



FAIRFAX COUNTY

APPLICATION FILED: September 27, 2005
BOARD OF ZONING APPEALS: December 13, 2005
TIME: 9:00 a.m.

V I R G I N I A

December 6, 2005

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2005-LE-035

LEE DISTRICT

APPLICANT: Concepts 21 Ltd. c/o Shadowland

ZONING: C-6, HC

LOCATION: 5508 Franconia Rd.

ZONING ORDINANCE PROVISIONS: 4-603

TAX MAP: 81-4 ((01)) 71A

LOT SIZE: 1.8 acres

F.A.R.: 0.255

PLAN MAP: Commercial

SP PROPOSAL: Group 5: To permit an indoor recreational use.

STAFF RECOMMENDATION: Staff recommends approval of SP 2005-MV-010, with the adoption of the Proposed Development Conditions in Appendix 1.

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

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

DESCRIPTION OF THE APPLICATION

Special Permit Request: A request to permit a laser tag facility within an existing building totaling 20,000 square feet in size.

Proposed

Size: Lot: 1.8 acres
Building: 20,000 sq. ft.

Parking: 100 spaces

FAR: 0.255

Capacity: 250 people

Employees: 8-10 people at one time

Hours of Operation: 10 a.m. – 10 p.m. Sunday-Thursday; 10 a.m. – 12:00 midnight Friday-Saturday

Waivers and Modifications:

A modification of the transitional screening requirements are requested along the northern, eastern, and southern lot lines in favor of proposed landscaping on the SP Plat.

LOCATION AND CHARACTER

Existing Site Description: The subject property is located on Franconia Road, just west of the intersection with Old Rolling Road in Lee District. The site, developed in 1972, currently contains a 20,000 square foot recreation facility operating as a roller-skating rink. The current site contains an unstriped parking lot and sparse landscaping. The site contains no easements.

BACKGROUND

Site History:

The existing site was developed as a roller-skating rink in 1972, prior to the requirements for a special permit and has functioned as such since that time.

Surrounding Area Description:

| Direction | Use | Zoning | Plan |
|------------------|----------------------------------|---------------|----------------------------|
| North | Attached Single Family Dwellings | R-8 | Residential up to 8 du/ac |
| South | Gas station | C-6 | Commercial |
| East | Single family dwellings | R-3 | Residential 2-3 du/ac |
| West | Attached Single Family Dwellings | R-12 | Residential up to 12 du/ac |

COMPREHENSIVE PLAN PROVISIONS

Plan Area: Area IV, Rose Hill Planning District
Planning Sector: Bush Hill Community Planning Sector (RH-2)
Plan Map: Retail & Other

ANALYSIS

Special Permit Plat (Copy at front of staff report)

Title of SP Plat: Shadowland Family Entertainment Center 5508 Franconia Road, Springfield, Virginia
Prepared By: Colleen Bogan "CLB", Lehman Associates, PC
Dated: October 28, 2005

Proposed Use:

The applicant requests approval to operate a laser-tag recreational facility in the 20,000 square foot existing building. The hours of operation will be from 10 a.m. to 10 p.m. Sunday through Thursday, and 10 a.m. to 12:00 midnight Friday and Saturday. The applicant operates another laser tag facility and has indicated that most sales occur on weekends. The limiting factor for participation is the number of laser tag suits available. The applicant has indicated that no more than 50 suits will be made available at one time. Therefore, no more than 70 customers will be expected at any time, after waiting players are factored in. Between 9 and 10 employees will be on-site during peak use periods.

The site is currently accessed from Franconia Road via a shared driveway with a gas station and other retail uses. Access is granted to the property on this shared driveway easement.

The 20,000 square foot structure is located in the center of the site and is completely surrounded by the parking lot area. Parking is provided predominantly in the western half of the site, though spaces are provided along the southern and eastern lot lines also. The parking area contains 100 parking spaces. The current FAR of the site is 0.255. There is no new construction proposed on the site.

Further site improvements are indicated on the revised SP Plat. The applicant proposes to install a 25 foot wide landscaping buffer along the western lot line to provide transitional screening to the townhouses to the west. The applicant proposes to construct 10 landscaped islands throughout the parking lot area to aid in defining traffic circulation, and add parking lot landscaping. Currently, no parking lot lighting exists; new down-lighting is proposed.

Land Use Analysis

On page 39 of the 2003 Area IV Plan, as amended through December 6, 2004, in the Bush Hill Community Planning Sector, the Plan states:

“Commercial development in this sector should be limited to the area planned for retail use on the north side of Franconia Road, between Brookland Road and Old Rolling Road, south of the townhouse development along Maplefield Place. Redevelopment of these parcels (Tax Map 81-4 ((1)) ...71A) should improve the overall character and function of the area in neighborhood commercial uses while ensuring the protection and preservation of the adjacent residential community. Parcel consolidation is strongly recommended to provide an improved opportunity for effective buffering, attractive landscaping and coordinated circulation and access. Access onto Franconia Road should be consolidated opposite Edison Drive and Gum Street.”

The applicant's proposal represents development in harmony with the recommendations of the Comprehensive Plan. The applicant is adding additional landscaping to the parking lot and removing, scarifying, and replanting almost 4,000 square feet of impervious parking lot surface along the western edge of the site.

Transportation Analysis

Issue: Circulation

Automobiles circulating from east to west in front of the facility currently do not have a stop sign to alert them to the fact that entering traffic has the right-of-way.

Resolution

A development condition has been included to ensure that a stop sign is installed in an adequate location to alert motorists to the circulation patterns near the site entrance. With adoption of the development conditions, this issue has been resolved.

