

Robert D. Brant  
(703) 528-4700 Ext. 5424  
[rbrant@thelandlawyers.com](mailto:rbrant@thelandlawyers.com)



**WALSH COLUCCI  
LUBELEY & WALSH PC**

May 3, 2019

**Via Hand Delivery**

Brooke Hardin  
Director, Community Development and Planning  
City of Fairfax  
10455 Armstrong Street  
Fairfax, Virginia 22030

Re: Proposed Rezoning, Special Use Permit and Special Exception  
Subject Property: Tax Map 48-3-09-056  
Applicant: 9700 Fairfax Blvd LLC

Dear Mr. Hardin:

In conjunction with the referenced request, I have enclosed the following materials for your review and acceptance:

- Original and copy of a Zoning Map Amendment (Rezoning) application form, with required affidavit, and legal and equitable disclosure statement.
- Original and copy of a Land Use Application form, with required affidavit, requesting one special use permit and one special exception.
- Three (3) copies of a certified plat of the property including a metes and bounds description, bearing a certification date within six (6) months of the date of filing the application, prepared by GRS Group, LLC.
- Twenty (20) full size copies and an 11" x 17" reduction of a General Development Plan/Special Use Permit Plat ("GDP/SUP Plat"), prepared by Kimley-Horn, including a tree survey.
- Three (3) copies of a written statement of justification.
- Original and copy of notarized special limited power of attorney authorizing representatives of Walsh, Colucci, Lubeley & Walsh, P.C. to act as agents for the Applicant.

ATTORNEYS AT LAW

703 528 4700 ■ WWW.THELANDLAWYERS.COM  
2200 CLARENDON BLVD. ■ SUITE 1300 ■ ARLINGTON, VA 22201-3359

LOUDOUN 703 737 3633 ■ WOODBRIDGE 703 680 4664

- Original and copy of notarized special limited power of attorney authorizing representatives of Walsh, Colucci, Lubeley & Walsh, P.C. to act as agents for the property owner.
- Three (3) copies of a Traffic Memorandum, prepared by Kimley-Horn. As discussed with transportation staff at a meeting on April 11, 2019, the Applicant is currently conducting traffic counts in preparation of a traffic study. The formal traffic study will be submitted under separate cover.
- A check made payable to the City of Fairfax totaling \$21,875.00. The filing fee is comprised of \$10,575.00, plus \$525.00 per acre for the proposed Rezoning and \$10,250.00 for the special use permit and special exception.

I would appreciate your review and acceptance of the enclosed materials. Should you have any questions regarding this submission or require any additional information, please do hesitate to contact me. As always, I appreciate your cooperation and assistance.

Very truly yours,

WALSH, COLUCCI, LUBELEY & WALSH, P.C.



Robert D. Brant

Enclosures

cc: James Leach  
Luis Davila  
Jeb Bell  
Ross Stevens  
Chris Howell  
Mike Albright  
Kathryn R. Taylor

{P0899404.DOC / 1 Submission Ltr to City of Fairfax (5.3.19) 002226 000028}

Application No. \_\_\_\_\_

**CITY OF FAIRFAX  
ZONING MAP AMENDMENT, PROFFER AMENDMENT,  
OR MASTER DEVELOPMENT PLAN AMENDMENT APPLICATION**

I/We 9700 Fairfax Blvd LLC by Robert D. Brant, Attorney-in-Fact/Agent  
(Name of applicant) (Authorized agent's name and relationship to applicant)

a corporation / general partnership / limited partnership / sole proprietorship/individual (circle one) which is the

property owner / contract purchaser / lessee (circle one)

of Lots 48-3-09-056, Block \_\_\_\_\_, Section \_\_\_\_\_ of the \_\_\_\_\_  
Fairfax Subdivision containing Approx. 79,290 (Sq. Ft.) on the premises known as

9700 Fairfax Boulevard requests that the property currently zoned CR and IH be rezoned to CR. This property is recorded in the land records of Fairfax County in the name of

Ola Inc. in Deed Book 11233, Page 0050.  
(Name and address of subject property)

I certify that I have read and understand my application to comply with Zoning Ordinance Section 6.2.3.C Application Requirements, which states:

1. An application shall be sufficient for processing when it contains all of the information necessary to decide whether or not the development as proposed will comply with the applicable requirements of this chapter.
2. The burden of demonstrating that an application complies with applicable review and approval criteria is on the applicant. The burden is not on the city or other parties to show that the standards or criteria have not been met.
3. Each application is unique and, therefore, more or less information may be required according to the needs of the particular case. Information needs tend to vary substantially from application to application and to change over time as result of code amendments and review procedure changes. Staff has the flexibility to specify submission requirements for each application and to waive requirements that are irrelevant to specific situations. The applicant shall rely on the review official as to whether more or less information should be submitted."

Agent/  
Attorney-in-Fact  
(Title or relationship)

(Signature of applicant or authorized agent) Robert D. Brant  
Walsh, Colucci, Lubeley & Walsh, P.C.

Address 2200 Clarendon Blvd, Suite 1300, Arlington, VA 22201 Phone (703) 528-4700

Email rbrant@thelandlawyers.com

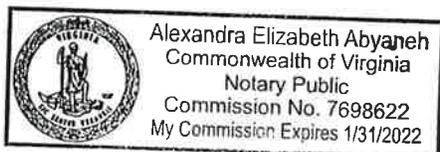
STATE OF VIRGINIA to-wit:

I, the undersigned, a Notary Public in and for the State aforesaid, whose commission as such will expire on the 31st day of January, 2 022, do hereby certify that this day personally appeared before me in the State aforesaid Robert D. Brant Agent/Attorney-in-Fact  
(Name) (Title)

whose name(s) is (are) signed to the foregoing and hereunto annexed agreement bearing date of the 3 day of May, 2 019, and acknowledged the same before me.

GIVEN under my hand and seal this 3 day of May, 2 019.

Alexandra Elizabeth Abyaneh  
Notary Public Registration # 7698622



**THE FOLLOWING MUST BE COMPLETED BY THE PROPERTY OWNER**

I/We Ola Inc. by Robert D. Brant, Attorney-in-Fact/Agent hereby certify that the applicant named above has the authority vested by me to make this application.

[Signature] Robert D. Brant Attorney-in-Fact/Agent  
(Signature of owner or authorized agent) (Title or relationship)  
Address Walsh Colucci Lubeley & Walsh, PC, 2200 Clarendon Blvd., Suite 1300, Phone: (703) 528-4700  
Arlington, Virginia 22201

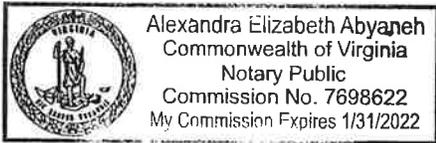
STATE OF VIRGINIA to-wit:

I, the undersigned, a Notary Public in and for the State aforesaid, whose commission as such will expire on the 31 day of January, 2022, do hereby certify that this day personally appeared before me in the State aforesaid Robert D. Brant Agent / Attorney-in-Fact  
(Name) (Title)

whose name(s) is (are) signed to the foregoing and hereunto annexed agreement bearing date of the 3 day of May, 2019, and acknowledged the same before me.

GIVEN under my hand and seal this 3 day of May, 2019.

Alexandra Elizabeth Abyaneh 7698622  
Notary Public Registration #



**FOR OFFICE USE ONLY**

Proposal filed: \_\_\_\_\_ Received by: \_\_\_\_\_  
Fee Paid: \_\_\_\_\_ Receipt No. \_\_\_\_\_  
Previous Cases: \_\_\_\_\_  
Current status of business license and fees: \_\_\_\_\_  
Treasurer: \_\_\_\_\_  
Commissioner of Revenue: \_\_\_\_\_

EQUITABLE OWNERSHIP DISCLOSURE STATEMENT

I. GENERAL DISCLOSURE REQUIREMENTS

In accordance with § 6.2.3.B of the Zoning Ordinance, any application for a change in zoning shall include as part of the application a statement on a form provided by the zoning administrator providing complete disclosure of the legal and equitable ownership in any real estate to be affected by the requested change in zoning.

In the case of corporate ownership of real estate, the disclosure shall include the names of stockholders, officers and directors and in any case the names and addresses of all the real parties in interest; provided, however, that the requirement of listing the names of stockholders, officers and directors shall not apply to a corporation whose stock is traded on a national or local stock exchange and having more than 500 shareholders. Such disclosure shall be sworn to under oath before a notary public or other official before whom oaths may be taken.

