



County of Fairfax, Virginia

November 1, 2007

STAFF REPORT

SPECIAL EXCEPTION APPLICATION SE 2007-MA-016

CRD

MASON DISTRICT

APPLICANT: Annandale Plaza, LLC

ZONING: C-8, HC, SC, CRD

PARCEL(S): 71-1 ((01)) 80

ACREAGE: 42,784 square feet

FAR: 0.30

OPEN SPACE: 11%

PLAN MAP: Retail and Other

SE CATEGORY: Category 6 - Waiver of Certain Sign Regulations.

PROPOSAL: Special exception request to allow two existing building-mounted signs which total 42 square feet in area to remain on the existing buildings.

STAFF RECOMMENDATIONS:

Staff recommends approval of SE 2007-MA-016, subject to the proposed development conditions contained in Appendix 1.

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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 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.

The approval of this Special Exception does not interfere with, abrogate or annul any easement, 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.

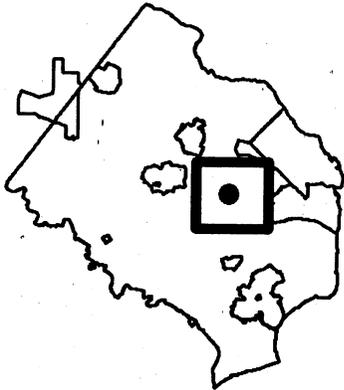
For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.



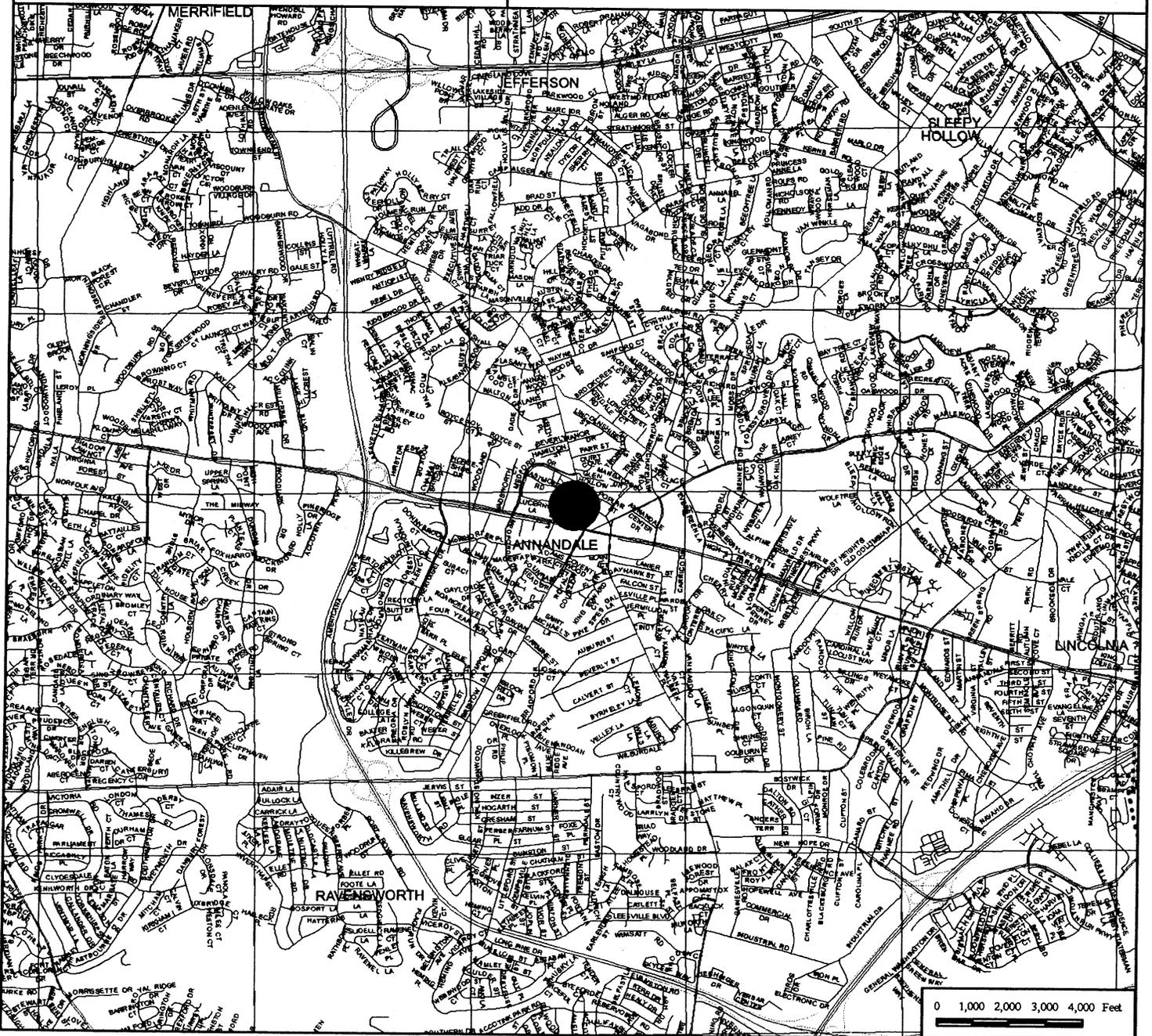
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Exception

SE 2007-MA-016

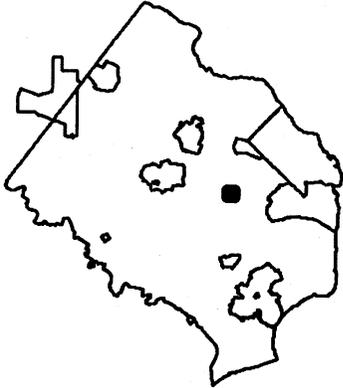


Applicant: ANNANDALE PLAZA, LLC
Accepted: 06/13/2007
Proposed: WAIVER OF CERTAIN SIGN REGULATIONS
Area: 42,784 SF OF LAND; DISTRICT - MASON
Zoning Dist Sect: 09-0620
Art 9 Group and Use: 6-17
Located: 7326 AND 7328 LITTLE RIVER TURNPIKE
Zoning: C- 8
Plan Area: 1,
Overlay Dist: CRD SC HC
Map Ref Num: 071-1- /01/ /0080

