



APPLICATION ACCEPTED: December 10, 2015
PLANNING COMMISSION: November 9, 2016
BOARD OF SUPERVISORS: TBD

County of Fairfax, Virginia

WS

October 25, 2016

STAFF REPORT

APPLICATIONS SEA 85-C-069-03

SULLY DISTRICT



APPLICANT: Chick-fil-A, Inc.

EXISTING/PROPOSED ZONING: C-8, HC, WS

PARCEL: 34-4 ((1)) 16C

ACREAGE: 13.01 acres

PLAN MAP: Retail and Other Commercial Uses

FAR: 0.21 for the overall shopping center

SE CATEGORY: Category 5 – Fast food restaurant

PROPOSAL: To expand the fast food restaurant and drive-through with modifications to site design and development conditions.

STAFF RECOMMENDATIONS:

Staff recommends approval of SEA 85-C-069-03, subject to the development conditions contained in Appendix 1.

Staff recommends approval of a modification of the loading space requirement of Section 11-200 of the Zoning Ordinance for the proposed fast food restaurant, as conditioned.

It should be noted that it is not the intent of the staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does

Carmen Bishop, AICP

not reflect the position of the Board of Supervisors.

The approval of this application does not interfere with, abrogate or annul any easements, 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

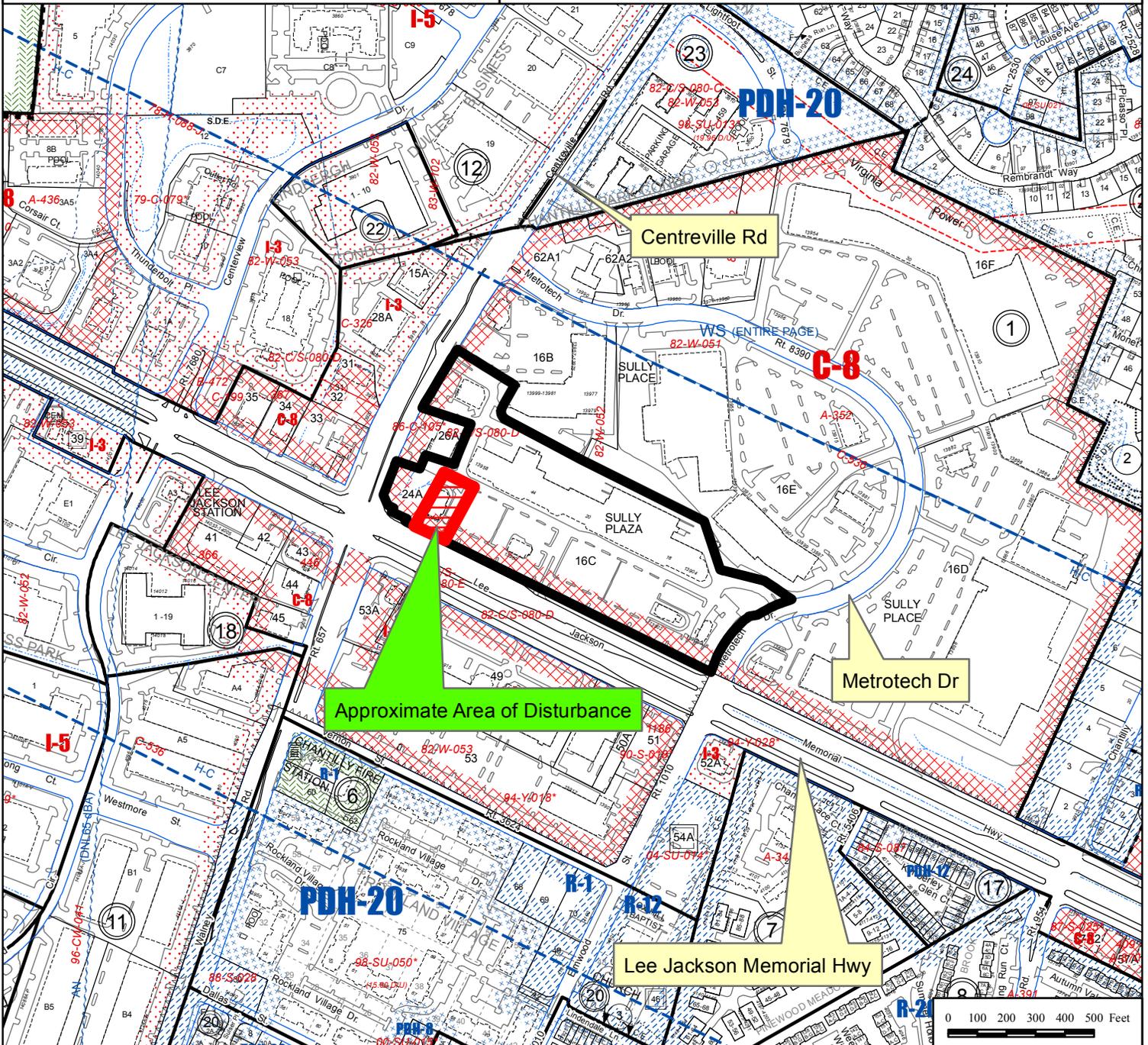
SEA 85-C -069-03

Applicant:
Accepted:
Proposed:

CHICK-FIL-A, INC
12/10/2015
FAST FOOD RESTAURANT WITH DRIVE-THRU
IN A HIGHWAY CORRIDOR OVERLAY DISTRICT

Area: 13.01 AC OF LAND; DISTRICT - SULLY
Zoning Dist Sect: 07-0607
Located: 13962 LEE JACKSON MEMORIAL HIGHWAY,
CHANTILLY, VA 20151

Zoning: C-8
Plan Area: 3,
Overlay Dist: HC WS
Map Ref Num: 034-4- /01/ /0016C



SPECIAL EXCEPTION AMENDMENT SEA-85-C-069-03

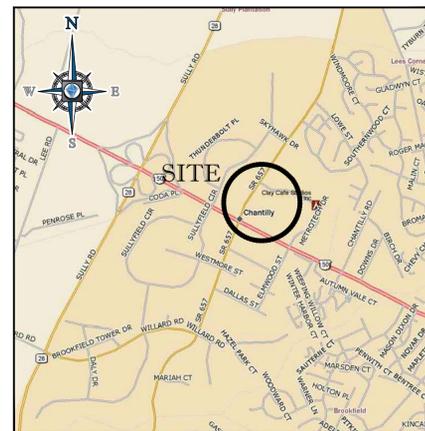
FOR



CHICK-FIL-A

LOCATION OF SITE
SULLY PLAZA

13962 LEE JACKSON MEMORIAL HIGHWAY, CHANTILLY
FAIRFAX COUNTY, VIRGINIA
TAX MAP 0344-01-0016C



LOCATION MAP
COPYRIGHT 2003
DELRORME STREET ATLAS 2004 PLUS USA
SCALE: 1"=2000'

ATTORNEY

McGUIRE WOODS, LLP
1750 TYSONS BOULEVARD
SUITE 1800
TYSONS CORNER, VA 22102
CONTACT: SHERI L. AKIN
LAND USE PLANNER
703-712-5483

OWNER

HAFT EQUITIES SULLY PLAZA,
LIMITED PARTNERSHIP
1025 THOMAS JEFFERSON STREET
NW SUITE 700 C/O COMBINED
PROPERTIES INC WASHINGTON
D.C. 20007

APPLICANT

CHICK-FIL-A
5200 BUFFINGTON ROAD
ATLANTA, GA 30349
JOHN MARTINEZ

PREPARED BY



22636 DAVIS DRIVE, SUITE 250
STERLING, VIRGINIA 20164

Phone: (703) 709-9500
Fax: (703) 709-9501

VA@BohlerEng.com

CONTACT: TRAVIS D'AMICO, P.E.

SHEET INDEX	
SHEET TITLE	SHEET NUMBER
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Mark	Date	By
△	7/29/16	JAZ

REV. PER COUNTY COMMENTS

Mark	Date	By
△	09/12/16	GJE

REV. PER COUNTY COMMENTS - INSERTS

Mark	Date	By
△	10/04/16	NTG

REV. PER COUNTY COMMENTS - BLDG SF



STORE
Series 08-
13962 LEE JACKSON
MEMORIAL HIGHWAY
CHANTILLY
FAIRFAX COUNTY, VA
TM 0344-01-0016C

SHEET TITLE
COVER SHEET

DWG EDITION 02.4
 Preliminary
 80% Submittal
 For Construction

Job No. : S146514
Store : 03628
Date : 06/10/15
Drawn By : NTG
Checked By : KGS

Sheet
1

GENERAL NOTE:
IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT.
WORK BEFORE THE START OF CONSTRUCTION. SHOULD THE CONTRACTOR FIND A CONFLICT WITH THE DOCUMENTS RELATIVE TO
THE SPECIFICATIONS OR APPLICABLE CODES, IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD IN
WRITING PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER SHALL CONSTITUTE
ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF THE WORK AS DEFINED BY THE DRAWINGS AND IN
FULL CONFORMANCE WITH LOCAL, STATE AND FEDERAL LAWS.



APR 15 2016

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

Subject: Sully Plaza Shopping Center (Chick-fil-A, Inc.), Special Exception Amendment
SEA-85-C-069-03; Tax Map #034-4-01-0016C; Sully District

Reference: Stormwater Management Ordinance Determination #5660-SWOD-001-1

Dear Mr. D'Amico:

This is in response to your request dated April 7th 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 storm water management facility (dry pond #5660-SPO-01-3), 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 existing dry pond is designed to provide pollutant removal rate of about 40%. Since the subject site is located within the Water Supply Overlay District Area (WSPOD), an additional 10% phosphorous load removal requirements for the proposed 0.418 Acres must be met through the provision of on-site Best Management Practices. Please note you can not meet the WSPOD removal requirements through the purchase of off-site nutrient credit;
- 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.

Department of Public Works and Environmental Services
Land Development Services
12055 Government Center Parkway, Suite 444
Fairfax, Virginia 22035-5903
Phone 703-224-1780 • TTY 711 • FAX 703-653-6678
www.fairfaxcounty.gov

Travis D'Amico, P.E.

Page 2 of 2

- 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
- 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 (VSM) 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 0.79 for the drainage area to the existing dry pond 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 Yosif Ibrahim, Senior Engineer III, Site Development and Inspections (SDID), at 703-324-1720 or e-mail: Yosif.Ibrahim@fairfaxcounty.gov.

Sincerely,

Shahab Baig, P.E., Chief, North Branch
Site Development and Inspections Division (SDID)

cc: Jack Weyant, Director, SDID, Land Development Services, (LDS) Department of Public Works and Environmental Services, (DPWES)
Camryn Lewis, P.E., CFM, Senior Engineer III, SDID, LDS, DPWES
Camen Bishop, Staff Coordinator, Department of Planning and Zoning
Yosif Ibrahim, P.E., Senior Engineer III, SDID, LDS, DPWES
DPWES File



Revisions:	Mark	Date	By
	3	7/29/16	JAZ

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REV. PER COUNTY COMMENTS - BLDG SF	Mark	Date	By



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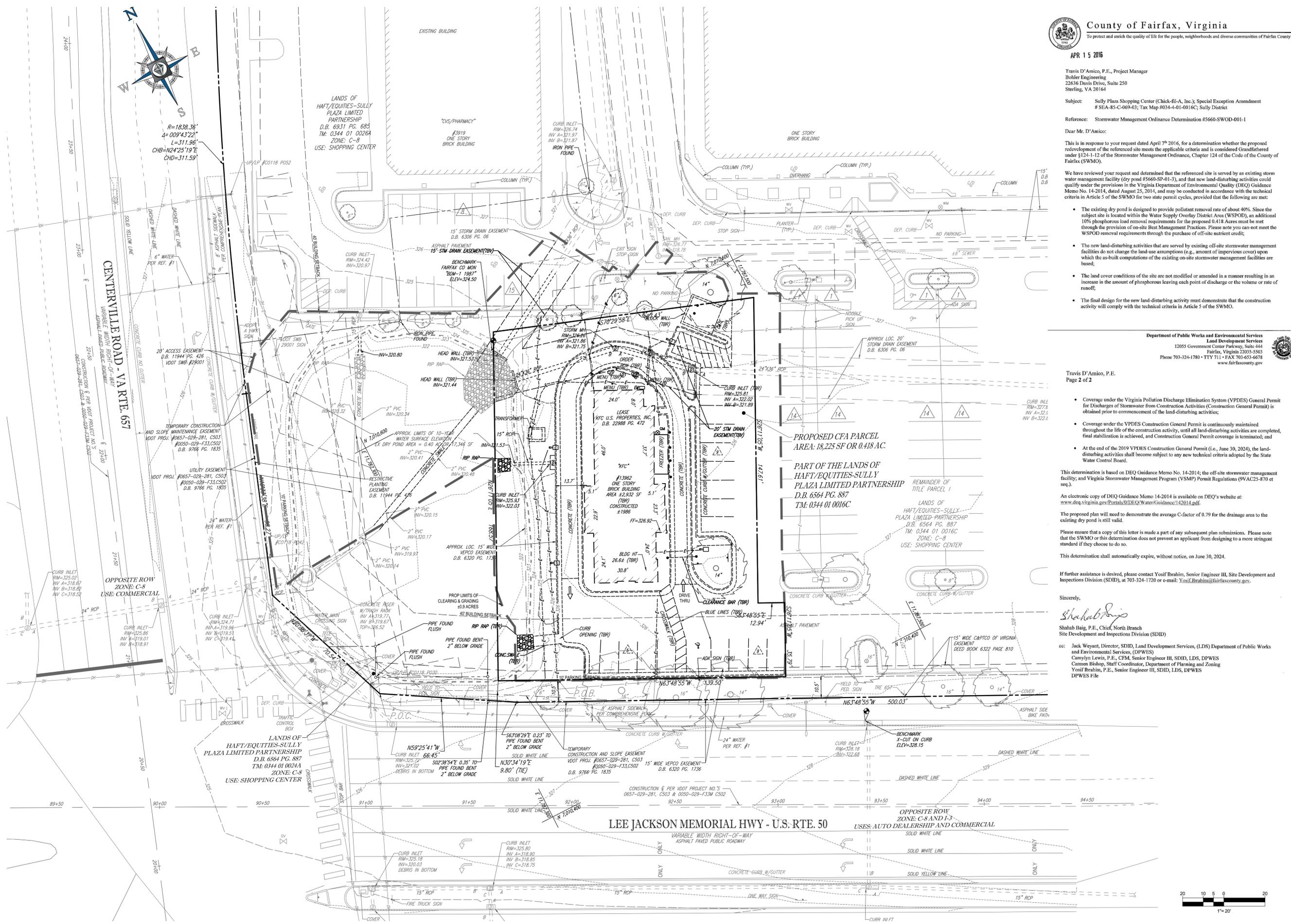
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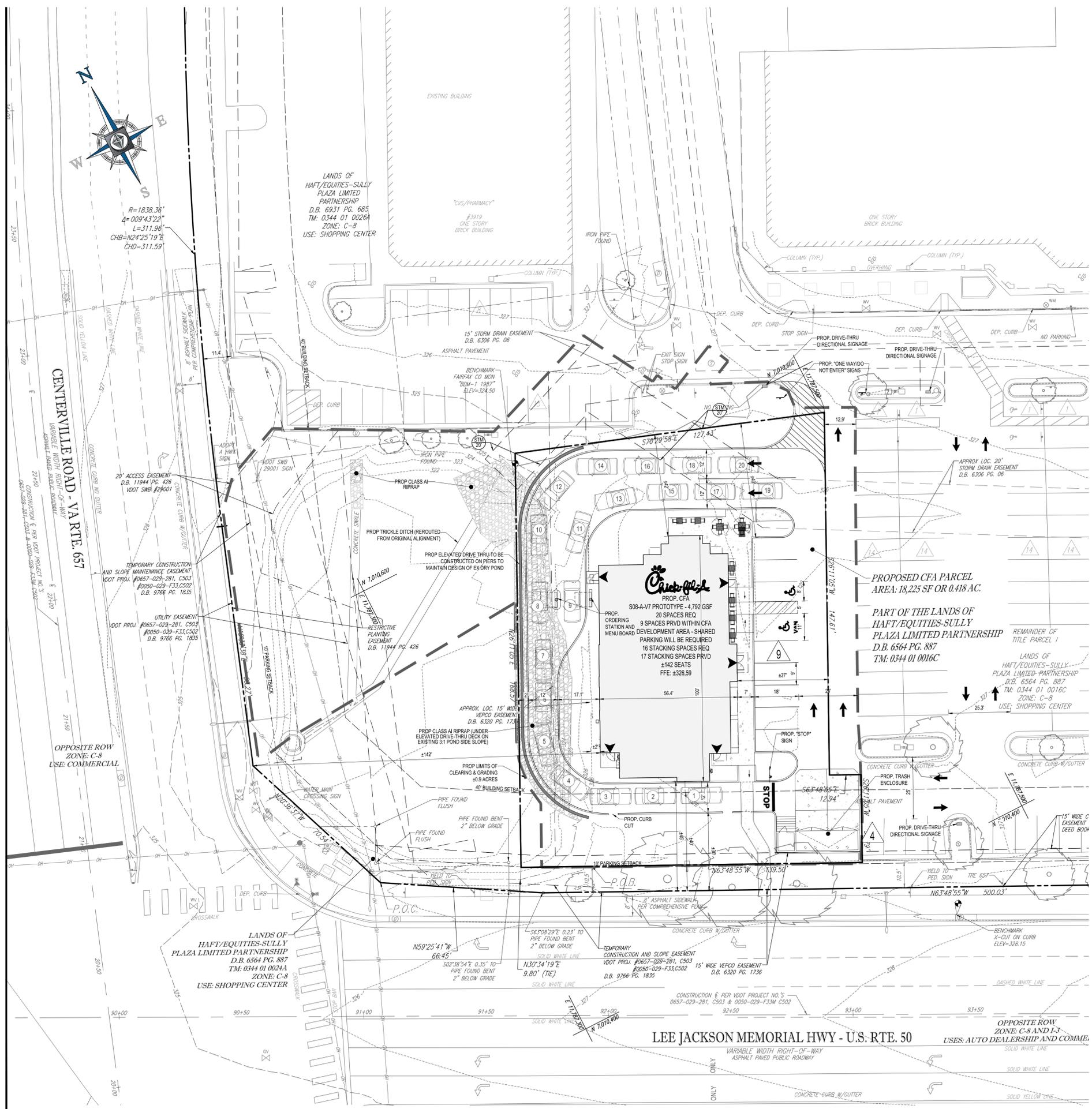
SHEET TITLE
EXISTING CONDITIONS PLAN
DWG EDITION 02.4