II. IDENTIFICATION OF REAL PROPERTY AFFECTED

<u>Map Number</u>	<u>Parcel Number</u>	<u>Street Address</u>	<u>Current Owner of Record</u>
48-3-09	056	9700 Fairfax Blvd.	Ola Inc.

III. DESCRIPTION OF CHANGE IN ZONING REQUESTED

Completely describe the action being requested, attach narrative if desired.  
Proposed rezoning from IH/CR to CR to allow the development of a Wawa grocery store and six (6) fuel stations (12 pumps).

IV. SPECIFIC EQUITABLE OWNERSHIP DISCLOSURE

The following individuals have legal and equitable ownership in the real estate to be affected by the requested change in zoning. (Include name, address and telephone number)  
Ola Inc., 9700 Fairfax Boulevard, Fairfax, Virginia 22031 (703) 585-4171

THE DISCLOSURE MADE ON THIS FORM IS IN ACCORDANCE WITH § 110-5 (D) OF THE CODE OF THE CITY OF FAIRFAX MUST BE SWORN UNDER OATH BEFORE A NOTARY PUBLIC OR OTHER OFFICER BEFORE WHOM OATHS MAY BE TAKEN. ALL APPLICANTS MUST SIGN AND HAVE THEIR SIGNATURE NOTARIZED. ATTACH A SEPARATE SHEET IF NECESSARY.

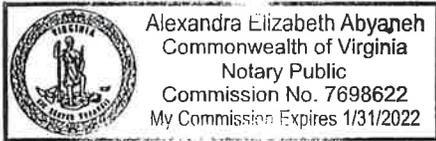
I hereby swear to the best of my knowledge that the information provided in this statement is true and complete.

9700 Fairfax Blvd LLC by Robert D. Brant, Attorney-in-Fact/Agent

[Signature]  
Signature

Subscribed and sworn before me this 3 day of May, 2019.  
My commission expires: 1/31/2022

Alexandra Elizabeth Abyaneh, 71698022  
Notary Public Registration #



**AFFIDAVIT  
CITY OF FAIRFAX**

I, 9700 Fairfax Blvd LLC, by Robert D. Brant, attorney-in-fact do hereby make oath or affirmation that  
(name of applicant or agent)

I am an applicant in Application Number \_\_\_\_\_ and that to the best of my knowledge and belief, the following information is true:

1. (a) That the following is a list of names and addresses of all applicants, title owners, contract purchasers, and lessees of the property described in the application, and if any of the foregoing is a trustee, each beneficiary having an interest in such land, and all attorneys, real estate brokers, architects, engineers, planners, surveyors, and all other agents who have acted on behalf of any of the foregoing with respect to the application (attach additional pages if necessary):

See Attachment A

Name	Address	Relationship
_____	_____	_____
_____	_____	_____
_____	_____	_____

(b) That the following is a list of the stockholders of all corporations of the foregoing who own ten (10) percent or more of any class of stock issued by said corporation, and where such corporation has ten (10) or less stockholders, a listing of all the stockholders (attach additional pages if necessary):

See Attachment B

Corporation Name: \_\_\_\_\_

Name	Address	Relationship
_____	_____	_____
_____	_____	_____
_____	_____	_____

(c) That the following is a list of all partners, both general and limited, in any partnership of the foregoing (attach additional pages if necessary):

N/A

Partnership Name: \_\_\_\_\_

Name	Address	Relationship
_____	_____	_____
_____	_____	_____
_____	_____	_____

2. That no member of the City Council, Planning Commission, BZA, or BAR has any interest in the outcome of the decision. EXCEPT AS FOLLOWS: (If none, so state.)

None

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. That within five (5) years prior to the filing of this application, no member of the City Council, Planning Commission, BZA, or BAR or any member of his or her immediate household and family, either directly or by way of a corporation or a partnership in which anyone of them is an officer, director, employee, agent, attorney, or investor has received any gift or political contribution in excess of \$100 from any person or entity listed in paragraph one. EXCEPT AS FOLLOWS: (If none, so state.)

None

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9700 Fairfax Blvd LLC by Robert D. Brant

WITNESS the following signature:

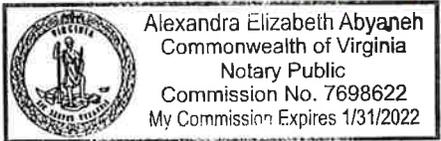
*[Signature]* *Attorney in Fact / Agent*  
Applicant or Agent

ALL APPLICANTS MUST SIGN AND HAVE THEIR SIGNATURES NOTARIZED.

The above affidavit was subscribed and confirmed by oath or affirmation before me on this 3  
day of May, 2019, in the State of Virginia, County of Arlington

My commission expires: 1/31/2022

Alexandra Elizabeth Abyaneh 7698622  
Notary Public/ Registration #



## ATTACHMENT A

9700 Fairfax Blvd LLC  
506 S. President Street  
Jackson, MS 39201  
Agents: James F. Leach  
Luis Davila  
Eric P. Gordon

Applicant/Contract Purchaser

WAWA, Inc.  
260 W. Baltimore Pike  
Wawa, PA 19063  
Agent: Jeb Bell

Lessee

Ola Inc.  
9700 Fairfax Boulevard  
Fairfax, VA 22031  
Agent: Champaklal G. Patel

Title Owner

Kimley-Horn and Associates, Inc.  
Agents: Ross Stevens  
Mike Albright  
Chris Howell  
Sarah Knox

Engineer/Transportation Consultant/Agent

Walsh, Colucci, Lubeley & Walsh, P.C.  
2200 Clarendon Boulevard, Suite 1300  
Arlington, Virginia 22201  
Agents: Martin D. Walsh  
M. Catharine Puskar  
Robert D. Brant  
Elizabeth D. Baker

Attorneys/Planners/Agent for Applicant  
Lynne J. Strobel  
Nicholas V. Cumings  
Kathryn R. Taylor  
Bernard S. Suchicital

## ATTACHMENT B

### **9700 Fairfax Blvd LLC**

Managers: Eric P. Gordon, James F. Leach

### **WAWA, Inc.**

There are more than 10 shareholders and the only shareholder that owns 10% or more is Wawa, Inc. Employee Stock Ownership Plan.

### **Ola Inc.**

Shareholders: Champaklal G. Patel, Nilesh R. Patel

### **Kimley-Horn and Associates, Inc.**

There are more than 10 shareholders and no one shareholder owns more than 10%

### **Walsh, Colucci, Lubeley & Walsh, P.C.**

Shareholders:

Wendy A. Alexander	William A. Fogarty	Charles E. McWilliams	Kathleen H. Smith
David J. Bomgardner	John H. Foote	Antonia E. Miller	Lynne J. Strobel
E. Andrew Burcher	H. Mark Goetzman	J. Randall Minchew	Garth M. Wainman
Thomas J. Colucci	Bryan H. Guidash	Andrew A. Painter	Nan E. Walsh
Michael J. Coughlin	Michael J. Kalish	M. Catharine Puskar	Matthew A. Westover
Peter M. Dolan, Jr.	Michael R. Kieffer	John E. Rinaldi	



Application #: \_\_\_\_\_

Receipt #: \_\_\_\_\_

**LAND USE APPLICATION**

- NON REFUNDABLE FEE -

Special Use    Special Exception    Variance    Amendment    Renewal

**1. PROPERTY LOCATION INFORMATION**

Property Address 9700 Fairfax Boulevard Tax Map # 48-3-09-056

Project Name Wawa Project Description See attached statement of justification.

The Applicant is requesting a special use permit to allow for the use of fuel stations in a CR District. The Applicant is also requesting a special exception to modify the sidewalk placement requirements of Section 4.4.4.B.1 of the Zoning Ordinance.