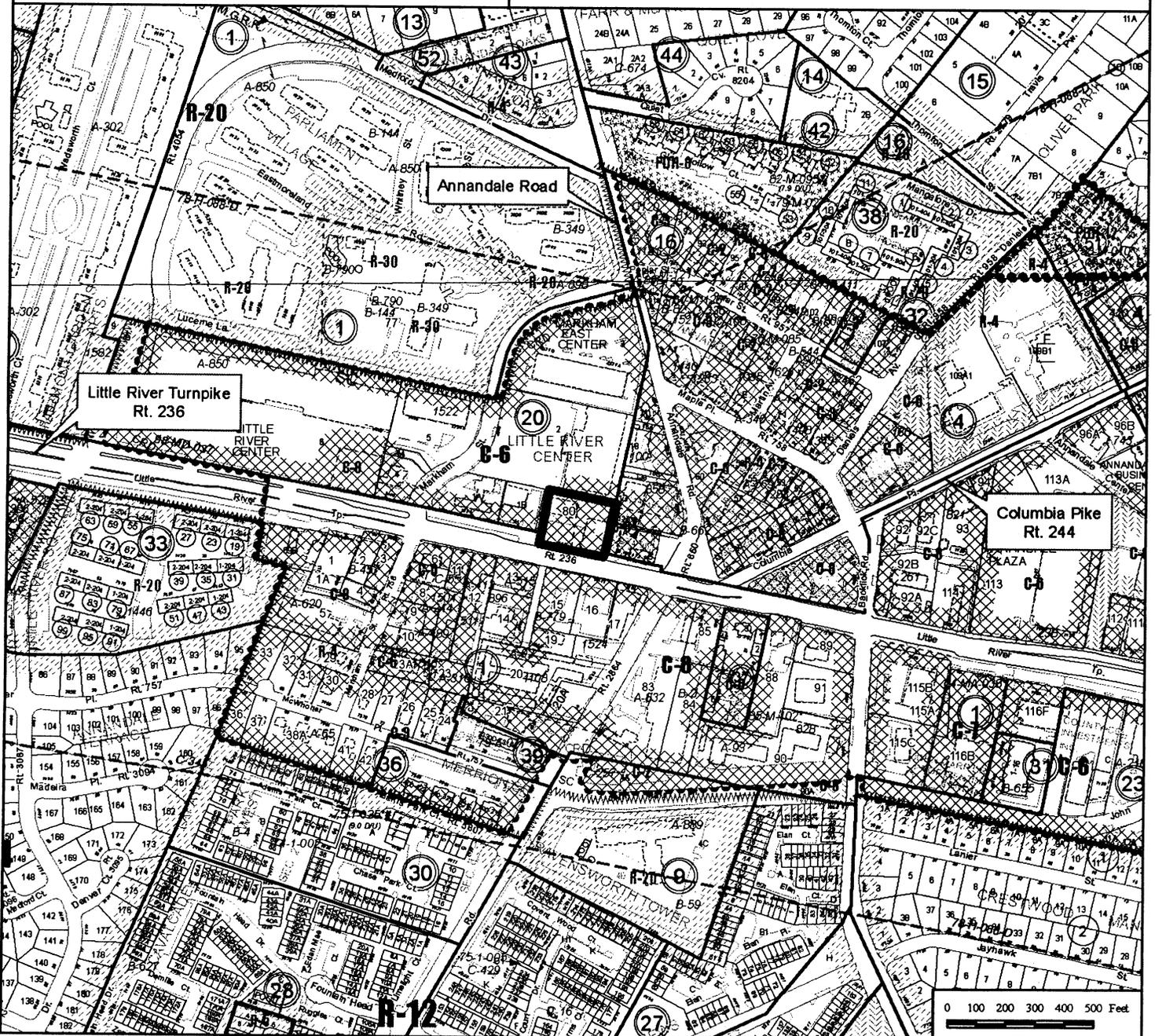


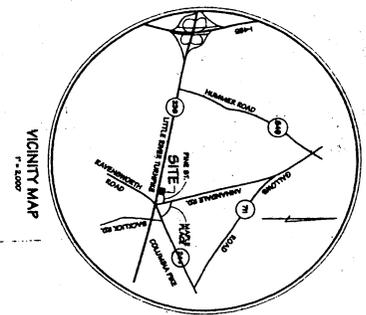
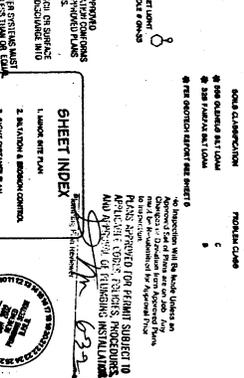
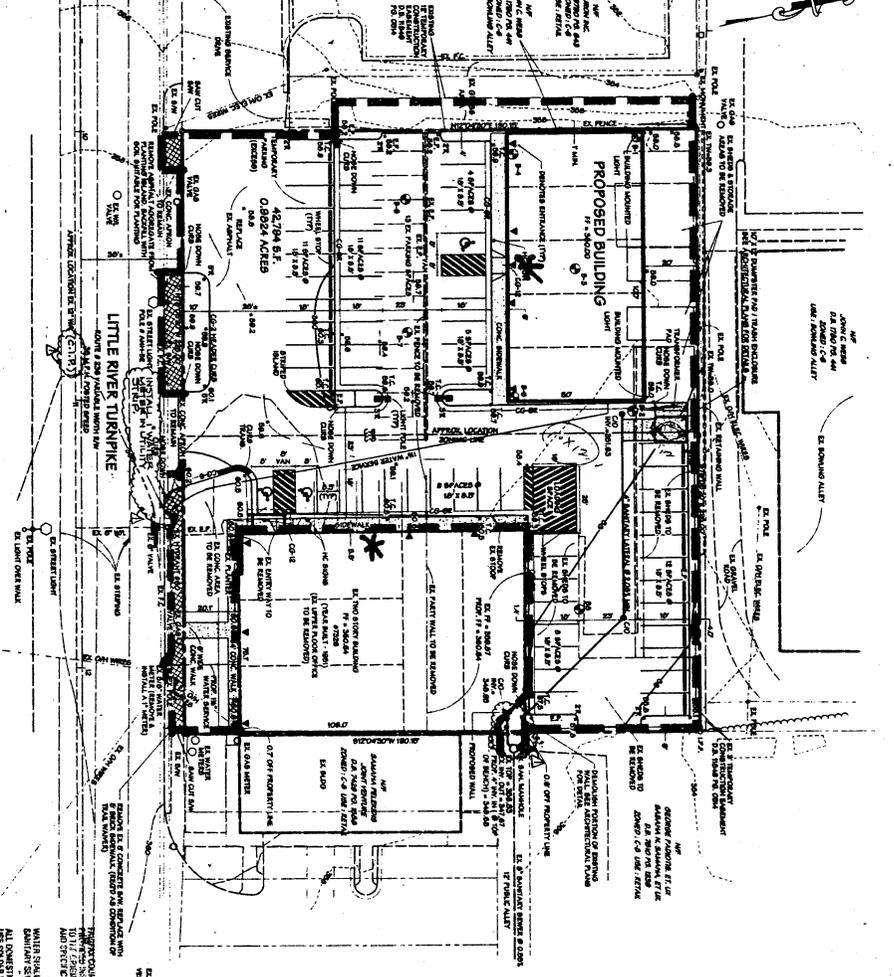
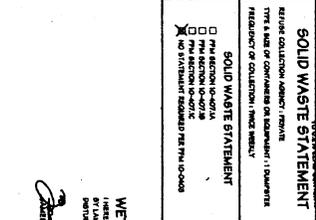
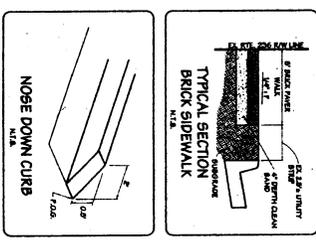
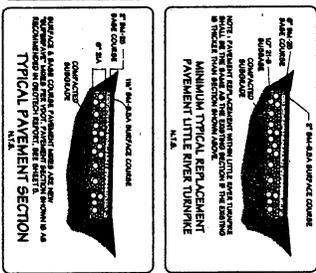
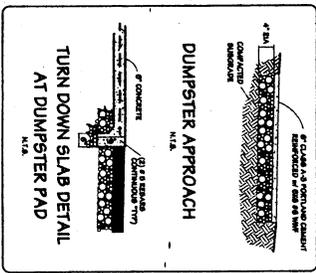
Special Exception