Preliminary
 80% Submittal
 For Construction

Job No. : S146514
Store : 03628
Date : 06/10/15
Drawn By : NTG
Checked By : KGS

Sheet
2





GENERAL NOTES

- THIS PLAN IS BASED ON A BOUNDARY & TOPOGRAPHICAL/ALTA SURVEY SURVEY BY: BOHLER ENGINEERING, ENTITLED "ALTA/ACSM LAND TITLE SURVEY CHICK-FIL-A, INC., 13962 LEE JACKSON MEMORIAL HIGHWAY - U.S. RTE 50, CENTREVILLE DISTRICT, FAIRFAX COUNTY, VIRGINIA" PROJECT#: SS146514 DATE: 03/28/15
- ALL ELEVATIONS SHOWN ARE BASED ON THE SURVEYOR'S BENCHMARK, AS REFERENCED IN THE SURVEY, AND MUST BE VERIFIED BY THE GENERAL CONTRACTOR PRIOR TO GROUNDBREAK. TOPOGRAPHY IS FIELD RUN.
- OWNER: HAFT/EQUITIES-SULLY PLAZA LIMITED PARTNERSHIP, 1025 THOMAS JEFFERSON STREET NW SUITE 700 CO COMBINED PROPERTIES INC WASHINGTON D.C. 20007
DEVELOPER: CHICK-FIL-A, 5200 BUFFINGTON ROAD ATLANTA, GA 30349 JOHN MARTINEZ (404) 305-4945
- PARCEL DATA: TAX MAP #0344-01-0016C - 0.418 AC (18.225 SF) (SPECIAL EXCEPTION AREA)
- ZONE: C-8 (HIGHWAY COMMERCIAL DISTRICT) LEASE AREA 0.418 AC (18,225 SF) PROPERTY AREA (INCLUDING LEASE AREA) 13.01 AC (566,827 SF)
- BULK REQUIREMENTS

	ALLOWED/REQUIRED	PROVIDED
A. MIN. LOT AREA	40,000 SF	18,225 SF (0.418 AC) LEASE AREA 566,827 SF (13.01 AC) OVERALL PROPERTY
B. MIN. BUILDING SETBACK		
FRONT SETBACK (LEE JACKSON MEMORIAL HWY)	40' OR 45' BULK PLANE	45.0' (BUILDING) 40.0'± (DRIVE-THRU CANOPY)
FRONT SETBACK (CENTREVILLE ROAD)	40' OR 45' BULK PLANE	142.0' (BUILDING)
SIDE SETBACK (EAST LEASE LINE)	0'	37.0'± (BUILDING)
REAR SETBACK (NORTH LEASE LINE)	20'	42.0'± (BUILDING)
C. MIN. PARKING SETBACK		
FRONT SETBACK (LEE JACKSON MEMORIAL HWY)	10'	10' (EXISTING)
FRONT SETBACK (CENTREVILLE ROAD)	10'	11.4' (EXISTING)
SIDE SETBACK (EAST LEASE LINE)	N/A	N/A
REAR SETBACK (NORTH LEASE LINE)	N/A	N/A
D. PARKING REQUIREMENT		
a. 4 SPACES / 1,000 SF (SHOPPING CENTER PARKING RATE)	20 SPACES (561 TOTAL SPACES FOR SHOPPING CENTER ARE REQUIRED)	8 SPACES WITHIN CFA DEVELOPMENT AREA. SHARED PARKING WILL BE UTILIZED OUTSIDE OF THE LEASE AREA (990 PARKING SPACES ARE PROVIDED WITHIN THE OVERALL SHOPPING CENTER)
b. STACKING REQUIREMENTS: 11 FOR THE WINDOW, WITH A MIN OF 5 FOR THE ORDERING STATION	16	17
c. MIN. PARKING SPACE DIMENSIONS	90" SPACES	8.5' x 18' (0.50 FAR - LEASE AREA (9,113 SF MAX ALLOWED FOR LEASE AREA)) 9' x 18' (0.26 FAR - LEASE AREA (4,792 SF PROVIDED FOR LEASE AREA))
E. FLOOR AREA RATIO (F.A.R.)	0.50 FAR - OVERALL PARCEL (298,538 SF MAX ALLOWED FOR OVERALL PARCEL)	0.21 FAR - OVERALL PARCEL (123,499 SF MAX PROVIDED FOR OVERALL PARCEL)
F. MIN. DRIVE AISLE	23'	23'±
G. MAX. BUILDING HEIGHT	40'	25'±
I. OPEN SPACE	15%	15%±
J. LOADING (ONE 15' x 25')	1	0 (WAIVER REQUESTED)
H. MINIMUM LOT WIDTH	200.00'	±139.00' (CHIK-FIL-A) ±1,254.00' (OVERALL)
- NO KNOWN BURIAL GROUNDS EXIST WITHIN THE LIMITS OF THE SPECIAL EXCEPTION AREA.
- THE PROPERTY IS LOCATED IN ZONE X (AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE OF FLOOD), PER MAP ENTITLED "FIRM, FLOOD INSURANCE RATE MAP, FAIRFAX COUNTY, VIRGINIA, UNINCORPORATED AREAS, PANEL 145 OF 450" MAP NUMBER 510509C0145E. MAP EFFECTIVE DATE SEPTEMBER 17, 2010.
- NO UTILITY EASEMENTS HAVING A WIDTH OF 25 FEET OR MORE ARE KNOWN TO EXIST ON THE SITE.
- NO RESOURCE PROTECTION AREA, ENVIRONMENTAL QUALITY CORRIDOR OR FLOOD PLAIN IS KNOWN TO EXIST ON THIS SITE.
- THE ONE (1) FOOT CONTOUR INTERVALS THAT ARE SHOWN ON SHEET 2 ARE THE RESULT OF A FIELD RUN SURVEY, AS REFERENCED ABOVE.
- A STATEMENT FROM THE HEALTH DEPARTMENT REGARDING ADEQUATE AVAILABLE FACILITIES IS REQUIRED FOR SANITARY SEWER AND WILL BE PROVIDED AT SITE PLAN REVIEW. THE PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
- PROPOSED CANOPY UTILITY LOCATIONS, LANDSCAPING AND PARKING LOT CONFIGURATIONS ARE SUBJECT TO FINAL ENGINEERING. CANOPY CONFIGURATION TO BE DETERMINED DURING THE SITE PLAN REVIEW BUT SHALL REMAIN IN SUBSTANTIAL CONFORMANCE AS DEPICTED.
- THE PROPOSED DEVELOPMENT EXISTS WITHIN THE LIMITS OF SPECIAL EXCEPTION AREA. PARKING AND INGRESS/EGRESS ARE PROVIDED AS SHOWN.
- SIGNS WILL BE INSTALLED UNDER A SEPARATE PERMIT IN ACCORDANCE WITH ALL APPLICABLE FAIRFAX COUNTY ORDINANCES.
- SITE LIGHTING WILL CONFORM TO PART 9 OF ARTICLE 14 OF THE ZONING ORDINANCE.
- PAVEMENT STRIPING AND MARKINGS ARE FOR ILLUSTRATIVE PURPOSES ONLY.
- ALL REQUIRED FIRE PROTECTION DEVICES, SIGNAGE, AND STRIPING WILL BE PROVIDED PER THE STATEWIDE BUILDING CODE, FAIRFAX COUNTY PUBLIC FACILITIES MANUAL, AND STATEWIDE FIRE PREVENTION CODE.
- THE PROPOSED DEVELOPMENT SHALL CONFORM TO ALL APPLICABLE ORDINANCES, REGULATIONS, AND ADOPTED STANDARDS EXCEPT AS NOTED BELOW.

WAIVERS REQUESTED WITH THIS APPLICATION

- THE APPLICANT REQUESTS APPROVAL OF THE WAIVER OF THE LOADING SPACE REQUIREMENT (ZO-11-203)



Revisions:

Mark	Date	By
3	7/29/16	JAZ
4	09/12/16	GJE
5	10/04/16	NTG

REV. PER COUNTY COMMENTS

REV. PER COUNTY COMMENTS - INSERTS

REV. PER COUNTY COMMENTS - BLDG SF



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SHEET TITLE
SPECIAL EXCEPTION PLAT

DWG EDITION **02.4**

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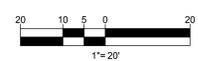
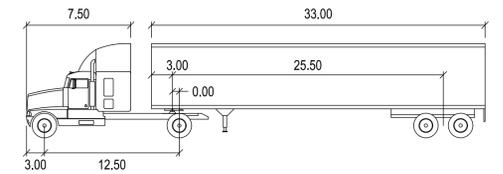


Table 1
Chick-Fil-A Sully Plaza
Site Trip Generation Analysis - Peak Hour of Adjacent Street⁽¹⁾

Scenario	Land Use Code	Amount	Units	AM Peak Hour			PM Peak Hour			Average Daily Trips	SAT Peak Hour			Average Daily Trips
				In	Out	Total	In	Out	Total		In	Out	Total	
Fast-food Restaurant with Drive-thru	934	4,792	SF	109	104	213	80	73	153	2,316	141	135	276	3,371
Pass-By Trip Reduction ⁽²⁾				56	53	109	38	34	72		66	63	130	
Diverted Link Trip Reduction ⁽³⁾				31	29	60	18	17	35		32	31	63	
Restaurant New Primary				23	22	45	24	22	46		42	41	83	

Note(s):
 1. Trip generation based on the Institute of Transportation Engineers' Trip Generation, 9th Edition rates/equations as appropriate.
 2. Based on observed driveway counts from January 27, 2015 and January 31, 2015. Daily traffic based peak hour multiplied by a factor of 10.
 3. Reduction based on ITE Trip Generation Handbook. Pass-By (AM:51%, PM:47%, SAT:47%) Diverted Link (AM:28%, PM:23%, SAT:23%)
 4. 60% Drive-through and 40% sit down has been assumed for this study.

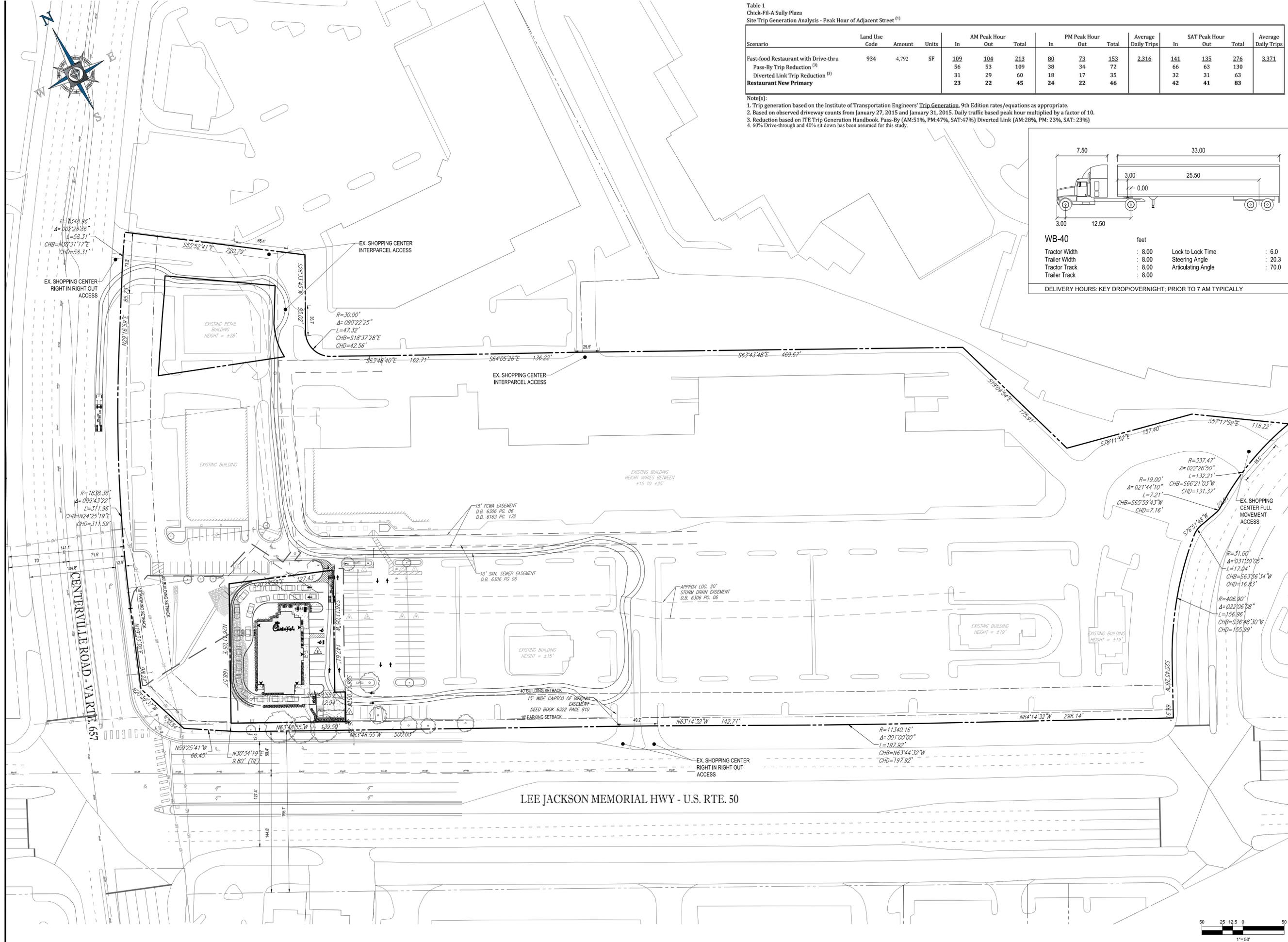


WB-40

Tractor Width	Trailer Width	Tractor Track	Trailer Track
8.00	8.00	8.00	8.00

Lock to Lock Time : 6.0
 Steering Angle : 20.3
 Articulating Angle : 70.0

DELIVERY HOURS: KEY DROP/OVERNIGHT, PRIOR TO 7 AM TYPICALLY



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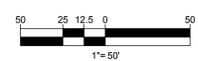
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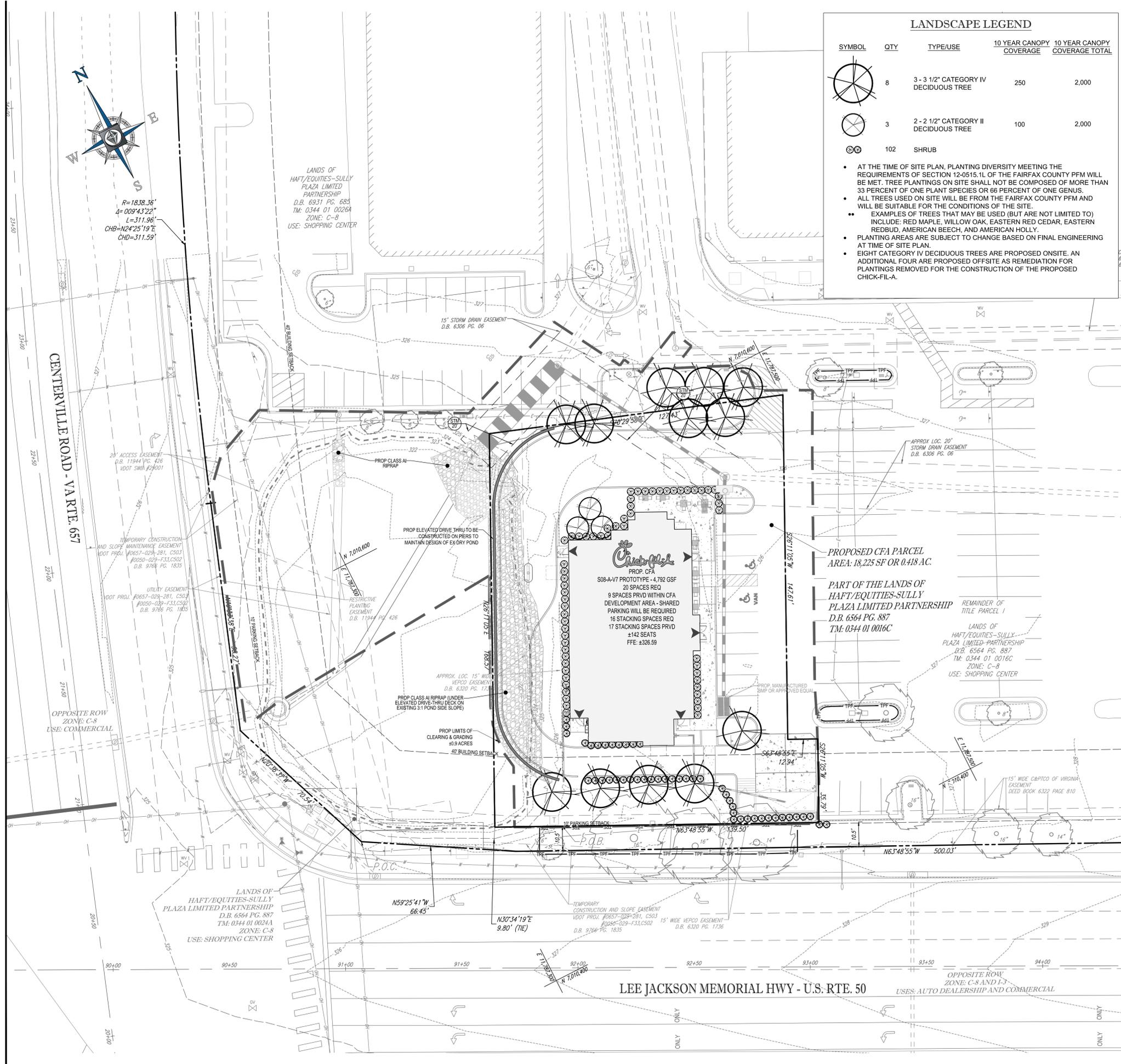