**2.  APPLICANT or  AUTHORIZED AGENT INFORMATION (check as appropriate)**

Applicant Name 9700 Fairfax Blvd LLC (circle one) Corporation / Gen Partnership / Ltd Partnership / Sole Proprietorship / Individual

Applicant Address Robert D. Brant, Attorney-in-Fact/Agent Walsh Colucci Lubeley & Walsh, PC 2220 Clarendon Blvd Suite 1300, Arlington, VA 22201

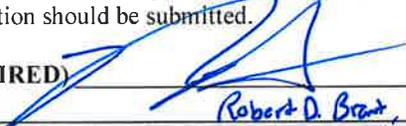
Phone (o) (703) 528-4700 (c) \_\_\_\_\_ Email rbrant@thelandlawyers.com

Applicant or Authorized Agent Signature  Robert D. Brant, Attorney in Fact/Agent

Relationship to project (circle one): Property owner Contract purchaser Lessee / Agent

**3. APPLICANT CERTIFICATION STATEMENT Section 110-6.2.3**

I certify that I have read and understand my application to comply with Zoning Ordinance Section 6.2.3 which states that an application shall be sufficient for processing when it contains all of the information necessary to decide whether or not the development as proposed will comply with the applicable requirements of this chapter; that the burden of demonstrating that an application complies with applicable review and approval criteria is on the applicant; that each application is unique and, therefore, more or less information may be required according to the needs of the particular case; that staff has the flexibility to specify submission requirements for each application and to waive requirements as appropriate; and that the applicant shall rely on the review official as to whether more or less information should be submitted.

Applicant or Authorized Agent Signature (REQUIRED)  Date 5/3/19  
Robert D. Brant, Attorney in Fact/Agent

**4. ENGINEER, ARCHITECT, SURVEYOR or LANDSCAPE ARCHITECT (Same as Applicant )**

Licensed Professional's Name Ross Stevens, Kimley-Horn and Associates, Inc.

Licensed Professional's Address 11400 Commerce Park Drive, Suite 400, Fairfax, Virginia 20191

Phone (o) (703) 674-1300 (c) \_\_\_\_\_ Email ross.stevens@kimley-horn.com

**\*\*\*OFFICE USE ONLY\*\*\***

Current status of business license and fees  
Treasurer: \_\_\_\_\_

Commissioner of Revenue: \_\_\_\_\_

**AFFIDAVIT  
CITY OF FAIRFAX**

I, 9700 Fairfax Blvd LLC, by Robert D. Brant, attorney-in-fact do hereby make oath or affirmation that  
(name of applicant or agent)

I am an applicant in Application Number \_\_\_\_\_ and that to the best of my knowledge and belief, the following information is true:

1. (a) That the following is a list of names and addresses of all applicants, title owners, contract purchasers, and lessees of the property described in the application, and if any of the foregoing is a trustee, each beneficiary having an interest in such land, and all attorneys, real estate brokers, architects, engineers, planners, surveyors, and all other agents who have acted on behalf of any of the foregoing with respect to the application (attach additional pages if necessary):

See Attachment A

Name	Address	Relationship
_____	_____	_____
_____	_____	_____
_____	_____	_____

(b) That the following is a list of the stockholders of all corporations of the foregoing who own ten (10) percent or more of any class of stock issued by said corporation, and where such corporation has ten (10) or less stockholders, a listing of all the stockholders (attach additional pages if necessary):

See Attachment B

Corporation Name: \_\_\_\_\_

Name	Address	Relationship
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(c) That the following is a list of all partners, both general and limited, in any partnership of the foregoing (attach additional pages if necessary):

N/A

Partnership Name: \_\_\_\_\_

Name	Address	Relationship
_____	_____	_____
_____	_____	_____
_____	_____	_____

2. That no member of the City Council, Planning Commission, BZA, or BAR has any interest in the outcome of the decision. EXCEPT AS FOLLOWS: (If none, so state.)

None

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. That within five (5) years prior to the filing of this application, no member of the City Council, Planning Commission, BZA, or BAR or any member of his or her immediate household and family, either directly or by way of a corporation or a partnership in which anyone of them is an officer, director, employee, agent, attorney, or investor has received any gift or political contribution in excess of \$100 from any person or entity listed in paragraph one. EXCEPT AS FOLLOWS: (If none, so state.)

None

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9700 Fairfax Blvd LLC by Robert D. Brant

WITNESS the following signature:

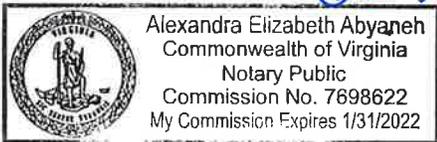
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Applicant or Agent

ALL APPLICANTS MUST SIGN AND HAVE THEIR SIGNATURES NOTARIZED.

The above affidavit was subscribed and confirmed by oath or affirmation before me on this 3  
day of May, 2019, in the State of Virginia, County of Arlington

My commission expires: 1/31/2022

Alexandra Elizabeth Abyaneh 7698622  
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Agent: Champaklal G. Patel

