles Expo Center, which is in conformance with the Comprehensive Plan recommendation for the Property and furthers the objectives for the Dulles Suburban Center.

Selected applicable Zoning Ordinance Provisions from the Fairfax County Zoning Ordinance, dated November 17, 2015. For the full, unabridged, ordinances please visit the website of the Fairfax County Planning and Zoning Department or view a copy in person at the Fairfax County Planning and Zoning office.

ARTICLE 4 - COMMERCIAL DISTRICT REGULATIONS

PART 6 4-600 C-6 COMMUNITY RETAIL COMMERCIAL DISTRICT

4-604 Special Exception Uses

For specific Category uses, regulations and standards, refer to Article 9.

4. Category 5 - Commercial and Industrial Uses of Special Impact, limited to:

H. Fast food restaurants

4-605 Use Limitations

1. Fast food restaurants, drive-in financial institutions, quick-service food stores and vehicle light service establishments shall be permitted by right in accordance with the following:

A. Fast food restaurants without any drive-through facilities shall be permitted by right:

(1) When located in a shopping center, and the fast food restaurant does not occupy (a) more than 1500 square feet of gross floor area and (b) more than thirty-five (35) percent of the gross floor area of the building in which located; or

(2) When located in a shopping center of 25,000 square feet or more of gross floor area, the fast food restaurant may occupy more than 1500 square feet but not to exceed 2500 square feet of gross floor area, provided that the fast food restaurant does not occupy more than twenty-five (25) percent of the gross floor area of the building in which located.

B. Fast food restaurants, other than those permitted under Par. 1A above, drive-in financial institutions, and quick-service food stores shall be permitted by right when:

(1) Such use is located within a building of a shopping center, which building contains at least six (6) other uses which are not fast food restaurants other than those permitted by Par. 1A above, drive-in financial institution, or quick-service food stores; and

(2) All uses within that building are connected by party walls or partitions to form one continuous structure.

Drive-in financial institutions, fast food restaurants, quick-service food stores and vehicle light service establishments which do not meet the limitations set forth above may be allowed by special exception in accordance with the provisions of Article 9.

ARTICLE 7 - OVERLAY AND COMMERCIAL REVITALIZATION DISTRICT REGULATIONS**PART 8 7-800 WATER SUPPLY PROTECTION OVERLAY DISTRICT****7-808 Use Limitations**

In addition to the use limitations presented in the underlying zoning district(s), the following use limitations shall apply:

1. Any subdivision which is subject to the provisions of Chapter 101 of The Code or any use requiring the approval of a site plan in accordance with the provisions of Article 17 shall provide water quality control measures designed to reduce by one-half the projected phosphorus runoff pollution for the proposed use. Such water quality control measures or Best Management Practices (BMPs) shall be reviewed, modified, waived and/or approved by the Director in accordance with the Public Facilities Manual. In no instance shall the requirement for BMPs be modified or waived except where existing site characteristics make the provision impractical or unreasonable on-site and an alternative provision is not or cannot be accommodated off-site, and where it can be established that the modification or waiver will not affect the achievement of the water quality goals for the public water supply watershed as set forth in the adopted comprehensive plan.

ARTICLE 9 - SPECIAL EXCEPTIONS**PART 0 9-000 GENERAL PROVISIONS****9-006 General Standards**

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.

PART 5 9-500 CATEGORY 5 COMMERCIAL AND INDUSTRIAL USES OF SPECIAL IMPACT

9-501 Category 5 Special Exception Uses

11. Fast food restaurants.

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.

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

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.

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 no wrecked, inoperative or abandoned vehicles may be temporarily stored outdoors for a period in excess of 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, there shall be no more than two (2) such vehicles on site at any one time.

ARTICLE 11 – OFF-STREET PARKING AND LOADING, PRIVATE STREETS

PART 1 11-100 OFF-STREET PARKING

11-104 Minimum Required Spaces for Commercial and Related Uses

Minimum off-street parking spaces accessory to the uses hereinafter designated shall be provided as follows:

23. Shopping Center:

C. Greater than 400,000 but less than 1,000,000 square feet of gross floor area: Four and eight tenths (4.8) spaces per 1000 square feet of gross floor area

The off-street parking requirement set forth above shall be applicable to all uses in a shopping center, except that the area occupied by offices, eating establishments and hotels shall be parked in accordance with the applicable standards for such uses as set forth in this Section.

In addition, for all shopping centers, stacking spaces as required by this Part shall be provided for those uses which have drive-in facilities.