TABLE 12.3

PRE-DEVELOPMENT AREA OF EXISTING TREE CANOPY (SF)	738
PERCENTAGE OF GROSS SITE AREA COVERED BY EXISTING TREE CANOPY	4.0%
PERCENTAGE OF 10-YEAR TREE CANOPY REQUIRED FOR SITE (SEE PFM TABLE 12.4)	10%
PERCENTAGE OF THE 10-YEAR TREE CANOPY REQUIREMENT THAT SHOULD BE MET THROUGH TREE PRESERVATION	4.0%
PROPOSED PERCENTAGE OF CANOPY REQUIREMENT THAT WILL BE MET THROUGH TREE PRESERVATION	0.0%
HAS THE TREE PRESERVATION TARGET MINIMUM BEEN MET?	NO
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	
IF STEP G REQUIRES A NARRATIVE, IT SHALL BE PREPARED IN ACCORDANCE WITH 12-0507.4	
PLACE THIS INFORMATION PRIOR TO THE 10-YEAR TREE CANOPY CALCULATIONS AS PER INSTRUCTIONS IN TABLE 12.10	

TABLE 12.10

STEP	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 = 18,225
B2	SUBTRACT AREA DEDICATED TO PARKS AND ROAD FRONTAGE = 0
B3	SUBTRACT AREA OF EXEMPTIONS = 0
B4	ADJUSTED GROSS SITE AREA (B1-B2) = 18,225
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) = 1,823
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 = 74
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) = 1,823
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 WILD LIFE 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 2,000
D18	TOTAL CANOPY AREA PROVIDED THROUGH TREE PLANTING = 2,000
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) = 2,000
E3	TOTAL OF CANOPY AREA PROVIDED THROUGH OFFSITE MECHANISM (D19) = 0
E4	TOTAL OF 10-YEAR TREE CANOPY PROVIDED = 2,000
	PERCENTAGE OF 10-YEAR TREE CANOPY PROVIDED = 10.97%

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5200 Buffington Rd.
Atlanta Georgia, 30343-2598

Revisions:

Mark	Date	By
3	7/29/16	JAZ
4	09/12/16	GJE
5	10/04/16	NTG

REV. PER COUNTY COMMENTS

REV. PER COUNTY COMMENTS - INSERTS

REV. PER COUNTY COMMENTS - BLDG SF

MIKE BIRKLAND
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STORE

Series 08-
13962 LEE JACKSON MEMORIAL HIGHWAY
CHANTILLY FAIRFAX COUNTY, VA
TM 0344-01-0016C

SHEET TITLE

LANDSCAPE PLAN

DWG EDITION 02.4

Preliminary
 80% Submittal
 For Construction

Job No. : S146514
 Store : 03628
 Date : 06/10/15
 Drawn By : NTG
 Checked By : KGS

Sheet

LANDSCAPING CALCULATIONS ARE PROVIDED FOR THE LEASE AREA ONLY



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. 16-502 1A (6) & (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 DRY POND	9.23 AC	0.64 AC	9.87 AC	17,346 SF	*49,521 CF	N/A
PROP. BAY FILTER OR APPROVED EQUAL	0.07 AC	0.00 AC	0.07 AC	54 SF	241 CF	N/A
TOTALS:	9.30 AC	0.64 AC	9.94 AC	17,400 SF	49,762 CF	N/A

4. ON-SITE DRAINAGE CHANNELS, OUTFALLS AND PIPE SYSTEMS ARE SHOWN ON THIS SHEET. * 10-YEAR TOTAL STORAGE VOLUME IN EX DRY POND POND INLET AND OUTLET PIPE SYSTEMS ARE NOT APPLICABLE.
5. MAINTENANCE ACCESS (ROAD) TO STORMWATER MANAGEMENT FACILITY(IES) ARE SHOWN ON SHEET(S) THIS SHEET. TYPE OF MAINTENANCE ACCESS ROAD SURFACE NOTED ON THE PLAT IS GRAVEL. VDOT SW# 29001.
6. LANDSCAPING AND TREE PRESERVATION IN AND NEAR THE STORMWATER MANAGEMENT FACILITY IS SHOWN ON SHEET(S) 5.
7. STORMWATER MANAGEMENT AND BMP NARRATIVES INCLUDING VIRGINIA RUNOFF REDUCTION SPREADSHEET AND DESCRIPTIONS OF HOW DETENTION AND BEST MANAGEMENT PRACTICES REQUIREMENTS WILL BE MET ARE PROVIDED ON THIS SHEET.
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 THIS SHEET. 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: N/A.
- 12. STORMWATER MANAGEMENT IS NOT REQUIRED BECAUSE: N/A.

REVISED: 8/4/15

STORM WATER MANAGEMENT & BMP NARRATIVE

THE SUBJECT SITE CONSISTS OF AN EXISTING 1-STORY FAST FOOD RESTAURANT WITH DRIVE-THRU AND EXISTING DRY POND TO TREAT QUALITY AND QUANTITY MEASURES FOR THE OVERALL SHOPPING CENTER. THE PROPOSED SITE SHALL CONSIST OF A FAST FOOD RESTAURANT WITH A DRIVE-THRU UTILITIES, AND ASSOCIATED PARKING. THE EXISTING DRY POND WAS DESIGNED WITH THE SULLY PLAZA SHOPPING CENTER SITE PLAN NO. 05660-SP-012-1 TO CONTROL THE RATE OF ON-SITE RUNOFF. THE EXISTING DRY POND HAS ADEQUATE CAPACITY TO CONTROL THE QUALITY AND QUANTITY REQUIREMENTS FOR THE EXISTING OVERALL SITE.

THE PROPOSED DEVELOPMENT CONSISTS OF 0.42 ACRES AND WILL SLIGHTLY DECREASE THE IMPERVIOUS AREA FOR THE SITE FROM ITS EXISTING CONDITION. THE LAYOUT, SPECIFICALLY THE PROPOSED DRIVE-THRU, INTRUDES INTO THE EXISTING DRY POND. AN ELEVATED DRIVE-THRU SECTION ON PIERS WILL BE UTILIZED TO SUPPORT THE PORTION OF THE LAYOUT THAT WILL BE BUILT OVER THE POND. SCHEMATIC DETAILS FOR THIS ARE FURTHER OUTLINED IN SECTION A-A. THE EXISTING HEADWALL BEING BUILT OVER IS TO BE MAINTAINED. CALCULATIONS TO VERIFY THAT THE 2-YEAR AND 10-YEAR STORAGE VOLUME ARE MAINTAINED IN THE PRE AND POST CONDITION WILL BE PROVIDED AT SITE PLAN. BASED ON SITE PLAN NO. 05660-SP-012-1, THE 2-YEAR AND 10-YEAR STORAGE VOLUMES ARE 41,218 CF AND 49,521 CF RESPECTIVELY.

BASED ON THE BMP CALCULATIONS FROM THE SULLY PLAZA SHOPPING CENTER SITE PLAN NO. 05660-SP-012-1 SHEET 17, THE REQUIRED PHOSPHORUS REMOVAL FOR THE EXISTING SITE IS 12.31% WHICH IS SIGNIFICANTLY LOWER THAN THE TOTAL SITE PHOSPHORUS REMOVAL PROVIDED BY THE DRY POND (40.33%). WITH A DECREASE IN IMPERVIOUS AREA FROM THE PRE TO POST CONDITION, THE TOTAL SITE PHOSPHORUS REMOVAL PROVIDED WILL INCREASE WHICH WAS SIGNIFICANTLY HIGHER THAN REQUIRED.

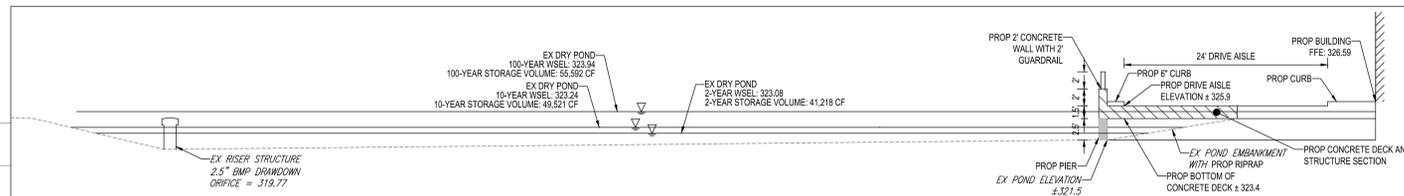
PER THE APPROVED STORMWATER ORDINANCE DETERMINATION LETTER (#5660-SW0D-001-1 ON SHEET 2), THE SITE IS LOCATED WITHIN THE WATER SUPPLY OVERLAY DISTRICT AREA (WSPOD) WHICH REQUIRES A TOTAL PHOSPHORUS REMOVAL OF 50%. AN ADDITIONAL 10% PHOSPHORUS IS REQUIRED ABOVE THE 40% REMOVAL RATE FOR THE EXISTING DRY POND. THE ADDITIONAL 10% PHOSPHORUS REMOVAL SHALL BE PROVIDED BY A MANUFACTURED BMP OR APPROVED EQUAL WHICH SHALL TREAT APPROXIMATELY 0.07 ACRES OF IMPERVIOUS AREA TO MEET THE BMP REMOVAL REQUIREMENT FOR THE SITE.

BASED ON THE DETENTION CALCULATIONS FOR THE DRY POND FROM THE SULLY PLAZA SHOPPING CENTER SITE PLAN NO. 05660-SP-012-1 SHEET 17, THE DEVELOPMENT PROPOSES A CANTILEVERED CONDITION IN AN EFFORT TO MAINTAIN THE DRY POND STORAGE VOLUME. ROUTING FOR THE EXISTING DRY POND WILL BE PROVIDED AT SITE PLAN.

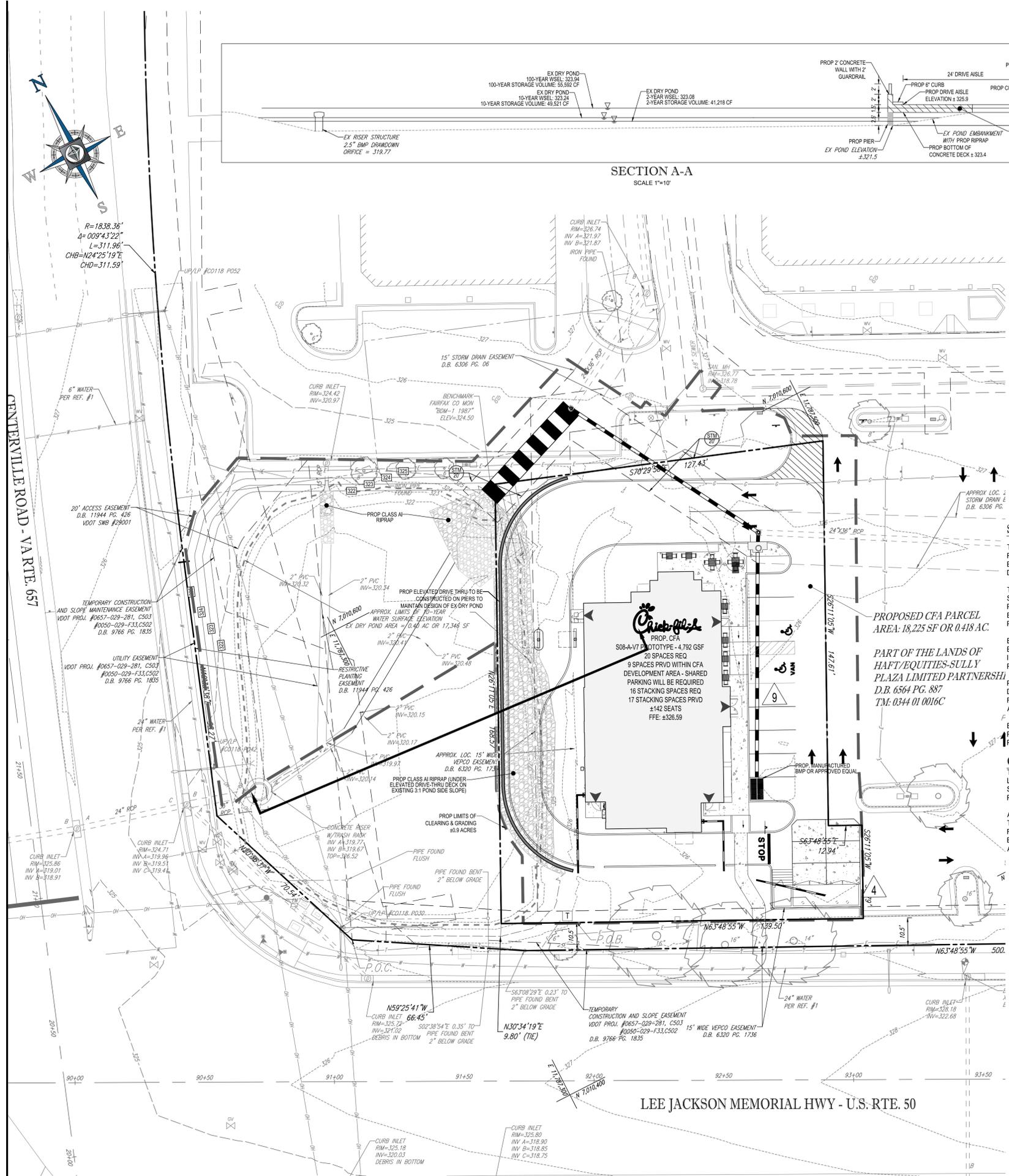
OUTFALL ANALYSIS

THE PROPOSED REDEVELOPMENT OUTFALLS TO THE WEST INTO A DRY POND (DP0009) WHICH IS THEN PIPED TO OUTFALL INTO THE SCHNEIDER BRANCH THAT EVENTUALLY LEADS TO A FLOOD PLAIN. THE PROPOSED DEVELOPMENT FLOW (0.42 AC SITE AREA) WAS TRACED TO A POINT AT LEAST 100X THE SITE AREA AS REQUIRED UNDER SPECIAL EXCEPTION. THE SYSTEM IS PARTIALLY PIPED UNTIL IT REACHES AN OPEN DRAINAGE CHANNEL (SCHNEIDER BRANCH) THAT EVENTUALLY CROSSES THE SULLY ROAD RIGHT OF WAY BEFORE OUTFALLING INTO A FLOOD PLAIN.

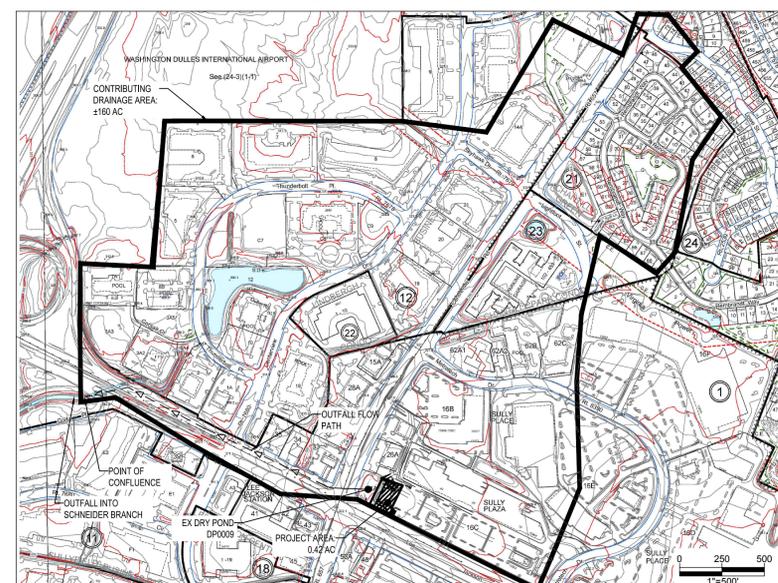
A COMBINATION OF A SITE SURVEY, SITE VISIT, AND FAIRFAX COUNTY GIS TOPOGRAPHY / STORM MAPS WERE UTILIZED TO FINALIZE THE ADEQUATE OUTFALL STUDY FOR THIS SHEET. THE OUTFALL STUDY CAN BE CONCLUDED WHEN THE TOTAL AREA TO THE OUTFALL SYSTEM MEETS OR EXCEEDS 100X THE SITE AREA (42 ACRES). THE WATER FOR THIS PROPOSED SITE AREA IS CAPTURED BY CURB INLETS THAT CONVEY WATER TO THE EXISTING DRY POND (DP0009) AT A RATE EQUAL TO OR LESS THAN THE EXISTING CONDITION. A DETAILED ANALYSIS OF PIPE CAPACITY PER PFM REQUIREMENTS (90% RULE - PFM SECTION 06-0203.2A) AND DRY POND CAPACITY WILL BE PROVIDED AT TIME OF SITE PLAN.