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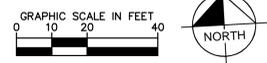
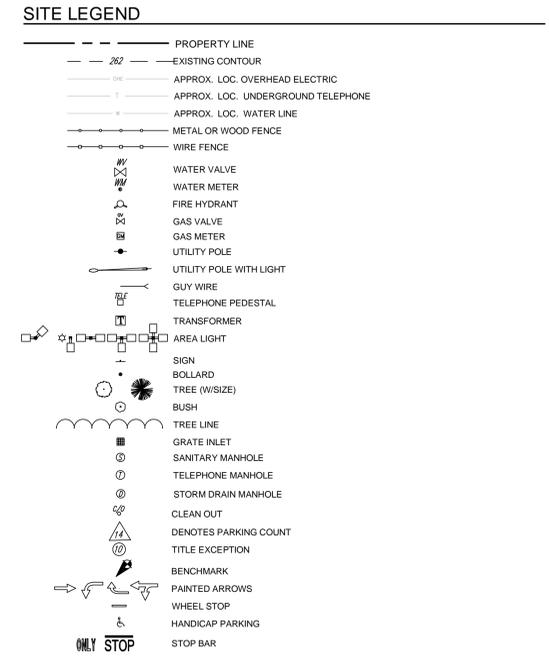
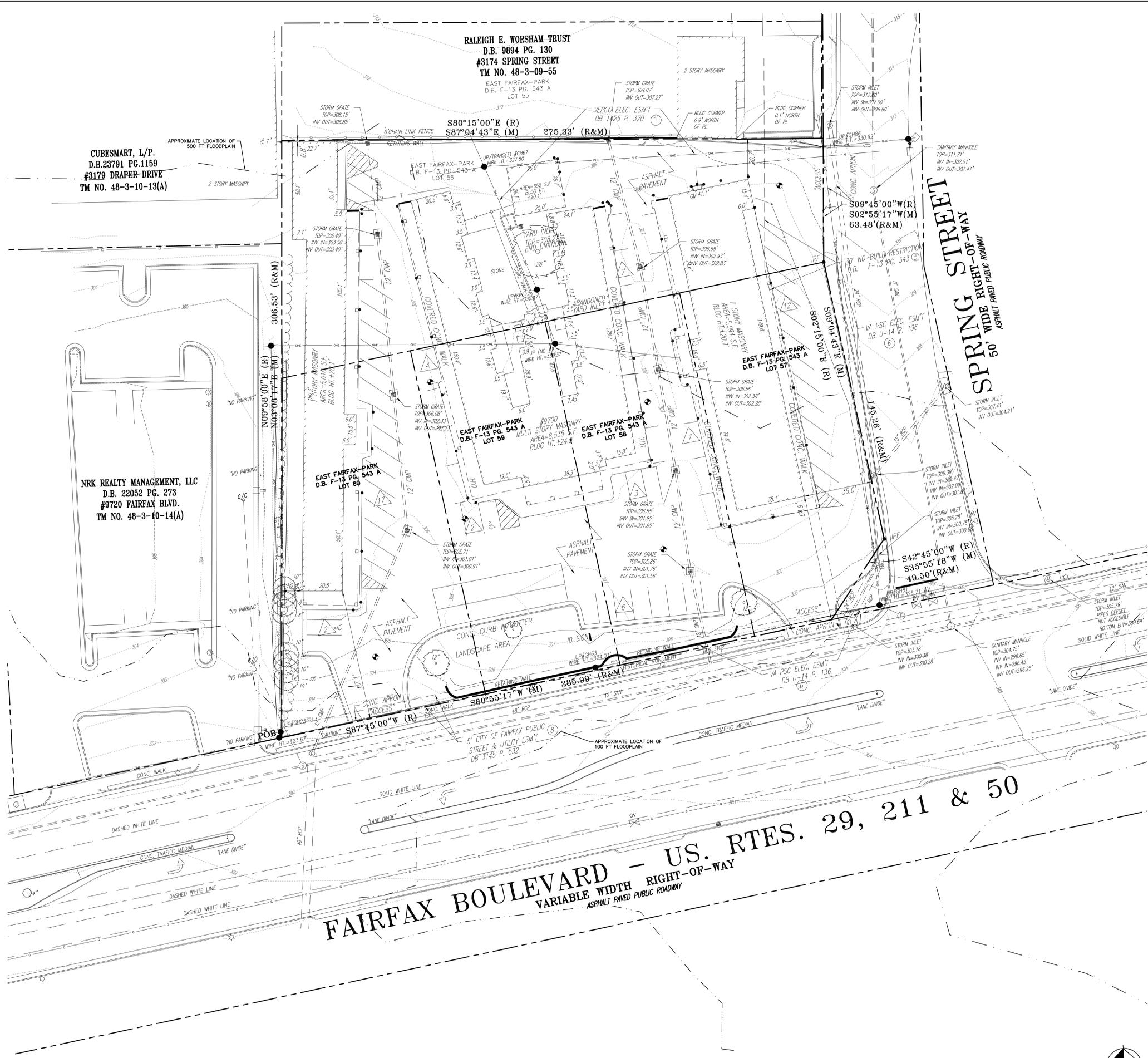
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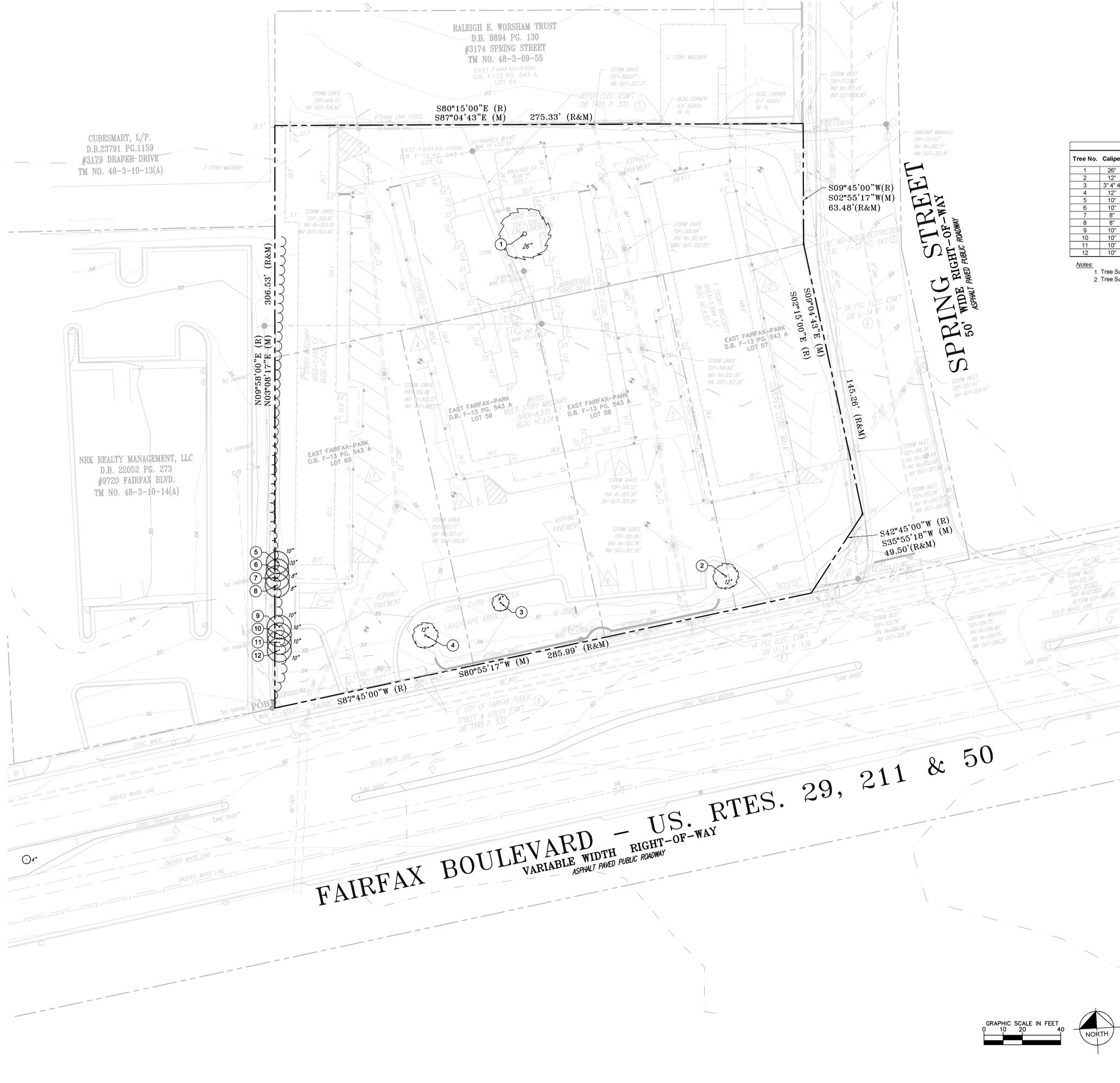


Prepared By: KIMLEY-HORN, CHTS, Sheet 04 of 07, 07/20/2019, 07:20:52am, K:\NVA\_D\110496003\border-9700\Fairfax\DWG\CADD\plan\shelldetail\plan\sheet2 - EX CONDITIONS PLAN.dwg  
 This document, together with the contract and design presented herein, is an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of any part of this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



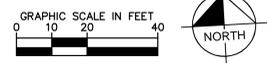
<b>WAWA 9700 FAIRFAX BLVD</b> PREPARED FOR <b>FRONTIER DEVELOPMENT</b> CITY OF FAIRFAX, VIRGINIA	<b>EXISTING CONDITIONS PLAN</b>						
SHEET NUMBER <b>2</b>	KHA PROJECT 110496003 DATE 05/05/2019 SCALE AS SHOWN DESIGNED BY CMH DRAWN BY CMH CHECKED BY CMH						
© 2019 KIMLEY-HORN AND ASSOCIATES, INC. 11400 COMMERCE PARK DR., SUITE 200, RESTON, VA 20191 PHONE: 703-654-1300 FAX: 703-654-1350 WWW.KIMLEY-HORN.COM							
REVISIONS <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>No.</th> <th>DATE</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	No.	DATE	BY				
No.	DATE	BY					

PLOTTED BY: KIMLEY-HORN AND ASSOCIATES, INC. SHEET: 3 - TREE SURVEY. DATE: 05/02/2019 07:20:56pm. K:\NVA\_CIVIL\10489003\Fairfax Blvd SUP Layout\TREE SURVEY.dwg. PROJECT: 110489003. DRAWN BY: JWD. CHECKED BY: JWD.



