

APPROVED DEVELOPMENT CONDITIONS
SE 2016-BR-013
October 6, 2016

If it is the intent of the Board of Supervisors to approve SE 2016-BR-013, located at the Twinbrooke Shopping Center, Tax Map 69-3 ((01)) 18A (pt.) (the "Property"), to permit a fast food restaurant, pursuant to Sect. 9-505 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance by the fast-food tenant (Rejnaj of Twinbrooke, LLC), its successors and assigns (collectively the "Applicant") with the following development conditions.

1. This Special Exception ("SE") is granted for and runs with the land indicated in this application, and is not transferable to other land.
2. This SE is granted only for the purpose(s), structure(s) and/or use(s) indicated on the SE Plat approved with this application, as qualified by these development conditions.
3. This SE 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 SE Plat, consisting of nine (9) sheets, entitled "Popeye's Louisiana Kitchen, Twinbrooke Shopping Center, Special Exception Plat – SE 2016-BR-013", prepared by Bowman Consulting and dated August 19, 2016, and these conditions. 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. Any site plan associated with this SE shall also continue to be coordinated with the approved site plans for the remainder of the shopping center.
4. The architectural design of the building shall be generally consistent with the quality of construction and materials shown on the illustrative elevations included on Sheet 9 of the SE Plat. The building shall include consistent architectural treatment on all four facades. Brick veneer consistent with that shown on Sheet 9 of the SE Plat shall be provided along the base of the building, to enhance compatibility with the brick facades of the Shopping Center.
5. A parking tabulation for the entire shopping center shall be included on any site plan associated with this SE, and approved by DPWES prior to final site plan approval. The number and/or location of on-site parking spaces may be adjusted at the time of site plan, and without the necessity for an amendment to this SE, to accommodate the alternate dumpster location shown on the SE Plat.
6. Solid waste and/or recycling containers shall be enclosed on all sides with solid fencing that generally conforms to that shown on Exhibit A, attached to these conditions. The enclosure shall include a matching gate, which shall remain closed

when not accessing the containers. The final design and location of the enclosure and gate may be modified at the time of site plan in order to be acceptable to DPWES. Solid waste and/or recycling collection times shall be limited in accordance with the County Noise Ordinance.

7. The applicant shall designate a minimum of five (5) parking spaces, adjacent to the south boundary of the Property, as short-term parking spaces to be shared by patrons of the fast-food restaurant on the Property and the adjacent use. No parking or standing shall be allowed in the 20-foot fire lane/drive aisle along the south boundary of the Property. The fire lane shall be marked/signed in accordance with County Fire Prevention Code requirements.
8. Landscaping for the proposed fast food use shall be provided in substantial conformance with the Landscape Plan shown on the SE Plat, as modified on Exhibit A, and with the following exception: the deciduous shrubs shown on the SE Plat along Braddock Road should be replaced with evergreen shrubs on the final Landscape Plan. All landscaping shall be maintained in good condition and/or replaced, as needed, for the life of the SE.
9. The existing tree designated as T6 on Sheet 3 of the SE Plat is designated to be preserved, and is included in the Tree Preservation calculations on Sheet 7 of the SE Plat. Tree T6 is located within a major storm water easement, and may not be eligible for preservation credit, and may also be threatened by the proposed site disturbance. Tree T6 may be removed and replaced elsewhere on the site, subject to approval of the Urban Forest Management Division of DPWES, and/or removed from Tree Preservation calculations, as may be necessary at the time of site plan, without violating this SE approval.
10. Stormwater Management/Best Management Practices shall be required at the time of site plan per the County Stormwater Management Ordinance. The applicant may utilize additional BMPs or purchase off-site nutrient credits, as may be necessary to satisfy requirements at the time of site plan, without requiring an amendment to this Special Exception, provided that the site plan remains substantially in conformance with the SE Plat (as may be determined by DPZ).

11. Green Building Commitment:

In order to promote sustainable design, the following measures shall be taken in conjunction with the construction of the proposed building identified on the SE Plat:

- a) A LEED-AP shall be included as a member of the design team. The LEED-AP will work with the Applicant to incorporate sustainable design elements and innovative technologies into the proposed building. At the time of the site plan submission, documentation will be provided to the Environment and

Development Review Branch (EDRB) of the Department of Planning and Zoning, demonstrating compliance with the commitment to engage such a professional.

Prior to the receipt of a Non-Residential Use Permit (Non-RUP) for the proposed use, the LEED-AP shall submit, for review and approval by EDRB, a certification statement, including all supporting documentation detailed below, confirming that the green building elements listed below have been incorporated into the design and construction of the building.

b) Green building elements for inclusion in the project:

- i) Native and non-invasive species shall be used exclusively for all required landscaping on the property. A planting list showing species and location of plantings shall be on the landscape plan that is included with the site plan.
- ii) LED or fluorescent lamps shall be incorporated in the interior building light fixtures to the extent possible.
- iii) Motion sensor faucets, flush valves, and ultralow-flow plumbing fixtures that have a maximum water usage as listed below shall be used in restroom facilities in the building:
 - Water Closet (gallons per flush, gpf): 1.28
 - Urinal (gpf): 0.5
 - Showerheads (gallons per minute, gpm*): 20
 - 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).
- iv) Low-emitting materials shall be used for all adhesives, sealants, paints, coatings, floor systems, composite wood, and agrifiber products, as well as furniture and furnishings, if available. Low-emitting is defined according to the following table:

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

- v) Carpet and carpet padding shall be installed which meets the testing and product requirements of the Carpet and Rug Institute Green Label Plus program. Manufacturers' product data shall be provided with the certification statement.
- vi) Vinyl composition tile and rubber flooring shall be installed which meets the requirements of the FloorScore certification program. Manufacturers' product data and certification letter shall be provided.
- vii) To the extent feasible, Energy Star, or equivalent, appliances and equipment for all refrigerators, water heaters, computers, monitors, water coolers, and other appliances and office equipment shall be installed. Installation locations and manufacturers' product data, including the Energy Star energy guide, if installed, shall be provided.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be 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 to permit a fast food restaurant 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.



