



FAIRFAX COUNTY

APPLICATION ACCEPTED: July 27, 2007
PLANNING COMMISSION: December 6, 2007
BOARD OF SUPERVISORS: not yet scheduled

V I R G I N I A

WSPOD

November 21, 2007

STAFF REPORT

APPLICATION PCA-93-Y-002-02/SEA 93-Y-005-03

SULLY DISTRICT

APPLICANT: Van, L.L.C.

PRESENT ZONING: C-8, HC, SC, WS

PARCEL(S): 54-4 ((5)) 1A

ACREAGE: 1.36 acres

FAR: .08

OPEN SPACE: 28%

PLAN MAP: Mixed Use

SE CATEGORY: Category 6; Fast Food in HC

PROPOSAL: Amend RZ 93-Y-002 previously approved for commercial development to permit enlargement of an existing fast food restaurant with drive-through. The applicant also seeks to amend SE 93-Y-005 previously approved for a fast food restaurant in order to permit a building addition and modify hours of operation to permit the use to operate 24 hours a day, seven days a week.

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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/

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA-93-Y-002-2, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of SEA 93-Y-005-3, subject to the development conditions contained in Appendix 2.

Staff recommends approval of a waiver of the service drive requirement along Route 28.

Staff recommends approval of a waiver of the barrier requirement along the site's Upperridge Drive frontage, in favor of the landscaping shown on the Special Exception Amendment Plat.

Staff recommends approval of a modification of the transitional screening requirement for the site's Upperridge Drive frontage, in favor of the landscaping shown on the Special Exception Amendment Plat.

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.

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.

The approval of this rezoning 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.

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).

Proffered Condition Amendment

PCA 93-Y-002-02

Applicant: VAN L.L.C.
Accepted: 07/27/2007
Proposed: AMEND RZ 93-Y-002 PREVIOUSLY APPROVED FOR COMMERCIAL DEVELOPMENT TO PERMIT ENLARGEMENT OF EXISTING FAST FOOD RESTAURANT

Area: 1.36 AC OF LAND; DISTRICT - SULLY
Zoning Dist Sect: NORTHWEST QUADRANT OF THE INTERSECTION OF CENTREVILLE ROAD AND UPPERRIDGE DRIVE
Located:

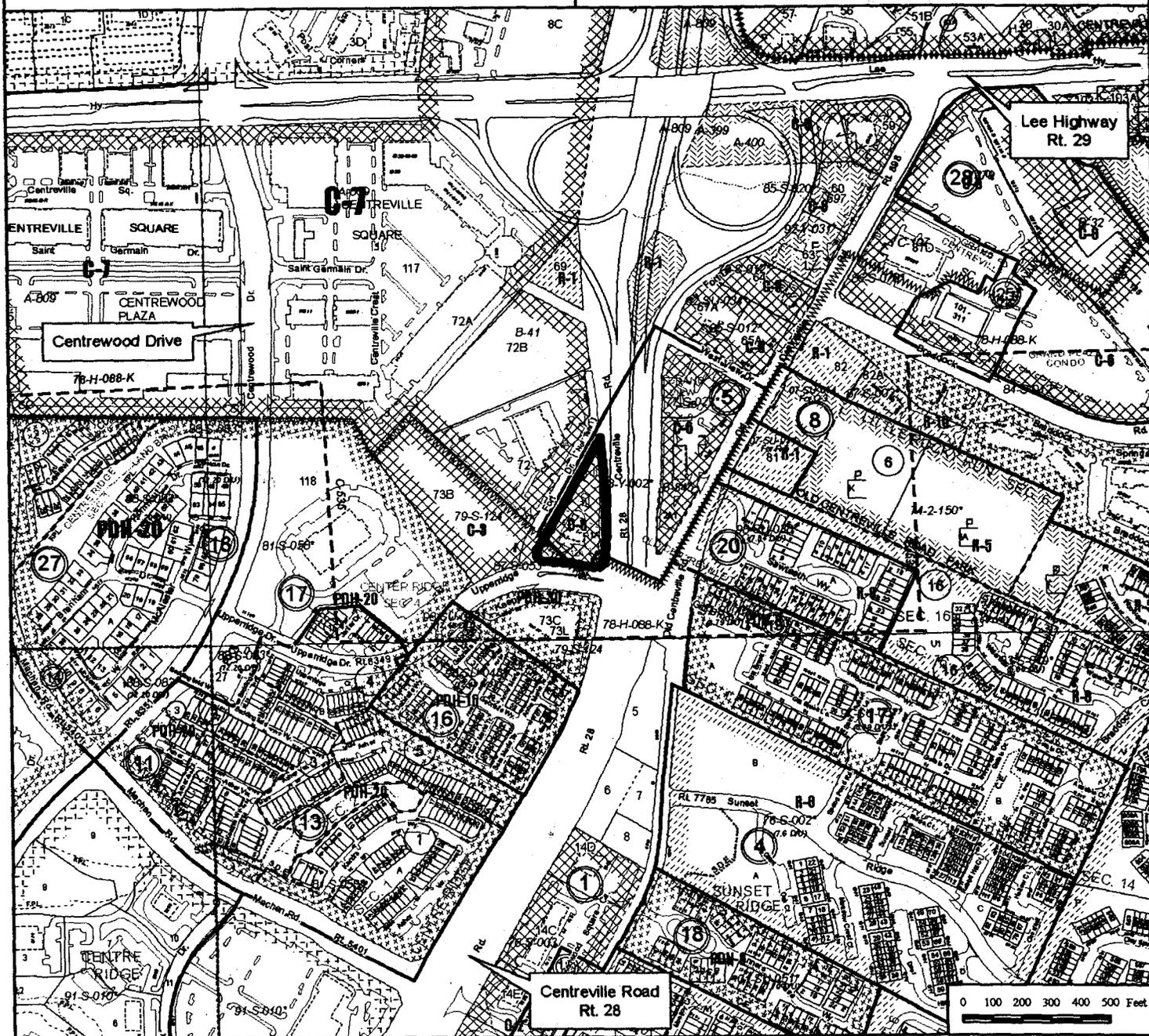
Zoning: C-8
Overlay Dist: SC WS HC
Map Ref Num: 054-4- /05/ /0001A