PART 2 11-200 OFF-STREET LOADING

11-203 Minimum Required Spaces

5. Eating Establishment, Fast Food Restaurant or Commercial Recreation Restaurant:

One (1) space for the first 10,000 square feet of gross floor area, plus one (1) space for each additional 25,000 square feet or major fraction thereof.



County of Fairfax, Virginia

MEMORANDUM

DATE: June 1, 2016

TO: Barbara C. Berlin, Director
Zoning Evaluation Division, DPZ

FROM: Denise M. James, Chief *DMJames*
Environment and Development Review Branch, DPZ

SUBJECT: LAND USE and ENVIRONMENTAL ASSESSMENT: SEA 88-S-077-07
Golden Brook, LLC

This memorandum, prepared by John R. Bell, includes citations from Comprehensive Plan that provide guidance for the evaluation of the subject Special Exception Amendment (SEA) application dated November 10, 2015, as revised through, May 6, 2016. The extent to which the application conforms to the applicable guidance contained in the Comprehensive Plan is noted. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are in conformance with Plan policies.

Note: The applicable Comprehensive Plan citations may be found at the end of this report.

DESCRIPTION OF THE APPLICATION

The subject application measures 61,647 square feet and is located at the intersection of Willard Road (Route 6215) and Chantilly Shopping Center (Tax Map parcel 44-1 ((09)) parcel 6) within a portion of the Chantilly Place Shopping Center. The applicant proposes a fast food restaurant with drive-through at this location. The proposed building measures 5,600 square feet with 150 seats. This land area is zoned C-6 Community Retail Commercial District and is located within the Water Supply Protection Overlay District (WS). The site is subject to proffers associated with RZ 88-S-026 as amended by Proffered Condition Amendments (PCA) 88-S-026 through PCA 88-S-026-2. The site is proffered for a retail center, including a restaurant park and possible inclusion of one or more office buildings, up to a maximum 0.35 FAR. Fast food restaurants are a permitted use within the C-6 Zoning District. However, the addition of the drive-through requires a special exception approval.

Barbara C. Berlin
SEA 88-S-077-07, Golden Brook, LLC
Page 2

LOCATION AND CHARACTER OF THE AREA

The application property is located within Chantilly Place Shopping Center, which is bounded by Willard Road, Route 28, Brookfield Corporate Drive and portion of both the Mariah Business Center and Sullyfield Business Park, which are zoned I-5 as are uses for properties to the east, south and west of the subject property.

LAND USE and ENVIRONMENTAL ANALYSIS

This section characterizes the land use and environmental concerns raised by an evaluation of this site and the proposed land use. Particular emphasis is given to opportunities provided by this application to conserve the County's remaining natural amenities. Analysis for this application addresses the overall development plan and commitments for the subject property.

Land Use

The applicant is proposing a fast food restaurant with drive-through on the subject property. There is nothing noted in either the site-specific Plan recommendations or the guidelines for Drive-Thru facilities which would suggest that the proposed use is in conflict with Plan guidance. The most recent version of the special exception plat notes a proposed location for signage, but no other information, such as the size, design, illumination or other details were provided regarding the proposed sign. It should also be noted that no information has been provided regarding any possible building-mounted signage. While a location and general footprint of the proposed building are noted on the plat, no specifics regarding the building architecture were included with the application. While the use itself is generally in harmony with the Plan and with the existing surrounding uses, the applicant should provide the requested information in order to inform staff and others as to how the proposed building and site design will address the Dulles Suburban Center guidelines which envision high quality design, landscaping, architecture, signage and lighting.

Green Building Practices

The applicant has provided no information regarding possible commitments to green building measures. In their response to staff's initial comments the applicant indicated that "the proposed drive-through associated with the permitted by-right fast food restaurant does not require green building certification" as it is not a "change in use from that which is a permitted use under the existing zoning, development at the overlay level or at the high end of the planned intensity range." However, what the applicant did not acknowledge is that the Comprehensive Plan guidance for green building development goes on to include new development within Suburban Centers, among a number of other development centers noted in the Comprehensive Plan guidance. It has been a common practice for staff to recommend green building commitments for fast food restaurants within these development centers. Staff can provide a list of common practices which are typically implemented with similar developments, which could then be modified as needed to provide development conditions for the proposed use. Staff has prepared a set of green building development conditions which have been accepted by the applicant and

Barbara C. Berlin
SEA 88-S-077-07, Golden Brook, LLC
Page 3

which are reflected in the proposed development conditions. Staff believes this issue has been addressed.