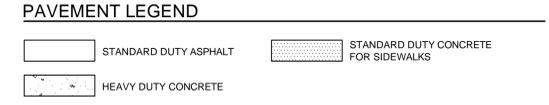
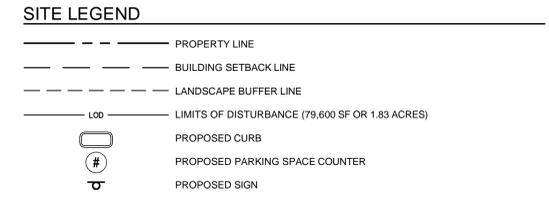
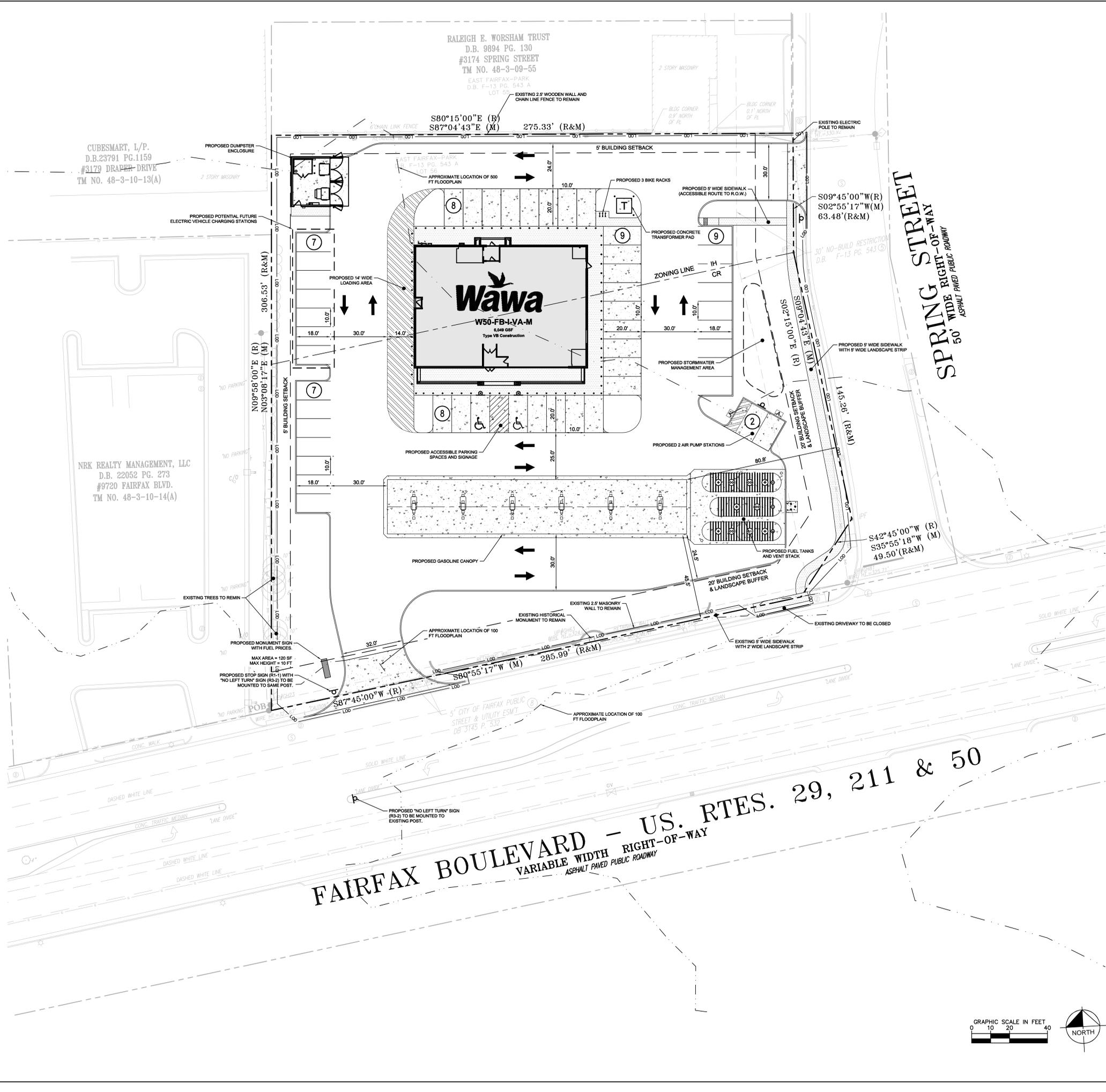
Tree Inventory					
Tree No.	Caliper	Botanical Name	Common Name	Tree to be Preserved or Removed	Notes
1	26"	<i>Acer rubrum</i>	Red Maple	Removed	Leaning
2	12"	<i>Prunus americana</i>	American Plum	Removed	
3	3" 4" 4"	<i>Lagerstroemia sp.</i>	Crape Myrtle	Removed	Multi-stem
4	12"	<i>Prunus americana</i>	American Plum	Removed	
5	10"	<i>Ilex opaca</i>	American Holly	Preserved	Limbed up, on edge of swale
6	10"	<i>Ilex opaca</i>	American Holly	Preserved	Limbed up, on edge of swale
7	8"	<i>Ilex opaca</i>	American Holly	Preserved	Limbed up, on edge of swale
8	8"	<i>Ilex opaca</i>	American Holly	Preserved	Limbed up, on edge of swale
9	10"	<i>Ilex opaca</i>	American Holly	Preserved	Limbed up, on edge of swale
10	10"	<i>Ilex opaca</i>	American Holly	Preserved	Limbed up, on edge of swale
11	10"	<i>Ilex opaca</i>	American Holly	Preserved	Limbed up, on edge of swale
12	10"	<i>Ilex opaca</i>	American Holly	Preserved	Limbed up, on edge of swale

Notes:  
 1. Tree Survey conducted May 1, 2019  
 2. Tree Survey Caliper measured 6" above the ground.



<h2 style="margin: 0;">TREE SURVEY</h2>	<p style="margin: 0;">KHA PROJECT 110489003</p> <p style="margin: 0;">DATE 05/02/2019</p> <p style="margin: 0;">SCALE AS SHOWN</p> <p style="margin: 0;">DESIGNED BY WDW</p> <p style="margin: 0;">DRAWN BY WDW</p> <p style="margin: 0;">CHECKED BY WDW</p>									
<h2 style="margin: 0;">WAWA 9700 FAIRFAX BLVD PREPARED FOR FRONTIER DEVELOPMENT</h2> <p style="margin: 0; font-size: small;">CITY OF FAIRFAX VIRGINIA</p>	<h2 style="margin: 0;">Kimley»Horn</h2> <p style="margin: 0; font-size: x-small;">© 2014 KIMLEY-HORN AND ASSOCIATES, INC. 11400 COMMERCE PARK DR., SUITE 200, RESTON, VA 20191 PHONE: 703-674-1300 FAX: 703-674-1350 WWW.KIMLEY-HORN.COM</p>									
<p style="margin: 0; font-size: x-small;">SHEET NUMBER <b>3</b></p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">REVISIONS</th> <th style="width: 50%;">DATE</th> <th style="width: 50%;">BY</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	REVISIONS	DATE	BY						
REVISIONS	DATE	BY								

Prepared By: KIMLEY-HORN AND ASSOCIATES, INC. (KHA) 110499003 Frontier - 0700 Fairfax Blvd, Suite 200, Fairfax, VA 22031  
 Date: 05/09/2019  
 Scale: AS SHOWN  
 Drawn By: CMH  
 Checked By: CMH  
 This document, together with the exhibits and drawings presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of this document without the written authorization and adaptation by Kimley-Horn and Associates, Inc. is prohibited.



### ZONING TABULATIONS

TAX MAP NUMBER:	48-3-09-56
PROPERTY AREA:	±1.82 ACRES
EXISTING ZONING:	SPLIT-ZONED CR (COMMERCIAL RETAIL) & IH (INDUSTRIAL HEAVY)
PROPOSED ZONING:	CR (COMMERCIAL RETAIL)
EXISTING USE:	RODEWAY INN, 55 UNIT MOTEL
PROPOSED USE:	GROCERY STORE WITH 6 FUELING STATIONS (12 PUMPS)
COMP PLAN LAND USE:	CC (COMMERCIAL CORRIDOR)
BUILDING AREA:	6,049 SF
PARKING REQUIRED:	1 SPACE PER 200 SF OF FLOOR AREA (GROCERY STORE) 6,049 / 200 = 31 SPACES
PARKING PROVIDED:	50 SPACES WITH 2 ADA
LOADING REQUIRED:	NONE FOR BUILDINGS UNDER 10,000 SF
LOADING PROVIDED:	1 SPACE - 14 FT (W) X 95 FT (L)

### ZONING COMPLIANCE

	REQUIRED	PROPOSED
<b>BUILDING SETBACKS</b>		
FRONT (SPRING ST)	MIN = 20 FT, MAX = 93 FT	80.8 FT
SIDE STREET (FAIRFAX BLVD)	20 FT	45.5 FT
SIDE INTERIOR (NORTH)	10 FT	59.4 FT
SIDE INTERIOR (WEST)	10 FT	74.7 FT
<b>LANDSCAPE BUFFERS</b>		
RIGHT-OF-WAY (SPRING ST & FAIRFAX BLVD)	20 FT	20.5 FT
COMMERCIAL (NORTH & WEST)	0 FT	4.3 FT
<b>BULK REQUIREMENTS</b>		
MINIMUM LOT AREA	20,000 SF	79,290 SF
MAXIMUM BUILDING COVERAGE	60%	7.6% (6,049 / 79,290)
MAXIMUM LOT COVERAGE	85%	76.3% (60,500 / 79,290)
MAXIMUM BUILDING HEIGHT	60 FT	33 FT

### STORMWATER NARRATIVE

IN THE EXISTING CONDITION, THE PROPERTY IS PREDOMINANTLY IMPERVIOUS WITH 68,500 SF OF THE 79,290 SF PROPERTY COVERED BY PAVEMENT OR BUILDINGS (86.4%). GENERALLY THE PROPERTY SLOPES DOWN FROM NORTH TO SOUTH AS LARGE PORTIONS OF THE PARKING LOT SHEET FLOW INTO FAIRFAX BOULEVARD. THE RUNOFF THAT DOES NOT SHEET FLOW OFF THE SITE IS COLLECTED IN THE ON-SITE DRAINAGE NETWORK, THAT CONVEYS TO THE MAIN ALONG FAIRFAX BOULEVARD. ULTIMATELY ALL RUNOFF FROM THE PROPERTY IS COLLECTED IN THIS MAIN AND CONVEYED WEST ALONG FAIRFAX BOULEVARD.

IN THE PROPOSED CONDITION, 8,000 SF OF IMPERVIOUS COVER WILL BE REMOVED, RESULTING IN A PROPOSED LOT COVERAGE OF 76.3%. SITE TOPOGRAPHY WILL REMAIN THE SAME AS THE SITE WILL CONTINUE TO SLOPE DOWN TOWARDS FAIRFAX BOULEVARD. A DRAINAGE NETWORK IS PROPOSED ON-SITE AND STORMWATER MANAGEMENT WILL BE PROVIDED VIA A SMALL DETENTION BASIN NEAR THE EASTERN BOUNDARY.

BETWEEN THE REDUCTION IN IMPERVIOUS COVER AND THE PROPOSED DETENTION BASIN, THIS PROJECT WILL MEET THE CHANNEL PROTECTION, FLOOD PROTECTION, AND WATER QUALITY REQUIREMENTS ESTABLISHED BY VIRGINIA DEQ.

### WATER/SEWER NARRATIVE

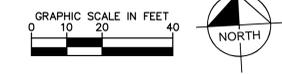
IN THE EXISTING CONDITION, THE PROPERTY IS OCCUPIED BY THE RODEWAY INN, A 55 UNIT MOTEL. FOR ESTIMATING WATER (AND CONSEQUENTLY SEWER) DEMANDS, IT IS ASSUMED THAT EACH MOTEL CONTAINS A SHOWER, A TOILET WITH A FLUSH VALVE, AND A SINK. USING THE FLOW VALUES ESTABLISHED IN THE AWWA M22 MANUAL, EACH UNIT WILL GENERATE 41.5 FIXTURE VALUES, WHICH RESULTS IN A TOTAL OF 2,282.5 FIXTURE VALUES FOR THE PROPERTY. UTILIZING FACTORS ESTABLISHED IN THE M22 MANUAL TO ACCOUNT FOR PRESSURE AND ACTUAL DEMAND, THE EXISTING PEAK DEMAND IS CALCULATED TO BE 145 GAL/MIN FOR THE MOTEL. THIS DOES NOT ACCOUNT FOR ADDITIONAL FIXTURES THAT ARE LIKELY PRESENT IN THE LOBBY OR MANAGER'S OFFICE.

IN THE PROPOSED CONDITION, THE MOTEL WILL BE DEMOLISHED AND A 6,049 SF WAWA WILL BE BUILT IN ITS PLACE. BASED ON PROTOTYPICAL FIXTURE SCHEDULES FOR WAWA BUILDINGS OF THIS SIZE, 166 FIXTURE UNITS WILL BE GENERATED. UTILIZING FACTORS ESTABLISHED IN THE M22 MANUAL TO ACCOUNT FOR PRESSURE AND ACTUAL DEMAND, THE EXISTING PEAK DEMAND IS CALCULATED TO BE 51 GAL/MIN.

AS A RESULT OF THE CHANGE IN USE, THIS PROPERTY WILL REDUCE ITS PEAK WATER DEMAND NEARLY THREEFOLD FROM 145 GAL/MIN TO 51 GAL/MIN.

### NOTE

ALL PORTIONS OF EXISTING OR PROPOSED SIDEWALKS ON PRIVATE PROPERTY WILL BE SUBJECT TO A PUBLIC ACCESS EASEMENT.



<h2 style="margin: 0;">Kimley»Horn</h2> <p style="font-size: 8px; margin: 0;">             © 2019 KIMLEY-HORN AND ASSOCIATES, INC.              11400 COMMERCE PARK DR., SUITE 200, RESTON, VA 20191              PHONE: 703-624-1300 FAX: 703-624-1350              WWW.KIMLEY-HORN.COM           </p>	<h2 style="margin: 0;">GENERAL DEVELOPMENT PLAN &amp; SPECIAL USE PERMIT PLAT</h2>
<h2 style="margin: 0;">WAWA 9700 FAIRFAX BLVD PREPARED FOR FRONTIER DEVELOPMENT</h2> <p style="font-size: 8px; margin: 0;">CITY OF FAIRFAX VIRGINIA</p>	<p style="font-size: 8px; margin: 0;">             KHA PROJECT: 110499003              DATE: 05/09/2019              SCALE: AS SHOWN              DESIGNED BY: CMH              DRAWN BY: CMH              CHECKED BY: CMH           </p>
SHEET NUMBER <b>4</b>	

RALEIGH E. WORSHAM TRUST  
D.B. 9894 PG. 130  
#3174 SPRING STREET  
TM NO. 48-3-09-55

CUBESMART, L/P.  
D.B.23791 PG.1159  
#3179 DRAPER DRIVE  
TM NO. 48-3-10-13(A)

NRK REALTY MANAGEMENT, LLC  
D.B. 22052 PG. 273  
#9720 FAIRFAX BLVD.  
TM NO. 48-3-10-14(A)

**Wawa**  
W50-FB-I-VA-M  
6,049 GSF  
Type VB Construction

SPRING STREET  
50' WIDE RIGHT-OF-WAY  
ASPHALT PAVED PUBLIC ROADWAY

FAIRFAX BOULEVARD - US. RTES. 29, 211 & 50  
VARIABLE WIDTH RIGHT-OF-WAY  
ASPHALT PAVED PUBLIC ROADWAY

**PLANT SCHEDULE**

REFER TO LANDSCAPE SCHEDULE FOR ADDITIONAL INFORMATION

TREES	CODE	BOTANICAL NAME	COMMON NAME
	GB	Ginkgo biloba 'Princeton Sentry'	Princeton Sentry Ginkgo
	QP	Quercus phellos	Willow Oak
	UV	Ulmus americana 'Valley Forge'	American Elm
UNDERSTORY TREES	CODE	BOTANICAL NAME	COMMON NAME
	CV	Chionanthus virginicus	White Fringetree
	CM	Cornus mas	Cornelian Cherry Dogwood
	OV	Ostrya virginiana	Eastern Hophornbeam
SHRUBS	CODE	BOTANICAL NAME	COMMON NAME
	IGL	Ilex glabra	Inkberry Holly

- NOTES:**
- DETAILED LANDSCAPE PLANTINGS, HARDSCAPE DESIGN AND LIGHTING INFORMATION WILL BE PROVIDED AT THE TIME OF SITE PLAN
  - TRANSFORMER WILL BE SCREENED IN ACCORDANCE WITH SECTION 4.5.8.C OF THE ZONING ORDINANCE. FINAL DESIGN TO BE DETERMINED AT THE TIME OF SITE PLAN

**TRANSITIONAL YARDS**

Per Zoning Code 4.5.5  
Proposed Development District: **Commercial Retail**

Location	Adjacent Development District	Width	Transitional Yard Required
North Boundary	Industrial Heavy		None
East Boundary	Industrial Heavy / Commercial Retail		None
South Boundary	Commercial Retail		None
West Boundary	Industrial Heavy / Commercial Retail		None

**STREET TREES**

Per Zoning Code 4.5.6.B  
Number of Street Trees Required (1 per 40 LF)

Location	Length	Trees
Fairfax Boulevard	273 LF	7
Spring Street	213 LF	6

Trees Provided:

Fairfax Boulevard	7
Spring Street	7

**INTERIOR PARKING LANDSCAPING**

Per Zoning Code 4.5.7.D

Number of Parking Spaces Provided	50
Trees Required (1 per 10 parking spaces)	5
Trees Provided	10

- Notes:**
- All portions with frontage along a public right of way shall be screened with a continuous hedge, 30' min at time of planting per Zoning Code 4.5.7.C.1

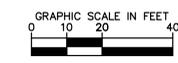
**TREE CANOPY TABULATIONS**

Per Zoning Code 4.5.6.A

Site Area	79,290 SF
Development District: Commercial Retail	
Tree Canopy Required (10% required)	7,929 SF
<b>Total Canopy Provided</b>	<b>8,000 SF</b>

**LANDSCAPE SCHEDULE**

Qty.	Key	Botanical Name	Common Name	Size	Type	Remarks	10 Yr. Canopy
<b>Canopy Tree</b>							
8	GB	Ginkgo biloba 'Princeton Sentry'	Princeton Sentry Ginkgo	3' Cal.	B & B	Uniform branching pattern	250
8	QP	Quercus phellos	Willow Oak	3' Cal.	B & B	Uniform branching pattern	250
6	UA	Ulmus americana 'Valley Forge'	American Elm	3' Cal.	B & B	Uniform branching pattern	250
<b>Canopy Trees Subtotal:</b>							<b>5,500</b>
<b>Understory Trees</b>							
7	CV	Chionanthus virginicus	White Fringetree	3' Cal.	B & B	Uniform branching pattern	125
7	CM	Cornus mas	Cornelian Cherry Dogwood	3' Cal.	B & B	Uniform branching pattern	125
6	OV	Ostrya virginiana	Eastern Hophornbeam	3' Cal.	B & B	Uniform branching pattern	125
<b>Understory Trees Subtotal:</b>							<b>2,500</b>
<b>Total (s.f.)</b>							<b>8,000</b>
<b>Shrubs</b>							
31	IGL	Ilex glabra	Inkberry Holly	36" Ht.	Cont.	Mature, well-rooted	



Prepared By: KIMLEY-HORN, INC. Sheet 04 of 07 Wawa (B) - SUP. Layout SHEET (2) May 02, 2019 07:21:14pm K:\NA\_C\11049003\Fairfax Blvd\CAD\plansheets\entirement\phase3\sheet 4 - LANDSCAPE PLAN.dwg  
 This document, together with the contract and design presented herein, is an instrument of service. It is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

<p><b>Kimley-Horn</b></p> <p>© 2019 KIMLEY-HORN AND ASSOCIATES, INC. 11400 COMMERCE PARK DR., SUITE 200, RESTON, VA 20191 PHONE: 703-674-1300 FAX: 703-674-1350 WWW.KIMLEY-HORN.COM</p>	<p><b>CONCEPTUAL LANDSCAPE PLAN</b></p>						
<p>WAWA 9700 FAIRFAX BLVD PREPARED FOR FRONTIER DEVELOPMENT</p>	<p>VIRGINIA CITY OF FAIRFAX</p>						
<p>SHEET NUMBER <b>5</b></p>	<p>REVISIONS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>No.</th> <th>DATE</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	No.	DATE	BY			
No.	DATE	BY					



## **9700 FAIRFAX BLVD LLC**

### **STATEMENT OF JUSTIFICATION**

**May 3, 2019**

Please accept the following as a Statement of Justification in support of the submitted rezoning, special use permit, and special exception application to allow the redevelopment of 9700 Fairfax Boulevard with an approximately 6,049 square foot grocery store and a fuel station. This Statement of Justification is submitted in conjunction with the General Development Plan/Special Use Permit Plat, prepared by Kimley-Horn and dated May 3, 2019, consisting of six (6) sheets (the "GDP/SUP Plat"), and other submitted supporting materials. The contents of this Statement of Justification address the approval considerations for rezonings, special use permits, and special exceptions, as set forth in Sections 6.4.9, 6.7.7, and 6.17.7 of the City of Fairfax Zoning Ordinance (the "Zoning Ordinance").

9700 Fairfax Blvd LLC (the "Applicant") is the contract purchaser of approximately 1.82 acres located in the City of Fairfax. The property consists of one (1) tax parcel identified among the City of Fairfax's tax assessment records as 48-3-09-056 (the "Subject Property"). The Subject Property is currently split-zoned CR (Commercial Retail) and IH (Industrial Heavy) and is developed with the Rodeway Inn, a 55-unit motel constructed in approximately 1953. According to the City's real estate assessment records, the existing motel buildings on the Subject Property consist of approximately 19,872 square feet.

#### **PROPOSED DEVELOPMENT**

The Applicant proposes to rezone the currently split-zoned Subject Property to the CR Commercial Retail District to permit its redevelopment with a Wawa grocery store and six (6) fuel stations, which will be a 24/7 use. The proposed development will provide a high-quality, active commercial use that will revitalize an underutilized parcel. As shown on the submitted GDP/SUP Plat, the Applicant proposes a commercial use that will be consistent with the recommendations of the Comprehensive Plan and will be compatible with the commercial character of the surrounding area. As illustrated on Sheet 4 of the GDP/SUP Plat, the proposed grocery store will consist of an approximately 6,049 square foot, one-story building oriented towards the rear of the Subject Property. The grocery store will offer a variety of items such as pre-packaged food and beverages, freshly brewed coffee, made-to-order sandwiches and other fresh food offerings. A maximum of twelve (12) to fourteen (14) employees will be present on-site at any given time, with fewer employees on-site during the overnight shift. Six (6) fuel pumping stations (for a total of twelve (12) pumps) will be located beneath a covered canopy structure oriented towards Fairfax Boulevard. Fuel deliveries for the proposed fuel station are anticipated to occur approximately once daily on average. To ensure that fuel deliveries occur only when needed, the Applicant proposes to employ a fuel monitoring system that monitors fuel inventory and automates fuel deliveries on an as-needed basis.

The Subject Property is particularly well-suited for the proposed uses given its location along the City's main commercial corridor. Access to the proposed Wawa will be provided via a

right-in right-out access on Fairfax Boulevard and a full movement access on Spring Street. An existing access in the southeast portion of the Subject Property proximate to the intersection of Fairfax Boulevard and Spring Street will be eliminated, thereby resulting in a safety improvement. The proposed entrance on Fairfax Boulevard will be limited to right-in right-out access only and controlled through the provision of traffic control signs on the Subject Property and in the existing median, as indicated on the GDP/SUP Plat. The full movement access in the northeast portion of the Subject Property on Spring Street will be controlled through the installation of a Stop sign.

Though the Zoning Ordinance does not require a loading space for commercial structures under 10,000 sq. ft., the Applicant proposes a fourteen (14) foot wide loading area along the western side of the proposed building. In addition, ample surface parking, consistent with Zoning Ordinance requirements, will be provided on-site. The Applicant proposes two (2) air pump stations on-site as well as an enclosed dumpster that will be located in the northwest corner of the Subject Property. Bicycle parking is provided in accordance with the Zoning Ordinance requirements. The Applicant has also identified a location for proposed future electric vehicle charging stations.

The proposed development is characterized by the installation of attractive architecture, the provision of significant landscaping, and a reduction of impervious surface. The proposed building and fuel canopy will be designed with traditional features and quality materials. Building materials may include, but are not limited to, brick, stone veneer, and dutch seam metal roofs, and other quality materials. The grocery store building will be a maximum height of thirty-three (33) feet. Quality landscaping is proposed, including street trees along the Fairfax Boulevard and Spring Street frontages, which will result in a significant improvement over the existing landscape conditions on the Subject Property today. The proposed landscaping will soften the streetscape and provide more vegetation on-site compatible to that of the bank adjacent to the Subject Property. In accordance with Section 4.5.7.C.1, all portions of the proposed development that maintains frontage along a public right-of-way will be screened with a continuous hedge of at least thirty (30) inches in height at the time of installation. In the end, the proposed development will result in increased open space and an overall decrease of impervious surface.

## REZONING APPLICATION

The proposed rezoning fulfills each of the approved considerations set forth in Section 6.4.9 of the Zoning Ordinance:

The proposed uses are in substantial conformance with the Comprehensive Plan. The Future Land Use Map for the City of Fairfax indicates that the Subject Property is planned for CC Commercial Corridor, which supports commercial uses, including grocery stores and fuel stations. In addition, the surrounding land use designations are Commercial Corridor and Activity Center. In redeveloping the existing, underutilized parcel into a more active, community-serving use, the proposed redevelopment is consistent with the stated objectives of the Comprehensive Plan. The proposed rezoning will provide a benefit to the City by eliminating a split-zoned parcel and subjecting the Subject Property to a single, unified zoning classification. Given that the majority of the parcel is currently zoned to the CR District, the Subject Property is highly suitable for the proposed rezoning and development. Currently, the Subject Property is sufficiently served by

public transportation facilities, and the existing utility infrastructure is adequate for the proposed uses. Further, the proposed development is compatible with the surrounding area, as the Subject Property is entirely surrounded by existing commercial uses that include a bank, a car dealership, other auto services, a self-storage facility, and a landscape business. Finally, the proposed uses are consistent with the stated purpose of the CR District.