Special Exception Amendment

SEA 93-Y-005-03

Applicant: VAN L.L.C.
Accepted: 07/27/2007
Proposed: AMEND SE 93-Y-005 PREVIOUSLY APPROVED FOR FAST FOOD RESTAURANT IN A HIGH WAY CORRIDOR OVERLAY DISTRICT TO PERMIT BUILDING ADDITION AND ASSOCIATED MODIFICATIONS TO SITE DESIGN

Area: 1.36 AC OF LAND; DISTRICT - SULLY
Zoning Dist Sect: 04-0804 07-0607 09-0611
Art 9 Group and Use: 5-11 6-07
Located: 5931 FORT DRIVE
Zoning: C-8
Plan Area: 3,
Overlay Dist: SC WS HC
Map Ref Num: 054-4- /05/ /0001A



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

DESCRIPTION OF THE APPLICATION

Proposal:

The applicant, Van L.L.C, is requesting to amend RZ 93-Y-002, previously approved for commercial development, to permit enlargement of an existing fast food restaurant with drive-through. A 405 square foot addition to the existing restaurant is proposed. The applicant also requests to amend SE 93-Y-005, previously approved for a fast food restaurant, to permit a building addition and modify hours of operation. The applicant seeks approval to permit the use to operate 24 hours a day, seven days a week. The currently approved hours of operation are 4:00 am to 1:00 am Sunday through Thursday, and 4:00 am to 2:00 am on Friday and Saturday. The interior of the restaurant is to be open from 5:00 am to 11:00 pm Sunday through Thursday, and 5:00 am to 12:00 pm Friday and Saturday. The drive-through is to be open during all hours of operation.

Waivers/Modifications Requested:

The applicant requests a waiver of the service drive requirement along Centreville Road. The applicant also requests a waiver of the buffer requirement and a modified screening requirement along the site's Upperridge Drive frontage, in favor of the landscaping shown on the Special Exception Amendment Plat.

LOCATION AND CHARACTER

Site Description:

The site is located on the west side of Centreville Road (Route 28) between Upperridge and Fort Drives. The existing use on the site is a fast food restaurant with a drive-through window. There are 76 parking spaces on the site, which is accessed through two entrances on Fort Drive. The restaurant is below grade from Centreville Road; a retaining wall on the southern portion of the site functions as an effective sound barrier to the adjacent developments.

Surrounding Area Description:

The area surrounding the site is comprised of a mix of uses, including a hotel, office, bank, and residential development.

The following chart addresses the areas adjacent to the subject site.

Direction	Use	Zoning	Plan
North	Office	C-7	Mixed Use
South	Residential	PDH-30	Mixed Use
East	Commercial	C-6	Retail and Other
West	Church and Hotel	C-3 and C-7	Mixed Use

BACKGROUND

Site History:

The following chart lists the previous applications associated with the subject site.

Application	Date	Use	Board Action
RZ 87-S-053	July 18, 1998	Office	Approved
PCA 87-S-053-2 RZ 93-Y-002 SE 93-Y-005	November 15, 1993	Rezone land from C-3 to C-8 to permit fast food development instead of office as previously approved Fast food restaurant with drive-through and play area in the HC district	Approved*
PCA 93-Y-002 SEA 93-Y-005	March 10, 1997	Enclose the play area and increase seating capacity	Approved*
SEA 93-Y-005-2	September 15, 2003	Extend hours of operation	Approved*

* Approved with Proffers or Development Conditions.

On July 18, 1998, the Board of Supervisors approved RZ 87-S-053, which rezoned a 7.91 acre site (of which the subject site is a portion) to the C-3 and PDH-30 Districts. This rezoning application divided the site into three parcels: Parcel A for office, Parcel B for 48 multi-family units, and Parcel C, a 1.46 acre parcel that encompasses the subject site, for office.

On November 15, 1993, the Board of Supervisors approved PCA 87-S-053-2 and RZ 93-Y-002 which deleted the 1.46 acre parcel from the larger assemblage of land and rezoned the site from the C-3, HC, SC, and WS Districts to the C-8, HC, SC, and WS Districts. The Board concurrently approved SE 93-Y-005 to permit a fast food restaurant with drive-through window.

On March 10, 1997, the Board of Supervisors approved PCA 93-Y-002 to allow the enclosure of a 1,100 square foot play area that was previously approved as an outdoor play area. The Board concurrently approved SEA 93-Y-005 to increase the number of seats from 114 to a total not to exceed 148.

On September 15, 2003, the Board approved SEA 93-Y-005-2 to permit modification of development conditions, permitting the restaurant to open one hour earlier (4 am).

COMPREHENSIVE PLAN PROVISIONS (See Appendix 5)

Plan Area:	Area III
Planning District:	Bull Run Planning District
Planning Sector:	Centreville Area and Suburban Center Planning Sector
Plan Map:	Mixed Use

In the *Fairfax County Comprehensive Plan, 2007 Edition, Area III, Centreville Area and Suburban Center*, beginning on page 25, under Recommendations, Land Use, Land Unit D, states:

Land Unit D (588 Acres)

Land Unit D consists of three major components: existing residential development generally in the western portion of the land unit; commercial development, concentrated along Route 29 and Route 28; and the Centre Ridge project, a large scale, predominantly residential development which accounts for most of the area of this land unit.