Stormwater Management

The site currently a vacant lot, which is located within a larger shopping center. The entire site is located within the Cub Run watershed. This watershed is part of the Occoquan watershed, which comprises the majority of the Water Supply Protection Overlay District (WSPOD). The original special exception plat included no additional water quality or quantity control measures. The applicant indicated that all stormwater management requirements would be met with the existing wet pond located nearby. Subsequent information provided by the applicant indicated that the existing pond will meet all required water quality and quantity control requirements. No additional stormwater management measures are proposed at this time. Any final determination regarding the adequacy of the proposed facilities will be made by the Department of Public Works and Environmental Services (DPWES).

COMPREHENSIVE PLAN CITATIONS:

The Comprehensive Plan is the basis for the evaluation of this application. The assessment of the proposal for conformity with the environmental recommendations of the Comprehensive Plan is guided by the following.

In the Fairfax County Comprehensive Plan, 2013 Edition, Area III, Dulles Suburban Center, Land unit E-3, as amended through October 20, 2015, on page 115, the Plan states:

1. Except for Parcels 44-1((9))A-F, and Parcels 34-4((1))41-45, the area north of Willard Road is primarily developed as the Sullyfield Business Park. Sullyfield is planned and developed as a mix of office, retail and industrial uses at .35 FAR.
 - A mixed use center including office, retail, exhibition center and hotel uses, is planned for the northeast quadrant of the intersection of Route 28 and Willard Road (Parcels 44-1((9))A-F). Recognizing the synergy of the unique mix of uses approved for these parcels, an increase up to a maximum FAR of .70 could be appropriate for said parcels provided: 1) traffic impacts on surrounding road network, must be evaluated for any increase of development intensity above .35 FAR; addressed in conjunction with the any rezoning, proffer condition amendment and/or special exception application(s) seeking such an increase; 2) the redevelopment should contain a mix of office, retail, and hotel; and the exhibition center of no more than 310,000 square feet; 3) the site should redevelop in a manner that provides a grid of streets that promotes safe and improved on-site vehicular and pedestrian circulation and a coordinated, high quality, urban style of architecture; 4) plans for redevelopment should include additional safe and convenient site access from abutting streets that is appropriate to the type and intensity of the ultimate uses and pattern of development. As an alternative to the requirement to provide additional access point(s) referenced above, reconfiguration of existing access points, with the demonstration that such reconfiguration will adequately mitigate the proposed additional traffic, may be permitted; and 5) a portion of the site should be designed

Barbara C. Berlin
SEA 88-S-077-07, Golden Brook, LLC
Page 4

to incorporate access to the site for enhanced public transportation, which is anticipated to be provided in the corridor.

In the Fairfax County Comprehensive Plan, 2013 Edition, Area III, Dulles Suburban Center, Design Guidelines for Suburban Center, as amended through October 20, 2015, on page 153-154, the Plan states:

Landscaping

- Provide a well-landscaped, high-quality image both toward the street and on any facade that can be seen from adjacent buildings or side streets.
- Provide color, texture and seasonal visual interest at major architectural and site focal points by using flowers and ornamental, deciduous and evergreen shrubs, trees, etc.
- Select low-maintenance landscape materials for areas not likely to receive consistent maintenance.

Signage/Street Furniture

- Create a signage style for a given development complex and carry it out consistently at major roads entering the complex and at building site entries. Comprehensive sign systems that establish a distinctive theme and identity and eliminate visual clutter are desirable. Building-mounted signs and ground-mounted shopping center signs incorporated within a planting strip are encouraged. Freestanding and pole-mounted signs are discouraged.
- Provide street furniture including utilitarian items such as benches, trash receptacles, and planters. Street furniture should be durable, require low maintenance, and be easily repaired or replaced.
- Place trash receptacles conveniently and strategically along major walkways, near building entrances, and in seating areas. Locate receptacles so as not to impede pedestrian traffic.

Lighting

- Develop a comprehensive lighting plan for a given development complex, in order to provide unity and a coordinated appearance, thus contributing to a positive sense of orientation and identity for motorists and pedestrians.
- Provide exterior lighting that enhances nighttime safety and circulation, as well as highlighting special features to act as landmarks for motorists.
- Design lighting in a manner that minimizes glare onto adjacent sites.