SE 2007-MA-016



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SHEET INDEX

1. LAYOUT OF THE SITE

2. EXISTING AND PROPOSED UTILITIES

3. EXISTING AND PROPOSED PAVEMENT

4. EXISTING AND PROPOSED SIDEWALK

5. EXISTING AND PROPOSED CURB

6. EXISTING AND PROPOSED DRAINAGE

7. EXISTING AND PROPOSED LIGHTING

8. EXISTING AND PROPOSED FURNITURE

9. EXISTING AND PROPOSED SIGNAGE

10. EXISTING AND PROPOSED LANDSCAPE

11. EXISTING AND PROPOSED TREE REMOVAL

12. EXISTING AND PROPOSED TREE REPLACEMENT

13. EXISTING AND PROPOSED TREE PROTECTION

14. EXISTING AND PROPOSED TREE SURVEY

15. EXISTING AND PROPOSED TREE REMOVAL AND REPLACEMENT

16. EXISTING AND PROPOSED TREE PROTECTION AND SURVEY

17. EXISTING AND PROPOSED TREE REMOVAL AND REPLACEMENT AND PROTECTION

18. EXISTING AND PROPOSED TREE REMOVAL AND REPLACEMENT AND PROTECTION AND SURVEY

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GENERAL NOTES

1. THIS SITE PLAN IS BASED ON AERIAL PHOTOGRAPHS AND SURVEY DATA.
2. THE EXISTING UTILITIES HAVE BEEN RECORDED TO THE BEST OF THE ENGINEER'S KNOWLEDGE.
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JAMES & HELEN CHANG
ARCHITECTS
MINOR SITE PLAN

BARNES & JOHNSON, INC.
8605 EULOID AVENUE
SUITE ONE
(703) 350-8500

MANASSAS PARK
VIRGINIA 20111
TEL (703) 350-8367

SCALE: 1" = 30'
DATE: 8-10-01
DRAWN: ACAD 8000
CHECKED: JAC 8000
DATE: 8-10-01

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

DESCRIPTION OF THE APPLICATION

Proposal: Approval of a Category 6 Special Exception for an increase in sign area. Two existing building-mounted identification signs labeled as Annandale Plaza and measured to be a total of 42 square feet do not have sign permits and require approval of this special exception to remain on the existing buildings.

Copies of the proposed development conditions, 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 subject property consists of one parcel developed as a small retail center (known as Annandale Plaza) with two separate buildings, located in the Annandale Commercial Revitalization District at 7326 and 7328 Little River Turnpike. The Special Exception area encompasses the entire retail center. The retail center was redeveloped in 2003, and currently has nine tenants in two buildings. Two access points are provided from Little River Turnpike. Nine existing tenants in the retail center currently have sign permits, but two existing Annandale Plaza signs located above the existing tenant signs do not. The applicant is seeking approval of a special exception to increase the allowable sign area to allow these signs to be issued permits to remain on the buildings.

Surrounding Area Description:

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Retail (Bowling Alley)	C-6	Retail and Other
South	Retail	C-8	Retail and Other
East	Retail	C-8	Retail and Other
West	Retail	C-6	Retail and Other

BACKGROUND

On January 28, 1985, the Board of Supervisors approved SE 84-M-123 on Tax Maps 71-1((01)) 80, 81 and 82 for a waiver of minimum lot area and lot width requirements in the C-6 and C-8 Districts to allow a re-subdivision pursuant to Sections 4-606 and 4-806 of the Fairfax County Zoning Ordinance. The approved development conditions are included in Appendix 4.

On March 23, 2007, a notice of violation was issued for two building mounted signs on 7328-C Little River Turnpike. These signs include a half sphere and the lettering "Annandale Plaza." No sign permits were obtained prior to the installation of these signs. The applicant seeks approval of a special exception for an increase in sign area to allow these signs on the existing property. The notice of violation is included in Appendix 5.

COMPREHENSIVE PLAN PROVISIONS (Appendix 6)

Plan Area: Area I

Planning District: Annandale

Planning Sector: Annandale Planning District, Annandale Community Business Center, Land Unit A, Sub-unit A-1

Plan Map: Retail and Other

Plan Text:

The Fairfax County Comprehensive Plan, 2007 Edition, Area I, Annandale Planning District, Annandale Community Business Center, Land Unit A and Sub Unit A-1, as amended through October 23, 2006, page 32 through 33 provides lands use recommendations, which states:

"Land Unit A is located north of Little River Turnpike and west of Annandale Road. It is currently developed with community-serving retail uses including the Little River Center, the Markham East Center, and a variety of commercial retail, recreation, and service uses. Directly north and west of this land unit are located some of the highest density residential neighborhoods in the Annandale community. This land unit also acts as a visual point of entry to the Annandale CBC from the north and west and the portion located nearest the intersection of Little River Turnpike and Annandale Road occupies a prime location within the planned Annandale CBC Town Center area. This land unit serves a valuable community function which should be retained and enhanced both by the revitalization of existing uses and structures and the development of appropriate new ones. In general, any redevelopment or revitalization efforts within this land unit should provide for streetscape improvements, parking lot landscaping, and improvements to signage and building facades.

Within the overall planning concept described above, the following recommendations apply to specific sub-units of Land Unit A:

Sub-Unit A-1

Sub-Unit A-1 includes approximately eleven acres and is planned for community serving retail use up to .35 FAR. Improvements to parking area landscaping as well as pedestrian linkages with adjacent higher-density residential neighborhoods should be provided to enhance the visual and functional aspects of the area. Because this sub-unit is a visual entry point to the Annandale CBC from the west, development of any additional retail uses adjacent to Little River Turnpike should present a primary facade to that street and provide sidewalk access and landscaping complementary to streetscape improvements planned for the area. Additional vehicular access should be limited to Medford Drive or Markham Street rather than Little River Turnpike.”

ANALYSIS

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

Title of SE Plat: James and Helen Chang Minor Site Plan

Prepared By: Barnes and Johnson, Inc.

Original and Revision Dates: August 8, 2001 as revised through April 8, 2002

The SE Plat consists of one sheet that is part of an approved Site Plan dated June 3, 2002. Two separate buildings are depicted in an L-shaped configuration on Tax Map 71-1 ((01)) 80 and labeled 7326 and 7328 Little River Turnpike. The two existing signs that currently do not have sign permits are labeled on the SE Plat as “A.P. Sign” and located in the middle of the building facades above the existing tenant signs. A graphic of the signs and the sign dimensions are included in Appendix 7.

Land Use Analysis

There are no use or character issues raised by the proposal

Transportation Analysis (Appendix 8)

There are no transportation issues raised by this application.

Environmental Analysis

There are no environmental issues raised by the proposal.

ZONING ORDINANCE PROVISIONS (Appendix 9)

The proposal is subject to the three sections in the Zoning Ordinance, which include: 1) Sect. 9-620 (Additional Standards for the Waiver of Certain Sign Regulations), 2) Sect. 9-006 (General Special Exception Standards) and Overlay District requirements. A brief discussion of the Zoning Ordinance requirements is as follows.

