



County of Fairfax, Virginia

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

November 24, 2008

Sara V. Mariska
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

Re: Special Exception Amendment Application SEA 2004-SU-027
(Concurrent with Proffered Condition Amendment Application PCA 2004-SU-028)

Dear Ms. Mariska:

At a regular meeting of the Board of Supervisors held on October 20, 2008, the Board approved Special Exception Amendment Application SEA 2004-SU-027 in the name of Penske Automotive Group, Incorporated. On November 17, 2008, the Board of Supervisors reconsidered Special Exception Amendment Application SEA 2004-SU-027 to clarify the revision date of the SEA Plat referenced in Development Condition 4 and unanimously approved the clarification. The subject property is located in the southwest quadrant of the intersection of Stonecroft Boulevard and Stonecroft Center Court on approximately 9.26 acres of land zoned C-8, AN, and WS in the Sully District [Tax Map 33-4 ((1)) 3B]. The Board's action amends Special Exception Application SE 2004-SU-027, previously approved for commercial development with four (4) vehicle sale, rental and ancillary service establishments to split an approved vehicle sales, rental, and ancillary service establishment into two separate vehicle sales establishments on Tax Map 33-4 ((1)) 3B and permit associated modifications to site design with no increase in total Floor Area Ratio (FAR) pursuant to Section 4-804 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions, which supersede all previous conditions (those conditions carried forward from previous approval are marked with an asterisk*).

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. A copy of this Special Exception and the Non-Residential Use Permit (Non-RUP) SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.*
3. This Special Exception Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception amendment plat approved with the application, as qualified by these development conditions.*

Office of the Clerk to the Board of Supervisors

12000 Government Center Parkway, Suite 533

Fairfax, Virginia 22035

Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903

Email: clerktothebos@fairfaxcounty.gov

<http://www.fairfaxcounty.gov/bosclerk>

4. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans. Any plan submitted pursuant to the special exception amendment shall be in substantial conformance with the approved Special Exception Amendment (SEA) Plat entitled "Proposed Dealership Parcel 3B Stonecroft Business Park", prepared by Walter L. Philips, Inc and others with all sheets revised through October 14, 2008, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
5. The height of the flagpole shall be limited to the height indicated on the GDP/SEA Plat. No device or ornamentation other than an ornamental ball shall be affixed to the top of the flag pole. In addition, a maximum of three (3) flags may be flown on the flagpole as specified in Section 12-103 Paragraph 2E of the Zoning Ordinance. Display of American and Commonwealth of Virginia flags shall follow customary guidelines outlined in the United States Code Title 4 Chapter 1.
6. All signs shall conform to Article 12 of the Zoning Ordinance. A corporate emblem may be permitted on the flagpole shown on the GDP/SEA Plat, but the emblem area shall be deducted from the permitted area of any building-mounted signs as specified in Section 12-103 Paragraph 2E(2) of the Zoning Ordinance.
7. Parking shall be provided for customers, employees, and associated uses in accordance with the Zoning Ordinance and consistent with the tabulations for parking on the GDP/SEA Plat subject to DPWES approval. Additional parking for vehicles on display may be provided up to 500 spaces within the vehicle display areas as shown on the GDP/SEA Plat. A parking tabulation showing conformance with Proffer 5 of the previously approved proffers in RZ 2004-SU-028, which indicates that no more than 3,200 spaces may be provided on Tax Maps 33-4((1)) 3B, 3G-1 and 3G-2, shall be provided to DPWES at Site Plan Review. Handicapped parking shall be provided in accordance with Code requirements. All parking spaces shall be of a size and the aisles of a width which will meet the Zoning Ordinance requirements and the Public Facilities Manual standards as determined by DPWES and all parking shall be on site.
8. In order to protect the RPA/EQC area from accidental disturbance during construction, the limits of clearing and grading shown on the southeast corner of the site shall be shifted approximately 15 feet northwest of the existing RPA line as determined by Urban Forest Management. In addition, the limits of clearing and grading shall be construed in a manner that allows planting of additional trees in the RPA area at existing grades and removal of invasive plant species specified in Proffer 5.