Barbara C. Berlin
 SEA 88-S-077-07, Golden Brook, LLC
 Page 5

In the Fairfax County Comprehensive Plan, 2013 Edition, Policy Plan, Land Use, as amended through April 29, 2014, on page 19, the Plan states:

**“GUIDELINES FOR DRIVE-THRU WINDOWS AND OTHER
 DRIVE-THRU FACILITIES**

Drive-thru windows for commercial establishments and other drive-thru facilities have the potential to cause serious on-site and off-site traffic circulation problems. To address these potential problems, drive-thru windows and other drive-thru facilities should be approved only if the size and configuration of the lot are adequate to achieve a safe drive-thru facility, parking circulation and pedestrian system. All activity generated by the use must be accommodated on the site. Noise, glare and other nuisance aspects related to drive-thru facilities must not adversely affect adjacent properties.”

In the Fairfax County Comprehensive Plan, 2013 Edition, Policy Plan, Environment, as amended through July 1, 2014, on page 19 -21, the Plan states:

Objective 13: Design and construct buildings and associated landscapes to use energy and water resources efficiently and to minimize short- and long-term negative impacts on the environment and building occupants.

Policy a. In consideration of other Policy Plan objectives, encourage the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. These practices may include, but are not limited to:

- Environmentally-sensitive siting and construction of development;
- Application of low impact development practices, including minimization of impervious cover (See Policy k under Objective 2 of this section of the *Policy Plan*);
- Optimization of energy performance of structures/energy-efficient design;
- Use of renewable energy resources;
- Use of energy efficient appliances, heating/cooling systems, lighting and/or other products;
- Application of best practices for water conservation, such as water efficient landscaping and innovative wastewater technologies, that can serve to reduce the use of potable water and/or reduce stormwater runoff volumes;
- Reuse of existing building materials for redevelopment projects;
- Recycling/salvage of non-hazardous construction, demolition, and land clearing debris;
- Use of recycled and rapidly renewable building materials;

Barbara C. Berlin
SEA 88-S-077-07, Golden Brook, LLC
Page 6

- Environmentally-sensitive siting and construction of development;
- Application of low impact development practices, including minimization of impervious cover (See Policy k under Objective 2 of this section of the *Policy Plan*);
- Optimization of energy performance of structures/energy-efficient design;
- Use of renewable energy resources;
- Use of energy efficient appliances, heating/cooling systems, lighting and/or other products;
- Application of best practices for water conservation, such as water efficient landscaping and innovative wastewater technologies, that can serve to reduce the use of potable water and/or reduce stormwater runoff volumes;
- Reuse of existing building materials for redevelopment projects;
- Recycling/salvage of non-hazardous construction, demolition, and land clearing debris;
- Use of recycled and rapidly renewable building materials;
- Use of building materials and products that originate from nearby sources;
- Reduction of potential indoor air quality problems through measures such as increased ventilation, indoor air testing and use of low-emitting adhesives, sealants, paints/coatings, carpeting and other building materials;
- Reuse, preservation and conservation of existing buildings, including historic structures;
- Retrofitting of other green building practices within existing structures to be preserved, conserved and reused;
- Energy and water usage data collection and performance monitoring;
- Solid waste and recycling management practices; and
- Natural lighting for occupants.

Encourage commitments to implementation of green building practices through certification under established green building rating systems for individual buildings (e.g., the U.S. Green Building Council's Leadership in Energy and Environmental Design for New Construction [LEED-NC®] or the U.S. Green Building Council's Leadership in Energy and Environmental Design for Core and Shell [LEED-CS®] program or other equivalent programs with third party

certification). An equivalent program is one that is independent, third-party verified, and has regional or national recognition or one that otherwise includes multiple green building concepts and overall levels of green building performance that are at least similar in scope to the applicable LEED rating system. Encourage commitments to the attainment of the ENERGY STAR[®] rating where available. Encourage certification of new homes through an established residential green building rating system that incorporates multiple green building concepts and has a level of energy performance that is comparable to or exceeds ENERGY STAR qualification for homes. Encourage the inclusion of professionals with green building accreditation on development teams. Encourage commitments to the provision of information to owners of buildings with green building/energy efficiency measures that identifies both the benefits of these measures and their associated maintenance needs.

Policy b. Within the Tysons Corner Urban Center, Suburban Centers, Community Business Centers, Industrial Areas and Transit Station Areas as identified on the Concept Map for Future Development, unless otherwise recommended in the applicable area plan, ensure that zoning proposals for nonresidential development or zoning proposals for multifamily residential development incorporate green building practices sufficient to attain certification through the LEED-NC or LEED-CS program or an equivalent program specifically incorporating multiple green building concepts, where applicable, where these zoning proposals seek at least one of the following:

- Development in accordance with Comprehensive Plan Options;
- Development involving a change in use from what would be allowed as a permitted use under existing zoning;
- Development at the Overlay Level; or
- Development at the high end of planned density/intensity ranges. For nonresidential development, consider the upper 40% of the range between by-right development potential and the maximum Plan intensity to constitute the high end of the range.