Centre Ridge was designed with a mix of housing unit types and densities. As final submissions have been made for each of the land bays in the project, buffers and transitions have been incorporated to recognize and complement existing residential development. Commercial uses are concentrated along Route 29 and Route 28 to take advantage of the access to the transportation network. Internal collector streets within Land Unit D are as shown on the Transportation Plan map.

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 located near the Route 28/Route 29 intersection and office use of approximately 800,000 square feet which is closely associated with the commercial retail area is planned for the area closest to Route 29. Multi-family residential development is planned and developed on Parcels 54-4((1)) 74 and 75 which are located in the southern portion of the land unit and adjacent to Land Unit D-2 which is planned for multi-family housing. Parcels 65-2((1)) 1-4 are planned for multi-family residential use at 16-20 dwelling units per acre.”

ANALYSIS

Generalized Development Plan (GDP)/Special Exception (SE) Plat (Copy at front of staff report)

Title of GDP/SE Plat: McDonald's Restaurant

Prepared By: McIlvried, DiDiano, & Mox, LLC

Original and Revision Dates: July 25, 2007, as revised through
October 31, 2007

Plan Description

The proposed addition to the existing McDonald's building will enclose 405 square feet at the front of the building, which is located on the south side of the site. The applicant lists building materials that include brick, architectural stucco, aluminum finishes, and glass. The elevations of the proposed structure depict an addition that is compatible with the existing structure in terms of style and materials.

There is an existing flagpole located where the proposed addition is to be built; this flagpole will be relocated to the southwest corner of the site. Additional landscaping, including shrubs and evergreen trees, will be planted at this corner. Supplemental landscaping is provided along the existing retaining wall adjacent to Upperridge Drive, and this landscaping will help soften the site's appearance from the residential development to the south. The plan provides 28% open space, which exceeds the open space requirement of 15%.

The applicant proposes an increase in seating capacity to 152, based on the existing number of parking spaces. The existing 76 parking spaces are able to accommodate this increase.

Transportation Analysis (See Appendix 6)

Issue: The Fairfax County Department of Transportation (FCDOT) is anticipating expansion of transit services in the area of the site. While the need for additional right-of-way or easements on the site is unlikely, FCDOT has requested that the applicant commit to granting all easements and right-of-way that may be needed for the construction of a transit shelter along either the Route 28 or Upperridge Road frontage. This request is subject to the condition that no parking or on-site operations will be permanently compromised if the easements are granted by the applicant.

Resolution: The applicant has agreed, in concept, to work with FCDOT.

All transportation concerns have been addressed.

The Virginia Department of Transportation (VDOT) noted that the application proposes minimal impact to peak hour traffic. VDOT did request that all previously approved conditions be carried forward with this application; this has been addressed through the development conditions found in Appendix 2.

Environmental Analysis

There is no Resource Protection Area or floodplain on the site. The site is located within the Water Supply Overlay District. No environmental issues are associated with this request.

Public Facilities

Park Authority Analysis

There are no Park Authority issues associated with this request.

Sanitary Sewer Analysis

There are no sanitary sewer issues associated with this request.

Stormwater Management (See Appendix 7)

Issue: There is a downstream flooding complaint on file at Tax Map # 054-4-01-0072. Outfall narratives need to be provided for the site, and applicant needs to comply with Zoning Ordinance Requirements regarding BMPs. Additionally, DPWES has noted that the applicant is required to enter into the stormwater maintenance agreement for the off-site SWM facilities.

Resolution: A SWM agreement was addressed in previous proffers. The remaining above-mentioned issues will be reviewed further at site plan submission.

Water Service Analysis (See Appendix 8)

Fairfax Water serves the property, and adequate domestic water service is available at the site from an existing 12" water main located at the property. Fairfax Water has noted that depending on the location of the on-site water mains, additional extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

Fire and Rescue Analysis

There are no Fire and Rescue issues associated with this request.

Land Use Analysis

Issue: Compatibility of Uses

The application property is located in a mixed use area with commercial, office, and residential uses. On a previous application for extended hours of service for this site, staff had recommended denial based on the potential negative impacts to the adjacent residential communities. Lighting and noise were major concerns regarding the approval of previous applications for this site. Additionally, approving a 24-hour use could set a precedent for other uses in the area.

Resolution: Previous concerns regarding noise and lighting have been addressed in past development conditions. The applicant has taken several steps to reduce the lighting and noise coming from the site. The roof lights have been disconnected, and trees have been added to help screen the structure from the adjacent residential community. The applicant has added shrubs along

the existing retaining wall to enhance the appearance from the adjacent residential development. Additional proposed landscaping is located at the intersection of Upperridge and Fort Drives.

The proposed development conditions address the hours of operation for the interior of the restaurant and the drive-through, as well as the reduction of interior lighting at night. Additionally, the site is along a major thoroughfare and adjacent to many uses other than residential. This application does not greatly intensify the use, as the restaurant is already open 21 or 22 hours a day, seven days a week.

All land use concerns have been resolved with proposed development conditions.

ZONING ORDINANCE PROVISIONS

Bulk Standards for C-8 Districts		
Standard	Required	Provided
Minimum Lot Area	40,000 sq ft.	59,161.97 sq ft. (1.36 acres)
Minimum Lot Width	200 ft.	660 ft.
Maximum Building Height	40 ft.	19' 5 1/2"
Minimum Front Yard	40 ft.	58 ft.
Maximum FAR	.50	.08
Open Space	15% of gross area	28% of gross area
Parking		
Parking Spaces	67 spaces	76 spaces
Loading Spaces	1 space	1 space

Other Zoning Ordinance Requirements:

Special Exception Requirements (Appendix 10)

General Special Exception Standards (Sect. 9-006)

General Standard 1 states that the proposed use shall be in harmony with the adopted Comprehensive Plan. The text in the Comprehensive Plan related to the land unit around this site discusses this area as being "suitable for intense

development." As such, the proposal to extend the existing operation to one that operates 24/7 would be in conformance with this plan text. This standard has been satisfied.