Sect. 9-620 (Additional Standards for the Waiver of Certain Sign Regulations)

Sect. 9-620 contains four standards for a Waiver of Certain Sign Regulations. This application addresses these standards as follows.

Standard 1 states that such waiver may be for an increase in sign area, increase in sign height or different location of a sign, not otherwise provided by Sect. 12-304. Such waiver shall not allow the erection of a freestanding sign or off-site sign, not otherwise permitted by this Ordinance, or the establishment of any sign prohibited by the provisions of Sect. 12-104. Sect. 12-203-9 of Zoning Ordinance indicates that:

Building-mounted signs on buildings housing more than one (1) tenant where each tenant has its own outside entrance(s) shall not exceed one and one-half (1 1/2) square feet of sign area for each linear foot of building frontage occupied by each tenant, except as provided for in Par. 3 of Sect. 106 above. The maximum allowable sign area for any one tenant, however, shall not exceed a total of 200 square feet, except that a tenant, which has building frontage that results in an allowable sign area greater than 200 square feet and occupies an area with more than one perimeter wall containing a main entrance for use by the general public, may place a maximum of 200 square feet of allowable sign area on each such perimeter wall; however, in no instance shall the square footage of signage on any such wall exceed one and one-half (1 1/2) times the length of such wall.

The table below summarizes the amount of sign area that would be permitted in the Annandale Plaza retail center under the Zoning Ordinance.

	Building Linear Frontage	Allowable Sign Area	Total Existing and Proposed Sign Area
Annandale Plaza	205 ft*	307.5 sq. ft.	350 sq. ft.
	214**	321 sq. ft.	

* Estimated Building Linear Frontage based on existing sign permits in the Fairfax County Zoning Evaluation street file

** Estimated Building Linear Frontage based on a measurement along the entire frontage of both buildings

According to the table, there are two options to calculate allowable sign area on the subject property, which yield slightly different totals. Option 1 is based on the existing individual sign permits and Option 2 is based on an aggregate

measurement along the entire frontage of both buildings on the property. Pursuant to Sect. 12-203-9 of Zoning Ordinance, a maximum of 307.5 square feet of building-mounted sign area is allowed for the retail center based on 205 linear feet of building frontage and 321 square feet of sign area based on 214 linear feet. Nine tenants in the retail center currently have sign permits for the maximum allowable signage. The applicant is seeking a special exception to allow an increase in the maximum allowable sign area to retain two existing Annandale Plaza signs that do not have sign permits. A graphic of one of the Annandale Plaza signs is located in Appendix 7 and shows the elevation and sign dimensions for one of the signs. Both signs are identical and would result in a total of 42 square feet of additional signage on the site.

Staff believes that the additional signage is reasonable. The proposed signs are architecturally compatible with the existing building and complement existing tenant signage. Staff recommends a development condition to ensure that the proposed Annandale Plaza signs remain consistent with the existing sign dimensions provided in the graphic in Appendix 7. In addition, staff recommends another development condition to require the applicant to provide a matrix for retail signage to the Zoning Administrator prior to the issuance of the sign permits and all subsequent sign permits on the property, which includes the tenant name, address, sign type, sign height, sign area, and Non-Residential Use Permit number and/or any other pertinent information deemed necessary by the Zoning Administrator in order to allow efficient tracking of all signage on the site. With imposition of these proposed development conditions, staff believes that this standard will be met.

Standard 2 states that such waiver may be approved only when it is demonstrated by the applicant that there are unusual circumstances or conditions in terms of location, topography, size or configuration of the lot; access to the lot; unusual size or orientation of the structure on the lot; or other unique circumstance of the land or structure that impacts the applicant's ability to provide for a reasonable identification of the use.

The applicant indicated in their statement of justification that a tenant applied for a sign permit to reface the existing "Nextel" sign with a "Sprint" sign. Zoning Enforcement denied the permit and issued a notice of violation for lack of sign permits for two retail center identification signs ("Annandale Plaza"). Existing tenant signs account for the allowable signage area on the site. The applicant is seeking approval of the special exception to permit additional sign area which would allow the Annandale Plaza signs to remain. Since the retail center is designed with an L-shaped configuration that limits visibility for interior tenants, staff believes that the Annandale Plaza signs should remain to continue to provide customers with additional identification for way-finding within the retail center and from Little River Turnpike. Staff also believes that removal of the existing Annandale Plaza signs would cause visible damage to the Building façades. The signs are integrated into the building facades and architecturally

complement the retail center. However, staff recommends a development condition to ensure that the façade of the building and the design of the signs remain consistent with the existing sign dimensions provided in Appendix 7. With imposition of the proposed development conditions, this standard will be met.

Standard 3 requires that a waiver be in harmony with the Comprehensive Plan. Staff believes that the proposed signage is compatible with other existing signage in the Annandale Commercial Revitalization District and that the proposal is in harmony with the Comprehensive Plan.

Standard 4 requires that the proposed signs not have a deleterious effect on the existing or planned development of the surrounding properties. Staff believes that the proposal would not have a deleterious effect on the existing or planned development of the surrounding properties and that this standard has been satisfied.

Sect. 9-006 (General Special Exception Standards)

The General Special Exception Standards require the proposal to be in harmony with the adopted Comprehensive Plan and to be in harmony with the general purpose and intent of the applicable zoning district regulations. In addition, the general special exception standards require a finding of no significant negative impacts on surrounding properties, safe and adequate vehicular and pedestrian access provided on the site and that signs shall be regulated by the provisions of Article 12 of the Zoning Ordinance. The applicant seeks approval of a Category 6 Special Exception for an increase in sign area to allow two existing building-mounted identification signs labeled as Annandale Plaza and measured to be a total of 42 square feet to remain on the existing buildings. Staff believes that the request is reasonable. Therefore, staff believes that the request satisfies all of the General Special Exception Standards.

Overlay District Requirements

Sect. 7-500 (Sign Control (SC))

Sect. 12-204 Commercial and Industrial Uses in Sign Control Overlay Districts

The provisions of the Sign Control Overlay District and the portion of Article 12 (Signs) relating to the Sign Control Overlay District provide additional controls for free standing signs located within this Overlay District. The proposal is for building mounted signs only; therefore, no additional controls are applicable.

Sect. 7-600 (Highway Corridor (HC))

The provisions of the Highway Corridor Overlay District do not apply to the existing use or to the proposed expansion of signage.

Summary of Zoning Ordinance Provisions

All applicable standards have been satisfied with the proposed development conditions.

CONCLUSIONS AND RECOMMENDATIONS

Conclusions

Staff concludes that the proposed increase in sign area is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions.

Recommendations

Staff recommends approval of SE 2007-MA-016, 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.

