



APPLICATION FILED: March 17, 2006
PLANNING COMMISSION: October 12, 2006
BOARD OF SUPERVISORS: Not yet scheduled

County of Fairfax, Virginia

September 27, 2006

STAFF REPORT

APPLICATION SE 2006-BR-004

BRADDOCK DISTRICT

APPLICANT: 7-Eleven, Inc.
PRC, H-C
6221 Rolling Road

PARCEL(S): 79-3 ((08)) 5A3
43,289 square feet
0.072
27%
Residential Planned Community

SE CATEGORY: Category 6; Quick Service Food Store
in a Highway Corridor Overlay
District
Category 6; Service Station in a Highway
Corridor Overlay District

PROPOSAL: To permit a 3,132 SF quick service food store
and service station with twelve (12) fueling
pumps in a Highway Corridor Overlay District.

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Department of Planning and Zoning

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WAIVERS:

Waiver of the outdoor lighting level requirement, per Par. 2 of Sect. 14-903, to permit an outdoor lighting level of thirty-five (35) footcandles under the gas canopy instead of thirty (30) footcandles.

STAFF RECOMMENDATIONS:

Staff recommends denial of SE 2006-BR-004. If it is the intention of the Board of Supervisors to approve the application, staff recommends such approval be subject to development conditions consistent with those found in Appendix 1 of this report.

Staff recommends denial of the request to Waive the outdoor lighting levels per Par. 2 of Sect. 14-903.

It should be noted that it is not the intent of the 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 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 or TTY 711 (Virginia Relay Center).



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 THE APPLICATION

SE Proposal:

The applicant is seeking a special exception to demolish an existing service station/mini-mart and to redevelop the site as a service station and quick service food store. The proposal includes a 3,132 square foot quick service food store and a service station consisting of twelve (12) fueling pumps, underneath a canopy. Nineteen (19) parking spaces are proposed to accommodate the proposed uses. The resulting FAR would be 0.072, and 27% of the site would remain as open space.

The applicant is also requesting a Waiver of the outdoor lighting level requirement, per Par. 2 of Sect. 14-903, to permit an outdoor lighting level of thirty-five (35) footcandles under the gas canopy instead of the maximum permitted thirty (30) footcandles.

Copies of the Development Conditions, applicant's affidavit, Statement of Justification, and submitted photographs, are contained in Appendices 1 through 4 of this report.

LOCATION AND CHARACTER

Site Description:

The 43,289 square foot subject property is located at 6221 Rolling Road, in the northeast quadrant of the intersection of Rolling Road and Traford Lane. The site is zoned PRC, and is located within a Highway Corridor Overlay District (H-C), as well as the Cardinal Forest Community Planning Sector. The property currently operates as a Citgo service station/mini-mart which includes a 344.76 square foot brick and metal frame service station building and canopy, with eight (8) fueling pumps, all of which will be demolished. The property is accessed by one entrance on Traford Lane and two entrances onto Rolling Road (which includes a parallel service road). The present site has an impervious surface of 24,700 square feet (57%), and a large tree canopy along its eastern property line.

Surrounding Area Description:

Direction	Use	Zoning	Plan
North	McDonald's Restaurant	PRC, H-C	Residential Planned Community
South	Cardinal Forest (Shopping) Plaza	PRC, H-C	Residential Planned Community
East	Springfield Professional (Office) Park	PRC, H-C	Residential Planned Community
West	West Springfield (Shopping) Center	C-6, H-C	Retail & Other

BACKGROUND

On December 17, 1963, the 810-acre Cardinal Forest "Plat for Rezoning" was approved by the Board of Supervisors, and rezoned per Rezoning A-787, from the R-12.5, I-P, C-D, C-N, RE-0.5 Districts to the Residential Planned Community (RPC). The approved "Plat for Rezoning" did not depict specific uses or subdivisions of land, only the geographic boundaries and legal description of the RPC. However, an accompanying "Suggested Development Plan" (also listed as #A-787 and dated 1963) did provide the RPC's proposed density limits, general street patterns, and open space/recreation areas. It also depicted proposed single-family residential lot layouts, and designated various large parcels as future Town Houses (High Density), Residential (Medium Density), Commercial, and School and Church Sites. The subject property was part of a much larger parcel at the time, which was designated on the Suggested Development Plan as "*Commercial*" (see Appendix 6).

After its initial approval in 1963, Cardinal Forest was later subdivided into Sections and predominately developed by section platting and small development plans. For example, the subject property was located within the Section One portion of Cardinal Forest, which was platted on June 22, 1964. Section One was composed of almost 126 acres of land, and included the layout of roads and sidewalks, one hundred and sixty-six (166) single-family lots, and eight (8) large parcels. The subject property was located within Parcel 5, and had a Note reading (in part), "*...No buildings or structures other than Commercial Facilities or for uses appurtenant thereto may be placed upon it.*" Parcel 5 was composed of 19.223 acres, and was located north of Old Keene Mill Road, east of Rolling Road, west of Prince of Peace Lutheran Church, and south of the Messiah United Methodist Church.

On December 9, 1968, the Board of Supervisors approved a Plat to subdivide Parcel 5 into 5-A (8.968 acres), 5-B (9.530 acres) and 5-C (0.720 acres). The Plat still read (in part) that, "*...No buildings or structures other than Commercial Facilities or for uses appurtenant thereto may be placed upon it.*" The subject property was located within Parcel 5-A, which was divided just north of the still undeveloped Traford Lane.