General Standard 2 states that the proposed use shall be in harmony with the purpose and intent of the applicable Zoning District regulations. The Zoning Ordinance permits a fast food restaurant subject to approval of a Special Exception. If this Special Exception Amendment application is approved, the application will be in conformance with all applicable Zoning Ordinance regulations, as well as the approved proffers.

General Standard 3 states that the proposed use shall be harmonious with and will not adversely affect the use or development of neighboring properties. The applicant proposes an additional 2 or 3 hours of operation to the existing hours. Staff does not believe that this additional hour of operation is incompatible with neighboring residential properties. This standard has been satisfied.

General Standard 4 states that the proposed use shall be such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood. Because the additional hours of operation proposed are not within peak travel times for this area, staff believes its impact on existing pedestrian and vehicular traffic will be minimal. Therefore, this standard has been satisfied.

General Standards 5, 6, and 7 refer to site conditions such as parking, landscaping, screening, drainage, and utilities. A building addition is proposed with this application; however, no additional parking is proposed with this application. The existing parking on site is adequate to able to handle the additional square footage. The applicant has worked with staff to develop a plan that provides adequate screening and landscaping, which will improve the site's aesthetic qualities.

General Standard 8 states that signs shall be governed by Article 12, but that the Board may impose stricter requirements than those provided in the Ordinance. In the past, staff believed that the applicant might have exceeded the allowed number of signs with exterior banners and window paintings. A development condition pursuant to SEA 93-Y-005-02 addressed this issue, and this condition will continue with the approval of this application.

Provisions for approving Drive-In Banks, Fast Food Restaurants, Quick Service Food Stores, Service Stations and Service Station Mini-marts in a Highway Corridor Overlay District (Sect. 9-611)

The Board may approve a special exception for the establishment or for then enlargement, extension, relocation, or increase in intensity of a drive-in bank,

fast food restaurant, quick-service food store, service station or service station/mini-mart in a Highway Corridor Overlay District, but only in accordance with the provisions of Part 6 of Article 7.

These limitations were addressed with the previous SE and are not modified with this proposal.

Overlay District Requirements (Appendix 11)

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

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

Water Supply Protection (WSPOD) (Sect. 7-800)

These standards were satisfied with prior PCA and SEA requests. Based on the proposed amendments, staff believes that these standards continue to be addressed.

Waivers and Modifications

As previously discussed, the applicant requests a waiver of the service drive requirement along Route 28. The applicant also requests a modification of the transitional screening requirement and a waiver of the buffer requirement along the site's Upperridge Drive frontage, in favor of the landscaping shown on the SEA plat.

Summary of Zoning Ordinance Provisions

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

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Staff concludes that the subject application is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions.

Staff Recommendations

Staff recommends approval of PCA 93-Y-002-2 and SEA 93-Y-005-3, and the Conceptual Development Plan, subject to the execution of proffers consistent with those set forth in Appendix 1 of the Staff Report.

Staff recommends approval of a waiver of the service drive requirement along Route 28.

Staff recommends approval of a modifications of the transitional screening requirements along the site's Upperridge Drive frontage, in favor of the landscaping shown on the Special Exception Amendment Plat.

Staff recommends approval of a waiver of the barrier requirement for the site's Upperridge Drive frontage, in favor of the landscaping shown on the Special Exception Amendment Plat.

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 PCA/SEA 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. Proffers
2. Proposed Development Conditions
3. Affidavit
4. Statement of Justification
5. Plan Citations and Land Use Analysis
6. Transportation Analysis
7. SWM Analysis
8. Water Service Analysis
9. Applicable Zoning Ordinance Provisions
10. Glossary of Terms

DRAFT PROFFERS**PCA 93-Y-002-02****MCDONALD'S CORPORATION****November 9, 2007**

Pursuant to Section 15.2-2303(a) Code of Virginia, 1950, as amended, McDonald's Corporation (hereinafter referred to as the "Applicant"), for itself, successors and assigns in PCA 93-Y-002-02, filed for property identified as Tax Map 54-4 ((5)) 1A (hereinafter referred to as "Application Property"), hereby proffers the following, provided that the Board of Supervisors approves a proffered condition amendment. Previously approved proffers not modified herein shall remain in full force and effect.

GENERALIZED DEVELOPMENT PLAN

1. Subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance ("Zoning Ordinance"), the Application Property shall be developed in conformance with the generalized development plan/special exception plat ("GDP/SE Plat") prepared by McIlvried, DiDiano & Mox, LLC, dated July 25, 2007 and revised through October 31, 2007, as further modified by these proffered conditions.
2. The Applicant reserves the right to make minor modifications to layout at time of site plan submission based on final engineering design.

LANDSCAPING

3. The Applicant shall provide landscaping as generally shown on the GDP/SE Plat. Plant material shall be provided based on availability and suitability, and determined by the Applicant and approved by the Urban Forester.

[SIGNATURES BEGIN ON THE NEXT PAGE]

TITLE OWNER OF TAX MAP 54-4 ((5)) 1A

MCDONALD'S CORPORATION

By:

Its:

[SIGNATURES END]

PROPOSED DEVELOPMENT CONDITIONS**SEA 93-Y-005-3****November 21, 2007**

If it is the intent of the Board of Supervisors to approve SEA 93-Y-005-3, located at Tax Map 54-4 ((5)) 1A (5931 Fort Drive) ("Application Property") to amend SE 93-Y-005 previously approved for a fast food restaurant with drive-through to permit modification of development conditions pursuant to Sect. 4-804 and 7-607 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions; these development conditions shall supersede previous development conditions. Conditions which are substantively the same and which have been carried forward from the previous application are indicated with an asterisk*.