The approval of this Special Exception does not interfere with, abrogate or annul any easement, 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 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. Development Conditions for SE 84-M-123
5. Notice of violation issued for 7328-C Little River Turnpike
6. Comprehensive Plan Citations
7. Graphic depicting the Annandale Plaza Sign
8. Transportation Analysis
9. Applicable Zoning Ordinance Provisions
10. Glossary of Terms

PROPOSED DEVELOPMENT CONDITIONS

SE 2007-MA-016

November 1, 2007

If it is the intent of the Board of Supervisors to approve SE 2007-MA-016 located at Tax Map 71-1 ((01)) 80 for a waiver of certain sign regulations pursuant to Sect. 9-620 of the Fairfax County Zoning Ordinance, the 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 approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the issuance of a Sign Permit (s); any permit issued pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception Plat entitled "James and Helen Chang Minor Site Plan", prepared by Barnes and Johnson, Inc., consisting of 1 sheet dated August 8, 2001 as revised through April 8, 2002, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. A matrix for retail signage shall be provided to the Zoning Administrator prior to the issuance of the sign permits for the building-mounted signs identifying "Annandale Plaza" and all subsequent sign permits, which shall include the tenant name, address, sign type, sign height, sign area, and Non-Residential Use Permit number and/or any other pertinent information deemed necessary by the Zoning Administrator in order to allow efficient tracking of all signage to be provided on site.
5. The two proposed building-mounted signs identifying "Annandale Plaza" shall be limited to the size and dimensions provided in Exhibit A.

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, twelve (12) 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.

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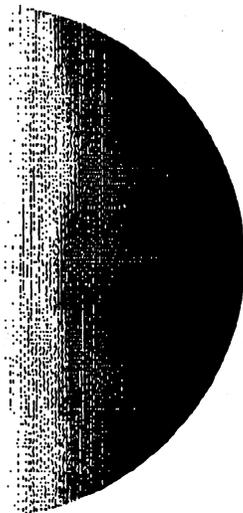
BKGD: IVORY PLEXI

QTY: 1

ATTN:

Helen Chang

121.15 in



12 in 37.83 in

ANNAMDALE PLAZA

Approval: _____

Please review this proof. Please fax back with your signature or with corrections so that we may get started on assembling your sign.

Please check the following:

- *SPELLING
- *CORRECT SIZE AND ORIENTATION
- *COLORS
- *BORDER
- *VIEWING DISTANCE, ARE THE GRAPHICS THE CORRECT SIZE AND APPROPRIATE FOR THE USE AND LOCATION THE SIGN.
- *CORRECT EMPHASIS ON MESSAGE, IS THE MAIN POINT OF YOUR MESSAGE EASILY READ.

CHANGES AFTER YOU APPROVE THE PROOF COULD RESULT IN ADDITIONAL CHARGES.

Any design questions or comments, → please ask to speak to the designer.

SIGN A RAMA

2832 B DORR AVE.
FAIRFAX, VA 22031

PH: 703-573-1566
FAX: 703-573-4535

THIS DOCUMENT IS THE PROPERTY OF SIGN A RAMA. THE INFORMATION SHOWN HEREIN IS TO BE A CONFIDENTIAL DISCLOSURE. ANY REPRODUCTION OF THIS DOCUMENT WITHOUT WRITTEN CONSENT OF SIGN A RAMA IS PROHIBITED

Client:

Dolco

Designed By:

Marvin

Date:

11/3

Job: C:/INPROGRESS/

7510

Sheet

1 of 1

SPECIAL EXCEPTION AFFIDAVIT

DATE: October 11, 2007
 (enter date affidavit is notarized)

I, Keith C. Martin, Agent, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below 963668

in Application No.(s): SE 2007-MA-016
 (enter County-assigned application number(s), e.g. SE 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Annandale Plaza, LLC Hyun J. Chang James Chang	8550 Georgetown Pike McLean, Virginia 22102	Applicant/Agent for Title Owners Agents
James Chang and Hyun J. Chang	8550 Georgetown Pike McLean, Virginia 22102	Title Owners
Sack Harris & Martin, P.C. Keith C. Martin Wanda S. Suder	8270 Greensboro Drive Suite 810 McLean, Virginia 22102	Attorney/Agents Attorney/Agent Planner/Agent

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Special Exception Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
 ** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

SPECIAL EXCEPTION AFFIDAVIT

DATE: October 11, 2007
 (enter date affidavit is notarized)

963066

for Application No. (s): SE 2007-MA-016
 (enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code)
 Annandale Plaza, LLC
 8550 Georgetown Pike
 McLean, VA 22102

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
 There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
 There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial and last name)

Hyun J. Chang - Member/Manager
 James Chang - Manager

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Special Exception Attachment to Par. 1(b)

DATE: October 11, 2007
(enter date affidavit is notarized)

963666

for Application No. (s): SE 2007-MA-016
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Sack Harris & Martin, P.C.
8270 Greensboro Drive, Suite 810
McLean, Virginia 22102

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

James M. Sack
Robert A. Harris, IV
Keith C. Martin

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: October 11, 2007
(enter date affidavit is notarized)

963666

for Application No. (s): SE 2007-MA-016
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, and number, street, city, state, and zip code)

N/A

(check if applicable) [] The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

(check if applicable) [] There is more partnership information and Par. 1(c) is continued on a "Special Exception Affidavit Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

SPECIAL EXCEPTION AFFIDAVIT

DATE: October 11, 2007
(enter date affidavit is notarized)

963660

for Application No. (s): SE 2007-MA-016
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

None.

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Special Exception Attachment to Par. 2" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: October 11, 2007

(enter date affidavit is notarized)

963668

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

Sack Harris & Martin, P.C. held a fundraiser for Connolly for Chairman the value of which exceeded \$100.00.
Sack Harris & Martin, P.C. held a fundraiser for Friends of Joan Dubois the value of which exceeded \$100.00.

NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [] There are more disclosures to be listed and Par. 3 is continued on a "Special Exception Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

[] Applicant

[x] Applicant's Authorized Agent

Keith C. Martin, Agent

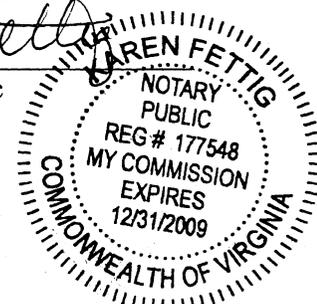
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 11th day of October, 2007, in the State/Comm. of Virginia, County/City of Fairfax

Karen Fetting

Notary Public

My commission expires: 12.31.09



RECEIVED
Department of Planning & Zoning

MAY 30 2007

Zoning Evaluation Division

SACK HARRIS & MARTIN, P.C.
ATTORNEYS AT LAWSUITE 810
8270 GREENSBORO DRIVE
MCLEAN, VIRGINIA 22102
TELEPHONE (703) 883-0102
FACSIMILE (703) 883-0108

May 30, 2007

Ms. Barbara Byron
Department of Planning and Zoning
12055 Government Center Parkway
Suite 801
Fairfax, Virginia 22305Re: Waiver of Certain Sign Regulations
Annandale Plaza, LLC
7326 and 7328 Little River Turnpike
Tax Map 71-1((1))80

Dear Ms. Byron:

The following is submitted as a Statement of Justification for the waiver of certain sign regulations for the Annandale Plaza retail center. The center was completed approximately four years ago and all building, non-residential use permits and sign permits were issued for the buildings and tenants. Inadvertently, the center's identification signs depicting the words "Annandale Plaza" that were installed above the tenant signs were not subject to a sign permit. Recently, a tenant applied for a sign permit to reface the existing "Nextel" sign with a "Sprint" sign. Zoning enforcement discovered the four year old omission and issued a Notice of Violation.