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Professional Certification: I have by virtue of my education, training, and experience, and the approval of the Board of Architects under the License No. 0007000005, performed the design and construction documents for this project.

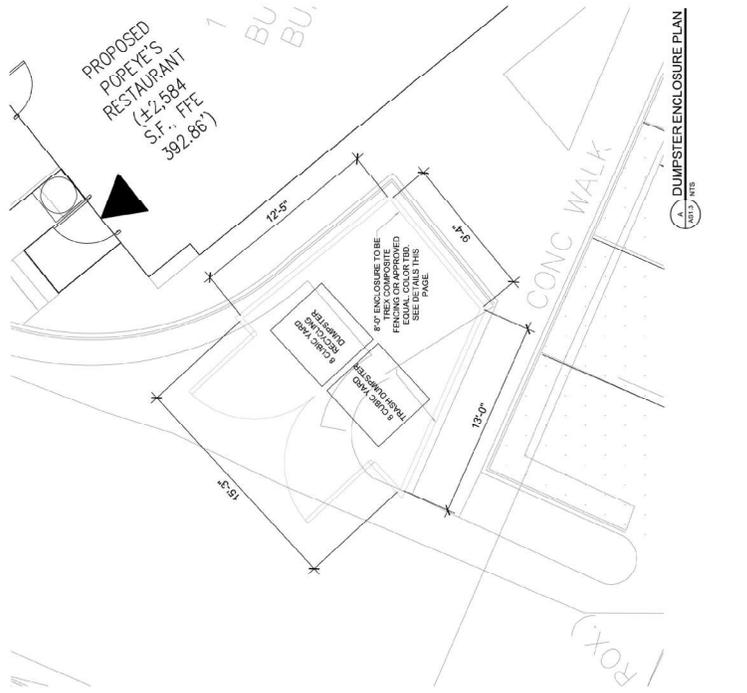
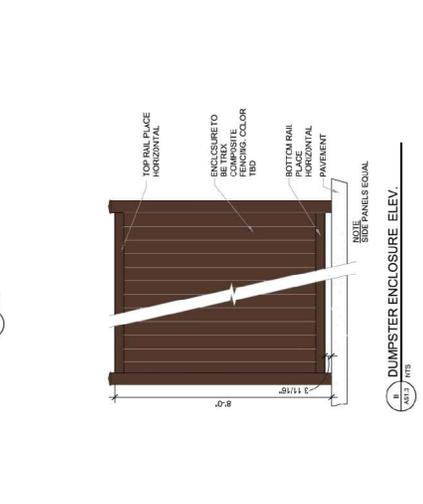
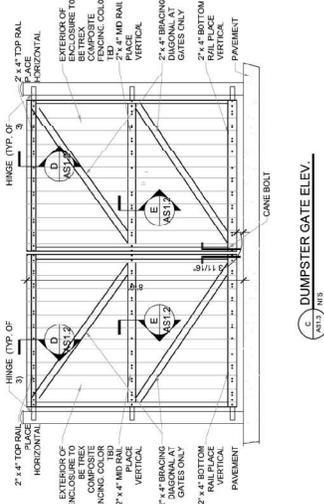
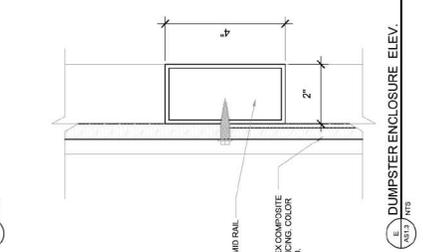
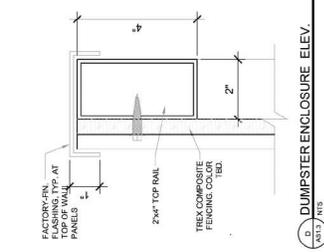
POPPEYES - FAIRFAX
9881 BRADDOCK RD
FAIRFAX, VA 22032

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The contractor shall be responsible for obtaining all necessary permits and approvals to construct the project. It shall cover the drawings and specifications, materials, and construction methods. The contractor shall be responsible for obtaining all necessary permits and approvals to construct the project. It shall cover the drawings and specifications, materials, and construction methods. The contractor shall be responsible for obtaining all necessary permits and approvals to construct the project. It shall cover the drawings and specifications, materials, and construction methods.

NO. OF SHEETS	1
TOTAL NO. OF SHEETS	1
DATE	08/11/16
DESIGNER	WJL
CHECKER	WJL
DATE	08/11/16
PROJECT	POPPEYES - FAIRFAX
SHEET STATUS	AS BUILT

DUMPSTER ENCLOSURE DETAILS	
DESIGNER	WJL
CHECKER	WJL
DATE	08/11/16
PROJECT	POPPEYES - FAIRFAX
SHEET NO.	AS1.3



PROPOSE **ENCING**

DETAILS PROVIDED ARE CONCEPTUAL IN NATURE AND REPRESENT THE DESIGN INTENT. FINAL CONSTRUCTION METHODS MAY VARY TO COMPLY WITH MANUFACTURER'S INSTALLATION METHODS