Where developments with exceptional intensity or density are proposed (e.g. at 90 percent or more of the maximum planned density or intensity), ensure that higher than basic levels of green building certification are attained.

In the Fairfax County Comprehensive Plan, 2013 Edition, Policy Plan, Environment, as amended through July 1, 2014, on page 7, the Plan states:

Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County.

Policy b. Update BMP requirements as newer, more effective strategies become available.

DMJ: JRB



County of Fairfax, Virginia

MEMORANDUM

DATE: May 20, 2016

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

FROM: Michael A. Davis, Acting Chief 
Site Analysis Section, Department of Transportation

FILE: RZ 88-S-026

SUBJECT: SEA 88-S-077-07 – Golden Brook, LLC
Tax Map: 44-1 ((9)) 0006

This department has reviewed the subject application including plans, proffers and operational analysis, dated November 10, 2015, and revised through May 6, 2016. The applicant is requesting permission to develop a fast food restaurant with a drive-through on the subject parcel, located on Willard Road at the easternmost entrance to Chantilly Place.

In response to staff comments on the operational analysis, the applicant has agreed to provide an exclusive right-turn lane at the westbound approach of Willard Road at its eastern entrance with Chantilly Place. FCDOT has no further transportation issues with this application.

MAD/VLH
cc: Michael Lynskey/DPZ



County of Fairfax, Virginia

MEMORANDUM

DATE: May 27, 2016

TO: Michael H. Lynskey
Zoning Evaluation Branch, DPZ

FROM: Linda Barfield, Urban Forester
Forest Conservation Branch, DPWES 

SUBJECT: Chantilly Place Shopping Center-Golden Brook, LLC
SEA 88-S-077-07

The following comments are based on a review of the Special Exception Amendment Plat set stamped "Received, Department of Planning and Zoning, May 6, 2016".

It appears all UFMD comments have been addressed.

I can be reached at 703-324-1770 if you have any questions or concerns.

lb/

UFMDID #: 207280

cc: DPZ File





County of Fairfax, Virginia

MEMORANDU

DATE: Revised, March 24, 2016

TO: Michael Lynskey, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Camylyn Lewis, Senior Engineer III (Stormwater)
Site Development and Inspections Division
Department of Public Works and Environmental Services

SUBJECT: Rezoning Application # SEA 88-S-077-07, Golden Brook, LLC, Special Exception Amendment Plat Dated 10-14-15, Received February 29th 2016; LDS Project #5344-ZONA-004-1, Tax Map #044-1-09-0006, Sully District

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

The applicant has provided a Stormwater Information Sheet (LTI 06-06) on Sheet 6.

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on this site.

The Stormwater Management and BMP Narrative states, “BMP will be provided through an existing wet pond”. The project is re-development. There are existing impervious areas which will be re-developed. The project does not qualify under DEQ Memo-14 as a land-disturbing activity obtaining first-time coverage. To use the existing pond to meet the requirements for the re-development project, the applicant will be required to demonstrate that the pond meets the DEQ specification #14, and PFM requirements for wet ponds for the drainage area it is designed to serve.

Note: The Stormwater Management and BMP narrative states that the C-factor used for the original site is 0.85 and the proposed site has a C-factor of 0.79. Sheet 8 shows the proposed development in the drainage area to pond B; the original C-factor is 0.77.

It is recommended that the applicant obtain a Stormwater Ordinance Determination (SWOD) and determine the water quality credit that may be provided by the existing pond. Alternatively, the applicant should provide BMPs for the re-development.

Computations are required to show how the quality and quantity requirements of the PFM and Chapter 124 could be met.

Note: The site is in the Water Supply Overlay District (WSPOD).

Floodplain

There are no regulated floodplains on the property.

Downstream Drainage Complaints

There are no applicable downstream drainage complaints on file.

Stormwater Detention

Stormwater detention is required PFM 6-0300 and Chapter 124; the applicant should provide approximate computations to show how this requirement could be met. The plan does not qualify as new construction with first-time coverage. See also the section "Chesapeake Bay Preservation Ordinance (CBPO)"; second paragraph.