On February 9, 1972, the Board of Supervisors approved a Plat entitled, "A Resubdivision of Parcel 5-A" (see Appendix 6). This Plat created Parcels 5-A1, 5-A2, 5-A3, and 5-A4, and listed designated uses for each parcel. The subject property, depicted as Parcel 5-A3 and composed of 0.99 acres, was listed on the Plat as, "Use: Service Station". (As a note, the subject property has not changed from its present lot dimensions since the resubdivision of 1972). On March 21, 1975, a Certificate of Completion was issued for a Citgo Service Station development. In 1977 through 1978, the site was redesigned and rebuilt to its existing configuration, and the mini-mart land use was added to the service station in 1979. There are no proffers applicable to this site.

Lastly, on June 12, 1978 the Board of Supervisors approved the current zoning ordinance which converted the RPC zoning classification to the Planned Residential Community ("PRC") zoning district; the effective date of the Zoning Ordinance was August 14, 1978.

COMPREHENSIVE PLAN PROVISIONS

Plan Area:	Springfield Planning District, Area IV
Planning Sector:	S1-Cardinal Forest Community Planning Sector
Plan Map:	Residential Planned Community
Plan Text:	

On Page 26 thru 28 of the Fairfax County Comprehensive Plan, Area IV, 2003 Edition, Springfield Planning District, amended through 12-6-2004, S1-Cardinal Forest Community Planning Sector, it states (in part):

RECOMMENDATIONS

Land Use

The Cardinal Forest sector is largely developed in stable residential neighborhoods. Infill development should be of a compatible use, type, and density and in accordance with the guidance provided by the Policy Plan under Land Use Objectives 8 and 14.

Where substantial parcel consolidation is specified, it is intended that such consolidations will provide for projects that function in a well-designed, efficient manner and provide for the development of unconsolidated parcels in conformance with the Area Plan.

Figure 9 indicates the geographic location of land use recommendations for this sector. Where recommendations are not shown on the General Locator Map, it is so noted.

1. *The current pattern of land uses in the sector should be maintained, and infill development should be compatible with existing residential densities and types. Additional commercial development should not occur along Old Keene Mill Road.*
2. *The Cardinal Forest master plan, which is incorporated in the Comprehensive Plan, indicates the extent and type of development in Cardinal Forest. Development in the Cardinal Forest Residential Planned Community (RPC) should be in accordance with the adopted Cardinal Forest Plan map as shown on Figure 10.*

On page 27, the subject property is identified as "Village Center" on Figure 10 of the adopted Cardinal Forest Comprehensive Plan. The PRC zoning district regulations, specifically *6-302 Permitted Uses*, state that a service station/quick food service store shall be permitted only in those locations respectively designated Village Center on an approved development plan and PRC plan. In this case, the Village Center designation is only listed on the Cardinal Forest Comprehensive Plan, and not on the approved development plan, and thus does not qualify under this provision.

ANALYSIS

Special Exception (SE) Plat (copy at front of staff report)

Title of SE Plat: Special Exception Plat for Proposed 7-Eleven @ 6221 Rolling Road, Springfield, Virginia

Prepared By: Huron Consulting

Date: March 6, 2006, with revisions through June 6, 2006

Plat Description

The Special Exception Plat (SE Plat) consists of four (4) sheets.

Sheet one (1) depicts the proposed layout of the site, with relevant tabulations and notes, and provides angle of bulk plane diagram for the canopy, proposed monument sign, and handicapped parking detail.

Sheet two (2) depicts the existing conditions/vegetation of the site.

Sheet three (3) depicts the proposed landscape plan, plant list, and tree coverage calculations for the site, and proposed dumpster enclosure detail.

Sheet four (4) depicts the proposed lighting (photometric) plan for the quick service food store and service station.

Elevation Drawing: The elevation drawing depicts the proposed 7-11 store and canopy from Rolling Road and Trafford Lane, as well as the rear and side view of the proposed store from the adjacent properties.

Applicant's Supplemental Information (see Appendix 4 & 5).

The applicant has also submitted the following items:

1. **Truck Clearance:** A diagram is provided that depicts the anticipated on-site fuel delivery truck path
2. **Stormwater and Outfall Narrative:** The applicant has provided a stormwater and outfall narrative, as well as pre-development and post-development computations, downstream development plans and computations, and stormwater design computations
3. **Photographs:** The applicant has submitted photographs of the subject property and nearby County Building.

Description of Proposal

The applicant, 7-Eleven, Inc., proposes to demolish all existing onsite structures in order to accommodate the construction of a new 7-Eleven service station and quick service food store. The 43,289 SF (0.9938 acre) subject property will have an impervious coverage of 31,400 SF, that will include a one-story 3,132 SF building, nineteen (19) parking spaces, and three (3) gasoline pump islands with 12 fueling dispensers (underneath a freestanding, 24-foot tall, 3,000 SF canopy). The proposed building will house the quick service food store, and will have no service bays or repair-related facilities. The proposed hours of operation for the 7-Eleven will be Monday through Sunday, 24 hours a day, with 6 employees.

The proposed quick service food store, setback approximately 150 feet from Rolling Road, and 82 feet from Trafford Lane, will be constructed primarily of brick and decorative block along all sides, with a light grey hipped roof with standing seam metal sheathing. The proposed canopy, also made of the same building materials and color scheme, will be setback 45 feet from Rolling Road, and 53 feet from Trafford Lane. Overall, the property will have a floor area ratio (FAR) of 0.072.