SECTION A-A
SCALE 1"=10'



LEE JACKSON MEMORIAL HWY - U.S. RTE. 50



Revisions:

Mark	Date	By
3	7/29/16	JAZ

REV. PER COUNTY COMMENTS

Mark	Date	By
4	09/12/16	GJE

REV. PER COUNTY COMMENTS - INSERTS

Mark	Date	By
5	10/04/16	NTG



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STORE
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13962 LEE JACKSON
MEMORIAL HIGHWAY
CHANTILLY
FAIRFAX COUNTY, VA
TM 0344-01-0016C

SHEET TITLE
**PRELIMINARY
STORMWATER
MANAGEMENT
PLAN**
DWG EDITION **02.4**

Preliminary
 80% Submittal
 For Construction

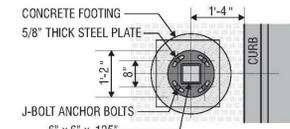
Job No. : S146514
 Store : 03628
 Date : 06/10/15
 Drawn By : NTG
 Checked By : KGS

Sheet
7

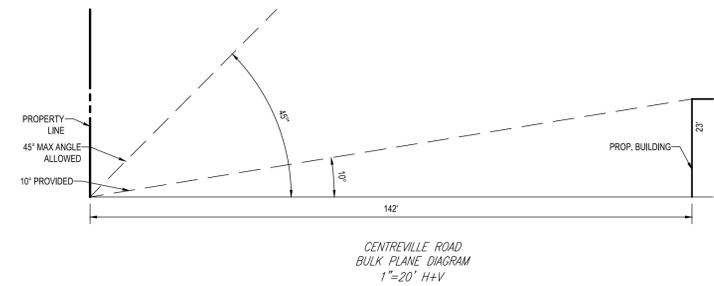
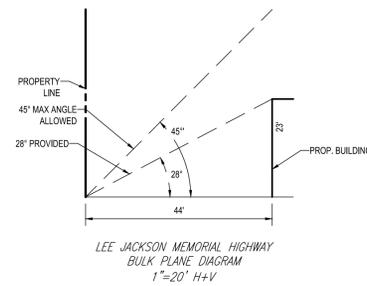
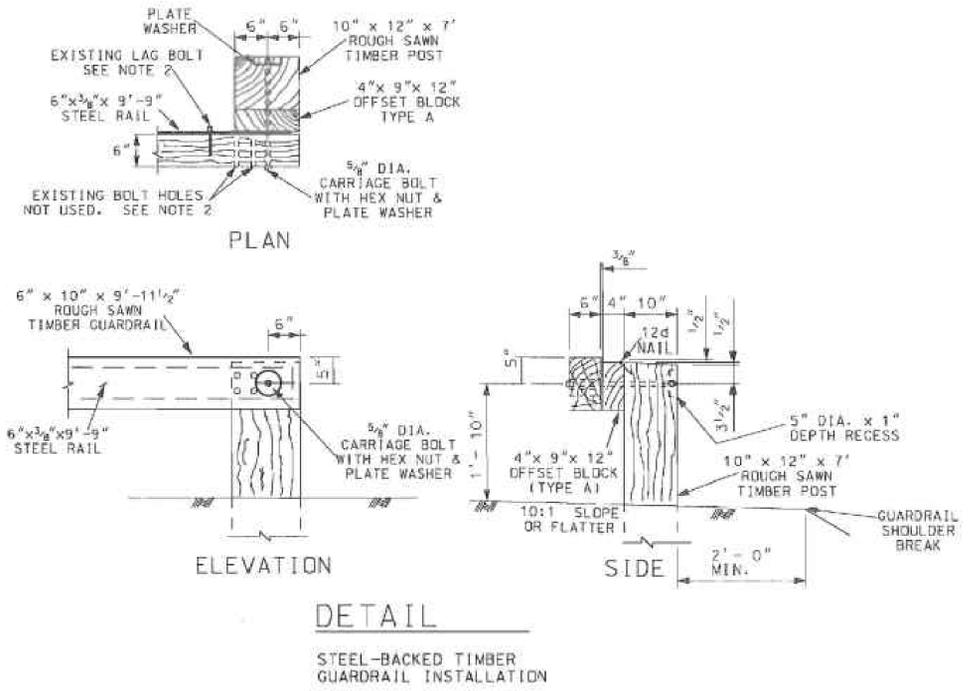
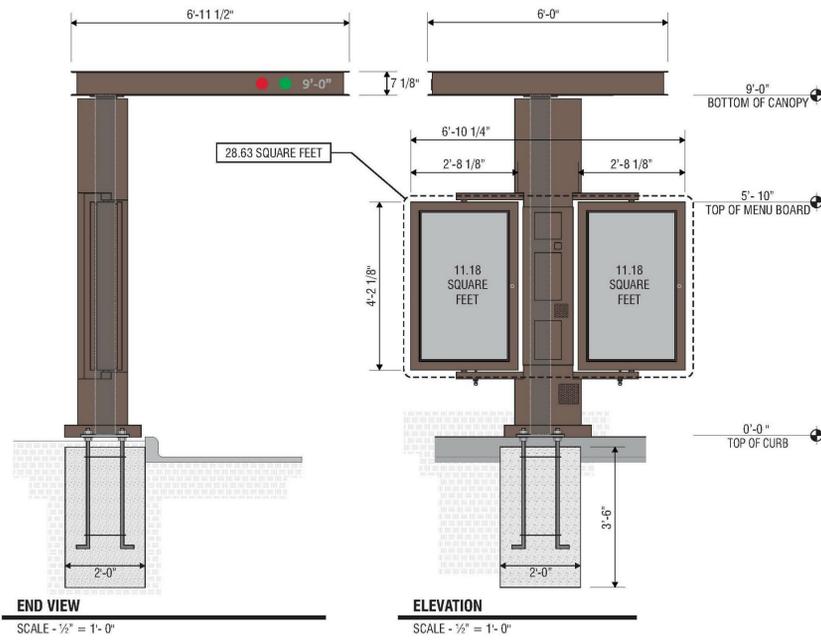
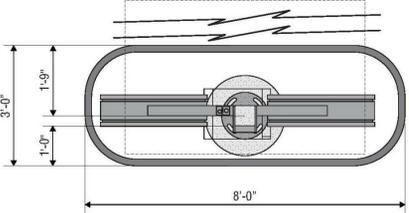
SPECIFICATIONS

CANOPY TOP
METAL TOP (OPAQUE) WITH COLOR TO MATCH BUILDING COLOR.
STRUCTURE
6" X 6" STEEL SUPPORT POLE INSTALLED INTO CONCRETE FOOTING WITH ANCHOR BOLTS.
3" ALUMINUM TUBING FRAME ON CANOPY TOP.
MENU BOARDS
PIVOTING ALUMINUM CONSTRUCTION CABINETS INTERNALLY ILLUMINATED WITH OPENINGS TO FIT MENU GRAPHICS.
BOARDS INTERNALLY ILLUMINATED BY LEDES.

DARK BRONZE
WHITE VINYL FILM



BOLT DETAIL
SCALE - 1/2" = 1'-0"



Revisions:	Mark	Date	By
	A	7/29/16	JAZ
REV. PER COUNTY COMMENTS			
	A	09/12/16	GJE
REV. PER COUNTY COMMENTS - INSERTS			
	A	10/04/16	NTG
REV. PER COUNTY COMMENTS - BLDG SF			



BOHLER ENGINEERING
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STORE
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TM 0344-01-0016C

SHEET TITLE
SITE DETAILS

DWG EDITION **02.4**
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Sheet
8



1 ROUTE 50 PERSPECTIVE
NO SCALE



2 CENTREVILLE ROAD PERSPECTIVE
NO SCALE



1 REAR-LEFT PERSPECTIVE
NO SCALE



Revisions:	Mark	Date	By
	A	7/29/16	JAZ

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A	09/12/16	GJE

REV. PER COUNTY COMMENTS - INSERTS

Mark	Date	By
S	10/04/16	NTG

REV. PER COUNTY COMMENTS - BLDG SF



Sheet 9

STORE
Series 08-
13962 LEE JACKSON
MEMORIAL HIGHWAY
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FAIRFAX COUNTY, VA
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SHEET TITLE
**SITE
PERSPECTIVES**

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Store : 03628
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Checked By : KGS

Sheet
9



1 REAR-RIGHT PERSPECTIVE
NO SCALE



1 FRONT-LEFT PERSPECTIVE
NO SCALE



1 REAR-LEFT PERSPECTIVE
NO SCALE



1 FRONT-RIGHT PERSPECTIVE
NO SCALE



Revisions:	Mark	Date	By
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**SITE
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Sheet

DESCRIPTION OF THE APPLICATION

The applicant, Chick-fil-A, Inc., requests to amend the special exception approval for a fast food restaurant with a drive-through, to replace the existing restaurant with 2,932 square feet and a maximum of 64 seats with a new restaurant containing 4,792 square feet and up to 142 seats, and to expand the drive-through to accommodate 2 lanes to the ordering station. The restaurant occupies a pad site with a lease area of 18,225 square feet within the 13.01-acre Sully Plaza shopping center. The floor area ratio would be 0.21 FAR for the overall shopping center.

A reduced copy of the special exception amendment plat (SEA Plat) is included at the front of this report. Staff's proposed development conditions are included in Appendix 1. The applicant's statement of justification and affidavit are included in Appendices 2 and 3, respectively.

Waivers and Modifications Requested:

The applicant requests approval of a waiver of the loading space requirement of Section 11-200 of the Zoning Ordinance for the proposed fast food restaurant.

LOCATION AND CHARACTER

The Sully Plaza shopping center is located northeast of the intersection of Route 50 and Centreville Road in the Chantilly area. The application would replace the existing KFC fast food restaurant located next to the stormwater management pond near the intersection. Access to the shopping center is provided from Route 50, Metrotech Drive and Centreville Road.

The surrounding area is shown on the map below, with the fast food restaurant identified. The parcel boundary for Sully Plaza (Lot 16C) is displayed, as well as the approximate boundaries of the Chick-fil-A lease area.

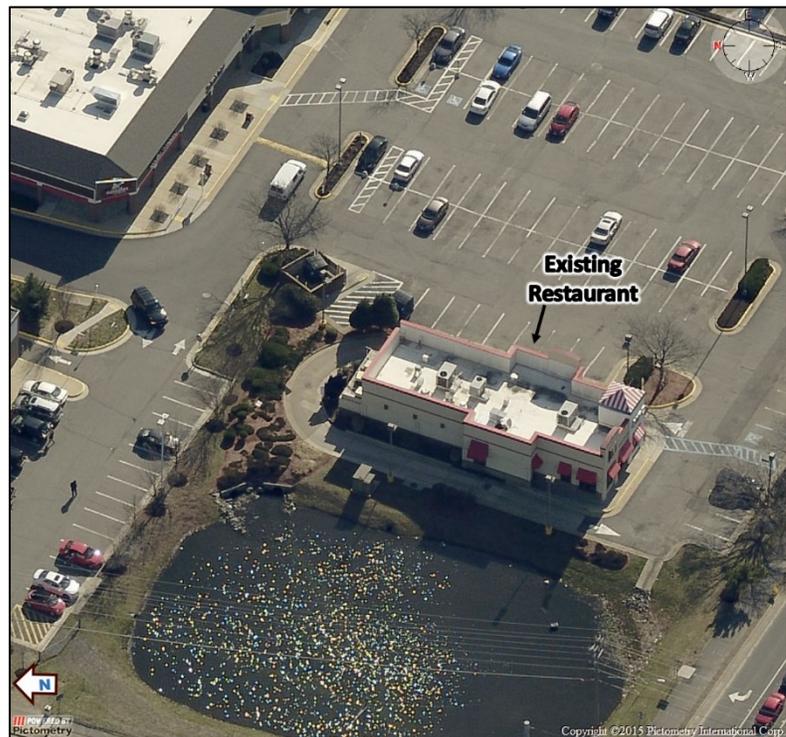


Figure 1: Source Pictometry, 2015 Imagery



Figure 2: Source Fairfax County GIS, 2013 Imagery with added annotations

BACKGROUND

A 91-acre area located northeast of Centreville Road and Route 50 was rezoned to the C-G District in 1962, pursuant to RZ A-352. This was later converted to the C-8 District with the adoption of the current Zoning Ordinance in 1978. The Sully Plaza shopping center was constructed beginning in 1985.

On November 25, 1985, the Board of Supervisors approved SE 85-C-069 for a fast food restaurant with a drive-through and a maximum of 64 seats. The KFC was constructed in 1986.

On November 20, 1989, the Board of Supervisors approved SEA 85-C-069-2 to reduce the application area to a 23,456-square foot pad site for the restaurant, as opposed to the entire shopping center parcel.

Other special exception approvals have been approved for Sully Plaza for a drive-in bank (SE 85-C-030; 7/29/1985), a fast food restaurant (SE 85-C-031; 7/29/1985), another drive-in bank (SE 89-Y-035; 2/24/1992), and signage (SEA 89-Y-035;

10/20/2015). Adjoining parcel 26A, developed with a CVS pursuant to PCA 86-C-105-02 (5/24/1999), is under common ownership with Sully Plaza. The previously approved conditions applicable to the other special exception uses within the shopping center will remain in effect.

COMPREHENSIVE PLAN PROVISIONS

The Comprehensive Plan map designates this area for Retail and Other Commercial Uses. On page 112 of the Fairfax County Comprehensive Plan, 2013 Edition, Area III, Dulles Suburban Center, Land Unit E-2, as amended through October 20, 2015, the Plan provides the following recommendations:

Land Use

- 1. This land unit is planned for retail use with ancillary office use not to exceed 20 percent up to a maximum FAR of .25. This will provide a transition in intensity to the residential areas located to the north and east.*
- 2. Free-standing, auto-oriented retail commercial and financial uses should be discouraged because of the potentially adverse visual impacts and because traffic related to free-standing uses can interfere with efficient auto and pedestrian circulation related to other commercial development in the shopping center as well as traffic movement on the two major highways.*
- 3. Commercial development in this land unit should be designed to facilitate on and off-site pedestrian access and circulation thereby reducing dependence on the automobile and enhancing the neighborhood-serving nature of this retail development.*
- 4. Much of the land in the vicinity of the intersection of Centreville Road and Route 50 may be used to accommodate the planned interchange; therefore, any development of this area should dedicate land for the interchange as appropriate.*
- 5. Development in this land unit should incorporate substantial landscaped open space to screen and buffer retail use from adjacent residential use to the north and east and to provide a visual amenity within this type of retail shopping center.*

DESCRIPTION OF THE SPECIAL EXCEPTION AMENDMENT PLAT (SEA PLAT)

The SEA Plat titled "Special Exception Amendment SEA 85-C-069-03 for Chick-Fil-A," prepared by Bohler Engineering and consisting of 10 sheets dated June 10, 2015, as revised through October 4, 2016, is described below.

Site Layout and Access

The proposed fast food restaurant and drive-through would replace an existing fast food restaurant and drive-through. The main entrance to the restaurant would face east toward the parking lot. The drive-through would have two lanes to the ordering station,

and a total of 20 stacking spaces. Circulation would be modified to create a one-way drive aisle adjacent to the restaurant so that access to the drive-through would be from the south only.

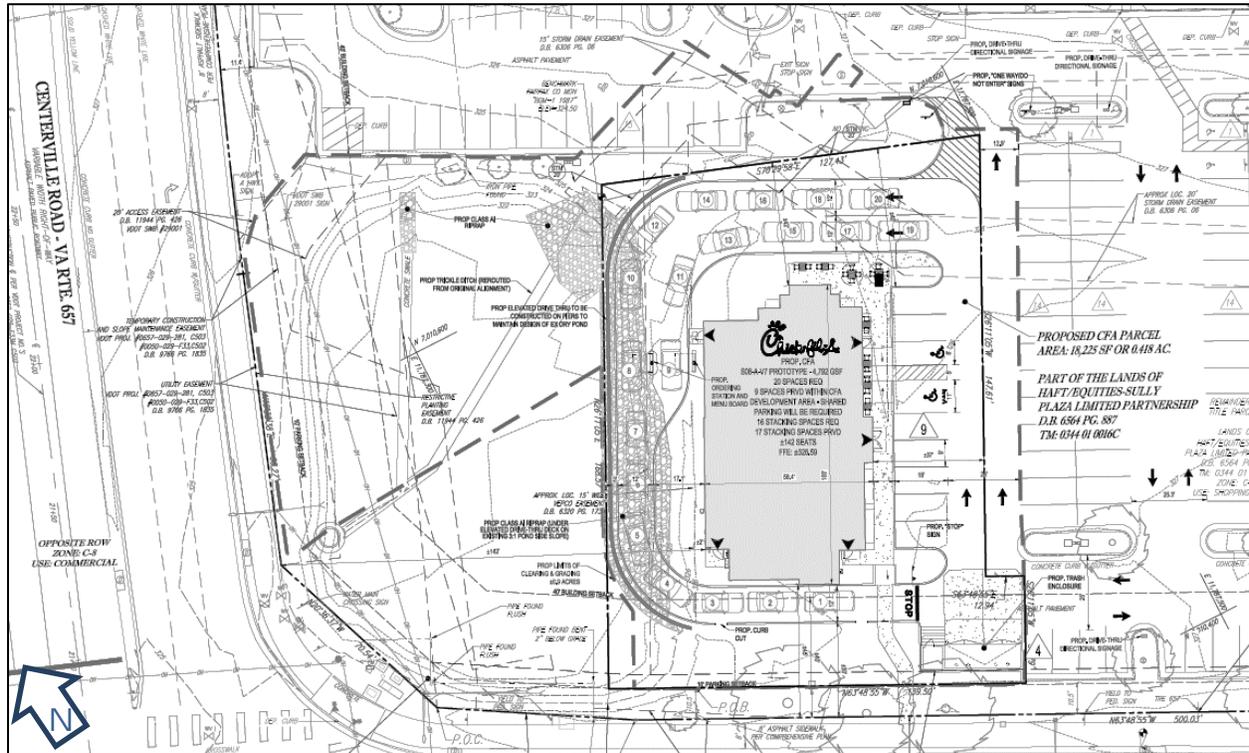


Figure 3: Source SEA Plat Sheet 3

Parking

The applicant prepared a parking tabulation to demonstrate that 590 parking spaces would be provided to meet the requirement for 561 spaces to serve the existing Sully Plaza shopping center and the proposed restaurant with 4,792 square feet of gross floor area. The tabulation includes the CVS on the adjacent parcel, Tax Map 34-4 ((1)) 26A. Nine spaces are located immediately in front of the restaurant. The site modifications would result in the removal of the 10 parking spaces that are located between the restaurant and Route 50.

Open Space and Landscaping

A total of 15 percent open space would be maintained in order to meet the Zoning Ordinance requirement for the C-8 District. The proposed site modifications would result in a slight decrease of impervious area. As part of the site modifications, six existing interior parking lot trees would be removed and replaced with 12 Category IV and three Category II deciduous trees. A total of 102 shrubs is proposed around the building. The existing trees along Route 50 would remain.

Stormwater Management

The existing dry pond located adjacent to the restaurant site provides stormwater management controls for Sully Plaza. A Stormwater Management Ordinance Determination (Appendix 7) was approved, subject to conditions. Additional water quality controls (BMPs) will be provided with an underground manufactured filter device in order to meet the requirement for 50 percent phosphorus load removal for the Water Supply Protection Overlay District.

Architecture and Design

Sheets 9 and 10 of the SEA Plat display conceptual perspective views of the proposed fast food restaurant and other site improvements. The restaurant is proposed to have a brick facade, and a development condition would require the trash enclosure to be brick as well. The maximum building height will be 25 feet. As shown below, the drive-through is proposed to extend over the stormwater pond. Decorative fencing and features such as ornamental lighting and hanging baskets are proposed along the drive-through.