Site Outfall

The applicant should provide a detailed description with approximate supporting computations to show how the channel protection requirements and flood protection requirements of each numbered outfall will be satisfied per stormwater management ordinance and public facilities manual. The outfall statement is not adequate. The applicant should show the drainage areas on the exhibit, the extent of review for channel protection, and for flood protection, and provide approximate computations with narrative to explain how the channel protection and flood protection requirements could be met.

Stormwater Planning Comments

There are no comments from stormwater planning at this time.

Please contact Camylyn Lewis or at 703-324-1808 if you require additional information.

CML/

cc: Fred Rose, Chief, Watershed Planning & Assessment Branch, Storm water Planning Division,
DPWES
Shahab Baig, Chief, North Branch, SDID, DPWES
Zoning Application File



County of Fairfax, Virginia

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

APR 12 2016

Travis D'Amico, P.E.
Project Manager
Bohler Engineering
22636 Davis Drive, Suite 250
Sterling, Virginia 20164

Subject: Chantilly Place Shopping Center, Lot 6; Special Exception Amendment # SEA 88-077-07; Tax Map #044-1-09-0006; Sully District

Reference: Stormwater Management Ordinance Determination #5344-SWOD-002-1

Dear Mr. D'Amico:

This is in response to your request dated February 29th 2016, for a determination whether the proposed redevelopment of the referenced site meets the applicable criteria and is considered Grandfathered under §124-1-12 of the Stormwater Management Ordinance, Chapter 124 of the Code of the County of Fairfax (SWMO).

We have reviewed your request and determined that the referenced site is served by an existing regional stormwater management facility, and that new land-disturbing activities could qualify under the provisions in the Virginia Department of Environmental Quality (DEQ) Guidance Memo No. 14-2014, dated August 25, 2014, and may be conducted in accordance with the technical criteria in Article 5 of the SWMO for two state permit cycles, provided that the following are met:

- The new land-disturbing activities that are served by existing off-site stormwater management facilities do not change the land-use assumptions (e.g., amount of impervious cover) upon which the as-built computations of the existing on-site stormwater management facilities are based;
- The land cover conditions of the site are not modified or amended in a manner resulting in an increase in the amount of phosphorous leaving each point of discharge or the volume or rate of runoff;
- The final design for the new land-disturbing activity must demonstrate that the construction activity will comply with the technical criteria in Article 5 of the SWMO;
- Coverage under the Virginia Pollution Discharge Elimination System (VPDES) General Permit for Discharges of Stormwater from Construction Activities (Construction General Permit) is obtained prior to commencement of the land-disturbing activities;
- Coverage under the VPDES Construction General Permit is continuously maintained throughout the life of the construction activity, until all land-disturbing activities are completed, final stabilization is achieved, and Construction General Permit coverage is terminated; and

Department of Public Works and Environmental Services

Land Development Services

12055 Government Center Parkway, Suite 444

Fairfax, Virginia 22035-5503

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Travis D'Amico, P.E.
5344-SWOD-002-1
Page 2 of 2

- At the end of the 2019 VPDES Construction General Permit (i.e., June 30, 2024), the land-disturbing activities shall become subject to any new technical criteria adopted by the State Water Control Board.

This determination is based on DEQ Guidance Memo No. 14-2014; the off-site stormwater management facility; and Virginia Stormwater Management Program (VSMP) Permit Regulations (9VAC25-870 et seq.).

An electronic copy of DEQ Guidance Memo 14-2014 is available on DEQ's website at: www.deq.virginia.gov/Portals/0/DEQ/Water/Guidance/142014.pdf.

The proposed plan will need to demonstrate the average C-factor of 0.85 for the drainage area to pond B is still valid.

Please ensure that a copy of this letter is made a part of any subsequent plan submissions. Please note that the SWMO or this determination does not prevent an applicant from designing to a more stringent standard if they choose to do so.

This determination shall automatically expire, without notice, on June 30, 2024.

If further assistance is desired, please contact Camylyn Lewis, Senior Engineer III, Site Development and Inspections Division (SDID), at 703-324-1720 or e-mail: CamylynLewis@fairfaxcounty.gov.

Sincerely,



Shahab Baig, P.E., Chief, North Branch
SDID
Herrity Building, Suite 535

cc: Jack Weyant, Director, SDID, Land Development Services, (LDS) Department of Public Works and Environmental Services, (DPWES)
Camylyn Lewis, P.E., CFM, Senior Engineer III, SDID, LDS, DPWES
Dr. Yosif Ibrahim, P.E., Senior Engineer III, SDID, LDS, DPWES
DPWES File

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		