The loading space and dumpster will be located south of the quick service food store, near Trafford Lane, and the dumpster will be surrounded by a masonry walled enclosure with screened doors, in similar brick/block as the proposed building and canopy. The SE Plat proposes a public telephone and vacuum along the south property line, adjacent to the parallel parking spaces. The existing freestanding pole sign, which is located at the southwest corner of the site, will be demolished in favor of a monument sign near the same location.

The proposed monument sign, which is supported by a five (5) foot high by fourteen (14) foot wide brick base, has a sign face of fifty (50) SF, and an overall height of ten (10) feet. Although the monument sign does appear to satisfy zoning ordinance provisions, Staff has nonetheless added a Development Condition that requires it to meet the provisions of Article 12 of the Zoning Ordinance.

The present site has a privately-owned service drive along its west property line, running parallel and directly adjacent to Rolling Road. The service drive extends north from Traford Lane across the adjoining McDonald's and Embassy Carwash properties. The proposed SE Plat will close the service drive's access to Traford Lane (at the corner of Rolling Road), and will construct in its place, a continuous curb and gutter, sidewalk, and extended landscaping area. The service drive will still connect to the abutting McDonald's property to its north; however, the two (2) existing service drive entrances along Rolling Road will be reduced from two (2) driveways down to one (1). The site will maintain its single driveway opening along Traford Lane, near the southeast corner of the property. The Rolling Road entrance will continue to only permit right-in, right-out access to the site, and the Trafford Lane entrance will continue to permit free vehicular movement in both directions.

The proposed project will be adding almost 6,700 SF of impervious pavement and building to the site's existing calculation of 24,700 SF. Twenty-seven (27) percent of the subject property will remain as open space comprised of a mixture of shade and floral deciduous trees, evergreen trees, as well as shrubs and sod. The primary loss of existing open space will take place near the eastern property line, which contains a large tree area, composed of shrubs, hardwoods, and various other understory and overstory trees. The applicant has depicted a 2,050 SF area to be preserved near the northeast corner of the site, which will save a small portion of the existing canopy, foliage, and trees.

The southeast corner of the site, near the proposed dumpster and cart storage enclosure, will be planted with six (6) evergreens, two (2) ornamental trees, and one (1) shade tree. Along the north property line, next to the McDonald's property, the Landscape Plan calls for the planting of three (3) trees and various evergreen shrubs; along the west property line, adjacent to Rolling Road, the Landscape Plan calls for the planting of three (3) trees and evergreen shrubs; and along the south property line, adjacent to Traford Lane, the Landscape Plan calls for the preservation of the four (4) existing wax myrtles, and the planting of two (2) ornamental trees and various evergreen/deciduous shrubs.

The existing site does not have on-site stormwater detention. The applicant is proposing an underground detention facility, should its request for a waiver of on-site detention through DPWES be denied. The application also calls for the removal of the existing underground fuel tanks near the south of the site, with new tanks being constructed near the northwest of the property, and for the conveyance of 195 SF of property to the County for future transportation-related improvements.

Land Use Analysis

As per the 2003 Area IV Comprehensive Plan (as amended through 12-6-2004, S1-Cardinal Forest Community Planning Sector), it states (in part): *“The current pattern of land uses in the sector should be maintained, and infill development should be compatible with existing residential densities and types.”*

In 1963, the subject property was identified as “Commercial” on the Suggested Development Plan” (#A-787), and in 1972, the property was more specifically listed as “Use: Service Station” on a replat called “A Resubdivision of Parcel 5-A”. In 1975, the subject property opened up its service station, which has remained in operation since that year. As a result of this history, Staff believes that the desire to redevelop the proposed service station is in harmony with the Comprehensive Plan and that the current land use pattern in the Cardinal Forest Planning Sector will be maintained.

In conjunction with the service station special exception request, the applicant is also requesting a change of use from the existing mini-mart (approved in 1979), to a new quick-service food store. The existing mini-mart is approximately 344 SF, whereas the proposed quick-service food store will have a gross floor area of 2,857 SF (the overall floor area is 3,132 SF). By definition, the Fairfax County Zoning Ordinance classify a mini-mart as a building limited to a maximum gross floor area of 2,500 SF, and a quick-service food store as a building having a maximum gross floor area of 2,500 SF to 5,000 SF.

The applicant proposes to redevelop the existing service station/mini-mart as a 3,132 square foot quick service food store and service station with twelve (12) fueling pumps. However, Staff feels that the proposed project is too intensive for the 43,289 SF site, this is because the building square footage increases from approximately 344 SF to 3,132 SF, the impervious surface coverage increases from 24,700 SF to 31,400 SF, the number of available fueling positions increases from eight (8) to twelve (12), and the existing tree canopy area drastically decreases from over 9,000 SF down to a 2,050 SF tree save area.

In Staff’s opinion, the proposed size of the quick service food store and additional service station fueling positions (4 additional vehicles will be able to pump gas versus what is presently possible), will inevitably increase vehicle trips and congestion upon the neighboring streets. The 3,132 SF quick service food store, which will replace the existing 344 SF mini-mart, will dramatically increase the number/type of available sale’s items at the subject property.

Staff believes that a balance needs to be proposed for the site that protects its natural resources, while allowing for a needed redevelopment that maintains the historical intensity upon the property, as well as protects the integrity of the Cardinal Forest neighborhood. To attain such a balance that preserves more of the existing

vegetation on site, the proposal should be redesigned with a reduction of the proposed fueling positions for the service station, and/or a reduction of redesign in the square footage of the quick service food store. Due to the proposed intensification of the property, Staff does not believe that the site's current land use pattern will be maintained, as called for in the Comprehensive Plan.