The purpose of this application is to grant a waiver to allow an increase in sign area above the maximum building mounted signage permitted by Article 12. The existing tenant signs account for the maximum sign area permitted. The two existing "Annandale Plaza" signs will account for the increase in sign area.

The purpose of the special exception is to provide some relief where appropriate for those signs in the C district which, because of certain unusual circumstances as specified below, do not provide identification as intended by the sign regulations. In the C district, the Board may approve, with the approval of a Category 6 special exception, a modification or waiver of the sign regulations in accordance with the following.

1. The proposed waiver is for an increase in sign area, not otherwise provided by §12-304. Such waiver shall not allow the erection of a freestanding sign or off-site sign, not otherwise permitted by the Ordinance, or the establishment of any sign prohibited by the provisions of §12-104.

SACK HARRIS & MARTIN, P.C.

Ms. Barbara Byron
May 30, 2007
Page 2 of 2

2. The waiver may be approved as it is demonstrated by the applicant that there are unusual circumstances or conditions in terms of unusual size or orientation of the structure on the lot; or other unique circumstance of the land or structure that impacts the applicant's ability to provide for a reasonable identification of the use. In the case at hand, over four years ago, the Applicant, through its sign contractor submitted sign permit applications for all tenant signs. The two "Annandale Plaza" signs were included in the submission copy package sent to the Applicant by the Contractor. Apparently all tenant sign permits were issued, but no application or permit was issued for the two other signs. The two signs are integrated into the building façade and would cause visible damage to the façade if removed.
3. Such waiver will be in harmony with the policies of the adopted comprehensive plan. A major objective of the Comprehensive Plan for the Annandale Planning District is to encourage revitalization of the Annandale CBC to create an attractive and functionally efficient community serving commercial areas. The Annandale Plaza redevelopment and its success as a retail center with good signage meets this objective.
4. Based upon a review of the relationship of the sign to the land, buildings and conforming signs in the neighborhood, the sign will not have any deleterious effect on the existing or planned development of adjacent properties and that it is consistent with the purpose and the intent of Article 12. There have been no complaints about the two proposed signs. The infraction was discovered four years after installation of the signs.

It is hereby requested that a modification of the submission requirements of Article 9 be granted with this application. The "as-built" site plan identifying the location of the subject signs on the existing buildings is proposed in lieu of a Special Exception Plat. The Applicant is submitting to scale sign details and photographs with the submission.

If you have any questions or require further information, please contact me.

Very truly yours,

SACK HARRIS & MARTIN, P.C.



Keith C. Martin

cc: Helen Chang



COMMONWEALTH OF VIRGINIA
 COUNTY OF FAIRFAX
 4100 CHAIN BRIDGE ROAD
 FAIRFAX, VIRGINIA 22030



January 29, 198

C. Douglas Adams, Attorney
 7250 Maple Place
 Annandale, Virginia 22003

Re: Special Exception
 Number SE 84-M-123

Dear Mr. Adams:

At a regular meeting of the Board of Supervisors held on January 28, 1985, the Board approved Special Exception Number SE 84-M-123, in the name of The Star Supply Company, located as Tax Map 71-1 ((1)) 80, 81, and 82 for waiver of minimum lot area and lot width requirements in C-6 & C-8 Districts to allow resubdivision pursuant to Sections 4-606 & 4-806 of the Fairfax County Zoning Ordinance, 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 for the purpose(s), indicated on the Special Exception Plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans. Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception Plat and these conditions.
4. A standard service drive acceptable to VDH&T shall be dedicated and constructed along the frontage of the proposed Lot 1.
5. At such time as proposed Lot 2 is redeveloped, a standard service drive acceptable to VDH&T shall be dedicated and constructed along the frontage of that parcel. Redevelopment shall not include modifications or additions to the existing structure but shall include the building of a new structure following the intentional destruction of the existing building.
6. All other ordinance provisions shall be met.

January 29, 1984
SE 84-M-123

-2-

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.

Under Section 9-015 of the Zoning Ordinance, this Special Exception shall automatically expire, without notice, eighteen (18) months after the approval date of the Special Exception unless the activity authorized has been established, or unless construction has commenced, and is diligently pursued, or unless additional time is approved by the Board of Supervisors because of the occurrence of conditions unforeseen at the time of the approval of this Special Exception. A request for additional time shall be justified in writing, and must be filed with the Zoning Administrator prior to the expiration date.

If you have any questions concerning this Special Exception, please give me a call.

Very truly yours,



Ethel Wilcox Register, CMC
Clerk to the Board of Supervisors

EWR/lc

cc: Samuel A. Patterson, Jr.
Supervisor of Assessments
✓ Gilbert R. Knowlton, Deputy
Zoning Administrator
Wallace S. Covington, Jr., Chief
Permit, Plan Review Branch
Richard D. Faubion, Director
Zoning Evaluation Division
Ted Austell, III
Executive Assistant to the County Executive



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

March 22, 2007

NOTICE OF VIOLATION

SHERIFF'S LETTER

James Chang and Hyun J. Chang
8550 Georgetown Pike
McLean, Virginia 22102



Re: 7326 Little River Turnpike
Also known as: 7328 Little River Turnpike
Legal Description: Annandale
Tax Map Ref: 071-1 ((01)) 0080
Zoning District: C-8, H-C, SC, ARD

Dear Mr. & Mrs. Chang:

A zoning investigation of the above address has revealed that you have installed, or allowed to be installed, two building-mounted signs over the space designated as 7328-C Little River Turnpike, Annandale, Virginia. These signs include a half sphere and the lettering "ANNANDALE PLAZA". Research of available Fairfax County records has determined no sign permits or building permits were obtained either prior to or subsequent to the installation of these building mounted signs.

Signs are defined in Part 3 of Article 20 of the Fairfax County Zoning Ordinance as:

SIGN: Any writing, letter work or numeral, pictorial presentation, illustration or decoration, emblem, device, symbol or trademark, flag, banner or pennant or any other device, figure or similar character which:

1. Is used to announce, direct attention to, identify, advertise or otherwise make anything known, and
2. Is visible from the public right-of-way or from adjoining property.

- SIGN, BUILDING-MOUNTED: A sign attached to and deriving its support from a building.

- SIGN, FREESTANDING: A nonmovable sign supported by a fence, retaining wall, or by upright structural members or braces on or in the ground and not attached to a building.

- SIGN, PORTABLE: Any sign not permanently affixed to the ground nor to a building, including, but not limited to, a sign that is moveable, such as a sandwich board sign, A-frame sign, gas or hot air-filled displays, balloons or banners.

Building-mounted signs are a permitted accessory use as authorized in Par. 1 of Sect. 12-102 of the Zoning Ordinance so long as they conform to the standards outlined in Article 12 of the Zoning Ordinance. In addition, prior to installation, a sign permit approved by the Zoning Administrator must be secure in accordance with Par. 1 of Sect. 12-301 of the Zoning Ordinance which states:

12-102 Permit Required

1. For the purpose of this Ordinance, all signs, to include those set forth in Sect. 103 below, are deemed to be accessory uses as defined in Article 20 and, unless specifically qualified, shall be located on the same lot with the principal use. Any sign authorized by this Ordinance is allowed to contain non-commercial content in lieu of any other content.