Figure 4: Source SEA Plat Sheets 9 and 10

ANALYSIS

General Special Exception Standards (Sect. 9-006)

All special exception uses shall satisfy the following general standards:

1. *The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.*

The proposed use and intensity of development are in harmony with the Comprehensive Plan which designates the subject parcel for retail and other commercial uses on the Plan map, and recommends a maximum floor area ratio (FAR) of 0.25. With the proposed development, the FAR for Sully Plaza will be 0.21. The review by the Environment and Development Review Branch (Appendix 4), notes that the Plan text discourages free-standing, auto-oriented retail uses because of the potentially adverse visual and transportation impacts,

and that the subject application represents an expansion of the use. As further discussed below, the application has been revised to improve the proposed landscaping and the pedestrian and vehicular circulation in order to mitigate potential visual and transportation impacts. Staff recognizes that a fast food restaurant has been a long-standing use in this location. While the older restaurant was of a relatively small size, the proposed restaurant is not out of scale with the shopping center or other similar restaurants, and staff does not consider the expansion to be egregious. The proposed design of the building and landscaping would provide for a visual improvement to the center.

The Plan text also identifies the need for right-of-way near the intersection of Route 50 and Centreville Road for a future interchange. As suggested by the Fairfax County Department of Transportation (FCDOT), the applicant prepared an exhibit showing a 115-foot off-set from the centerline of Route 50 to demonstrate that the proposed building should not impact the possible future interchange. The need for right-of-way dedication was not identified during staff review of the application.

The Comprehensive Plan sets forth a higher expectation for energy efficiency/green building commitments within the Dulles Suburban Center. As recommended by staff, the applicant has agreed to LEED certification which is incorporated into the proposed development conditions.

2. *The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.*

The property is zoned to the C-8 District, which is established to provide locations on heavily traveled highways for those commercial and service uses which (a) are oriented to the automobile, or (b) are uses which may require large land areas and good access, and (c) do not depend upon adjoining uses for reasons of comparison shopping or pedestrian trade. The regulations of this district are designed to accommodate such uses in a manner that will minimize interference with through traffic movements and insure a high standard in site layout, design and landscaping. The proposed restaurant would replace an existing one within the Sully Plaza shopping center. No new access points to surrounding roadways are proposed, and the internal circulation adjacent to the restaurant would be modified to minimize the impacts of the drive-through within the center. The landscape plan (Sheet 6 of the SEA Plat) provides for deciduous trees and shrubs around the building and drive-through. The proposed restaurant meets the bulk regulations for the C-8 District.

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 subject application is for redevelopment of an existing pad site within a shopping center. The layout of the restaurant and drive-through have been planned to not adversely impact the circulation and other uses within the shopping center. The maximum height of the building would be 25 feet. As illustrated in the perspective views on Sheets 9 and 10 of the SEA Plat, the proposed restaurant and landscaping would be designed to provide an attractive presence near the intersection of Route 50 and Centreville Road.

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 proposed Chick-fil-A would be accessed via the internal circulation of Sully Plaza. Sully Plaza is a large shopping center with multiple access points that is located adjacent to high-volume arterial roadways. Parking is located east of the restaurant. The drive aisle immediately adjacent to the restaurant would be converted to one-way and striping and wayfinding signage would guide vehicles to enter via the next drive aisle to the east. With this circulation pattern, if stacking for the drive-through extends past the 20 spaces in the lane, it would not interfere with the entrance to the shopping center stores or CVS.

As recommended by staff, the application improves pedestrian circulation by providing a connection to the trail along Route 50. A development condition is proposed for the site plan to include appropriate crosswalks, such as to the CVS store, to further improve pedestrian safety. With the proposed conditions, FCDOT has indicated that the transportation issues have been adequately addressed (Appendix 5).

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.*

The application proposes to meet the 10-year tree canopy requirement through the planting of eight Category IV deciduous trees providing a total canopy of 2,000 square feet. The landscape plan also includes three Category II deciduous trees and 102 shrubs. The applicant extended the shrubs around the outdoor seating area to provide landscaping in this location as recommended by staff. The perspective illustrations on Sheets 9 and 10 depict hanging baskets along the outside of the drive-through to enhance the appearance of this area since landscaping cannot be located in the stormwater pond. As shown on Sheet 5 of the SEA Plat, the proposed development would result in the removal of six trees, and a deviation from the tree preservation target will be required at the time of site plan (Appendix 6).

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 subject application slightly reduces impervious surfaces and therefore maintains the 15 percent open space within the shopping center as required for the C-8 District.

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.*

Stormwater Management: The stormwater management review (Appendix 7) resulted in approvals of a Stormwater Management Ordinance Determination, a Public Facilities Manual (PFM) modification and a geotechnical report. Based on these reviews, no stormwater management concerns remain. Sully Plaza is served by an existing stormwater management facility located adjacent to the proposed Chick-fil-A, which conveys runoff to Schneider Branch within the Cub Run watershed. The Stormwater Management Ordinance Determination found that the proposed development is considered to be grandfathered and subject to Article 5 of the Stormwater Management Ordinance. The proposed land disturbing activities result in a slight increase in pervious area and do not change the land use assumptions upon which the existing facility was based. However, additional water quality controls (BMPs) are needed to meet the 50 percent pollutant load requirement of the Water Supply Overlay District. Therefore, the application proposes to incorporate an underground manufactured filter device to achieve the required phosphorous load reduction. The filter device would be located beneath one of the parking spaces.

In order to accommodate the proposed development and maintain the existing parking to the east, the applicant proposes to extend the drive-through over the dry pond to the west. The drive-through would be supported on 2.5-foot high piers. To evaluate the feasibility of this approach and potential impacts to the stormwater pond, the applicant submitted a geotechnical report and an application for a PFM modification to allow encroachment into the pond area. The Department of Public Works and Environmental Services (DPWES) reviewed the documents and issued approvals subject to conditions. The figure below depicts a cross-section of the pond and drive-through which indicates that the elevation of the drive-through would be above the 100-year storage volume of the pond. Although the diagram notes that the drive-through would be surrounded by a concrete wall and guardrail, the perspective elevations on Sheets 9 and 10 of the SEA Plat depict an enhanced architectural treatment with brick piers and black metal fencing. A development condition is proposed for the drive-through to be designed in accordance with perspective elevations.

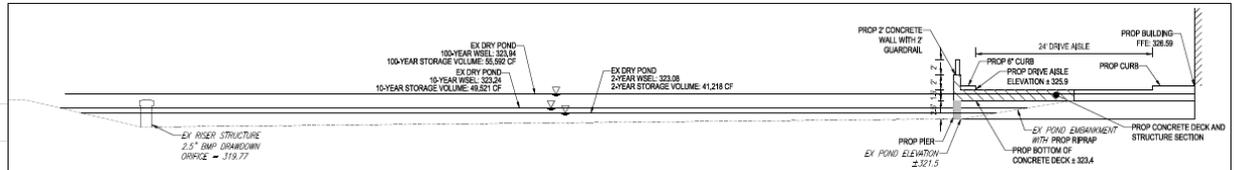


Figure 5: Source SEA Plat Sheet 7

Water and Sanitary Sewer: The property is presently served by public water and sanitary sewer. Based on current and committed flow, there is excess capacity available to provide sanitary sewer service for the proposed development. (Appendix 8).

Parking and Loading: The SEA Plat and a parking tabulation provided by the applicant indicate that parking is available for the shopping center in conformance with the Zoning Ordinance requirements. A development condition is proposed for a parking tabulation to be approved by the Department of Public Works and Environmental Services prior to issuance of a Non-RUP. As further discussed below, the applicant requests a waiver of the loading space requirement.

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.*

All signage will be required to conform to Article 12 of the Zoning Ordinance.

In staff's opinion, the applicant's request satisfies all of the General Special Exception Standards with the adoption of the proposed development conditions.

General Standards for All Category 5 Uses (Sect. 9-503)

In addition to the general standards set forth in Sect. 006 above, all Category 3 special exception uses shall satisfy the standards in Sect. 9-503 which in summary state that all uses shall comply with the lot size and bulk regulations of the zoning district in which located; all uses shall comply with the performance standards specified for the zoning district in which located; and before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

As identified in the table below, the application satisfies the lot size and bulk regulations for the C-8 District.

Standards for C-8 District		
Standard	Required	Proposed
Min. lot area	40,000 sq. ft.	13.01 acres
Min. lot width	200 ft.	1,254 ft.
Front yard	45° ABP, not less than 40 ft.	40 ft. to canopy (Rt. 50) 142 ft. to building (Centreville Rd.)
Side yard	No requirement	37 ft. to eastern lease line
Rear yard	20 ft.	42 ft. to northern lease line
Max. building height	40 ft.	25 ft.
Max. FAR	0.50 (0.25 per Comp. Plan)	0.21
Open Space	15%	15%
Parking spaces (Sect. 11-104 (23))	561 (overall center)	590 (overall center)
Stacking	11 (with 5 for ordering)	20 (13 for ordering)
Loading	1	0

The proposed use will be required to comply with the performance standards of Article 14 of the Zoning Ordinance, which includes standards for noise and outdoor lighting. The proposed development will be subject to site plan requirements.

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

Additional Standard 1.A. requires such use to have on all sides the same architectural features or shall be architecturally compatible with the building group or neighborhood with which it is associated.

As indicated on Sheets 9 and 10 of the SEA Plat, the proposed restaurant would be brick and have a consistent architectural treatment on all sides to complement the shopping center. The proposed landscaping will further enhance the site.

Additional Standard 1.B. requires such use to be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties. Additional Standard 1.C. requires the site to 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 proposed drive-through lane and vehicular circulation have been designed to minimize conflicts within the shopping center, and no off-site impacts are anticipated. Pedestrian circulation will be improved with a connection to the trail along Route 50, and a development condition is proposed for the applicant to work with staff to further improve pedestrian connectivity at the time of site plan review.

Additional Standard 1.D. requires the lot to be of sufficient area and width to

accommodate the use and that 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 redevelopment and expansion of the fast food restaurant is located within a shopping center designed to accommodate the use. There are no existing or planned residential areas that would be impacted by the operation of the restaurant.

Additional Standard 4.C. requires the outdoor area devoted to any use such as vehicle or tool rental shall be limited to the area so designated on an approved special exception plat.

The proposed application does not include vehicle or tool rental.

Additional Standards 1.E. 2, 3, 4.A., 4.B., 5, 6 and 7 are not applicable as they pertain to other uses and/or zoning districts.

Highway Corridor Overlay District (Sect. 7-608)

The fast food restaurant use is subject to additional limitations which are placed on certain automobile oriented, fast service, or quick turn-over uses within the Highway Corridor Overlay District.

Limitation 1A. requires such a use to be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties.

The application proposes to redevelop an existing fast food restaurant located on a pad site within a shopping center. As previously stated, proposed vehicular circulation has been designed to minimize conflicts within the center. Pedestrian circulation is limited by the existing shopping center, but the application proposes to provide a connection to the trail along Route 50. Also, a development condition is proposed for the applicant to work with staff to further improve pedestrian connectivity at the time of site plan review.

Limitation 1.B. requires such a use to be designed to not impede traffic on a public street intended to carry through traffic.

This use limitation states that favorable consideration will be given when access to the site is via the internal circulation of a shopping center that contains at least six other commercial uses and no additional direct access is provided to the site from a public street system intended to carry through traffic. Access to the proposed Chick-fil-A is within the Sully Plaza shopping center which contains more than six other uses, and no additional direct access is provided to the proposed restaurant.

Limitation 1.C. states there shall be no outdoor storage or display of goods offered for sale except for that permitted at a service station or service station/mini-mart.

The proposed application does not include outdoor storage or display.

Waivers and Modifications

Loading space

The applicant requests a modification of the loading space requirement of Sect. 11-200 of the Zoning Ordinance for the fast food restaurant. Sheet 4 of the SEA Plat outlines the route of large delivery trucks from Centreville Road to the restaurant, and indicates that loading would take place from in front of the drive-through lane and over part of the striped pavement area. Utilizing this location would not interfere with parking or circulation within the shopping center. The SEA Plat states that deliveries typically take place before 7:00 a.m. With the loading as shown on the SEA Plat and conditioned, staff does not object to the requested modification.

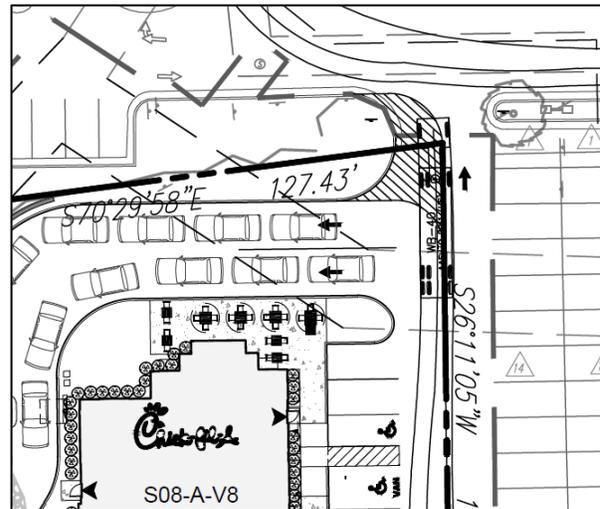


Figure 6: Source SEA Plat Sheet 4

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The applicant requests approval to amend the special exception to expand the existing fast food restaurant and drive-through to 4,792 square feet with an overall FAR of 0.21. As proposed, the restaurant and associated site modifications would not negatively impact the existing shopping center. Staff concludes that the application is in harmony with the Comprehensive Plan and conforms to the applicable provisions of the Zoning Ordinance.

Recommendations

Staff recommends approval of SEA 85-C-069-03, subject to the development conditions contained in Appendix 1.

Staff recommends approval of the modification of the loading space requirement of Section 11-200 of the Zoning Ordinance for the proposed fast food restaurant, as conditioned.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from

compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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

APPENDICES

1. Proposed Development Conditions
2. Statement of Justification
3. Affidavit
4. Land Use and Environmental Review, EDRB
5. Fairfax County Department of Transportation and Virginia Department of Transportation Review
6. Urban Forest Management Division Review
7. Site Development and Inspections Division Review
8. Wastewater Planning & Monitoring Division Review
9. Fairfax County Health Department Review
10. Zoning Ordinance Provisions
11. Glossary

PROPOSED DEVELOPMENT CONDITIONS**SEA 85-C-069-03****October 25, 2016**

If it is the intent of the Board of Supervisors to approve SEA 85-C-069-03 for site modifications for a fast food restaurant located at Tax Map 34-4 ((1)) 16C, pursuant to Sects. 7-607 and 9-014 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These conditions supersede only the conditions previously approved for SEA 85-C-069-02, and do not supersede the conditions approved for other special exception uses within the Sully Plaza shopping center.

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception Amendment (SEA) is granted only for the purpose(s), structure(s) and/or use(s) indicated on the SEA Plat approved with the application, as qualified by these development conditions.
3. This Special Exception Amendment is subject to the provisions of Article 17 of the Zoning Ordinance, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any site plan submitted pursuant to this SEA shall be in substantial conformance with the approved SEA Plat titled "Special Exception Amendment SEA 85-C-069-03 for Chick-Fil-A," prepared by Bohler Engineering and consisting of ten sheets dated June 10, 2015, as revised through October 4, 2016, and these conditions. Minor modifications to the approved Special Exception Amendment may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. The maximum gross floor area of the fast food restaurant shall be 4,792 square feet.
5. A parking tabulation which demonstrates that parking requirements are met for all uses in the shopping center shall be approved by the Department of Public Works and Environmental Services (DPWES) prior to the issuance of the Non-RUP for the fast food restaurant. All parking spaces shall conform to the provisions of Article 11 of the Zoning Ordinance and the geometric design standards in the Public Facilities Manual, as determined by DPWES.
6. The exterior design, building materials and colors of the restaurant shall be consistent on all four sides and shall generally conform to the character and quality of the site perspectives contained in the SEA Plat. The drive-through shall be designed with brick pillars and fencing, and furnished with design features such as ornamental lighting and hanging baskets, as shown on Sheets 9 and 10 of the SEA Plat.

7. The trash enclosure shall consist of masonry on three sides to match the restaurant building, and the doors on the fourth side shall consist of materials designed to be opaque and fully screen the dumpsters.
8. Loading and circulation with large trucks shall take place as generally shown on Sheet 4 of the SEA Plat. Deliveries shall be scheduled to avoid morning, noon time and evening peak hours of operation.
9. Pedestrian crosswalks to improve safety and connectivity to the shopping center and the adjacent CVS store shall be shown on the site plan and subject to review by the Fairfax County Department of Transportation. The crosswalks shall be provided prior to issuance of a Non-RUP for the proposed restaurant.
10. The Applicant shall install stormwater management facilities in substantial conformance with the SEA Plat and in accordance with the Fairfax County Stormwater Management Ordinance and the Public Facilities Manual. The Best management Practices shall be designed to achieve 50 percent phosphorus load removal as required for the Water Supply Overlay District, subject to review and approval by the Department of Public Works and Environmental Services (DPWES).
11. The site plan shall be in conformance with the approved geotechnical report dated June 30, 2016, and the following conditions:
 - a. All construction involving problem soils shall be performed under the full-time inspection of the geotechnical engineer.
 - b. The geotechnical engineer shall furnish a written opinion to the County as to whether or not work has been performed in accordance with the approved plans prior to the issuance of a Non-RUP.
 - c. If blasting is required for the proposed development, notices shall be sent out to adjoining property owners per Fairfax County Code, Virginia Chapter 62 – Fire Protection and per Letter to Industry 09-13.
 - d. If blasting is required for the proposed development, appropriate precautionary measures shall be taken, including, but not limited to, pre-blast survey and vibration monitoring at property lines, subject to approval by DPWES.
 - e. The piers to support the elevated slab drive-through shall be extended sufficiently deep below the bottom elevation of the pond (a minimum of 7 to 10 feet below) to ensure no adverse impact on the integrity of the pond.
12. The Applicant shall provide landscaping, including trees and shrubs, in substantial conformance with the SEA Plat. The exact number, species, location and spacing of trees and other plant material shall be determined at the time of site plan review and shall be subject to review and approval of the Urban Forest Management Division (UFMD), DPWES.