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 purposes(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 provisions of Article 17, Site Plans, as may be determined by the Director of the Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Generalized Development/Special Exception Plan (GDP/SE) dated July 25, 2007 and revised through October 31, 2007, entitled "McDonald's Restaurant," and these conditions.
4. The maximum number of seats for the restaurant shall not exceed 152.
5. At a minimum, parking shall be provided as required by Article 11; however, a maximum of 76 spaces, 11 stacking spaces, and one (1) loading space shall be provided, all as shown on the Special Exception Plat.
6. Landscaping and tree planting shall be provided consistent with the Landscape Plan submitted with the SE Plat.
7. The proposed monument sign shall be mounted on a brick wall four (4) feet in height above grade and the proposed flagpole shall not exceed sixty (60) feet in height. Appropriate sign permits shall be obtained for all signs. No temporary banners shall be displayed on any site fencing.*

8. All signs shall be in accordance with Article 12, specifically temporary signs. There shall be no more than 500 square feet of window-painted signs and no window painting of the clerestory shall be permitted.*
9. All tinting on building windows (including the clerestory) shall be maintained.
10. There shall be no roof displays including, but not limited to, signs, balloons, or pennants.*
11. Bike racks shall be provided on the site to accommodate a minimum of ten (10) bicycles.*
12. The restaurant shall be allowed to operate 24 hours a day, seven days a week. Interior operations shall be limited to the hours of 5 am to 11 pm Sunday through Thursday, and 5 am to 12 pm Friday and Saturday. The drive-through shall be allowed to operate 24 hours a day.
13. Irrespective of that shown on the plat, all outdoor site lighting shall comply with Part 9, Article 14, of the Zoning Ordinance, prior to issuance of a Non-RUP commencing the additional hours of operation.*
14. The roof lights will be removed entirely, prior to the issuance of a Non-RUP for the building addition.
15. When the interior of the restaurant is closed, the clerestory lights shall be turned off with the exception of security lighting which will remain on.
16. Signs to preclude commuter parking may be installed on the Application Property, subject to the provisions of Art. 12.

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 is 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 the use has been established as evidenced by the issuance of a

new Non-Residential Use Permit. The Board of Supervisors may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special 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.

REZONING AFFIDAVIT

DATE: October 1, 2007
 (enter date affidavit is notarized)

I, Sara V. Mariska, attorney/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

96903a

in Application No.(s): PCA 93-Y-002-2
 (enter County-assigned application number(s), e.g. RZ 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 must 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)
Van L.L.C. Agents: James R. Van Valkenburg Max Van Valkenburg (nmi)	PO Box 2643 Arlington, VA 22202	Applicant/Agent for Title Owner/ Franchisee
McDonald's Corporation Agents: David L. Neiss Catherine A. Griffin	Two Democracy Center 6903 Rockledge Drive, Suite 1100 Bethesda, Maryland 20817	Title Owner of Tax Map 54-4 ((5)) 1A

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

Rezoning Attachment to Par. 1(a)

DATE: October 1, 2007
(enter date affidavit is notarized)

96903a

for Application No. (s): PCA 93-Y-002-2
(enter County-assigned application number (s))

(NOTE: All relationships to the application 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)
McIlvried, DiDiano, & Mox LLC Agent: William A. Goodman	375 Northgate Drive Warrendale, PA 15086	Engineer/Agent
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C. Agents: Martin D. Walsh Lynne J. Strobel Timothy S. Sampson M. Catharine Puskar Jason B. Heinberg Abby C. Denham Tara E. Wiedeman Sara V. Mariska Elizabeth D. Baker Inda E. Stagg Kara M. Whisler Megan C. Shilling Elizabeth A. McKeeby	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent

(check if applicable)

There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.

REZONING AFFIDAVIT

DATE: October 1, 2007
(enter date affidavit is notarized)

96903a

for Application No. (s): PCA 93-Y-002-2
(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, and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:

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

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
McDonald's Corporation
Two Democracy Center
6903 Rockledge Drive, Suite 1100
Bethesda, Maryland 20817

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)
Traded on NYSE.

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. **President, Vice President, Secretary, Treasurer, etc.**)

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Rezoning 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.

Rezoning Attachment to Par. 1(b)

DATE: October 1, 2007
(enter date affidavit is notarized)

969.03a

for Application No. (s): PCA 93-Y-002-2
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Van L.L.C.
PO Box 2643
Arlington, VA 22202

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 SHAREHOLDER: (enter first name, middle initial, and last name)

James R. Van Valkenburg, Managing Director
Max Van Valkenburg (nmi), Member
Neva Van Valkenburg (nmi), Member

=====

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

=====

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

Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

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)

David J. Bomgardner, E. Andrew Burcher, Thomas J. Colucci, Peter M. Dolan, Jr., Jay du Von, Jerry K. Emrich, William A. Fogarty, John H. Foote, H. Mark Goetzman, Bryan H. Guidash, Michael D. Lubeley, J. Randall Minchew, M. Catharine Puskar, John E. Rinaldi, Lynne J. Strobel, Garth M. Wainman, Nan E. Walsh, Martin D. Walsh

=====

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

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

Rezoning Attachment to Par. 1(b)

DATE: October 1, 2007
(enter date affidavit is notarized)

96903a

for Application No. (s): PCA 93-Y-002-2
(enter County-assigned application number (s))

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

McIlvried, DiDiano, & Mox LLC
375 Northgate Drive
Warrendale, PA 15086

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 SHAREHOLDER: (enter first name, middle initial, and last name)

Howard G. McIlvried
Carmen A. DiDiano
Mark M. Mox

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

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)

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

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

REZONING AFFIDAVIT

DATE: October 1, 2007
(enter date affidavit is notarized)

96903a

for Application No. (s): PCA 93-Y-002-2
(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, number, street, city, state and zip code)
None

(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 "Rezoning 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.