Transportation Analysis (Appendix 7)

Issue: Pedestrian Signal Head

In order to better facilitate pedestrian crossing to the proposed facility, the Department of Transportation (DOT) has requested that the applicant contribute to the cost of adding pedestrian signal heads on one leg of the intersection of Rolling Road and Trafford Lane. The Virginia Department of Transportation (VDOT) has already added pedestrian signal heads to the other leg.

Resolution

Staff has added a Development Condition which obligates the applicant to contribute to the cost of pedestrian signal heads on one leg of the intersection of Rolling Road and Trafford Lane. The cost of the contribution will be determined in consultation with the Department of Transportation at the time of site plan review.

Issue: Driveway Entrance Width

The Department of Transportation does not support the SE Plat's proposed forty (40) foot wide driveway entrances. DOT maintains that a driveway width of thirty-five (35) feet is better-suited for pedestrian travel and safety, and that off-site vehicles/trucks will still be able to efficiently access the site.

Resolution

Staff has added a Development Condition limiting all entrance driveways to thirty-five (35) feet in width.

Issue: Interparcel Access Easement

In order to protect vehicular access between the subject property and the adjacent McDonald's property to its north, the Department of Transportation has requested that an interparcel access easement be provided by the applicant.

Resolution

Staff has added a Development Condition that requires the applicant to provide a public access easement to extend across the subject property, from Trafford Lane to the abutting McDonald's property.

Issue: Service Drive Sketch

In order to better control vehicular movement at the subject property's Rolling Road and service drive entranceway, particularly with regard to the motorist's point of decision, the Department of Transportation has proposed a sketch that will better protect incoming traffic onto the site. The redesign of the service drive, along Rolling Road, would require changes to the applicant's proposed driveway width, radius, and configuration (see DOT Appendix 7 sketch).

Resolution

This issue remains unresolved.

Environmental Analysis (Appendix 8 and 9)**Issue: Water Quality Protection**

The proposal is classified as a redevelopment of the site, which must meet a 40% phosphorous removal requirement of the Chesapeake Bay Preservation Ordinance. The applicant will be required to meet this standard.

Resolution

The applicant has provided a Stormwater and Outfall Narrative (Appendix 4) that states that the proposal will meet all of the site requirements for water quality control through the use of a manufactured Best Management Practices (BMP), such as a stormfilter. The stormfilter BMP facility would be sized to accommodate the water requirements of the entire site, and to treat the required water quality volume. The SE Plat calls for an underground chamber detention facility to be installed to the northeast of the proposed gas canopy in the event an on-site facility is required; however, the applicant is requesting a waiver of the on-site detention requirement, which will be determined by DPWES at the time of site plan approval. As previously noted, the existing site has no on-site detention.

DPWES has reviewed the applicant's submitted Stormwater and Outfall Narrative and related computations, and has found it acceptable. It is noted that any SWM/BMP system to be incorporated into the development of the site must meet the approval of the Department of Public Works and Environmental Services (DPWES). Staff has added a Development Condition that requires the applicant to satisfy all on-site detention and water quality requirements, in accordance with the Public Facilities Manual, DPWES, and Chapter 118 of the Fairfax County Code, and believes that this issue has been addressed.

Issue: Tree Protection

The SE Plat (Sheet 2 of 4) depicts an existing Tree Canopy along the subject property's east property line of over 9,000 SF. The new proposal would reduce this area down to a 2,050 SF "Tree Save Area". Staff has requested that the applicant redesign their project in order to protect and preserve a greater portion of the site's existing tree canopy. In particular, Staff has suggested that the applicant consider a reorientation of the pumps and/or building, a reduction in the proposed number of pumps/fueling positions and/or building square footage, a reconfiguration of the building layout, a reduction of interior driveway widths, and a more creative solution/relocation of the proposed equipment yard, grease trap, rear building doors and sidewalk.

Resolution

The applicant has declined to reduce the number of pumps, fueling positions, and/or building square footage. To date, the applicant has resubmitted the SE Plat which has moved the grease trap from the east (rear) of the proposed building to the north, and increased the Tree Save Area from 1,100 SF to 2,050 SF. To this end, Staff visited the site with Urban Forest Management, and found that the additional Tree Save Area is largely vacant of trees. Staff continues to believe that a redesign of the site or a smaller structure and/or deduction of pump dispensers would allow for greater tree preservation and in turn reduce the property's overall proposed intensification. Staff has requested that the applicant submit a Tree Survey in order to better determine the number of trees impacted by the proposal, and to offer specific suggestions regarding reconfiguring options for the site. However, to date, no Tree Survey or building reconfiguration has been submitted and the site has not been redesigned to preserve quality vegetation. This issue has not been resolved.

Issue: Waiver Request of Lighting Standards

All lighting must meet the requirements of Sect. 14-903 of the Zoning Ordinance pertaining to outdoor lighting. The Code provision states that service stations shall not exceed a maintained lighting level of thirty (30) footcandles under the canopy, unless the Board grants a higher level (not to exceed fifty (50) footcandles) in conjunction with the approval of a special exception, development plan, or proffered rezoning. The applicant has submitted a Lighting (photometric) Plan as part of their SE Plat submission (Sheet 4), and it depicts an average 32.64 footcandle level, which is 2.64 footcandles above the maximum standard. The applicant has requested, as stated in their Statement of Justification, a waiver of the Lighting Standard to increase the lighting levels under the canopy from thirty (30) footcandles to thirty-five (35) footcandles. (As a note, the SE Plat on Sheet 4 of 4, request a Waiver of thirty-three (33) footcandles).

