



County of Fairfax, Virginia

April 19, 2006

STAFF REPORT

APPLICATION PCA 87-S-061

SULLY DISTRICT

APPLICANT:	Eric T. Sohn and Hae-Ri Kim
PRESENT ZONING:	I-5, WS, AN
PARCEL(S):	43-2 ((1)) 5
ACREAGE:	2.00 acres
FAR/DENSITY:	0.4 FAR
OPEN SPACE:	18.5% (16,117 sq./ft.)
PLAN MAP:	Industrial
PROPOSAL:	To amend RZ 87-S-061 previously approved for industrial development to permit site modifications.

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 87-S-061, subject to the execution of proffers consistent with those found in Appendix 1.

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.

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Department of Planning and Zoning

Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703 324-1290
FAX 703 324-3924
www.fairfaxcounty.gov/dpz/

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

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 7 days advance notice.
For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

**A GLOSSARY OF TERMS FREQUENTLY
USED IN STAFF REPORTS MAY BE
FOUND AT THE BACK OF THIS REPORT**

DESCRIPTION OF APPLICATION

Applicant: Eric T. Sohn and Hae-Ri Kim

Location: North side of Old Lee Road, approx. 1400 feet west of its intersection with Willard Road

Request:

The applicant seeks to amend the previously approved proffers and proffered Generalized Development Plan (GDP) to permit the construction of two warehouses, 19,600 and 15,200 square feet (sq./ft) in area respectively. (This proposal is 475 sq/ft. less than the single structure approved with the original rezoning.)

Waivers and Modifications:

No waivers or modifications have been requested with this application.

Copies of the draft proffers, applicant's affidavit, and applicant's Statement of Justification are contained in Appendices 1 through 3 of this report.

LOCATION AND CHARACTER

Site Description:

The 2.00 acre site is surrounded by industrial sites. There is a Virginia Dominion Power easement on the northern portion of the property. The subject site currently contains two 1 -1.5 story buildings with a asphalt parking lot and driveway. Overhead wires are located along the Old Lee Road frontage.

Surrounding Area Description:

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Dominion VA Power Easement	I-3	Industrial
South	Commercial Office	I-4	Industrial
East	Commercial Office	I-5/I-4	Industrial
West	Warehouse Development	I-5	Industrial

BACKGROUND

The subject property was rezoned by the Board of Supervisors to the I-5 District on April 25, 1988, with the approval of RZ 97-S-061, subject to certain proffered conditions (Appendix 4). This approved rezoning contained a 32, 875 sq./ft. building with 92 parking spaces and 19.2% open space, and was to be used for office and warehouse use. No part of this rezoning was ever constructed. The applicant has filed a Proffered Condition Amendment (PCA) to do site modifications in order to make the site attractive to today's market.

COMPREHENSIVE PLAN PROVISIONS

Plan Area: Area III
Planning Sector: Dulles Suburban Center, Land Unit H
Plan Map: Industrial
Plan Text:

Fairfax County Comprehensive Plan, 2003 Edition, as amended through June 20, 2005, Dulles Suburban Center:

- "3. Industrial/flex use is appropriate in the southern portion of the land unit, along Lee Road and adjacent to the boundary of Land Unit J (Westfields International Corporate Center). Light industrial, research and development use and training may also be appropriate. Development should be integrated with existing or planned uses in the area."

ANALYSIS

Generalized Development Plan (GDP)

(Copy at front of Staff Report)

Title of GDP: 14714 Old Lee Road
 Prepared by: Harold A. Logan – Associates P.C.
 Original and Revision Dates: December 12, 2005, and revised April 12, 2005

The Generalized Development Plan consists of eleven (11) sheets containing the following information:

Sheets 1 & 2 GDP, vicinity map, sanitary sewer extension drawing, sight distance profile, notes, zoning requirements, site tabulations, and bulk plane detail.

Sheet 3 Existing building location survey

Sheet 4	Existing vegetation map
Sheet 5	Landscape plan with general notes and tree cover requirements/calculations
Sheet 6	Geotechnical evaluation and waiver approvals
Sheets 7-9	BMP & Stormwater Management Exhibits
Sheet 10	Previously Approved Rezoning Plan
Sheet 11	Approved Proffered Conditions

The site is proposed for use as warehouses. The entrance onto the site, as shown on the GDP, is located on the northern side of Old Lee Road, approximately 1200 feet east of Stonecroft Boulevard. The forty-seven (47) space parking lot is positioned directly at the entrance, and continues through the middle of the site between the two warehouse buildings. Proposed Building 1 is located toward the west of the site, and is a one story 19,600 sq./ft. building. Proposed Building 2 is “L” shaped and located to the east of the site, and is also a one story building consisting of 15,200 sq./ft. There is minimum ten (10) foot wide open space surrounding the entire parcel that includes landscaping and larger open spaces toward the southern portion of the site along Old Lee Road.