REZONING AFFIDAVIT

DATE: October 1, 2007
(enter date affidavit is notarized)

96903a

for Application No. (s): PCA 93-Y-002-2
(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 "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: October 1, 2007
(enter date affidavit is notarized)

96403a

for Application No. (s): PCA 93-Y-002-2
(enter County-assigned application number(s))

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.)

None

(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 "Rezoning 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)

Sara V. Mariska
[] Applicant [x] Applicant's Authorized Agent

Sara V. Mariska, attorney/agent
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 1 day of October 2007, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K. Follin
Notary Public

My commission expires: 11/30/2007

KIMBERLY K. FOLLIN
Registration # 283945
Notary Public
COMMONWEALTH OF VIRGINIA



Lynne J. Strobel
 (703) 528-4700 Ext. 5418
 jheinberg@arl.thelandlawyers.com

WALSH COLUCCI
 LUBELEY EMRICH
 & WALSH PC

July 3, 2007

RECEIVED
 Department of Planning & Zoning
 JUL 03 2007
 Zoning Evaluation Division

Via Hand Delivery

Regina M. Coyle, Director
 Zoning Evaluation Division
 Fairfax County Department of Planning & Zoning
 12055 Government Center Parkway, Suite 801
 Fairfax, Virginia 22035

Re: Proposed Proffered Condition Amendment/Special Exception Amendment
 Applicant: Van L.L.C.

Dear Ms. Coyle:

Please accept the following as a statement of justification for a proffered condition amendment and special exception amendment on property identified among the Fairfax County tax map records as 54-4 ((5)) 1A (the "Subject Property"). The purpose of the request is to permit site and building modifications to an existing fast food restaurant, and a modification of the approved hours of operation.

The Subject Property contains approximately 1.36 acres and is bounded, respectively, by Centreville Road, Upperridge Drive and Fort Drive in the Sully Magisterial District. The Subject Property is zoned to the C-8 District, and is also subject to the provisions of the Highway Corridor, Sign Control and Water Supply Protection Overlay Districts. The Subject Property is subject to several prior land use approvals. On March 10, 1997, the Fairfax County Board of Supervisors (the "Board") approved PCA 93-Y-002/SEA 93-Y-005 to permit a fast food restaurant with a drive-through component consisting of up to 4,700 gross square feet of improvements. More recently, on September 15, 2003, the Board approved SEA 93-Y-005-2 to permit a change in the hours of the operation. The approved hours of operation are from 4:00 a.m. to 1:00 a.m., Sunday through Thursday, and 4:00 a.m. to 2:00 a.m. on Friday and Saturday.

The Applicant proposes a minor building addition and associated site modifications to the front of the restaurant, which is located on the south side of the Subject Property. The addition will enclose 405 gross square feet that is currently occupied by a flagpole, which will be relocated, and landscaping. The additional area will increase the capacity of the restaurant by a maximum of twenty (20) seats to better serve customer needs, thereby increasing the total capacity to 132 seats. The seventy-six (76) existing parking spaces far exceed the Fairfax County Zoning Ordinance (the "Ordinance") requirement for the use and may easily accommodate the increase in seating capacity. The addition features a custom architectural design with materials that include brick, architectural stucco, aluminum finishes and glass to enhance building aesthetics, yet remain compatible with the existing restaurant. Supplementary landscaping will be provided in the area where the addition is located.

The Applicant also requests a modification to restaurant hours to permit the use to operate twenty-four (24) hours a day, seven (7) days a week. The proposed hours of operation will better meet the needs of the Applicant's customers and increase the efficiency of current operations. Societal trends that favor more flexible work schedules and lifestyles mean that the Applicant's customers desire locations that are open around the clock to accommodate their individual schedules. Nearly 40% of McDonald's restaurants nationwide currently operate on a 24/7 basis. The Applicant has extensively surveyed its patrons and the research reveals that the vast majority of its customers desire 24/7 operations at the Subject Property. In fact, the Applicant frequently receives complaints from patrons who are waiting in line for service when the drive-through window is required to close.

Allowing additional hours of operation will also allow the restaurant to function more efficiently. The Applicant has long encountered difficulties in finding qualified personnel to work at night because of its inability to offer full time positions. The request will enable the Applicant to offer a full time night shift to its employees and attract a higher quality of workers. The Applicant's proposal will not pose any adverse impacts on adjacent residential uses. The topography of the Subject Property is such that the restaurant is located at a much lower elevation than nearby communities. Further, the retaining wall on the southern portion of the site functions as an effective barrier that prevents noise disturbance. The Applicant anticipates that overnight hours will attract a total of twenty (20) to eighty (80) vehicles trips. These additional customers will not materially increase noise or traffic impacts. The Applicant's proposal is consistent with its other stores in the area that operate without restrictions on hours of operation, including three located in Fairfax County.

In accordance with Sect. 9-011 of the Ordinance, please accept the following additional information:

- The type of operation proposed is a fast food restaurant with a drive-through window and an enclosed child play area.
- As detailed above, the Applicant requests a modification of the approved hours of operation to permit the restaurant to remain open twenty-four (24) hours a day, seven (7) days per week.
- With the proposed modification to the hours of operation, approximately 2,500 transactions will occur each day for the restaurant and drive-through uses combined. Each transaction may serve more than one patron.
- The proposed number of employees will remain the same with a maximum of twenty-five (25) employees on site at any one time. A maximum of seven (7) employees may be on site during overnight hours.