Resolution

New outdoor lighting standards were adopted by the Board of Supervisors in June of 2003. These outdoor lighting standards were developed in response to a request by the Board of Supervisors for staff to review the current glare standards that have been in effect since 1978 and to address the escalating light pollution within the County. As part of this revision, the adopted outdoor lighting standards took steps to address certain uses which have been recognized for their use of excessive outdoor lighting. These uses included service stations, service station/mini-marts, vehicle sale, rental and ancillary service establishments.

In the staff report on the revised outdoor lighting standards, staff noted that certain commercial uses frequently use lighting levels that far exceeded Illuminating Engineering Society of North America (IESNA) levels for advertising purposes. Staff pointed to the presentation included in lighting manufacturers' brochures which stated that lighting fixtures provide "high attraction and sparkle" and "better visibility of your business from the highway." Staff also noted that where there is a high concentration of similar uses, businesses frequently try to "outlight" one another in order to ensure that their business or product will be more visible from the roadway than the neighboring business.

Sect. 14-903 states the Board may approve a higher or lower maintained lighting level, not to exceed fifty (50) footcandles, in conjunction with the approval of a special exception, development plan or proffered rezoning; in addition, Sect. 9-003 states that the Board may modify the additional standards for a special exception use where deemed necessary as long as the resultant development will not adversely affect the use or development of adjacent properties.

One of the purposes in amending the County's lighting standards was to reduce and control undesirable glare upon neighboring properties and roadways, and to apply these standards equally to the specified land uses. To date, the applicant has not provided justification for the need for thirty-five (35) footcandles, and Staff sees no need for the requested increase. For those reasons, staff does not support the waiver request.

Urban Forestry Analysis (Appendix 10)

Issue: Preservation Area Width

The applicant's revised SE Plat proposes to reduce the subject property's existing tree canopy area from 9,000 SF down to a 2,050 SF "Tree Save Area". In order for this 'area' to be credited towards the site's overall tree cover requirement, as is currently indicated on the SE Plat, and in accordance with the Fairfax County Public Facilities Manual (12-0702.1A(3)), the minimum width of

the tree preservation area needs to be twenty-five (25) feet, and have a minimum square footage of 7,000 SF (per its Sub-Climax designation). Presently, the majority of the proposed Tree Save Area is depicting a proposed Tree Save Area width of between fifteen (15) to twenty-two (22) feet, and as previously mentioned, a square footage of 2,050 SF. Both fail to meet the minimum PFM above-mentioned requirements for tree cover credit. Notwithstanding, if the minimum size and/or width requirements cannot be met, but it can be demonstrated that the trees shown will survive for 10 years, preservation areas below the minimum size requirements may be approved by the Director of Urban Forest Management.

Resolution

In order to ensure the issue is resolved, the SE Plat should be revised.

Issue: C&P Easement

The existence of a C&P telephone line easement along Rolling Road poses constraints to realistically establishing shade trees in this area. The easement holder may need to remove proposed trees, conduct work in this area necessitating their removal, or if an existing utility line is in place, that utility line may conflict with the proposed trees. Additionally, future right-of-way dedication area and storm/sewer drainage easements exist along Trafford Lane. The planting and establishment of trees long-term in this area may, or may not, be feasible.

Resolution

The applicant has decided to preserve the four (4) existing wax myrtles along Trafford Lane, versus demolishing and replacing them. The trees are full-grown and have remained in their present location for many years without incident, so Staff does not see a conflict with this continued arrangement. Staff has added a Development Condition that states that if any such trees or shrubs need to be relocated on the SE Plat, due to easement issues or other unforeseeable events, then the applicant shall be required to replace this vegetation, with permission of the easement holder. Therefore this issue has been resolved.

ZONING ORDINANCE PROVISIONS

Bulk Regulations

In the PRC District there are no minimum lot size requirements, maximum building height requirements, minimum yard requirements, maximum floor area ratios, or maximum lot coverage ratios for commercial buildings, except that the

location and arrangement of structures shall not be detrimental to existing or prospective adjacent dwellings, or to the existing or prospective development of the neighborhood. In 1963, the subject property was identified on the "Suggested Development Plan" as being "Commercial", and later in 1972, it was more specifically listed on an approved Plat as, "*Use: Service Station*". As such, Staff believes that the proposed Service Station use is in conformance with the approved Development Plan.

Special Exception Requirements (Appendix 11)

General Special Exception Standards (Sect. 9-006)

General Standard 1 requires that the proposed use at the specified location be in harmony with the adopted Comprehensive Plan.

The Comprehensive Plan notes that "*(t)he current pattern of land uses in the sector should be maintained...*". As stated earlier in this report, the applicant's proposed change of land use, from a mini-mart to a quick-service food store, will result in the subject property increasing: its square footage (from 344 SF to 3,132 SF), its number of fueling positions (from 8 to 12), its impervious surface ratio (from 24,700 SF to 31,400 SF), its list of permitted sales items, and its overall existing intensity. In addition, the applicant's proposed development will reduce the site's existing tree canopy from over 9,000 SF, to a Tree Save Area of 2,050 SF.

Although a combined Service Station/Quick-Service Food Store are permitted as Category 5 Special Exceptions within the PRC District, Staff believes that the proposed 3,132 SF Quick-Service Food Store, with its increased number of sale items and size, and the proposed Service Station with its increased number of fueling positions (and thus increased number of vehicles), is too intensive for the subject property. Consequently, Staff does not believe that the site's current land use pattern will be maintained. Therefore, this standard has not been satisfied.

General Standard 2 requires that the proposed use be in harmony with the general purpose and intent of the applicable zoning district regulations.

The PRC District's "Purpose and Intent" states that the district regulations were designed to permit greater flexibility to the developer by removing many of the restrictions of conventional zoning. This "flexibility" was intended to provide an opportunity and incentive for the developer to achieve "excellence in physical, social and economic planning." Staff believes that the applicant's proposal is not in harmony with the general purpose and intent of the PRC zoning district and does not provide excellence in physical planning. Conversely, the site's design cannot be increased or intensified any further, in fueling positions or building square footage, because it does not have the land.

The applicant's quick service foot store (which has a gross floor area of 2,857

SF), requires 19 parking spaces. The SE Plat depicts 19 parking spaces, and leaves no room for additional spaces. Likewise, in order to provide sufficient on-site vehicular circulation and movement, 7-Eleven could not provide additional fueling pumps/positions, or it would seriously affect traffic flow, as well as fuel and delivery truck service. The PRC's zoning standards permit a "flexibility" in design, and Staff believes that the application takes full advantage of this allowance, but does not strike the necessary balance required for excellence in physical planning. From a simple economic perspective, more onsite traffic results in additional sales; however, in Staff's opinion, from a neighborhood perspective, a depletion of the area's natural resources and an increase in traffic and intensity, is not a desirable exchange rate. As noted, Staff believes that a balance is necessary, between the protection of the site's natural resources, the desire to redevelop the property, and the historical nature of the site and neighboring Cardinal Forest PRC. Therefore, this standard has not been satisfied.

General Standard 3 requires that the proposed use be harmonious with and not adversely affect the use or development of neighboring properties in accordance with applicable zoning district regulations and the adopted Comprehensive Plan. It further states that the location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.

The proposed service station and quick service food store structure could improve the aesthetics for a portion of the subject property, as the existing service station and mini-mart are somewhat aged and in a state of decline. As noted, the PRC District has no bulk regulations, therefore the proposed improvements are not in conflict with any required height, setback, FAR, or other related provision. There are no barrier, screening, or buffering requirements, other than the required peripheral parking lot landscaping. However, as mentioned throughout the report, Staff believes that the proposed improvements are too intensive for the subject property, and need to be scaled down. Although the adjoining parcel to the east of the subject property is already developed, the proposed design will have a significant impact upon it because it requires the elimination of most of the subject property's tree cover. This tree cover provides a very large, approximately 9,000 square foot, 175-foot linear natural buffer between the neighboring low intensity office complex and the highly intensive service station use and adjacent 6-lane Rolling Road right-of-way. The tree reduction will also impact the existing noise, dust, and light levels, and result in the loss of a significant tree canopy area. Therefore, this standard has not been satisfied.

General Standard 4 requires that the proposed use be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood. As mentioned within the Description of Proposal section, the subject property has an existing privately-owned service drive along its west property line, which runs parallel and directly adjacent to Rolling Road. The service drive starts at Traford Lane, and extends north across the front of the adjoining McDonald's and Embassy Carwash properties. In addition to the service drive's Traford Lane and McDonald's driveway openings, vehicles are also able to enter/exit the subject property from the west via two (2) additional driveway openings along Rolling Road. Lastly, vehicles may enter/exit the subject property from a driveway opening off of Traford Lane, near the southeast corner of the site.

As per the Department of Transportation's request, the applicants will be closing the service drive's access to Traford Lane (at the corner of Rolling Road), and will construct in its place, a continuous curb and gutter, sidewalk, and extended landscaping area. This proposed retrofit, in addition to the closing of one of the two Rolling Road driveway entrances, will limit vehicles to one (1) driveway opening along Rolling Road (along the west property line), one (1) driveway opening along Traford Lane (along the south property line), and one (1) service drive opening from the adjoining McDonald's property (along the north property line).

At the present time, vehicles are entering and exiting the subject property from five (5) different driveways, and three (3) different directions (N, S, and W). The existing site offers far too many options for vehicles, and presents a serious hazard to pedestrians. A pedestrian who desires to walk along the outside of the subject property (within the right-of-way sidewalks of Traford Lane and Rolling Road) has to currently travel across four (4) driveway openings which have a combined linear width of 150 feet. The proposed closure of the service drive along Traford Lane, and the closure of one of the two Rolling Road driveways will reduce the driveway crossings to two (2), and with the proposed development conditions, will reduce the total pavement crossed by pedestrians from 155 linear feet to 70 feet. Staff is in agreement that the applicant's proposed driveway closures and expansion of the pedestrian sidewalks will help to better control and limit vehicle movement upon the subject property, and thus reduce its potential for conflict and hazard with neighborhood traffic.

However, as noted previously in the staff report, in order to better control vehicular movement at the subject property's Rolling Road and service drive entranceway, particularly with regard to the motorist's point of decision, the Department of Transportation has proposed a sketch that will better protect incoming traffic onto the site. The redesign of the service drive, along Rolling Road, would require changes to the applicant's proposed driveway width, radius, and configuration (see DOT-sketch on Appendix 7). Therefore, this standard has not been satisfied.

General Standards 5,6, 7 and 8 require that landscaping, screening, open space, adequate utility, drainage, signage, parking and loading spaces to be regulated in accordance with the Zoning Ordinance; however, the Board of Supervisors may impose more strict requirements for a given use than those set forth in the Ordinance. The applicant will provide adequate streetscape improvements; transitional screening and barriers are not required for the proposed use. Adequate utilities are available on site, and Stormwater Management/Best Management Practices (SWM/BMPs) will be provided in accordance with the Public Facilities Manual (PFM). An adequate amount of parking/loading spaces will be provided to meet the Zoning Ordinance requirement, and one (1) monument style sign will be provided using the same brick pattern as the quick service food store and canopy. Therefore, with implementation of the development conditions, these standards have been met.

Provisions for Approving...Quick-Service Food Stores, Service Stations...in a Highway Corridor Overlay District (Sect. 9-611)

The Board may approve a special exception for the establishment of a quick-service food store and service station in a Highway Corridor Overlay District, but only in accordance with the provisions of Part 6 of Article 7.

Highway Corridor Overlay District Use Limitations (Sect. 7-608)

Paragraph 1A requires that such a use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties. The subject property will continue to share a service drive with the abutting McDonald's Restaurant to its north; and, as per a recommended development condition, will continue to provide interparcel access across its property. As previously noted, external right-of-way driveway openings will be reduced from four (4) existing openings down to two (2), thus allowing better on-site vehicular control/circulation. The closure of the right-of-way driveway openings, in particular the service drive at the corner of Trafford and Rolling Road, will extend existing pedestrian sidewalks, and improve onsite and offsite pedestrian safety and accessibility. With implementation of the development conditions, this standard will be satisfied.

Paragraph 1B requires that such a use shall have access designed so as not to impede traffic on a public street intended to carry through traffic. The SE Plat shows that access to the site will be controlled through two driveway entrances; and two of the four existing entrances will be closed. Circulation will be coordinated with the property to the north through an interparcel access easement which the applicant will be required, by development condition, to provide. However, as previously noted, the applicant's proposal does not address the Department of Transportation's recommended modification of the subject property's Rolling Road and service drive entranceway, particularly with regard to the motorist's point of decision (see Appendix 7 for DOT-designed sketch). Therefore, this standard has not been met.

Paragraph 1C requires that there shall be no outdoor storage or display of goods offered for sale except for the outdoor storage or display of goods permitted at a service station or service station/mini mart. With implementation of the development conditions, this standard will be met.

Paragraph 3A states that service stations shall not be used for the performance of major repairs and shall not include the outdoor storage of more than 2 abandoned, wrecked or inoperable vehicles on the site for more than 72 hours. A development condition has been included that would prohibit major vehicle repairs and/or storage on the property; therefore, this standard has been met.

CONCLUSIONS AND RECOMMENDATIONS

Conclusions

The applicant proposes to redevelop the existing service station/mini-mart as a 3,132 square foot quick service food store and service station with twelve (12) fueling pumps. However, Staff feels that the proposed project is too intensive for the 43,289 SF site, as the building square footage increases from approximately 344 SF to 3,132 SF, the impervious surface coverage increases from 24,700 SF to 31,400 SF, the number of available fueling positions increases from eight (8) to twelve (12), and the existing tree canopy drastically decreases from over 9,000 SF down to a 2,050 SF tree save area.

In Staff's opinion, the proposed size of the quick service food store and additional service station fueling positions (4 additional vehicles will be able to pump gas versus what is presently possible), will inevitably lead to more traffic upon the subject property, and increase vehicle trips and congestion upon the neighboring streets. The 3,132 SF quick service food store, which will replace the existing 344 SF mini-mart, will dramatically increase the number/type of available sale's items upon the subject property, as well as increase the number of vehicles, customers, employees, and sales. In staff's opinion, the application, as amended, is not in conformance with the Comprehensive Plan and applicable Zoning Ordinance provisions.

Recommendations

Staff recommends denial of SE 2006-BR-004. If it is the intention of the Board of Supervisors to approve the application, staff recommends such approval be subject to the development conditions consistent with those found in Appendix 1 of this report.

Staff recommends denial of the request to Waive the outdoor lighting levels per Par. 2 of Sect. 14-903.

It should be noted that it is not the intent of Staff to recommend that the Board of Supervisors, 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 Board of Supervisors.

APPENDICES

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Applicant's Supplemental Information: truck clearance diagram, stormwater and outfall narrative
5. Applicant's Submitted Photographs of Subject Property and nearby County Building
6. Copy of "Suggested Development Plan" for Cardinal Forest RPC (listed as #A-787 and dated 1963) and "A Resubdivision of Parcel 5-A" (approved by BOS in 1972)
7. Transportation Analysis
8. DPWES Analysis
9. Environmental Analysis
10. Urban Forestry Analysis
11. Copy of Category 6 Special Exception Provisions
12. Glossary of Terms

PROPOSED DEVELOPMENT CONDITIONS**SE 2006-BR-004****September 27, 2006**

If it is the intent of the Board of Supervisors to approve SE 2006-BR-004 located at 6221 Rolling Road (Tax Map 79-3 ((08)) 5A3) to permit a quick service food store and service station pursuant to Section 6-304 and Section 7-607 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s), and/or use(s) indicated on the Special Exception Plat (SE Plat) approved with this application, as qualified by these development conditions.
3. 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.
4. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved SE Plat entitled "Special Exception Plat for Proposed 7-Eleven @ 6221 Rolling Road, Springfield, Virginia" prepared by Huron Consulting, consisting of 4 sheets, dated March 6, 2006, with revisions through June 6, 2006. Minor modifications to the approved Special Exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
5. The Applicant shall utilize a combination of similar building materials and architectural design features for building facades, accessory structures, canopy, and signage. In order to insure a consistent architectural theme and character throughout the Property. All brick and block shall be of the same color and style, and the proposed building shall be constructed with a light grey hipped roof with standing seam metal sheathing. The architectural treatment on all sides of the building and accessory structures shall substantially similar to the applicant's submitted Elevation Drawing of the proposed 7-Eleven building and canopy, drawn by URS, and dated June 7, 2006 attached to these conditions.

6. All exterior lighting, including canopy lighting, security, pedestrian and/or other incidental lighting, shall be in conformance with Part 9 of Article 14 of the Zoning Ordinance. Irrespective of that shown on Sheet 4 of the SE Plat, the outdoor lighting level, under the gas canopy, shall not exceed a maintained lighting level of thirty (30) footcandles, as measured horizontally at grade. Compliance shall be demonstrated at the time of site plan approval.
7. Irrespective of that shown on the SE Plat, all on-site signage shall conform to the provisions of Article 12 of the Zoning Ordinance. Any signs on the canopy shall be non-illuminated.
8. All existing signage shall be removed from the site, prior to issuance of the Non-RUP for the proposed uses.
9. Temporary promotional banners, balloons, flags, or rooftop displays shall not be permitted on site. No promotional signage shall be permitted on any light poles; however, this shall not preclude the display of seasonal banners.
10. A landscape plan shall be submitted to DPWES, at the time of site plan submission. The landscape plan shall not permit any plantings that will obstruct adequate sight distance at each entrance to the site. The landscape plan shall be subject to review and approval by Urban Forest Management.
11. Supplemental landscaping shall be provided throughout the site, as determined by Urban Forest Management (UFM), in order to increase the amount of landscaping shown on the SE Plat.
12. Irrespective of that shown on Sheet 3 of the SE Plat's Landscape Plan, all proposed tree preservation credit, used for tree cover credit, shall be in conformance with the Fairfax County Public Facilities Manual (12-0702.1A(3)), as determined by Urban Forest Management (UFM). Notwithstanding, the applicant shall be required to meet the site's 10% minimum tree coverage requirement.
13. All trees shown to be preserved on the SE Plat's landscape plan shall be protected by tree protection fencing. Tree protection fencing shall be in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees, shall be erected at the limits of clearing and grading adjacent to the tree preservation areas.
14. At the time of site plan approval, the applicant shall submit documentation from C&P Telephone, and/or any other affected easement holder, that all proposed trees and shrubs located within their easement(s) are allowed. In no case shall the total number of on-site shrubs and trees be less than what is depicted in the approved SE Plat or to that required by the provisions of Article 13 of the Zoning Ordinance.

15. A Phase I Environmental investigation of the property shall be submitted to DPWES for review prior to site plan approval. DPWES may request other Fairfax County or State agencies to evaluate the report findings. The investigation shall be performed consistent with the procedures described by the American Society of Testing and Materials (ASTM), as determined by DPWES. If warranted by the results of the Phase I investigation, and if determined appropriate by DPWES and the State Water Control Board, a Phase II investigation program shall be pursued. Subject to the findings of a Phase II evaluation program, if soil contaminants are found in sufficient quantities and at such levels to require a longer term monitoring program, a remedial action program and corrective action plan shall be instituted to the satisfaction of the State Water Control Board prior to site plan approval.
16. A stormwater management/Best Management Practices (SWM/BMP) facility shall be provided in the location shown on the SE Plat and in accordance with the requirements of the Public Facilities Manual, Chapter 118 of the Fairfax County Code, and the Chesapeake Bay Preservation Ordinance, unless waived or modified by DPWES.
17. The Applicant shall dedicate approximately 195 square feet of land at the intersection of Rolling Road and Traford Lane; as depicted on the SE Plat in fee simple to the Board of Supervisors. The land shall be dedicated upon demand or at the time of site plan approval whichever first occurs, for future transportation-related needs, as determined by the Department of Transportation.
18. The Applicant shall record a public interparcel access easement, on the SE Plat to the property to its north (Tax Map 79-3 ((08)) 5A2), and over all subject property sidewalks and driveways as shown on the SE Plat, in a form reviewed and approved by the Fairfax County Attorney's Office. The easement shall be recorded among the Fairfax County land records at time of site plan approval.
19. Pedestrian Signal Heads: The applicant shall contribute to the cost of acquiring pedestrian signal heads for the Rolling Road/Traford Lane intersection, as determined by the Department of Transportation, at site plan approval.
20. Irrespective of that shown on the SE Plat, all site entrances shall be a maximum of thirty-five (35) feet in width.
21. Irrespective of that shown on the SE Plat, the maximum gross floor area of the proposed structure shall be 3,132 square feet.
22. There shall be no outdoor storage or display of goods offered for sale.
23. No vehicular repairs shall occur on the property.

24. No abandoned, wrecked, or inoperable vehicles shall be stored on the property.
25. The site shall be patrolled daily by the service station employees to pick up any trash on site.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

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. 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.