13. Landscape Planting Pre-installation Meeting: Prior to installation of any plants to meet the requirements of the approved landscape planting plan, the contractor/developer shall coordinate a pre-installation meeting on the site with the landscape contractor, UFMD staff, and any additional appropriate parties. Any proposed changes to planting locations, tree/shrub planting sizes, and species substitutions shown on the approved plan shall be reviewed and must be approved by UFMD staff prior to planting.
14. Tree Preservation Plan: The Applicant shall submit a Tree Preservation Plan and Narrative as part of all site plan submissions. The Tree Preservation Plan and Narrative shall be prepared by a Certified Arborist or Registered Consulting Arborist, and shall include the items identified in Sect. 12-0509 of the Public Facilities Manual.
15. Tree Protection Fencing: The Applicant shall provide appropriate tree protection devices, based on site conditions and proposed construction activities, as approved by UFMD at the time of site plan. Tree protection fencing shall consist of four-foot high welded wire attached to six-foot steel posts driven 18 inches into the ground and spaced no further than 10 feet apart; or super silt fence.
16. Tree Preservation Measures: Tree preservation measures shall be clearly identified, labeled, and detailed on the Erosion and Sediment Control Plan sheets and Tree Preservation Plan. Tree preservation measures may include, but are not limited to root pruning, crown pruning, mulching, and/or watering. Specifications shall be provided on the plan detailing how preservation measures shall be implemented. Tree preservation activities shall be completed during implementation of Phase 1 of the Erosion and Sediment Control Plan.
17. Demolition: The demolition of all existing structures and site features within or adjacent to tree preservation areas shall be accomplished in the least disruptive manner practical as reviewed and approved by UFMD. All tree protection fencing shall be in place and verified by a County representative prior to commencement of demolition activities.
18. Site Monitoring: The Applicant's Project Arborist shall be present on site during implementation of the Phase 1 Erosion and Sediment Control Plan and monitor any construction activities conducted within or adjacent to areas of trees to be preserved. Construction activities include, but may not be limited to clearing, root pruning, tree protection fence installation, vegetation/tree removal, and demolition activities. During implementation of Phase 2 Erosion and Sediment Control Plan, the Project Arborist shall visit the site on a regular basis to continue monitoring tree preservation measures and ensure that all activities are conducted as identified in the Tree Preservation Plan and approved by UFMD. Written reports shall be submitted to UFMD and SDID site inspector detailing site visits. A monitoring schedule and Project Arborist reports shall be described and detailed in the Tree Preservation Plan.

19. The applicant shall include, as part of the site plan submission and building plan submission, a list of specific credits within the most current version of the U.S. Green Building Council's Leadership in Energy and Environmental Design—New Construction (LEED®-NC) rating system, or other LEED rating system determined to be applicable to the building(s) by the U.S. Green Building Council (USGBC), that the applicant anticipates attaining. A LEED-accredited professional (LEED-AP) who is also a professional engineer or licensed architect shall provide certification statements at both the time of site plan review and the time of building plan review confirming that the items on the list will meet at least the minimum number of credits necessary to attain LEED certification of the project.

In addition, prior to site plan approval, the applicant will designate the Chief of the Environment and Development Review Branch of the Department of Planning and Zoning as a team member in the USGBC's LEED Online system. This team member will have privileges to review the project status and monitor the progress of all documents submitted by the project team, but will not be assigned responsibility for any LEED credits and will not be provided with the authority to modify any documentation or paperwork.

Prior to the building plan approval, the applicant will submit documentation to the Environment and Development Review Branch of DPZ, regarding the U.S. Green Building Council's preliminary review of design-oriented credits in the LEED program. This documentation will demonstrate that the building is anticipated to attain a sufficient number of design-related credits that, along with the anticipated construction-related credits, will be sufficient to attain LEED Silver certification. Prior to release of the bond for the project, the applicant shall provide documentation to the Environment and Development Review Branch of DPZ demonstrating the status of attainment of LEED certification or a higher level of certification from the U.S. Green Building Council for the building.

As an alternative to the actions outlined in the above paragraphs, or if the U.S. Green Building Council review of design-oriented credits indicates that the project is not anticipated to attain a sufficient number of design-related credits to support attainment of LEED Silver certification, the applicant will post, a "green building escrow," in the form of cash or a letter of credit from a financial institution acceptable to DPWES as defined in the Public Facilities Manual, in the amount of \$50,000. This escrow will be in addition to and separate from other bond requirements and will be released upon demonstration of attainment of LEED certification or higher level of certification, by the U.S. Green Building Council, under the most current version of the LEED-NC rating system or other LEED rating system determined, by the U.S. Green Building Council. The provision to the Environment and Development Review Branch of DPZ of documentation from the U.S. Green Building Council that the building has attained LEED certification will be sufficient to satisfy this commitment. At the time LEED certification is demonstrated to the EDRB, the escrowed funds and/or letter(s) of credit shall be

released to the Applicant.

If prior to bond extension, reduction or final bond release for the building site, whichever occurs first, the Applicant provides to EDRB documentation demonstrating that LEED certification for the building has not been attained but that the building has been determined by the USGBC to fall within three (3) points of attainment of LEED-NC certification, 50% of the green building escrow will be released to the Applicant; the other 50% will be released to Fairfax County and will be posted to a fund within the County budget supporting implementation of county environmental initiatives. If the certification is still in progress at the time of application for the bond extension or reduction, the time frame for the provision of the documentation described above shall be automatically extended to the time of the next bond extension or extension. However, the documentation must be provided prior to the final bond release for the building site.

If prior to the bond extension, reduction or final bond release for the building site, whichever occurs first, the Applicant fails to provide documentation to EDRB demonstrating attainment of LEED-NC certification or demonstrating that the building has fallen short of LEED-NC certification by three (3) points or less, the entirety of the escrow for that building will be released to Fairfax County and will be posted to a fund within the County budget supporting implementation of County environmental initiatives. If the certification is still in progress at the time of application for bond extension or reduction, the time frame for the provision of the documentation described above shall be automatically extended to the time of the next bond extension or reduction. However, the documentation must be provided prior to the final bond release for the building site.

If the Applicant provides documentation from the USGBC demonstrating, to the satisfaction of the Environment and Development Review Branch of DPZ, that USGBC completion of the review of the LEED certification application has been delayed through no fault of the Applicant, the Applicant's contractors or subcontractors, the time frame may be extended as determined appropriate by the Zoning Administrator, and no release of escrowed funds shall be made to the Applicant or to the County during the extension.

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

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 amendment shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use, which for this purpose shall be deemed as the eight additional beds for the assisted living facility, 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.

STATEMENT OF JUSTIFICATION

Special Exception Amendment Application

Chick-fil-A, Inc.
Sully Place Shopping Center
Tax Map No. 34-4-((1))-16C

October 5, 2016

Introduction

Pursuant to Section 9-014 of the Fairfax County Zoning Ordinance, dated August 14, 1978, as amended (the "Ordinance"), Chick-fil-A, Inc. ("Applicant"), as lessee, hereby requests approval of a Special Exception Amendment to permit construction of a 4,792 square foot fast food restaurant with drive-thru. The property is located on a portion of Tax Map Reference Number 34-4-((1))-16C (the "Property"), which is located within the Sully Place Shopping Center.

The overall Property contains approximately 13.01 acres and is currently zoned C-8, Highway Commercial. It is also located within the Highway Corridor and Water Supply Protection Overlay District. It has been developed as a shopping center since the 1980's with a variety of in-line, fast food restaurant, and bank pad sites. The surrounding area is developed with commercial uses.

The shopping center property was originally rezoned to commercial by the Board of Supervisors in 1962 under rezoning case A-352. A small portion of the site (.19 acres) was rezoned to I-3 on November 22, 1982, which was amended on June 1, 1987, when the Board rezoned a .87 acre portion of the site to C-8 (RZ 86-C-105). There were also special exception approvals for two fast food restaurant pad sites and a drive-in bank pad site in the 1980's.

Overview of Application Request:

Chick-fil-A intends to replace an existing fast food restaurant with drive-thru, originally approved in 1985 pursuant to SE 85-C-069. A special exception amendment will be necessary since the previously approved development conditions reflect the prior restaurant's operations. The new Chick-fil-A restaurant will total 4,792 square feet and contain 126 seats, with an additional outdoor seating area. The square footage of the restaurant will increase by 1,860 square feet. Since the new fast food restaurant will replace an existing fast food restaurant with similar transportation impacts, the surrounding area will experience little, if any, transportation changes. In addition, FCDOT has determined that a 527 Study is not required.

In order to maintain parking and existing circulation movements within the shopping center, the Applicant is proposing to construct a portion of the drive-thru lanes over the existing stormwater management dry pond located to the east of the restaurant. By elevating a portion of the drive-thru lanes on piers, the dry pond storage volume will continue to adequately address runoff from the shopping center. In addition, there is a small decrease in impervious surface with this proposal. Based upon existing BMP calculations for the pond, which already exceed required phosphorus removal by over 28%, the pond will continue to more than adequately meet BMP requirements. As such, the treatment of a quantity and quality of stormwater runoff will not be negatively impacted with this proposal.

Section 9-011 of the Fairfax County Zoning Ordinance:

The following information is provided pursuant to Section 9-011 of the Fairfax County Zoning Ordinance:

- A. Type of operation: Fast Food Restaurant with Drive-Thru
- B. Hours of operation: Monday - Saturday: 6:00 am to 10:00 pm
Sunday: Closed
- C. Estimated number of patrons: Based on Chick-fil-A's experience with similar restaurants in the area, approximately 500 patrons per day will visit the restaurant, and 800 will go through the drive-thru. In addition, a significant portion of the customers will be existing patrons to the shopping center.
- D. Proposed number of employees: The Applicant anticipates approximately 75 employees for this site. Per shift, 12-15 employees are expected during peak hours.
- E. Estimate of traffic impact: Traffic impact is expected to be minimal because the new fast food restaurant with drive-thru will replace an existing fast food restaurant with drive-thru with similar transportation impacts. As such, the surrounding area will experience little, if any, transportation changes. In addition, FCDOT has determined that a 527 Study is not required.
- F. Vicinity or general area to be served by the use: The use will serve the surrounding area within an approximate 15 mile radius.
- G. Architectural compatibility: The design of the restaurant will be compatible with the existing commercial uses at the site.
- H. Hazardous and toxic substances: To the best of the Applicant's knowledge, there are no known or proposed hazardous or toxic substances to be generated, utilized, stored, treated, and/or disposed of on site.

- I. Statement of conformance: To the best of the Applicant's knowledge, the proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards, and any applicable conditions.

Conformance with the Comprehensive Plan:

The subject Property is located in Land Unit E-2 of the Dulles Suburban Center. The land unit is planned for retail uses with ancillary office. Although language exists in the Plan that indicates free-standing, auto-oriented uses are discouraged, the proposed Chick-fil-A restaurant replaces an existing fast-food restaurant with drive-thru. As such, no new free-standing, auto-oriented uses are proposed. The Applicant's proposed use is consistent with historical uses at the site and overall zoning approvals for the shopping center. As such, the proposed use will meet the intent of the Plan and will continue to serve the local area.

Conclusion:

With approval of this Special Exception request, the proposed use will conform to the provisions of all applicable ordinances, regulations, standards, and conditions. Furthermore, the proposed use conforms to the spirit and intent of the Zoning Ordinance and the recommendations of the Comprehensive Plan.

Therefore, for the reasons set forth herein, the Applicant respectfully requests the approval of this application.

Respectfully submitted,

McGUIREWOODS LLP



Sheri L. Akin, AICP
Agent for Applicant

SPECIAL EXCEPTION AFFIDAVIT

DATE: OCT 7 2016
(enter date affidavit is notarized)

I, Sheri L. Akin, 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 85-C-069-03
(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)
- Chick-fil-A, Inc. Agent: John R. Martinez	5200 Buffington Road Atlanta, GA 30349	Applicant/Lessee of Tax Map 34-4 ((1)) 16C
Haft/Equities - Sully Plaza Limited Partnership Agent: Andrew V. Marusak IV Michelle M. Nielsen	1025 Thomas Jefferson Street, NW Suite 700 East Washington, DC 20007	Title Owner of Tax Map 34-4 ((1)) 16C
Bohler Engineering VA, LLC Agent: Keith G. Simpson	22636 Davis Drive, Suite 250 Sterling, VA 20164	Engineer/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)

DATE: OCT 7 2016
(enter date affidavit is notarized)

for Application No. (s): SEA 85-C-069-03
(enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
McGuireWoods LLP Agents: Scott E. Adams David R. Gill •Janet S.F. Griffith Jonathan P. Rak Gregory A. Riegle Kenneth W. Wire Sheri L. Akin Lori R. Greenlief	1750 Tysons Boulevard, Suite 1800 • Tysons, VA 22102	Attorney/Agent for Applicant Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Planner/Agent Planner/Agent

(check if applicable)

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

Information updated.

SPECIAL EXCEPTION AFFIDAVIT

DATE: OCT 7 2016
(enter date affidavit is notarized)

132901a

for Application No. (s): SEA 85-C-069-03
(enter County-assigned application number(s))

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

(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) Chick-fil-A, Inc.
5200 Buffington Road
Atlanta, GA 30349

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)

Dan T. Cathy - S. Truett Cathy Charitable Remainder
Donald M. Cathy Unitrust U/A dated 12/21/1993 f/b/o
Trudy C. White WinShape Foundation, Inc. (a GA
S. Truett Cathy Irrevocable Trust U/A dated nonprofit, 501(c)(3) organization
5/17/1979

(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: OCT 7 2016
(enter date affidavit is notarized)

13290(a)

for Application No. (s): SEA 85-C-069-03
(enter County-assigned application number (s))

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

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.
- Adam J. Volanth
- Mark R. Joyce
- Daniel M. Duke
- David B. Nemecek

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

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)

- Bohler Management, Inc. (former)
- Adam J. Volanth

(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.

Information updated

Special Exception Attachment to Par. 1(b)

DATE: OCT 7 2016
(enter date affidavit is notarized)

132901a

for Application No. (s): SEA 85-C-069-03
(enter County-assigned application number (s))

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

• Bohler Management, Inc. (former)
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	Daniel M. Duke
Brian Zappala	Mark R. Joyce
William Goebel	Adam Benosky
Robert Irons	Matthew Smith
Joseph Deal	

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

RSH GP LLC
1025 Thomas Jefferson Street, NW
Suite 700 East
Washington, DC 20007

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)

Ronald S. Haft

(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.

Information updated.

Special Exception Attachment to Par. 1(b)

DATE: OCT 7 2016
(enter date affidavit is notarized)

132901a

for Application No. (s): SEA 85-C-069-03
(enter County-assigned application number (s))

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

Combined Properties Finance Company LLC
1025 Thomas Jefferson Street, NW
Suite 700 East
Washington, DC 20007

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)

RSH Tier II Limited Partnership, Member CP Finance Company Manager, Inc.,
Non-member Manager

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

CP Finance Company Manager, Inc.
1025 Thomas Jefferson Street, NW
Suite 700 East
Washington, DC 20007

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)

Ronald S. Haft

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

Special Exception Attachment to Par. 1(b)

DATE: OCT 7 2016
(enter date affidavit is notarized)

132901a

for Application No. (s): SEA 85-C-069-03
(enter County-assigned application number (s))

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

• Combined Properties Finance Company II LLC
1025 Thomas Jefferson Street, NW
Suite 700 East
Washington, DC 20007

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)

RSH Tier II Limited Partnership, member CP Finance Company Manager II, Inc., non-member manager

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

• CP Finance Company Manager II, Inc.
1025 Thomas Jefferson Street, NW
Suite 700 East
Washington, DC 20007

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)

Ronald S. Haft

(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.

Information updated.

SPECIAL EXCEPTION AFFIDAVIT

DATE: OCT 7 2016
(enter date affidavit is notarized)

132901a

for Application No. (s): SEA 85-C-069-03
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

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

Haft/Equities - Sully Plaza Limited Partnership
1025 Thomas Jefferson Street, NW
Suite 700 East
Washington, DC 20007

(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)

General Partner:

RSH GP LLC

Limited Partner:

Combined Properties Finance Company
LLC

- Combined Properties Finance Company II
LLC

(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.*

Information updated.

Special Exception Attachment to Par. 1(c)

DATE: OCT 7 2016
(enter date affidavit is notarized)

132901a

for Application No. (s): _____
(enter County-assigned application number (s))

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

RSH Tier II Limited Partnership
1025 Thomas Jefferson Street, NW
Suite 700 East
Washington, DC 20007

(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)

General Partner:

RSH GP LLC

Limited Partners:

Ronald S. Haft
HCP Partner MD, Inc.*

* Does not own 10% or more of
Haft/Equities - Sully Plaza Limited
Partnership

(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: OCT 7 2016
(enter date affidavit is notarized)

132901a

for Application No. (s): SEA 85-C-069-03
(enter County-assigned application number (s))

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

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons, 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**)

Equity Partners of McGuireWoods LLP

- | | | |
|---------------------------|--------------------|---------------------|
| Adams, John D. | Barrett, John M. | Brose, R. C. |
| Allen, Joel S. | Becker, Scott L. | Burk, Eric L. |
| Anderson, Arthur E., II | Belcher, Dennis I. | Busch, Stephen D. |
| • Anderson, James M., III | Bell, Craig D. | Cabaniss, Thomas E. |
| Anderson, Mark E. | Bilik, R. E. | Cairns, Scott S. |
| Andre-Dumont, Hubert | Blank, Jonathan T. | Capwell, Jeffrey R. |
| • Atty, Lisa A. | Boardman, J. K. | Cason, Alan C. |
| Bagley, Terrence M. | Brenner, Irving M. | Chaffin, Rebecca S. |
| Barger, Brian D. | Brooks, Edwin E. | Chapman, Jeffrey J. |

(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.

Information added.