July 3, 2007

Page 3

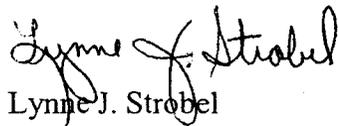
- The requested modification will not impact existing traffic patterns because the modification in hours primarily captures pass-by traffic during off-peak hours. The use generates appropriately 1,700 vehicles trips per day, with 275 trips per hour during the a.m. peak hour and 275 trips per hour during the p.m. peak hour.
- The restaurant generally serves the Centreville area, particularly the Route 28 corridor.
- The building addition includes brick, architectural stucco, aluminum finishes and glass. The proposed improvements are architecturally compatible with the existing restaurant.
- There are no known hazardous or toxic substances to be utilized, stored or disposed of on the Subject Property.
- The proposed use conforms to the provisions of all applicable ordinances, regulations, and adopted standards. No waivers or modifications are requested, other than a reaffirmation of the previously granted waiver of the service drive requirement along Route 28, and a waiver and modification, respectively, of the barrier and screening requirements along Upperridge Drive.

The Subject Property is located within the Bull Run Planning District of the Area III Comprehensive Plan (the "Plan"); more specifically, it is located within Land Unit D-1. The Plan states, in relevant part, that the Subject Property is planned for retail use. The Applicant's proposal to upgrade the existing restaurant and modify the hours of operation is in harmony with the recommendations of the Plan.

I would appreciate the acceptance of these applications and the scheduling of a public hearing before the Fairfax County Planning Commission at your earliest convenience. Should you have any questions regarding this proposal, or require additional information, please do not hesitate to contact me.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, P.C.



Lynne J. Strobel

LJS/aab

cc: Jim Van Valkenburg
William Goodman
Martin D. Walsh

{A0117874.DOC / 1 Byron 6-12-07 004389 000003}

C-5 (135 Acres)

Land Unit C-5 is planned for residential use at 4-5 dwelling units per acre.

C-6 (26 Acres) Suburban Center

Land Unit C-6 is located along the north side of Braddock Road between the Centreville Elementary School and Little Rocky Run stream valley. Multi-family residential use at 16-20 dwelling units per acre is planned.

C-7 (26 Acres) Suburban Center

Land Unit C-7 is planned for multi-family residential use at 16-20 dwelling units per acre. The approximately two acre parcel (Tax Map 54-4((1))109) located adjacent to the Bent Tree Apartments is one of many existing commercially-zoned parcels along Route 29 where commercial use is not planned. The existing animal hospital represents a community-serving use that should be retained. Redevelopment of this parcel for an animal hospital may be appropriate, provided that adequate measures for screening and buffering the development from surrounding residential uses are implemented and appropriate transportation and entrance improvements are provided. Redevelopment of this parcel for institutional use or as compatible residential infill, not to exceed 20 dwelling units per acre, may also be appropriate. Any redevelopment of this parcel should provide for measures which mitigate any negative impacts on the surrounding residential community.

C-8 (22 Acres)

Land Unit C-8 is planned for low intensity office use at an FAR up to .20.

Land Unit D (588 Acres)

Land Unit D consists of three major components: existing residential development generally in the western portion of the land unit; commercial development, concentrated along Route 29 and Route 28; and the Centre Ridge project, a large scale, predominantly residential development which accounts for most of the area of this land unit.

Centre Ridge was designed with a mix of housing unit types and densities. As final submissions have been made for each of the land bays in the project, buffers and transitions have been incorporated to recognize and complement existing residential development. Commercial uses are concentrated along Route 29 and Route 28 to take advantage of the access to the transportation network. Internal collector streets within Land Unit D are as shown on the Transportation Plan map.

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 located near the Route 28/Route 29 intersection and office use of approximately 800,000 square feet which is closely associated with the commercial retail area is planned for the area closest to Route 29. Multi-family residential development is planned and developed on Parcels 54-4((1))74 and 75 which are located in the southern portion of the land unit and adjacent to Land Unit D-2 which is planned for multi-family housing.

Parcels 65-2((1))1-4 are planned for multi-family residential use at 16-20 dwelling units per acre.

D-2 (55 Acres) Suburban Center

Land Unit D-2 is planned for residential use at 16-20 dwelling units per acre. As an option to residential use, the portion of Land Unit D-2 located south of Machen Road Extended may be considered for development of a movie theater and child care center and possibly neighborhood-serving retail and office uses to serve the community. This option is appropriate only if all of the following conditions are met:

- The theater and all other non-residential development are designed to complement existing and planned residential development;
- The portion of Land Unit D-2 south of Machen Road Extended and the adjoining Land Unit D-3 are developed in a coordinated and integrated manner with the total amount of non-residential development not to exceed 285,000 square feet of gross floor area;
- Substantial and effective screening and buffering in excess of ordinance requirements is provided to all adjacent residentially planned lands to mitigate visual and noise impacts. This should be accomplished through a combination of landscaping and/or solid architectural barriers;
- Pedestrian access from the adjacent residential communities should be provided. To facilitate this access, street lights should be provided along Centrewood Drive and Machen Road Extended where they border this portion of Land Unit D-2 and Land Unit D-3;
- Parking areas should be well landscaped and retail signage and lighting should not adversely impact surrounding residential areas;
- Forty-one affordable housing units, which equal ten percent of the approved number of units displaced by non-residential development, are provided elsewhere in the Centre Ridge development where multi-family housing has been planned or approved. The existence of these units should be certified prior to occupancy of the theater or other non-residential uses;
- Machen Road Extended should provide a connection to Route 28 and access to non-residential uses in Land Unit D-2. An internal roadway system should be provided which interconnects the multiple uses as well as Machen Road Extended and Centrewood Drive. The key facilities which provide the interconnection should have no on-street parking and a minimum of access points to the land uses and the major off-street parking areas; and
- Access to any future development on Parcels 65-1((10))8-10 [incl.] from Centrewood Drive or from Machen Drive is not appropriate. In addition, pedestrian connections from these parcels to adjoining development are encouraged.