Land Use Analysis

The proposed warehouse development is a similar industrial use to those uses on the neighboring properties, and is also what the Comprehensive Plan calls for in the area. The I-5 Zoning District allows for many uses; the applicant is proffering to exclude child care centers and nursery schools, motor freight terminals, motor vehicle storage and impoundment yards, private schools of general education, recycling centers and vehicle major service establishments. The applicant has also proffered to limiting the outdoor storage of equipment and company vehicles to the rear of the property in order to reduce the visual impact on Old Lee Road. Staff feels that with the proposed proffers, the development will have no adverse impacts on the neighboring properties.

Transportation Analysis (Appendix 5)

Issue: Sight Distance

Staff is concerned with the sight distance from the driveway of the site. The GDP shows a sight distance profile along Old Lee Road which consists of a 300 ft. line of sight toward the east and west from the single driveway. Staff feels that this sight distance profile should be 445 ft. instead of the 300 ft. shown on the GDP, based on the design speed of the road.

Resolution:

The applicant has shown a sight distance profile on the revised GDP containing a line of sight of 445 ft. long from the driveway of the site. A proffer has also been included to address this issue.

Issue: Sidewalk

Staff feels that the sidewalk located along the Old Lee Road frontage should be five (5) ft. in width as opposed to the four (4) ft. on the GDP for compliance with American with Disabilities Act (ADA) requirements. The sidewalk should also have a tapered transition to the sidewalks on the neighboring properties.

Resolution:

The applicant has proffered to construct a five (5) foot wide sidewalk along the Old Lee Road frontage, and has revised the GDP to illustrate this.

Issue: Handicapped Parking Spaces

Staff is concerned with the location of the handicapped parking space located at the southernmost corner of Building 2, and directly at the entrance to the site. Staff feels that this location may be dangerous for both the parked car and the traffic entering and exiting the site.

Resolution:

The applicant has relocated this handicapped spot to a more appropriate and safer location on site, and is shown on the revised GDP.

Stormwater Management (Appendix 6)

The applicant has proffered to and shall comply with the conditions of the approved detention and Water Quality Control waivers that are shown on Sheet 6 of the GDP.

Environmental Analysis (Appendix 7)

All environmental issues were resolved with previously approved rezoning

Public Facilities Analyses

Water Service (Appendix 8) - Adequate service available; no issues were cited.

Fire and Rescue (Appendix 9) - The application meets fire protection guidelines; no issues were cited.

WAIVERS AND MODIFICATIONS

No waivers or modifications have been requested with this application.

ZONING ORDINANCE PROVISIONS

Bulk Standards I-5		
Standard	Required	Proposed
Lot Size	20,000 sf.	87,123 sf. (2.0 Acres)
Lot Width	100 ft.	260 ft.
Max. Building Height	75 ft.	24 ft.
Front Yard	45° ABP not less than 40 ft. (40 ft.)	42 ft.
Side Yard	N/A	10 ft.
Rear Yard	N/A	10 ft.
FAR	0.50, 1.0 w/ BOS approval	0.40
Open Space	15%	18.5%
Parking Spaces	- 40 Spaces (Including 3 H.C.) - 2 Loading	(based on warehouse use) - 51 Spaces (Including 4 H.C.) - 12 Loading

All bulk regulations have been met.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

It is Staff’s judgment that the applicant’s request to amend the proffered conditions accepted pursuant to RZ 87-S-061, approved for a warehouse/office use is in harmony with the Comprehensive Plan and in conformance with all applicable Zoning Ordinance provisions.

Staff Recommendations

Staff recommends approval of PCA 87-S-061, subject to the execution of proffers consistent with those contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board of Supervisors or Planning Commission, 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 recommendations of staff, it does not reflect the position of the Planning Commission or Board of Supervisors.

APPENDICES

1. Draft Proffers
2. Affidavit
3. Statement of Justification
4. Proffered Conditions & GDP for RZ 87-S-061
5. Transportation Analysis
6. DPWES Analysis
7. Environmental Assessment
8. Water Authority Analysis
9. Fire and Rescue Analysis
10. Glossary of Terms

PROFFER

K&K DEVELOPMENT CORPORATION

PCA 87-S-061

April 13, 2006

Pursuant to Section 15.1-491(a) of the 1950 Code of Virginia, as amended, the undersigned hereby proffers the following conditions provided that the Board of Supervisors approves PCA 87-S-061 (the "Application"). In the event the Application is approved, these proffers shall supersede and replace any previous proffers for the Application Property.