Special Exception Attachment to Par. 1(c)

DATE: OCT 7 2016
(enter date affidavit is notarized)

132901a

for Application No. (s): SEA 85-C-069-03
(enter County-assigned application number (s))**PARTNERSHIP NAME & ADDRESS:** (enter complete name & number, street, city, state & zip code)McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons, 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)

Clark, Jeffrey C.	Fox, Charles D., IV	Hilton, Robert C.
Cockrell, Geoffrey C.	Franklin, Ronald G.	Horne, Patrick T.
Collins, Darren W.	Fratkin, Bryan A.	Hornyak, David J.
Covington, Peter J.	Freedlander, Mark E.	Hosmer, Patricia F.
Cramer, Robert W.	Freeman, Jeremy D.	• Howard, Justin D.
Cromwell, Richard J.	Fuhr, Joy C.	• Hughes, John L., Jr.
Culbertson, Craig R.	Gambill, Michael A.	Jackson, J. B.
Cullen, Richard (nmi)	Glassman, Margaret M.	Jewett, Bryce D., III
Daglio, Michael R.	Gold, Stephen (nmi)	Jordan, Hilary P.
De Ridder, Patrick A.	Goldstein, Philip (nmi)	Justus, J. B.
Dickerman, Dorothea W.	Grant, Richard S.	Kahn, Brian A.
DiMattia, Michael J.	Greenberg, Richard T.	Kanazawa, Sidney K.
Dooley, Kathleen H.	Greene, Christopher K.	Kane, Matthew C.
• Dossa, Mehboob R.	Greenspan, David L.	Kang, Franklin D.
Downing, Scott P.	Gresham, A. B.	Kannensohn, Kimberly J.
Edwards, Elizabeth F.	Grieb, John T.	Katsantonis, Joanne (nmi)
Ensing, Donald A.	• Haas, Cheryl L.	Keeler, Steven J.
Evans, Gregory L.	• Hampton, Charles B.	• Kelly, Brian J.
Evans, Jason D.	Harmon, Jonathan P.	Kilpatrick, Gregory R.
Ey, Douglas W., Jr.	Harmon, T. C.	King, Donald E.
Farrell, Thomas M.	Hartsell, David L.	Kobayashi, Naho (nmi)
Feller, Howard (nmi)	Hatcher, J. K.	Konia, Charles A.
Finger, Jon W.	Hayden, Patrick L.	Kratz, Timothy H.
Finkelson, David E.	Hayes, Dion W.	Kromkowski, Mark A.
Foley, Douglas M.	Hedrick, James T., Jr.	Krueger, Kurt J.

(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: OCT 7 2016
(enter date affidavit is notarized)

132901a

for Application No. (s): SEA 85-C-069-03
(enter County-assigned application number (s))

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

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons, 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**)

- | | | |
|------------------------------|----------------------------|----------------------------|
| Kutrow, Bradley R. | McIntyre, Charles W. | Pryor, Robert H. |
| La Fratta, Mark J. | McKinnon, Michele A. | Pumphrey, Brian E. |
| Lamb, Douglas E. | McLean, David P. | Pusateri, David P. |
| Lapp, David R. | McLean, J. D. | Rak, Jonathan P. |
| Lias-Booker, Ava E. | McNab, S. K. | Reid, Joseph K., III |
| Link, Vishwa B. | McRill, Emery B. | Richardson, David L. |
| Little, Nancy R. | Michalik, Christopher M. | Riegle, Gregory A. |
| Long, William M. | Milanti, Peter A. | Riley, James B., Jr. |
| Lukitsch, Bethany G. | Miller, Amy E. | Riopelle, Brian C. |
| • Maddock, John H., III | Moldovan, Victor L. | • Roach, Derek A. |
| Mandel, Michael D. | Muckenfuss, Robert A. | Roberts, Manley W. |
| Manning, Amy B. | Mullins, P. T. | Roeschenthaler, Michael J. |
| Marianes, William B. | Murphy, Sean F. | Rogers, Marvin L. |
| Marshall, Gary S. | Nahal, Hardeep S. | Rohman, Thomas P. |
| • Marshall, Harrison L., Jr. | Natarajan, Rajsekhar (nmi) | Ronn, David L. |
| Marsico, Leonard J. | Neale, James F. | Rosen, Gregg M. |
| Martin, Cecil E., III | Nesbit, Christopher S. | Russo, Angelo M. |
| • Martin, George K. | Newhouse, Philip J. | Rust, Dana L. |
| Martinez, Peter W. | O'Grady, John B. | Satterwhite, Rodney A. |
| Mason, Richard J. | Oakey, David N. | Scheurer, Philip C. |
| Mathews, Eugene E., III | Older, Stephen E. | Schewel, Michael J. |
| Mayberry, William C. | Oostdyk, Scott C. | Sellers, Jane W. |
| McDonald, John G. | Padgett, John D. | Sethi, Akash D. |
| • McFarland, Robert W. | Perzek, Philip J. | Shelley, Patrick M. |
| McGinnis, Kevin A. | Phillips, Michael R. | Simmons, L. D., II |

(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.

• Information added.

Special Exception Attachment to Par. 1(c)

DATE: OCT 7 2016
(enter date affidavit is notarized)

132901a

for Application No. (s): SEA 85-C-069-03
(enter County-assigned application number (s))

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

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons, 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)

- | | |
|--------------------------------------|---------------------------|
| Slone, Daniel K. | Walker, Thomas R. |
| Spahn, Thomas E. | Walker, W. K., Jr. |
| Spitz, Joel H. | Walsh, Amber M. |
| • Spitzer, Mark A. | Westwood, Scott E. |
| Spivey, Angela M. | Whelpley, David B., Jr. |
| Stallings, Thomas J. | White, H. R., III |
| Steen, Bruce M. | White, Walter H., Jr. |
| Steggerda, Todd R. | Wilburn, John D. |
| Stein, Marta A. | Williams, Steven R. |
| Stone, Jacquelyn E. | Woodard, Michael B. |
| Swan, David I. | Wren, Elizabeth G. |
| Symons, Noel H. | |
| Tarry, Samuel L., Jr. | |
| Taylor, R. T. | |
| Thanner, Christopher J. | *Does not own 10% or more |
| Thornhill, James A. | of McGuireWoods LLP |
| Van Horn, James E. | |
| Vance, Robin C. | |
| Vaughn, Scott P. | |
| Vick, Howard C., Jr. | |
| Viola, Richard W. | |
| • Visconsi Law Corporation, John R.* | |
| Wade, H. L., Jr. | |
| • Walker, Barton C. | |
| Walker, John T., IV | |

(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.

• Information added.

Special Exception Attachment to Par. 1(c)

DATE: OCT 7 2016
(enter date affidavit is notarized)

132901a

for Application No. (s): SEA 85-C-069-03
(enter County-assigned application number (s))

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

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons, 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)

• (Former Equity Partner List)

- Cacheris, Kimberly Q.
- Glickson, Scott L.
- Isaf, Fred T.
- Parker, Brian K.
- Robinson, Stephen W.
- Schmidt, Gordon W.
- Tackley, Michael O.

(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.

• Information added.

SPECIAL EXCEPTION AFFIDAVIT

DATE: OCT 7 2016
(enter date affidavit is notarized)

132901a

for Application No. (s): SEA 85-C-069-03
(enter County-assigned application number(s))

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

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

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

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

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

NONE

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

SPECIAL EXCEPTION AFFIDAVIT

132901a

DATE: OCT 7 2016
(enter date affidavit is notarized)

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

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

NONE

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

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

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

WITNESS the following signature:

(check one)

Applicant

Applicant's Authorized Agent

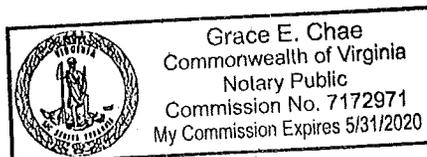
Sheri L. Akin
Sheri L. Akin, Land Use Planner

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

Subscribed and sworn to before me this 7th day of October 2016, in the State/Comm. of Virginia, County/City of Fairfax

Grace E. Chae
Notary Public

My commission expires: 5/31/2020





County of Fairfax, Virginia

MEMORANDUM

DATE: August 26, 2016

TO: Barbara Berlin, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: LAND USE/ENVIRONMENTAL ASSESSMENT: SEA 85-C-069-3
Chic-fil-A

This memorandum, prepared by Mary Ann Welton, includes citations from the Comprehensive Plan that list the land use guidance and environmental policies for this property. Plan citations are followed by a discussion of concerns including a description of potential impacts that may result from the proposed development as depicted on the Special Exception Amendment plat revised through July 29, 2016. 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 harmony with Plan policies.

DESCRIPTION

This subject property is located in the Sully Plaza Shopping Center which generally fronts on the north side of Lee-Jackson Highway (Rt. 50) between Metrotech Drive and Old Centerville Road and is situated at the northeast corner of the intersection of Lee Jackson Memorial Highway and Centerville Road. The subject property is currently zoned C-8 and is developed with an in-line shopping center and multiple pad-sites also with drive-through uses, including two banks, a drugstore and another fast food restaurant.

The application proposes to replace the existing Kentucky Fried Chicken fast food restaurant with a Chick-fil-A restaurant. The proposal would add an additional drive-through lane and increase the square footage over the existing building by approximately 1,700 square feet. It is noted that the second drive through lane is proposed to be cantilevered out over the adjacent stormwater management pond on the west side of the building. The proposed development totals 4,688 square feet with an overall floor area ratio (FAR) for the leased area of 0.26. The 0.42 acre lease area is part of a larger 13.01 acre overall shopping center property.

LOCATION and CHARACTER

The Sully Plaza Shopping Center is general surrounded by Sully Place, a second shopping center to the north and east. A car dealership and restaurant are located across Rt. 50 to the south; a service station and bank are located at the other northwestern and southwestern quadrants of the intersection, respectively. Commercial and industrial zoning generally characterize the area which is planned for retail use and office uses.

ANALYSIS

The Comprehensive Plan is the basis for the evaluation of this application. The assessment of the proposal is based on addressing the land use and environmental recommendations of the Comprehensive Plan.

LAND USE

Fairfax County Comprehensive Plan, 2013 Edition AREA III, Dulles Suburban Center Land Unit Recommendations, as amended through October 20, 2015, on pages 52-53 the Plan states:

“In order to achieve the planning objectives for the Dulles Suburban Center it is necessary that new development and redevelopment be responsive to general criteria and site-specific conditions which focus on mitigating potential impacts. Development proposals at the baseline or optional levels must be responsive to the following development criteria, which apply to all sites in the Dulles Suburban Center:

1. Provision of a development plan that provides high quality site and architectural design, streetscaping, urban design and development amenities. High quality site and architectural design will be evaluated in terms of the ability of the proposal to meet the Design Guidelines for the Dulles Suburban Center.

...

3. Provision of design, siting, style, scale, and materials compatible with adjacent development and the surrounding community, and which serves to maintain and/or enhance the stability of existing neighborhoods.

...

6. Provision of the highest level of screening and landscaping for all parking.

...

8. Provision of stormwater management by the use of Best Management Practices which contribute to Objectives of this Dulles Suburban Center Plan calling for design of stormwater detention systems that blend with and augment features of the natural environment and contribute to the aesthetics of their sites

...

In addition to these general development criteria, site-specific conditions may be identified as part of the following recommendations for each of the land units within the Suburban Center.”

Fairfax County Comprehensive Plan, 2013 Edition AREA III Dulles Suburban Center, Land Unit E-2, as amended through October 20, 2015, on pages 112-114 the Plan states:

“Land Unit E-2 consists of approximately 85 acres and is located in the northeast quadrant of the intersection of Centreville Road and Route 50. It is developed in retail use and includes the Sully Plaza and Sully Place Shopping Centers.

RECOMMENDATIONS

Land Use

1. This land unit is planned for retail use with ancillary office use not to exceed 20 percent up to a maximum FAR of .25. This will provide a transition in intensity to the residential areas located to the north and east.
2. Free-standing, auto-oriented retail commercial and financial uses should be discouraged because of the potentially adverse visual impacts and because traffic related to free-standing uses can interfere with efficient auto and pedestrian circulation related to other commercial development in the shopping center as well as traffic movement on the two major highways.
3. Commercial development in this land unit should be designed to facilitate on and off-site pedestrian access and circulation thereby reducing dependence on the automobile and enhancing the neighborhood-serving nature of this retail development.
4. Much of the land in the vicinity of the intersection of Centreville Road and Route 50 may be used to accommodate the planned interchange; therefore, any development of this area should dedicate land for the interchange as appropriate.
5. Development in this land unit should incorporate substantial landscaped open space to screen and buffer retail use from adjacent residential use to the north and east and to provide a visual amenity within this type of retail shopping center.”

Comp Plan Map: Retail and other

The Comprehensive Plan provides site specific guidance for development in this Land Unit; the extent to which the proposal addresses the land use guidance is outlined below.

Intensity: Although the development plan notes that the proposed FAR for the “lease area” for the fast food restaurant is .26 FAR (which slightly exceeds the Plan recommendation of .25) the overall intensity for the shopping center is 0.21 FAR which is below the intensity recommendation. The proposal however, represents new construction and redevelopment of the site and proposes an increase of approximately 1,700 square feet over the existing building. In light of the Plan guidance which now discourages free-standing auto-oriented uses, the proposed intensification remains an outstanding concern.

Land Use: The Comprehensive Plan specifically discourages free-standing, auto-oriented retail commercial and financial uses. The shopping center is currently developed with multiple pad sites with drive through windows which were approved prior to the adoption of the current Plan text discouraging these uses. Staff acknowledges that the applicant has worked to mitigate the potential adverse impacts, especially with internal site circulation, improved landscaping and has

indicated that a pedestrian connection to the trail along Rt. 50 will be provided, although it is not clearly shown on the SE plat. However, as noted above, the proposal represents a significant intensification of a free-standing, auto-oriented use. Extraordinary measures are needed to accommodate a second drive through lane which is to be supported by piers in the adjacent stormwater management pond, as noted in the approved geotechnical study and approval conditions for the construction of the piers. The Comprehensive Plan envisions redevelopment of the Dulles Suburban Center into a more pedestrian friendly, visually pleasant place. Staff believes that the extent of site coverage limits the provision of such features as landscaping and pedestrian connectivity that would consistent with the Plan guidance to use re-development to transform the Dulles Suburban Center and this site in particular.

Pedestrian Access and Circulation: In response to the Plan recommendation to provide improved pedestrian access, the applicant has responded that pedestrians can use the existing trail on Lee Jackson Memorial Highway. Staff finds that that this response does adequately address the Plan concern to facilitate pedestrian traffic, reduce reliance on cars and provide for safe pedestrian circulation around and through the shopping center and the new fast food restaurant. It is not evident that patrons parking in the shopping center can safely and easily walk from other establishments in the main shopping center to the proposed expanded fast food restaurant. No on-site pedestrian walkway is provided nor is there a clear path for patrons parked at the proposed new use to facilitate the walk to other venues in the center. Additional pedestrian circulation improvements through the shared and on-site parking areas and travel/stacking aisles should be provided as part of the new construction plans for the use. This concern remains outstanding.

Planned Interchange: The Plan notes that much of the land in the vicinity of the intersection of Centreville Road and Route 50 may be used to accommodate the planned interchange and that development of this area should dedicate land for the interchange as appropriate. It is staff's understanding that the interchange as shown on the Comprehensive Plan is not likely to impact the proposed new building but may impact a portion of the site's frontage along Rt. 50. In order to understand the potential impacts, the limits of the future right-of-way needs should be shown on the SE plat, even if dedication of land for the interchange is not needed from the applicant.

Landscaped Open Space: The Plan guidance suggests that the provision of landscaping as a visual amenity within this type of retail shopping center is important. The current submission includes a landscape plan for the proposed use which largely consists of low shrubs along the perimeter of the building and some additional deciduous tree planting on the north and south side of the site. No trees for shade or planted vegetation is provided in the outdoor seating area that is shown on the north side of the building adjacent to the stacking lanes. The SE Plat notes a requirement for 15% open space for the shopping center and that 15% open space (plus or minus) will be provide for the application site. The proposed restaurant will largely consume the entire leased site, leaving limited space available to provide improved landscaped open space as recommended in the Plan guidance for this land unit. The applicant should consider the feasibility of landscaping along the perimeter of the stormwater management pond, stacking lanes and the provision of plantings and shade in the seating area.

Conclusion:

Staff acknowledges that it may be difficult to fully address the Plan guidance given the constraints of the existing shopping center traffic and pedestrian circulation patterns, particularly since a larger building and additional stacking is proposed. However, in light of the fact that the applicant proposes new construction and complete redevelopment of the site, the applicant should take every opportunity to accommodate improvements which address safe pedestrian access and more landscaping as a visual amenity, in keeping with the Plan guidance for the land unit.

ENVIRONMENT

This section identifies the environmental concerns raised by an evaluation of this site and the proposed development. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Particular emphasis is given to opportunities provided by this application to conserve the county's remaining natural amenities.

Stormwater Best Management Practices: The subject property is located in the Cub Run watershed of Fairfax County. The applicant proposes to use the existing stormwater pond for the shopping center which is situated on the west side of the site to meet water quality and water quantity requirements. The stormwater narrative on Sheet 7 states the following:

- impervious surface will be reduced in the proposed condition from the existing condition;
- the proposed elevated drive aisle will be cantilevered over the stormwater pond on piers;
- the existing pond has the capacity to accommodate the volume for the two year and the ten year storm events;
- the phosphorous removal requirement for the site is 12.31% and that the existing ponds provides a phosphorous removal of 40.33%.

Since the time that this proposal was originally reviewed in January 2016, the applicant has been granted a Stormwater Management Ordinance Determination regarding the Stormwater Management Ordinance from the Department of Public Works and Environmental Services (DPWES), as well as, a Public Facilities Manual waiver with conditions, to encroach over the existing stormwater management pond. The proposed stormwater management/best management practice measures and outfall adequacy are subject to further review and approval by DPWES.

The site is located in an area characterized by non-marine clay high shrink-swell soils and by shallow depth to bedrock. Since the application proposed the construction of piers to support an elevated slab drive through lane, a geotechnical study was been submitted and approved with conditions by DPWES. The conditions for approval address the needed precautions related to the need for sufficient depth of the piers (7-10 feet below the bottom elevation of the pond) to avoid adverse impact on the integrity of the pond and the need for precaution against impacts to adjacent properties if blasting is required, among other conditions.

Green Building Commitment: The application is located in the Dulles Suburban Center. Comprehensive Plan guidance sets forth a higher expectation for development to address the Green Building policy. To date, the applicant has provided a list of soft commitments which staff believes falls short of addressing the County's Green Building Policy. In researching this issue,

staff notes that Chic-fil-A restaurants have achieved United States Green Building Council (USGBC) certification in other areas of the country. For example, a Chic-fil-A in San Jose, California, achieved USGBC's LEED Silver Certification and another such restaurant in Fort Worth, Texas, achieved LEED Gold certification. Staff continues to recommend that the applicant take advantage with the proposed new construction and make a stronger commitment to the County's Green Building Policy.

Tree Preservation: The applicant is encouraged to look for opportunities to restore vegetation throughout the subject site and remove impervious surface where possible.

DMJ: MAW

COMPREHENSIVE PLAN CITATIONS:

The Fairfax County Comprehensive Plan, 2013 Edition Area III Dulles Suburban Center, as amended through October 20, 2015, on pages 150-154, Design Guidelines for Dulles Suburban Center, the Plan states:

“Objective: The design guidelines are intended to facilitate the integration of new development with existing and future development, to ensure that the various land uses function well together from the point of view of the user, thus contributing to the overall positive image of the Suburban Center as a high quality area to live, work, shop or visit.

...

General

- Provide buffers and screening where necessary to protect adjacent neighborhoods or other less intense uses, recognizing that preservation of natural beauty in transitional areas enhances the visual quality of the development.
- Where feasible, minimize areas of impervious surface through shared parking, decked or structured parking; or increased building height; or other measures as appropriate.
- Plan development to ensure substantial usable open space.
- Minimize the disturbance of environmental resources and topography, by integrating existing vegetation, trees and topography into site design.
- Preserve or recover and record significant heritage resources, integrating them into site design where feasible.
- Separate auto and truck traffic on site for light industrial development, providing separate truck parking, loading and vehicle maintenance areas. For plants with large truck traffic volumes, provide vehicle entrances and exits separate from those for visitors.
- Design retail shopping development in physically unified complexes, not as scattered free-standing structures.

- Design safe separate pedestrian and vehicular circulation patterns for retail development, to encourage shoppers to walk from store to store.
- Limit access to arterial roads from retail development, relying on service roads or access to secondary roads that have access to arterials.

...

Vehicular and Pedestrian Access

- Provide separate auto and pedestrian circulation systems for a safe environment that encourages walking rather than auto use for short trips.
- Design safe pedestrian crossings at roads with good lighting and access elements such as ramps for persons with disabilities.
- Provide pedestrian links to adjacent development and to the regional and countywide trail systems, connecting local sites with the larger community and enhancing the continuity of the larger systems.
- Use a hierarchical system of internal drives and roadways; do not access parking directly onto major arterial roads.
- Encourage bicycle use with bicycle routes and secure convenient bicycle storage for use by commuters, recreational users, and people cycling to the local shopping center.

...

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.

- Preserve existing high quality vegetation and integrate it with development to the greatest possible extent. Restore disturbed natural areas to be a visually appealing landscape.
- Select low-maintenance landscape materials for areas not likely to receive consistent maintenance.”

The Fairfax County Comprehensive Plan, Policy Plan, 2013 Edition, Environment section as amended through July 1, 2014, page 7-8 states:

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

Policy a. Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment complies with the County’s best management practice (BMP) requirements...

Policy k. For new development and redevelopment, apply better site design and low impact development (LID) techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County's streams, some or all of the following practices should be considered where not in conflict with land use compatibility objectives:

- Minimize the amount of impervious surface created.
- Site buildings to minimize impervious cover associated with driveways and parking areas and to encourage tree preservation. . . .
- Encourage cluster development when designed to maximize protection of ecologically valuable land. . . .
- Encourage fulfillment of tree cover requirements through tree preservation instead of replanting where existing tree cover permits. Commit to tree preservation thresholds that exceed the minimum Zoning Ordinance requirements.
- Where appropriate, use protective easements in areas outside of private residential lots as a mechanism to protect wooded areas and steep slopes. . . .
- Encourage the use of innovative BMPs and infiltration techniques of stormwater management where site conditions are appropriate, if consistent with County requirements.
- Apply nonstructural best management practices and bioengineering practices where site conditions are appropriate, if consistent with County requirements. ”

The Fairfax County Comprehensive Plan, Policy Plan, 2013 Edition, Environment section as amended through July 1, 2014, page 10 states:

“Objective 3: Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.

Policy a. Ensure that new development and redevelopment complies with the County's Chesapeake Bay Preservation Ordinance. . . .”

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

“Objective 13: Design and construct buildings and associated landscapes to use energy 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;
- 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 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.



County of Fairfax, Virginia

MEMORANDUM

DATE: September 27, 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: SE 85-C-069

SUBJECT: SEA 85-C-069-03 – Chick-fil-A, Inc.
Tax Map: 34-4 ((1)) 16C

This department has reviewed the subject application including plans, dated December 8, 2015, and revised through September 12, 2016. The applicant is requesting permission to replace an existing fast food restaurant with drive-thru with a larger fast food restaurant which will include dual drive-thru lanes and an outdoor seating area.

In response to staff comments, the applicant has agreed to place wayfinding signage on internal drive aisles to improve vehicular circulation near the proposed site. Additionally, the applicant has agreed to work with staff at the time of site plan to further promote pedestrian connectivity where appropriate. Therefore, staff believes transportation issues have been adequately addressed.

MAD/VLH

cc: Carmen Bishop/DPZ



DEPARTMENT OF TRANSPORTATION

4975 Alliance Drive
Fairfax, VA 22030

Charles A. Kilpatrick, P.E.
COMMISSIONER

September 22, 2016

To: Ms. Barbara Berlin
Director, Zoning Evaluation Division

From: Alex Faghri
Virginia Department of Transportation – Land Development Section

Subject: **SEA 85-C-069-03; Chick-fil-A, Inc.**

All submittals subsequent to the first submittal shall provide a response letter to the previous VDOT comments. Submittals without comment response letters are considered incomplete and will be returned without review.

This office has reviewed the subject Special Exception Amendment application to permit construction of a fast food restaurant with drive thru, replacing an existing fast food restaurant.

VDOT does not have any objection to approval of this application.

If you have any questions, please contact me at (703) 259-2414.

Sincerely,

Alex Faghri

cc: Ms. Angela Rodeheaver



County of Fairfax, Virginia

MEMORANDUM

DATE: August 30, 2016

TO: Carmen Bishop, Planner II
Zoning Evaluation Division, DPZ

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

SUBJECT: Chick-Fil-A.SEA 85-C-069-03

The following comments are based on a review of the revised Special Exception Amendment Plat set stamped "Received, Department of Planning and Zoning, July 29, 2016".

It appears that all UFMD comments have been adequately addressed except that a tree preservation target deviation request letter addressed to Keith Cline, Director UFMD will be needed at site plan submission.

Lb/

UFMDID #: 208620

cc: DPZ File





County of Fairfax, Virginia

MEMORANDUM

DATE: August 24, 2016

TO: Carmen Bishop, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Yosif Ibrahim, Storm water Engineer
Site Development and Inspections Division
Department of Public Works and Environmental Services

SUBJECT: Special Exception Analysis SEA 85-C-069-03 (Chick-fil-A, Inc.), LDS
Project #5660-ZONA-002-1, Tax Map #034-4-01-0016C, Hunter Mill District

We have reviewed the revised plans for subject application and it appears that the applicant adequately address all the first submission comments. At this stage we don't have any further comments pertaining to storm water management. Attached please find a copy of the following approval letters:

- Storm water determination (SWOD) letter dated April 16, 2016;
- Geotechnical report approval Letter dated August 17, 2016; and
- Public Facilities Manual (PFM) modification approval letter to allow partial encroachment into an existing pond area, dated August 11, 2016.

Please contact me at 703-324-1720 if you require additional information.

SR/

cc: Fred Rose, Chief, Watershed Planning & Assessment Branch, Storm water Planning Division, DPWES
Shahab Baig, Chief, North Branch, SDID, DPWES
Dr. Behzad Amir Faryar, PE, Senior Engineer III, 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 15 2016

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

Subject: Sully Plaza Shopping Center (Chick-fil-A, Inc.); Special Exception Amendment
SEA-85-C-069-03; Tax Map #034-4-01-0016C; Sully District

Reference: Stormwater Management Ordinance Determination #5660-SWOD-001-1

Dear Mr. D'Amico:

This is in response to your request dated April 7th 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 storm water management facility (dry pond #5660-SP-01-3), 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 existing dry pond is designed to provide pollutant removal rate of about 40%. Since the subject site is located within the Water Supply Overlay District Area (WSPOD), an additional 10% phosphorous load removal requirements for the proposed 0.418 Acres must be met through the provision of on-site Best Management Practices. Please note you can-not meet the WSPOD removal requirements through the purchase of off-site nutrient credit;
- 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.

Department of Public Works and Environmental Services
Land Development Services
12055 Government Center Parkway, Suite 444
Fairfax, Virginia 22035-5503
Phone 703-324-1780 • TTY 711 • FAX 703-653-6678
www.fairfaxcounty.gov



Travis D'Amico, P.E.

Page 2 of 2

- 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
- 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 0.79 for the drainage area to the existing dry pond 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 Yosif Ibrahim, Senior Engineer III, Site Development and Inspections Division (SDID), at 703-324-1720 or e-mail: Yosif.Ibrahim@fairfaxcounty.gov.

Sincerely,



Shahab Baig, P.E., Chief, North Branch
Site Development and Inspections Division (SDID)

cc: Jack Weyant, Director, SDID, Land Development Services, (LDS) Department of Public Works and Environmental Services, (DPWES)
Camlynn Lewis, P.E., CFM, Senior Engineer III, SDID, LDS, DPWES
Carmen Bishop, Staff Coordinator, Department of Planning and Zoning
Yosif Ibrahim, P.E., Senior Engineer III, SDID, LDS, DPWES
DPWES File



County of Fairfax, Virginia

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

AUG 11 2016

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

Subject: Sully Plaza Shopping Center (Chick-fil-A, Inc.); Special Exception Amendment # SEA-85-C-069-03; Tax Map #034-4-01-0016C; Sully District

Reference: Public Facilities Manual Modification Request #5660-WPFM-004-1, to allow partial encroachment into an existing stormwater management facility.

Dear Mr. D'Amico:

We have reviewed your request for a modification of Public Facilities Manual (PFM) Section 6-1608.3D (2) to allow the addition of drive-through lanes that will be extending over the existing dry pond and the Director has determined the following:

1. The drive-through lanes will be supported by piers and there will be 2.5 feet clearance between the bottom of the drive-through deck and the bottom of the pond. Hence access to the existing privately maintained pond will not be impeded.
2. As riprap will be provided along the sides of the pond to maintain the existing 3:1 slope that will be under the drive-through deck, there will be a minimal maintenance on that portion of the pond.
3. The routing computations submitted as part of the application indicate that the existing volume of the SWM pond will not be affected and adequate free board will still be maintained above the routed 100-year Water Surface Elevation (WSE).

Therefore, your request to allow partial encroachment into the existing SWM facility for the construction of supporting piers is hereby approved subject to the following condition:

- The applicant shall obtain a written approval of the geotechnical report and comply with the approval conditions of the geotechnical assessment.

Department of Public Works and Environmental Services

Land Development Services

12055 Government Center Parkway, Suite 444

Fairfax, Virginia 22035-5503

Phone 703-324-1780 • TTY 711 • FAX 703-653-6678

www.fairfaxcounty.gov



Travis D'Amico, P.E
PFM Modification Request #5660-WPFM-004-1
Page 2 of 2

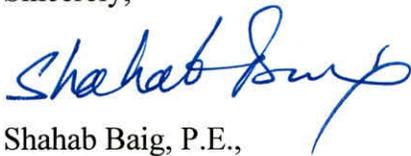
Approval of this PFM modification in no way relieves you of any Chesapeake Bay Preservation Ordinance, Stormwater Management Ordinance, PFM, other County, or any State requirements.

This modification shall automatically expire, without notice, twenty-four (24) months after the date of this letter, unless the subject plan is approved.

Please ensure that a copy of this letter is made a part of the subject plan.

If you have any questions or need additional information, please contact Yosif Ibrahim, Senior Engineer III, Site Development and Inspections Division (SDID), at 703-324-1720.

Sincerely,

A handwritten signature in blue ink that reads "Shahab Baig". The signature is fluid and cursive, with the first name being the most prominent.

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

cc: Fred Rose, Chief, Watershed Planning & Assessment Branch, Stormwater Planning
Division, DPWES
Behzad Amir Faryar, PhD, PE, Senior Engineer III, SDID, LDS, DPWES
Carmen Bishop, Staff Coordinator, Department of Planning and Zoning
Yosif A. Ibrahim, Senior Engineer III, SDID, LDS, DPWES
Waiver File



County of Fairfax, Virginia

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

AUG 17 2016

Darryl Bernard Keating, P.E.
Giles Engineering Associates, Inc.
8132 Flannery Court
Manassas, Virginia 20109

Reference: Geotechnical Report for 13962 Lee Jackson Memorial Highway aka. Chick-fil-A restaurant no. 3628, Project #5660-SR-007-1, Tax Map #034-4-01-0016C, Sully District, Type: Commercial (C-8)

Dear Mr. Keating:

The referenced geotechnical report dated June 30, 2016 prepared on behalf of Chick-fil-A, Inc. with your Project Number 9G-1605001 has been reviewed. The report was submitted to partially support the site plan prepared by Bohler Engineering, and is determined to be generally acceptable as noted:

1. The subject site is located in non-marine clay high shrink-swell soils of the Fairfax County. These soils can lead to foundation distress if precautions are not taken during design and construction.
2. Rock has been encountered in shallow depths. If blasting is required for the proposed development, notices shall be sent out to adjoining property owners per Code of the County of Fairfax, Virginia Chapter 62 – Fire Protection and per letter to Industry 09-13.
3. If blasting is required for the proposed development, due to the close vicinity of the planned building to the existing adjoining buildings, appropriate precautionary measures, i.e., pre-blast survey, vibration monitoring at property lines, etc. shall be taken.
4. The proposed piers to support the planned elevated slab drive-through shall be extended sufficiently deep below the bottom elevation of the pond (minimum 7 to 10 feet below) so they don't have an adverse impact on the integrity of the pond.

The recommendations and details of the approved report shall be shown as requirements on the final construction plan/s (Fairfax County Public Facilities Manual [PFM], Section 4-0401). Per the PFM, the geotechnical engineer shall review the final (revised) construction (site) plan/s, and state his opinion as to whether or not the plan/s have been prepared in accordance with the approved recommendations of the approved report and revision/s.

The following requirements of Section 4-0502 of the PFM and Section 107-1-7 of The Code of the County of Fairfax, Virginia, shall be shown as a note on the approved plans:

Department of Public Works and Environmental Services
Land Development Services
12055 Government Center Parkway, Suite 444
Fairfax, Virginia 22035-5503
Phone 703-324-1780 • TTY 711 • FAX 703-653-6678

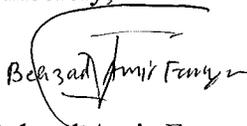


Darryl Bernard Keating, P.E.
Project #5660-SR-007-1
Page 2 of 2

1. All construction involving problem soil must be performed under the full-time inspection of the geotechnical engineer.
2. The geotechnical engineer shall furnish a written opinion to the County as to whether or not work has been performed in accordance with the approved plans prior to the issuance of any occupancy or use permit.
3. Review and approval of plans, specifications and reports by the County, with or without recommendations by the Geotechnical Review Board, shall in no way relieve the developer of the responsibility for the design, construction and performance of the structures, pavement and slopes on the project and damage to surrounding properties.

If you have any questions, please contact me at 703-324-1720 or email behzad.amirfaryar@fairfaxcounty.gov.

Sincerely,



Behzad Amir-Faryar, Ph.D., P.E.
Chief Geotechnical Engineer
Site Development and Inspections Division (SDID)
Herrity Building, Suite 535

cc: Brittany Thompson, Chick-fil-A, Inc.
Mike Birkland, P.E., Bohler Engineering
Shahab Baig, P.E., Chief, North Branch, SDID, LDS, DPWES
Dr. Yosif Ibrahim, P.E., PMP, Stormwater Specialist, North Branch, SDID, LDS, DPWES
Carmen Bishop, Staff Coordinator, Department of Planning and Zoning
Fred Rose, Chief, Watershed Planning & Assessment Branch, Stormwater Planning Division,
DPWES
Geotechnical File



County of Fairfax, Virginia

MEMORANDUM

DATE: January 27, 2016

TO: Carmen Bishop
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Sharad Regmi, P.E.
Engineering Analysis and Planning Branch

SUBJECT: Sanitary Sewer Analysis Report

REF: **Application No. : SEA 85 C 069 03**
Tax Map No. : 034-4-01-0016-C

The following information is submitted in response to your request for a sanitary sewer analysis for above referenced application:

1. The application property is located in the Upper Cub Run (T-1) watershed. It would be sewer into the Upper Occoquan Sewage Authority (UOSA) Treatment Plant.
2. Based upon current and committed flow, there is excess capacity in the UOSA Treatment. For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
3. An existing 8" inch line located on the property is adequate for the proposed use at this time.
4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

<u>Sewer Network</u>	<u>Existing Use +Application</u>		<u>Existing Use + Application +Previous Applications</u>		<u>Existing Use + Application + Comp Plan</u>	
	<u>Adeq.</u>	<u>Inadeq</u>	<u>Adeq.</u>	<u>Inadeq</u>	<u>Adeq.</u>	<u>Inadeq</u>
Collector	X		X		X	
Submain	X		X		X	
Main/Trunk	X		X		X	

5. **Other pertinent comments:**





County of Fairfax, Virginia

RECEIVED
Department of Planning & Zoning

JAN 14 2016

Zoning Evaluation Division

DATE: January 13, 2016

TO: Carmen Bishop, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Kevin R. Wastler, EH Supervisor *KRW*
Consumer Protection Program
Fairfax County Health Department

SUBJECT: Special Exemption Application Analysis

REFERENCE: Application No. SEA 85-C-069-03 (Chick-fil-A, Inc.)

After reviewing the application, the Health Department has no additional comments to make regarding the application. Plans must be submitted for review by the applicant regarding all required Health Department codes and regulations regarding any proposed food service establishment.

Fairfax County Health Department
Division of Environmental Health
Technical Review and Information Resources
10777 Main Street, Suite 102, Fairfax, VA 22030
Phone: 703-246-2510 TTY: 711 Fax: 703-278-8156
www.fairfaxcounty.gov/hd



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.

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 Medical Care Facilities

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.

...

4. In the C-7, C-8 and C-9 Districts, in addition to Par. 1 above:

- A. In the C-7 or C-9 District, there shall be no outdoor storage or display of goods offered for sale except for the outdoor storage or display of goods permitted at a service station or service station/mini-mart.
- B. Service stations and service station/mini-marts shall not be used for the performance of major repairs, and 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 four (4) such vehicles on site at any one time.
- C. The outdoor area devoted to any use such as vehicle or tool rental shall be limited to the area so designated on an approved special exception plat.

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		