12-301 Permit Requirements

1. Except as otherwise provided herein, no sign shall be erected, altered, refaced or relocated unless a sign permit has been approved by the Zoning Administrator.

Therefore, as the two referenced signs have been installed absent approved sign permits, you are in violation of Par. 9 of Sect. 2-302 which states:

No sign shall hereafter be erected, built or displayed; and no existing sign shall be moved, remodeled, altered or enlarged unless such sign complies, or will thereafter comply, with the provisions of Article 12.

Further, the research of available Fairfax County records indicates no Building Permit was approved by the Zoning Administrator for the erection of these building-mounted signs. Therefore, you are also in violation of Sect. 18-601 of the Zoning Ordinance which states:

18-601 Permit Required for Erection of Buildings and Structures

The erection of all buildings and all structures, as well as additions, deletions and modifications thereto, shall be subject to the provisions of Chapter 61 of The Code, Buildings. No building or structure which is required to have a Building Permit pursuant to Chapter 61 of The Code shall be erected until a Building Permit application has been approved by the Zoning Administrator.

You are hereby directed to clear these violations within fourteen (14) days of receipt of this Notice. Compliance can be obtained by:

- Removing from this property, on a permanent basis, any sign(s) which does not have an approved sign; or
- Obtaining the requisite sign permits and building permits for the signs which are to remain; and
- Complying, on a permanent basis, with all of the sign regulations included in Article 12 of the Fairfax County Zoning Ordinance.

This office reviews the submission of applications, and issues sign permits for permanent building-mounted and freestanding signs. Please contact this office in the future to discuss the proposed installation and permitting of any new sign on this property.

As an alternative, you can also apply for a Category 6 Special Exception approving a waiver of certain sign regulations (maximum allowed sign area). Any questions you may have regarding the filing of this application may be directed to the Zoning Evaluation Branch at (703) 324-1290.

You may have the right to appeal this Notice of Zoning Violation within thirty (30) days of the date of this letter in accordance with Sec. 15.2-2311 of the Code of Virginia. This decision shall be final and unappealable if it is not appealed within such thirty (30) days. Should you choose to appeal, the appeal must be filed with the Zoning Administrator and the Board of Zoning Appeals (BZA) in accordance with Part 3 of Article 18 of the Fairfax County Zoning Ordinance. Those provisions require the submission of an application form, written statement setting forth the decision being appealed, date of decision, the grounds for the appeal, how the appellant is an aggrieved party and any other information you may wish to submit and a \$375.00 filing fee. Once an appeal application is accepted, it is scheduled for public hearing and decision before the BZA.

Failure to comply with this notice will result in the initiation of appropriate legal action to gain compliance with the Zoning Ordinance.

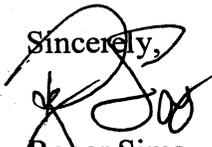
James Chang & Hyun J. Chang

March 22, 2007

Page 4

Should you have any questions or need additional information, please do not hesitate to contact me at (703) 324-1318 or (703) 324-1300.

Sincerely,



Roger Sims

Property Maintenance and Zoning Enforcement Supervisor

JRS/seg

a problem during the development review process, a demonstration should be made to show that these alternative improvements would serve the same purpose as the interchange concept and accommodation made for the alternative improvements.

Collector and Local Streets/Circulation

Collector roadways route traffic to and from local streets to the arterial road system. Collector roads generally are not intended to attract through trips, but instead provide for internal traffic circulation, including transit service. For the most part, collector and local street improvements will occur in conjunction with redevelopment activity. The following improvements to the collector and local street network are planned to improve traffic circulation within the Annandale CBC:

- Replace Maple Place with Poplar Street as the major CBC east-west connector road. Poplar/Markham Streets would serve as one leg of the planned Annandale loop road system, designed to improve traffic circulation within the CBC and divert traffic from Little River Turnpike. Improve Poplar Street to a standard 2 lane section and extend it to Columbia Pike to provide a complete connection between Annandale Road and Columbia Pike. Improve the alignment of the existing Poplar/Markham Street intersection at Annandale Road to eliminate the offset.
- Construct a traffic circle at the intersection of Maple Place/Martin Avenue as part of new town center area development, with VDOT concurrence. Maple Place could be redesigned after the improvement of Poplar Street between Annandale Road and Columbia Pike. The traffic circle would serve both as a focal point of the development as well as a traffic-calming measure, emphasizing the pedestrian orientation of streets within the town center area.
- Realign Markham Street to McWhorter Place in a 4 lane section to complete the loop road system south of Little River Turnpike. Cul-de-sac McWhorter Place west of Markham Street at the boundary of the CBC

LAND UNIT RECOMMENDATIONS

Figure 13 shows the Annandale CBC divided into "land units" for the purpose of organizing land use recommendations related to the desired character for specific subsections of the CBC. These land units, and related sub-units, will be referred to in the following Plan recommendations. Generally, community serving institutional uses--such as a community center--may be considered in any land unit if of a similar scale and character as other uses planned for the sub-unit. If these site-specific land use recommendations are appropriately addressed along with the areawide recommendations, the vision for the CBC can be successfully implemented.

LAND UNIT A

Land Unit A is located north of Little River Turnpike and west of Annandale Road. It is currently developed with community-serving retail uses including the Little River Center, the Markham East Center, and a variety of commercial retail, recreation, and service uses. Directly north and west of this land unit are located some of the highest density residential neighborhoods in the Annandale community. This land unit also acts as a visual point of entry to the Annandale CBC from the north and west and the portion located nearest the intersection of Little River Turnpike and Annandale Road occupies a prime location within the planned Annandale CBC

Town Center area. This land unit serves a valuable community function which should be retained and enhanced both by the revitalization of existing uses and structures and the development of appropriate new ones. In general, any redevelopment or revitalization efforts within this land unit should provide for streetscape improvements, parking lot landscaping, and improvements to signage and building facades.

Within the overall planning concept described above, the following recommendations apply to specific sub-units of Land Unit A:

Sub-Unit A-1

Sub-Unit A-1 includes approximately eleven acres and is planned for community serving retail use up to .35 FAR. Improvements to parking area landscaping as well as pedestrian linkages with adjacent higher-density residential neighborhoods should be provided to enhance the visual and functional aspects of the area. Because this sub-unit is a visual entry point to the Annandale CBC from the west, development of any additional retail uses adjacent to Little River Turnpike should present a primary facade to that street and provide sidewalk access and landscaping complementary to streetscape improvements planned for the area. Additional vehicular access should be limited to Medford Drive or Markham Street rather than Little River Turnpike.