9. A conservation easement shall be recorded for the RPA/EQC area shown on the GDP/SEA Plat.
10. Retaining walls shall be constructed at the minimum height necessary as determined by Department of Public Works and Environmental Services (DPWES). In no instance shall retaining walls be more than three feet (3') in height.
11. Notwithstanding what is shown on the GDP/PCA/SEA Plat, the existing berm and landscaping that was installed in accordance with Proffer 4, approved in conjunction with RZ 2004-SU-028, shall remain adjacent to Stonecroft Boulevard. The existing landscaping may be supplemented with additional landscaping as determined by the Applicant in consultation with Urban Forest Management (UFM). The screening walls and pedestrian connection adjacent to Stonecroft Boulevard that are shown on the GDP/PCA/SEA Plat shall be removed. Retention of the berm may necessitate removal of a portion of vehicle display areas adjacent to Stonecroft Boulevard. This determination shall be made by the Applicant in coordination with the Sully District Supervisor at time of site plan, without the necessity of a special exception amendment (SEA) or proffered condition amendment (PCA). In no event shall the existing berm be removed without an SEA or PCA.
12. The design of the traffic circle located to the west of Stonecroft Boulevard is subject to approval by the Fire Marshal.

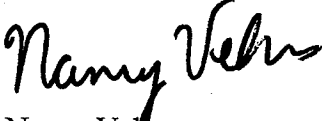
This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted for one of the proposed buildings. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

The Board also:

- Modified the peripheral parking lot landscaping requirements in favor of the landscaping shown on the GDP/SEA Plat.

Sincerely,



Nancy Velrs
Clerk to the Board of Supervisors
NV/dms

Cc: Chairman Gerald E. Connolly
Supervisor Michael Frey, Sully District
Janet Coldsmith, Director, Real Estate Division, Dept. of Tax Administration
Regina Coyle, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Angela K. Rodeheaver, Section Chief, Transportation, Planning Division
Ellen Gallagher, Capital Projects and Operations Div., Dept. of Transportation
Ken Williams, Plans & Document Control, ESRD, DPWES
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
District Planning Commissioner
Barbara J. Lippa, Executive Director, Planning Commission
Karyn Mooreland, Chief Capital Projects Sections, Dept. of Transportation



Amended

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

APPLICATION No: SEA 2004-SU-027
(Staff will assign)

RECEIVED
Department of Planning & Zoning
MAY 14 2008

APPLICATION FOR A SPECIAL EXCEPTION

(PLEASE TYPE or PRINT IN BLACK INK)

Zoning Evaluation Division

APPLICANT	NAME Penske Automotive Group, Inc.	
	MAILING ADDRESS	
	PHONE HOME () WORK ()	
	PHONE MOBILE ()	
PROPERTY INFORMATION	PROPERTY ADDRESS Not yet assigned	
	TAX MAP NO. 33-4 ((1)) 3B	SIZE (ACRES/SQ FT) Approx. 9.26 acres
	ZONING DISTRICT C-8, WS, ANOD	MAGISTERIAL DISTRICT Sully
	PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION: C-8, WS, ANOD	
SPECIAL EXCEPTION REQUEST INFORMATION	ZONING ORDINANCE SECTION Section 4-804	
	PROPOSED USE Vehicle Sale, Rental, and Ancillary Service Establishments	
AGENT/CONTACT INFORMATION	NAME Lynne J. Strobel, Agent	
	MAILING ADDRESS Walsh, Colucci, Lubeley, Emrich & Walsh, P.C. 2200 Clarendon Boulevard, 13th Floor Arlington, Virginia 22201	
	PHONE HOME () WORK (703) 528-4700	
	PHONE MOBILE ()	
MAILING	Send all correspondence to (check one): ☐ Applicant -or- ☒ Agent/Contact	
The name(s) and addresses of owner(s) of record shall be provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter the subject property as necessary to process the application. Lynne J. Strobel, Agent TYPE/PRINT NAME OF APPLICANT/AGENT SIGNATURE OF APPLICANT/AGENT		

DO NOT WRITE IN THIS SPACE

Date Application accepted: 5/14/08

Application Fee Paid: \$ n/a