1. Development shall be in substantial conformance with the Generalized Development Plan (GDP) prepared by Harold A Logan Associates, P.C., consisting of eleven (11) sheets, revised December 12, 2005. For the purpose of this proffer, "Substantial conformance" shall have the meaning given in section 18-204(5) of the Fairfax County Zoning Ordinance.
2. The floor area ratio not to exceed 0.4.
3. No outside storage shall be visible from Old Lee Road.
4. The Applicant shall grant an easement at no cost to ensure adequate sight distance of 445 feet at the Application Property's access to Old Lee Road as shown on the GDP. Said easement shall be in a form as reviewed and approved by the County Attorney and recorded among the Fairfax County land records.
5. Subject to VDOT and DPWES approval, and prior to the issuance of the first Non-Residential Use Permit (Non-RUP) for the Application Property, the Applicant shall construct frontage improvements along Old Lee Road measuring approximately 30 feet from centerline to face of curb within the dedicated right-of-way as shown on the GDP. Frontage improvements shall consist of curb, gutter, five (5) foot wide sidewalk and pavement required to tie into existing pavement in accordance with VDOT standards.
6. The applicant shall provide a drainage structure at the low point of the existing roadside ditch, subject to DWPES.
7. The Applicant shall provide landscaping on the Application Property as generally shown on Sheet five of the (GDP), pursuant to the approval of Urban Forest Management (UFM). Deciduous trees shall be a minimum of two (2) to two and one-half (2-1/2) inches in caliper and evergreen trees a minimum of six (6) to eight (8) feet in height at time of planting.

8. In the event that any toxic or hazardous substances are used on the property by the applicant or successor in title, incidental to the use of the property, the applicants or successor in title agree to satisfy all pertinent state, local, and federal regulations prior to the storage, use, handling, or disposal of such substances. A plan to address the possibility of spillage of toxic or hazardous substances shall be submitted for a review and approval to the Fairfax County Department of Public Works and Environmental Services (DPWES) and the Fire and Rescue Department of Fairfax County in conjunction with the submission of the site plan.
9. A permit shall be obtained from the Fire Prevention Division of the Fire and Rescue Department of Fairfax County prior to the installation, removal, repair, or abandonment of any tanks containing flammable, combustible, and/or hazardous material in compliance with Article 29 of the BOCA Fire Code. Information shall be provided to the Fire Prevention Division of the Fire and Rescue Department, 4100 Chain Bridge Road, Fairfax, VA 22030, as to the condition of any removed storage tanks and a leak detection survey of the surrounding soil shall be conducted as required by Article 29 of the BOCA Fire Code.
10. A copy of the “notification for Underground Storage Tanks”, that is on file with the Virginia Water Control Board Shall be submitted to the Fire and Rescue Department for its information.
11. Stormwater management Best Management Practices (BMP) will be provided downstream in the Southgate Industrial Park as per the approved detention and Water Quality Control waivers that are shown on Sheet 6 of the GDP to satisfy the requirements of the Water Supply Protection (WS) Overlay district, as set forth in the PFM and approved by DPWES.
12. In the event that uses other than those attributable to a contractor’s business are constructed on the subject property, airport noise attenuation measures, as appropriate and determined by the DPWES will be incorporated in to the design and construction of any such use.
13. The applicant recognizes that certain permitted uses within the I-5 district are potentially incompatible with the airport noise environment of this site and/or protection of the Occoquan Reservoir water quality. Accordingly, the applicant’s proffer to exclude the following permitted I-5 uses from this property:
 - a. Child care centers and nursery school
 - b. Motor freight terminals
 - c. Motor vehicle storage and impoundment yards
 - d. Private schools of general education
 - e. Recycling centers
 - f. Vehicle major service establishments

14. The maximum building height shall not exceed forty-five (45) feet.
15. Prior to any land disturbing activities on that property identified among the Fairfax County tax records as Tax Map 43-2 ((1)) 5 , Applicant shall conduct a Phase I archaeological study of the Application Property, and provide the results of such studies to the Cultural Resource Management and Planning Branch of the Fairfax County Park Authority. If deemed necessary by Heritage Resources, the Applicant shall conduct a Phase II and/or Phase III archaeological study on only those areas of the Application Property identified for further study by Heritage Resources. The studies shall be conducted by a qualified archaeological professional approved by Heritage Resources, and shall be reviewed and approved by Heritage Resources. The studies shall be completed prior to subdivision plat recordation.
16. All storage of company equipment shall be restricted to the rear of the property to minimize the visual impact on Old Lee Road.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

PCA 87-S-061

APPLICANT/OWNER:

Property Owner – Tax Map 43-2 ((1)) 5
Eric T. Sohn and Hae-Ri Kim

By: _____ Date: _____

Name: Eric T. Sohn
Title: Property Owner

PCA 87-S-061

APPLICANT/OWNER:

Property Owner – Tax Map 43-2 ((1)) 5
Eric T. Sohn and Hae-Ri Kim

By: _____ Date: _____

Name: Hae-Ri Kim
Title: Property Owner