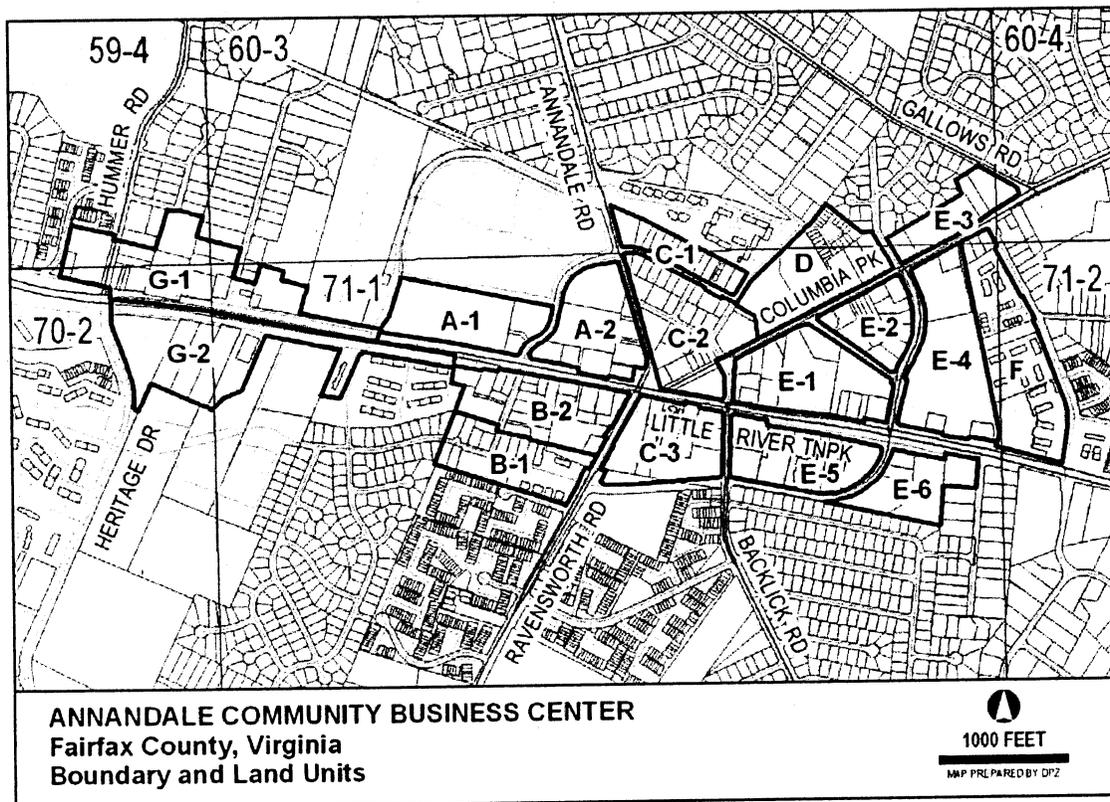
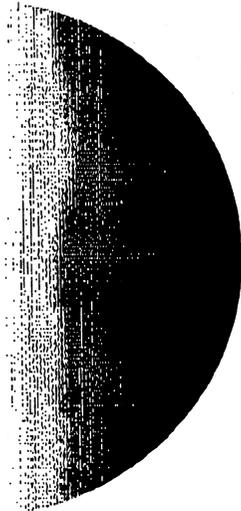


FIGURE 13

COPY: TRANSLUCENT RED AND DIGITAL PRINT
BKGD: IVORY PLEXI
QTY: 1

ATTN:
Helen Chang

121.15 in



12 in 37.83 in
ANNANDALE PLAZA

Approval: _____

Please review this proof. Please fax back with your signature or with corrections so that we may get started on assembling your sign.
Please check the following:

- *SPELLING
- *CORRECT SIZE AND ORIENTATION
- *COLORS
- *BORDERS
- *VARIING DISTANCE, ARE THE GRAPHICS THE CORRECT SIZE AND APPROPRIATE FOR THE USE AND LOCATION THE SIGN.
- *CORRECT EMPHASIS ON MESSAGE, IS THE MAIN POINT OF YOUR MESSAGE EASILY READ.

Any design questions or comments, → please ask to speak to the designer.

CHANGES AFTER YOU APPROVE THE PROOF COULD RESULT IN ADDITIONAL CHARGES.

THIS DOCUMENT IS THE PROPERTY OF SIGN A RAMA. THE INFORMATION SHOWN HEREIN IS TO BE A CONFIDENTIAL DISCLOSURE. ANY REPRODUCTION OF THIS DOCUMENT WITHOUT WRITTEN CONSENT OF SIGN A RAMA IS PROHIBITED

SIGN A RAMA
2832 B DORR AVE.
FAIRFAX, VA 22031
PH: 703-573-1566
FAX: 703-573-4535

Client: **Dolco**

Designed By: **Marvin** Date: **11/3**

Job: C:/INPROGRESS/**7510**

Sheet **1 of 1**



County of Fairfax, Virginia

MEMORANDUM

DATE: August 14, 2007

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

FROM: Angela Kadar Rodeheaver, Chief
Site Analysis Section, DOT 

FILE: 3-4(RZ 2007-MA-016)

SUBJECT: SE 2007-MA-016; Annandale Plaza, LLC
Land Identification Map: 71-1 ((01)) 80

This department has reviewed the generalized development plan revised through April 2007 and has no objections to the approval of this application.

AKR/MEC

cc: Michelle Brickner, Director, Office of Site Development Services, Department of Public Works and Environmental Services

9-620 Waiver of Certain Sign Regulations

The purpose of this special exception is to provide some relief where appropriate for those signs in the C and I districts which, because of certain unusual circumstances as specified below, do not provide identification as intended by the sign regulations. In the C and I districts, the Board may approve, either in conjunction with the approval of a rezoning or as a Category 6 special exception, a modification or waiver of the sign regulations in accordance with the following:

- 1. Such waiver may be for an increase in sign area, increase in sign height or different location of a sign, not otherwise provided by Sect. 12-304. Such waiver shall not allow the erection of a freestanding sign or off-site sign, not otherwise permitted by this Ordinance, or the establishment of any sign prohibited by the provisions of Sect. 12-104.
- 2. Such waiver may be approved only when it is demonstrated by the applicant that there are unusual circumstances or conditions in terms of location, topography, size or configuration of the lot; access to the lot; unusual size or orientation of the structure on the lot; or other unique circumstance of the land or structure that impacts the applicant's ability to provide for a reasonable identification of the use.
- 3. It is determined that such waiver will be in harmony with the policies of the adopted comprehensive plan.
- 4. A waiver of the sign provisions may be approved only in those locations where, based upon a review of the relationship of the sign to the land, buildings and conforming signs in the neighborhood, it is determined that the sign will not have any deleterious effect on the existing or planned development of adjacent properties and that it is consistent with the purpose and intent of Article 12.



9-622

Provisions for Modifications/Waivers/Increases and Uses in a Commercial Revitalization District

1. In a Commercial Revitalization District, the Board may approve, either in conjunction with the approval of a rezoning or as a special exception, the following:
 - A. A modification or waiver of the minimum lot size, minimum yard and/or minimum open space requirements of the underlying zoning district regulations,
 - B. An increase in the amount of office use permitted, increase in the maximum permitted building height or increase in the maximum permitted FAR in accordance with the underlying zoning district regulations,
 - C. A use allowed by special exception in the underlying zoning district regulations, to include other applicable Category 6 special exception uses,
 - D. A modification or waiver of the provisions of a Commercial Revitalization District, as provided for in that district, and/or
 - E. The establishment of a vehicle transportation service establishment in the C-6, C-7, C-8 or C-9 Districts.
2. *NA submission requirements*
3. The approval of a requested modification/waiver/increase or use shall be in accordance with and shall further the implementation of the adopted comprehensive plan for the commercial revitalization area.

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		