Accordingly, the proposed rezoning of the Subject Property fulfills the considerations of Section 6.4.9 of the Zoning Ordinance. The proposed development will further enhance the growth of commercial activities planned for the Fairfax Boulevard corridor by adding a community-serving use that is convenient for the City's residents.

In conjunction with the proposed rezoning, the Applicant requests approval of the following special use permit and special exception applications:

1. Pursuant to Section 3.3.1.B of the Zoning Ordinance, a special use permit is hereby requested to allow for a fuel station in a CR Commercial Retail District.

The proposed fuel station fulfills the approval considerations for a special use permit set forth in Section 6.7.7 of the Zoning Ordinance. The use of a fuel station is consistent with the Comprehensive Plan as a community-serving, commercial use that is supported by the Commercial Corridor land use designation. The use is compliant with all applicable Zoning requirements, related to setbacks, buffers, lighting, signage, parking, and other applicable requirements. In addition, the use of a fuel station will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use nor will it have a negative, adverse effect on public welfare, property and improvements in the neighborhood. As stated above, the surrounding area is entirely commercial in nature and includes other existing fuel stations. Thus, the addition of a fuel station and Wawa grocery store on the Subject Property will have a positive, beneficial impact on the surrounding neighborhood that fits within the fabric of the area, as it offers high quality fuel and food options for the City's residents, workers, and visitors.

2. Pursuant to Section 6.17.1.B.4 of the Zoning Ordinance, a special exception is hereby requested to allow a modification of the minimum three (3) foot green space requirement between the curb and the sidewalk along the Fairfax Boulevard frontage, as set forth in Section 4.4.4.B of the Zoning Ordinance.

As shown on the GDP/SUP Plat, the proposed development will include an existing five (5) foot sidewalk with a two (2) foot landscape strip along Fairfax Boulevard and a proposed five (5) foot sidewalk with a five (5) foot landscape strip along Spring Street. Currently, there exists a five foot sidewalk with a two foot landscape strip along Fairfax Boulevard. There is no sidewalk along the Spring Street frontage. Due to site constraints, including the presence of an existing utility pole on Fairfax Boulevard, it is not possible to relocate the sidewalk along the Fairfax Boulevard frontage in order to meet the landscape strip requirement. The Applicant proposes to maintain the existing sidewalk and green strip along Fairfax Boulevard

and construct a new sidewalk along Spring Street. The existing and proposed sidewalks will enhance pedestrian connectivity to the surrounding pedestrian network as well as within the site. The requested special exception will have no material or adverse impact on adjacent land uses or the physical character of existing uses in the vicinity of the Subject Property.

The Applicant's proposal presents an opportunity to redevelop and activate an aging motel with a vibrant, high-quality community-serving use that advances the Comprehensive Plan's objectives of enhancing commercial activities along the Fairfax Boulevard commercial corridor. The proposed development will generate increased economic activity and contribute to the City's continued economic growth. The Applicant is eager to bring the first Wawa to the City and is committed to ensuring that the proposed development fits into the fabric of Fairfax.

**SPECIAL LIMITED POWER OF ATTORNEY**

Know All Men By These Presents:

9700 Fairfax Blvd LLC, by and through the undersigned, does hereby make, constitute and appoint Martin D. Walsh, Lynne J. Strobel, M. Catharine Puskar, Andrew A. Painter, Robert D. Brant, Philip C. Dales, Nicholas V. Cumings, Kathryn R. Taylor, Elizabeth D. Baker, and Bernard S. Suchicital, (Telephone 703-528-4700) of Walsh, Colucci, Lubeley & Walsh, P.C. located at 2200 Clarendon Boulevard, Suite 1300, Arlington, Virginia 22201, to act as agents in connection with the filing and processing of zoning map amendments, comprehensive plan amendments, special exceptions, variances, and special use permits, BAR applications, and any related applications, associated with the property identified as Tax Map 48-3-09-056.

9700 FAIRFAX BLVD LLC

By: Eric Gordon  
Its: Manager

STATE OF FLORIDA :  
COUNTY/CITY OF MIAMI DADE : to-wit

The foregoing instrument was acknowledged before me this 1 day of May, 2019, by Eric Gordon.



Notary Public

My Commission Expires: 11/8/20  
Registration #: GG45933

**SPECIAL LIMITED POWER OF ATTORNEY**

Know All Men By These Presents:

Ola Inc., by and through the undersigned, does hereby make, constitute and appoint Martin D. Walsh, Lynne J. Strobel, M. Catharine Puskar, Andrew A. Painter, Robert D. Brant, Philip C. Dales, Nicholas V. Cumings, Kathryn R. Taylor, Elizabeth D. Baker, and Bernard S. Suchicital, (Telephone 703-528-4700) of Walsh, Colucci, Lubeley & Walsh, P.C. located at 2200 Clarendon Boulevard, Suite 1300, Arlington, Virginia 22201, to act as agents in connection with the filing and processing of zoning map amendments, comprehensive plan amendments, special exceptions, variances, and special use permits, BAR applications, and any related applications, associated with the property identified as 48-3-09-056.

OLA INC.

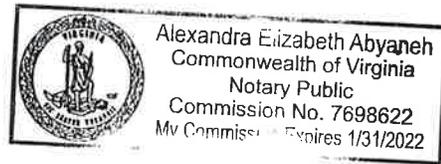
C. G. Patel  
By: Champaklal G. Patel  
Its: President

STATE OF Virginia :  
COUNTY/CITY OF Arlington : to-wit

The foregoing instrument was acknowledged before me this 1 day of May, 2019, by Champaklal G. Patel.

Alexandra Elizabeth Abyaneh  
Notary Public

My Commission Expires: 1/31/2022  
Registration #: 7698622



## MEMORANDUM

To: B. Curtis McCullough, Jr. P.E.  
City of Fairfax  
Transportation Division – Public Works

From: Andrew T. Smith, P.E.  
Chris Howell, P.E.  
Kimley-Horn

Date: May 3, 2019

Subject: **Wawa 9700 Fairfax Blvd**  
**Traffic Memorandum**  
**Fairfax, Virginia**

---

This memorandum serves to discuss the traffic requirements for a proposed Wawa in the city of Fairfax, Virginia at 9700 Fairfax Boulevard. The memorandum was prepared to be included with the first submission of the application for this project, in lieu of a forthcoming completed traffic study.

The proposed development of the site will involve the conversion of a 55-room motel into a Wawa convenience store and gas station. The site is located on the northwest quadrant of the intersection of Fairfax Boulevard (U.S. Route 29/U.S. Route 50) and Spring Street in the City of Fairfax, Virginia. The site is adjacent to other commercial uses including a shopping center, car dealership, and a bank, as well as various industrial uses. The existing motel is currently open for business. The motel has two driveways on Fairfax Boulevard and one driveway on Spring Street. The site location is shown in Figure 1.

The proposed development includes 6,049 square-foot Wawa Convenience Store and gas station with 12 fueling positions. The driveways on Fairfax Boulevard will be consolidated from two to one. There will be one driveway on Spring Street.

Based on the estimated trip generation prepared for the site using the *ITE Trip Generation Manual 10<sup>th</sup> Edition*, a traffic study will be required for the site. A traffic study scoping meeting was held with City of Fairfax staff on April 11, 2019. At this meeting, staff informed Kimley-Horn that the full traffic study was not required as a part of the first submission of the application for this project (in part because the staff dictated that traffic counts could not be conducted until May due nearby roadway projects which may cause traffic irregularities). Staff stated that a memorandum acknowledging the requirement of a traffic study would be acceptable. This memorandum serves to document that the traffic study for the proposed development is forthcoming with a subsequent submittal.

Figure 1: Site Location



Source: Google Earth Pro

City of Fairfax

DATE	INVOICE NO.	DESCRIPTION	ACCT.	DEDUCTION	NET
4-30-19	1818-April19	SUP & Rezoning App Fee	1770	.00	21875.00
CHECK DATE	5-01-19	CHECK NO.	16326	TOTALS	21875.00

**FRONTIER DEVELOPMENT LLC**  
1801 SW 3rd AVE, SUITE 500  
MIAMI, FL 33129

UMB BANK, N.A.  
WARSAW, MO 80-568  
1012

**16326**  
16326

May 1, 2019

\*\*\*\*\*21,875.00

Pay: \*\*\*\*\*Twenty-one thousand eight hundred seventy-five dollars and no cents

**PAY**  
TO THE  
ORDER  
OF

City of Fairfax  
10455 Armstrong Street  
Fairfax, VA 22030



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