Environmental Analysis (Appendix 4)

There are no environmental issues associated with this application.

ZONING ORDINANCE PROVISIONS

| C-6 DISTRICT REGULATIONS | REQUIRED | PROVIDED |
|---------------------------------|-----------------------------------|------------------------|
| Bulk Regulations C-6 | | |
| Lot Size | 40,000 sq ft. | 1.8 acres |
| Lot Width | 200 feet | 420 feet approximately |
| Building Height | 40 feet | 14 feet |
| Front Yard | 45° ABP but not less than 40 feet | 75 feet |
| Side Yard | None | 52 feet approximately |
| Rear Yard | 20 feet | 30 feet approximately |
| FAR | 0.40 | 0.255 |
| Parking | | |
| Parking Spaces | 94* | 100 |
| | | |

* = based on 1 space per 3 occupants, occupancy of 250

| Standard | Required | Provided |
|---|--|--|
| Transitional Screening | | |
| North (attached single family residential) | T/S 2 - 35 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees | Approx. 5 ft. wide of existing vegetation |
| South (commercial) | None | None |
| East (detached single family residential) | T/S 2 - 35 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees | Approx. 15 ft. wide of existing vegetation |
| West (attached single family residential) | T/S 2 - 35 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees | 25 ft. wide mixture of evergreen and deciduous trees (T/S 1) |
| Barrier | | |
| North (attached single family residential) | Barrier D, E or F | Existing 6 ft. high brick wall |
| South (commercial) | None | None |
| East (detached single family residential) | Barrier D, E or F | Existing 6 ft. high wood fence |
| West (attached single family residential) | Barrier D, E or F | Existing 6 ft. high wood fence |

WAIVERS/MODIFICATIONS REQUESTED

Waiver/Modification: A modification of the transitional screening requirements is requested along the north, east and west lot lines.

Basis: Par. 3 of Sect. 13-304 states that transitional screening and barrier requirements may be waived or modified where the building, a barrier and/or the land between that

building and the property line has been specifically designed to minimize adverse impact through the combination of architectural and landscaping techniques.

This commercial site was developed in 1972. Currently, the site is almost completely covered by impervious surface. The location of the building in the center of the site makes it difficult to provide necessary transitional screening requirements. Along the northern lot line, there is 25 feet between the heating units and the existing brick wall. Transitional screening 1 is required along this lot line, however a fire lane 25 feet in width is also required. Therefore, the applicant cannot provide adequate transitional screening along this lot line. The applicant is proposing a 25 foot wide area of additional vegetation along the western lot line totaling almost 4,000 square feet. The eastern lot line contains a poorly-maintained landscaped area. The applicant proposes to replant and maintain this area. Development conditions have been provided to address screening considerations.

OTHER ZONING ORDINANCE REQUIREMENTS

Special Permit Requirements (See Appendix 5)

- General Special Permit Standards (Sect. 8-006)
- Group 5 Standards (Sect. 8-503)

Summary of Zoning Ordinance Provisions

Staff believes that the subject application has satisfied all applicable standards with the adoption of the development conditions outlined below.

CONCLUSIONS

Staff concludes that the subject application is in harmony with the Comprehensive Plan and applicable Zoning Ordinance provisions as outlined above with the adoption of the development conditions.

RECOMMENDATIONS

Staff recommends approval of the proposed church with adoption of all Proposed Development Conditions contained in Appendix 1 of the Staff Report.

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

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

APPENDICES

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Environmental Analysis
5. Applicable Zoning Ordinance Provisions Checklist

PROPOSED DEVELOPMENT CONDITIONS**December 6, 2005**

If it is the intent of the Board of Zoning Appeals to approve SP 2005-LE-035 located at Tax Map 81-4 ((01)) 71A, pursuant to Section 4-603 of the Fairfax County Zoning Ordinance to permit a laser-tag recreational use, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant only, Concepts 21 Ltd. c/o Shadowland and is not transferable without further action of this Board, and is for the location indicated on the application, 5508 Franconia Road, and is not transferable to other land.
2. This Special Permit is granted only for the purpose(s), structures and/or use(s) indicated on the special permit plat prepared by Colleen Bogan "CLB", Lehman Associates, PC dated October 28, 2005, and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit and the Non-Residential Use Permit 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.
4. This Special Permit Amendment is subject to the provisions of Article 17, Site Plans. Any plan submitted to the Department of Public Works and Environmental Services (DPWES) pursuant to this special permit, shall be in substantial conformance with these conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.
5. The total maximum number of persons inside the building shall not exceed 250.
6. The total maximum number of employees on site shall not exceed 10 at any time.
7. The maximum hours of operation shall be limited to 10 a.m. to 10 p.m. Sunday through Thursday, and 10 a.m. to 12:00 midnight Friday through Saturday.
8. Parking shall be provided as depicted on the Special Permit Plat. All parking shall be on site.
9. Transitional screening shall be modified along the northern, eastern, and western lot lines as shown on the special permit plat. The applicant shall provide plant material to equal transitional screening 1 along the western lot line. The applicant shall provide plant material equal to one row of evergreen trees along the eastern lot line. All plant materials shall be a minimum of 6 feet in height at the time of planting. Species, number, and location shall be determined in consultation with Urban Forest Management.

10. Lighting shall be provided in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance. There shall be no uplighting on site, including any sign or the building, and parking lot lighting shall be on an automatic timer which turns off 30 minutes after the end of operating hours.
11. The brick wall along the northern lot line shall be repaired and maintained in good condition.
12. The applicant shall install a stop sign in front of the facility at the main entrance for westbound traffic.

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.

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. 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.

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval.