



APPLICATION ACCEPTED: December 19, 2006  
PLANNING COMMISSION: April 18, 2007  
BOARD OF SUPERVISORS: not scheduled

# County of Fairfax, Virginia

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April 4, 2007

## STAFF REPORT

APPLICATION SE 2006-SU-034

### SULLY DISTRICT

**APPLICANT:** Centreville Square Project, LP

**ZONING:** C-7, HC, SC, WS

**PARCEL:** 54-3 ((1)) 14 part

**ACREAGE:** 2.77 acres

**FAR:** 0.19

**OPEN SPACE:** 20%

**PLAN MAP:** Mixed Use

**SE CATEGORY:** Category 6; Use 7 ...Fast Food Restaurants...in a Highway Corridor Overlay District

**PROPOSAL:** Approve a special exception to allow up to four fast food restaurants (no drive through windows) to be located in an existing shopping center; no substantive changes are proposed to the site

### STAFF RECOMMENDATIONS:

Staff recommends approval of SE 2006-SU-034, subject to the proposed development conditions contained in Appendix 1.

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#### Department of Planning and Zoning

Zoning Evaluation Division  
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Fairfax, Virginia 22035-5509  
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[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)

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; and that, should this application be approved, such approval does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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).



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

**DESCRIPTION OF THE APPLICATION**

**Proposal:**

The applicant is seeking approval of a special exception to allow up to four fast food restaurants to locate in an existing shopping center. No drive through facilities are requested, and no substantive changes are proposed (other than cosmetic modifications to individual building facades).

**LOCATION AND CHARACTER**

**Site Description:**

The application property is located in the southwest quadrant of the intersection of Lee Highway (Route 29) and Centrewood Drive, across from the Trinity Centre development. The application property, and the remainder of the parcel, are currently developed with the Centreville Square shopping center; the special exception area includes approximately one-quarter of the land area of the shopping center, and 22% of the gross floor area. No substantive changes are proposed to the site with this application.

The shopping center does not have direct access to Lee Highway, but instead accesses the surrounding streets which form the boundaries of the site, Machen Drive on the west, St. Germain Drive on the south (a private street), and Centrewood Drive on the east. The SE property is developed with three buildings and associated surface parking. Vegetation is limited to parking lot landscaping and the peripheral landscaping areas fronting the streets. An existing four foot wide sidewalk is located along the Lee Highway (Route 29), which is proposed to remain in lieu of the required ten foot wide trail.



**Surrounding Area Description:**

<b>Direction</b>	<b>Use</b>	<b>Zoning</b>	<b>Plan</b>
<b>North</b>	Eating Establishments (Trinity Centre)	PDC, WS, HC, SC	Mixed Use – High density residential, retail, office & research
<b>South &amp; West</b>	Retail (Centreville Square Shopping Center – same site plan as application property)	C-7, WS, HC, SC	Mixed Use – Commercial/Retail
<b>East</b>	Retail (Centreville Square Shopping Center)	C-7, WS, HC, SC	Mixed Use – Commercial/Retail

**BACKGROUND**

- ❑ According to county records, the Centreville Square shopping center was initially constructed in 1988; there are no proffered rezonings associated with the development.
- ❑ **SE 94-Y-066** was approved by the Board of Supervisors on June 26, 1995, to allow a pawn shop within one of the tenant spaces in the center (not within the current SE application area). The pawn shop is no longer a tenant, and the SE has since expired.

**COMPREHENSIVE PLAN PROVISIONS**

- Plan Area:** Area III
- Planning District:** Bull Run Planning District
- Planning Sector:** Centreville Area and Suburban Center; Land Unit D1
- Plan Map:** Mixed Use
- Plan Text:**

In the Fairfax County Comprehensive Plan, Area III, 2003 Edition, Bull Run Planning District as amended through September 25, 2006, Centreville Area and Suburban Center, under the heading *Land Unit D-1*, on page 23, the Plan states:

“D-1 (63 Acres) Suburban Center

The orientation of Land Unit D-1 to the proposed development in Land Unit E makes it suitable for intense development. This is where people will live, shop, visit or participate in activities normally associated with a downtown setting. Commercial retail use of approximately 300,000 square feet...is planned for the area closest to Route 29.”

*See Appendix 4 for additional plan text*

## ANALYSIS

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

*Title of SE Plat:* Centreville Square Fast Food Special Exception Plat

*Prepared By:* Walter L. Phillips

*Date:* November 16, 2006 as revised through March 20, 2007

### ***Plat Description:***

The SE Plat consists of five sheets.

**Sheet 1** is the title sheet, and includes a vicinity map, notes, zoning and parking tabulations, illustrations of angle of bulk plane, and a sheet index. Tabulations are included for the entire shopping center (all of Parcel 14 – 11.22 acres under site plan #4817-SP-03-1)

**Sheet 2** shows the layout of the entire, existing shopping center (all of Parcel 14) for context, with the 2.77 acre SE area defined.

**Sheets 3-5** are the stormwater management details.

Within the SE area, the Plat shows three existing buildings (labeled #3, #4, and #5 from west to east) and surrounding surface parking. Building #3 (6,300 square feet) is currently subdivided into two tenant spaces; an eating establishment (Ruby Tuesdays) and a retail space. Building #4 (6,300 square feet) is currently not subdivided and, while vacant, was most recently an eating establishment (Lonestar). Building #5 (10,750 square feet) is currently subdivided into seven tenant spaces, the largest of which (a drive-in bank) is located on the north end adjacent to Lee Highway. All three buildings are shown to be 25 feet in height.

A 24 foot wide landscape area fronts Route 29 along the northern boundary; a landscape area of varying width fronts Centewood Drive. An existing four foot wide sidewalk is located within the right-of-way along both frontages. The only additional landscaping within the SE area is located in parking lot islands.

The parking for the SE area surrounds the three buildings and is part of the lot for the shopping center as a whole. Within the SE area, 160 parking spaces are shown on the plat.

An eight foot high sign is shown on the Route 29 frontage, although the sign area dimension is not provided.

**Land Use Analysis**

The applicant is seeking to utilize a portion of an existing shopping center for fast food uses with no drive through facilities. The site is planned as the commercial/retail portion of a mixed use development. There are no directly abutting residential uses which would be impacted by this change. No land use issues are raised by the application.

**Transportation Analysis (Appendix 5)**

Staff has requested that the applicant install a bus shelter at the existing, unsheltered, bus stop located on the site frontage (#02634). Staff has proposed a development condition requiring this.

**Environmental Analysis**

No physical changes are proposed to the site, which is in conformance with its approved site plan. No environmental issues are raised by the application.

**ZONING ORDINANCE PROVISIONS**

<b>BULK REGULATIONS (C-7 District)</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Lot Size	40,000 square feet	2.77 acres
Lot Width	200 feet	560 feet (Route 29) 227 feet (Centrewood Dr.)
Max. Building Height	90 feet	25 feet
Front Yard	45° ABP, not less than 40 feet (25 feet)	63 feet (Route 29) 79 feet (Centrewood Dr.)
Rear Yard	20 feet	48 feet
FAR	0.80	0.19
Open Space	15%	20%
Parking	140 spaces	160 spaces
<b>Transitional Screening &amp; Barrier:</b> none required		

**Special Exception Requirements (Appendix 7)**

General Special Exception Standards (Sect. 9-006)

General Standards 1 and 2 require that the proposed use be in harmony with the adopted Comprehensive Plan and be in harmony with the general purpose and intent of the applicable zoning district regulations. As previously stated, the proposal is in

harmony with the Comprehensive Plan for use and intensity. No substantive changes are proposed to the site, which meets all of the bulk regulations for the C-7 District. Therefore, staff believes this condition has been met.

General Standards 3 and 4 require that the proposed use will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted Comprehensive Plan, and that pedestrian and vehicular traffic associated with the use will not create hazards or conflict with the existing and anticipated traffic in the neighborhood. No changes to the site are proposed that would negatively impact development of neighboring properties or the existing traffic situation. Therefore, staff believes this condition has been met.

General Standards 5, 6, 7 and 8 require that landscaping, screening, open space, adequate utility, drainage, signage, parking and loading spaces 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. As noted, no substantive changes are proposed to the development on the property, which is in conformance with an approved site plan and meets the applicable Zoning Ordinance regulations.

*Provisions for Approving...Fast Food Restaurants...in a Highway Corridor Overlay District (Sect. 9-611)*

The Board may approve a special exception for the establishment of fast food restaurants 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)*

These standards require that the use be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties, that access be designed so not to impede traffic on a public street intended to carry through traffic, and that there be no outdoor storage or display of goods offered for sale. As noted, no substantive changes are proposed to the site, and a development condition addresses the outdoor storage. These standards are addressed.

### **Summary of Zoning Ordinance Requirements**

In staff's opinion, the application addresses the applicable standards.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Conclusions**

The applicant proposes to allow up to four fast food restaurants to be located in an existing shopping center. No substantive changes are proposed to be made, though

cosmetic additions (awnings, window details, signage) may be modified by the proposed tenants. The SE area is part of a larger shopping center, all tied together under a single site plan. Staff believes that the proposal is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions.

### **Recommendations**

Staff recommends approval of SE 2006-SU-034, subject to the proposed development conditions contained in Appendix 1.

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. Comprehensive Plan Citation
5. Transportation Analysis
6. Stormwater Management Analysis
7. Applicable Zoning Ordinance Provisions
8. Glossary of Terms

## DEVELOPMENT CONDITIONS

SE 2006-SU-034

April 3, 2007

If it is the intent of the Board of Supervisors to approve SE 2006-SU-034 located at 14200-A, B, C, E, F, G, and H; 14220-A and B; and 14240-B Centreville Square, Tax Map 54-3 ((1)) 14 part, to permit fast food restaurants in a Highway Corridor Overlay District pursuant to Sections 4-704 and 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. Other by-right or Special Permit uses may be permitted without amendment to this application, so long as such uses are in substantial conformance with this SE Plat.
3. 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 "Centreville Square Fast Food Special Exception Plat" consisting of five sheets, prepared by Walter L. Phillips, Inc., dated November 16, 2006, as revised through March 20, 2007. Minor modifications to the approved Special Exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. No more than four (4) fast food restaurants shall be permitted, none of which shall have drive through windows.
5. Prior to issuance of any Non-RUP, it shall be demonstrated to DPWES that adequate parking is provided in accordance with these conditions and to serve all uses on the site. Should adequate parking not be available, the proposed uses shall be reduced in size or uses eliminated to meet the minimum parking requirements.
6. A bus shelter shall be installed at stop #02634 on Lee Highway, to the satisfaction of Fairfax County Department of Transportation.

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 (which shall be defined as at least one of the four permitted fast food restaurants) 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.