D-3 (21 Acres) Suburban Center

Land Unit D-3 is planned for neighborhood-serving retail and low intensity office uses. Neighborhood-serving uses should include a grocery store. Development should incorporate transition areas and pedestrian linkages between non-residential uses and existing and planned



County of Fairfax, Virginia

MEMORANDUM

DATE: November 1, 2007

TO: Regina Coyle, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Angela Kadar Rodeheaver, Chief *AKR by CAA*
Site Analysis Section
Department of Transportation

SUBJECT: Transportation Impact

FILE: 3-4 (RZ 93-Y-002) (SE 93-Y-005)

REFERENCE: PCA 93-Y-002-02, SEA 93-Y-005-03; Van L.L.C. [McDonalds of Centreville]
Traffic Zone: 1668
Land Identification: 54-4 ((5)) 1A

The following comments reflect the position of the Department of Transportation and are based on the revised development plan/special exception plat dated July 25, 2007. No draft proffers have been received for the requested Proffered Condition Amendment. It is the understanding of this Department that the applicant is seeking to construct a minor [400gsf] addition to the south side of the building, and to increase the hours of operations.

The Department of Transportation is anticipating expansion of transit service in the area of the site, which will improve access to the site for both customers and employees. It is unlikely that additional right-of-way or easements will be needed if a shelter is provided along the Route 28 or Upper Ridge Road frontages. However, it would be desirable for the applicant to commit to grant all easements and right-of-way which may be needed to facilitate construction of a transit shelter along either the Route 28 or the Upper Ridge Road, subject to the condition that no parking or on-site operations of the site will be permanently compromised.

AKR/CAA

Michelle Brickner, Director, Office of Site Development Services, DPW&ES
Paul Mounier, Transit Services, FCDOT



COMMONWEALTH of VIRGINIA

DAVID S. EKERN, P.E.
COMMISSIONER

DEPARTMENT OF TRANSPORTATION

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)

October 17, 2007

Ms. Regina Coyle
Director of Zoning Evaluation
Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5511

Re: Van L.L.C., McDonald's Restaurant
5931 Fort Drive
PCA 93-Y-002-2 concurrent w/SEA 93-Y-005-3
Tax Map: 54-4((5)) 1A

Dear Ms. Coyle:

We have reviewed the referenced plan as requested and offer the following comments:

1. All previously approved conditions should be carried forward with this application.
2. It appears that there will be a minimal impact to peak hour traffic, therefore this office has no additional comments.

If you have any questions, please call me at (703) 383-2059.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter K. Gerner".

Peter K. Gerner, P.E.
Transportation Engineer

cc: Ms. Angela Rodeheaver



County of Fairfax, Virginia

MEMORANDUM

OCT - 5 2007

DATE:

TO:

Regina Coyle, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM:

Qayyum Khan, Chief Stormwater Engineer *QK*
Environmental and Site Review Division West
Department of Public Works and Environmental Services

SUBJECT:

Proffered Condition Amendment and Special Exception Amendment
Application, PCA 93-Y-002-2 Concurrent with SEA 93-Y-005-3, Van
L.L.C. Property, Plan Dated July 7, 2007, LDS Project #24956-ZONA-001,
Tax Map #054-4-05-001A, Sully District, Cub Run Watershed

We have reviewed the subject application and offer the following comments related to Stormwater Management (SWM):

The plan does not contain the Minimum Stormwater information for the special exception applications. Please refer to the checklist dated February, 21, 2006, that was a part of DPWES Letter to Industry #06-06.

Chesapeake Bay Preservation Ordinance

There is no Resource Protection Area on the site, it is located within the Water Supply Protection Overlay District.

Floodplain

There is no floodplain on the site.

Downstream Drainage Complaints

There is a flooding complaint on file at Tax Map #054-4-01-0072.

SWM

The applicant needs to comply with requirements of Zoning Ordinance, Section 7-808, Paragraph 1.



Regina Coyle, Director
PCA 93-Y-002-2 Concurrent with SEA 93-Y-005-3
Page 2 of 2

Site Outfall

1. Narrative for each outfall needs to be provided and analyzed downstream from the site to a point which is at least 100 times the site area.
2. The off-site SWM facilities shall be maintained by the owners and users and they will be required to enter into the Stormwater Maintenance Agreement.

If further assistance is desired, please contact me at 703-324-1720.

QK/mw

cc: Steve Aitcheson, Director, Stormwater Planning Division, DPWES
Zoning Application Files

Fairfax Water

APPENDIX 8

FAIRFAX COUNTY WATER AUTHORITY
8560 Arlington Boulevard, Fairfax, Virginia 22031
www.fairfaxwater.org

**PLANNING & ENGINEERING
DIVISION**

Jamie Bain Hedges, P.E.
Director
(703) 289-6325
Fax (703) 289-6382

August 28, 2007

Ms. Regina Coyle, Director
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

Re: PCA 93-Y-002-02
SEA 93-Y-005-03
Van, LLC

Dear Ms. Coyle:

The following information is submitted in response to your request for a water service analysis for the above application:

1. The property is served by Fairfax Water.
2. Adequate domestic water service is available at the site from an existing 12-inch water main located at the property. See the enclosed water system map.
3. Depending upon the configuration of the on-site water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

If you have any questions regarding this information please contact Samantha Kearney at (703) 289-6313.

Sincerely,



Traci K. Goldberg, P.E.
Manager, Planning Department

Enclosure

FAIRFAX COUNTY ZONING ORDINANCE

- (7) Include the addition of any building or additions to buildings except that accessory structures clearly subordinate to the use, and minor additions to buildings may be permitted, provided that:
- (a) the sum total of all such structures or additions shall not exceed the greater of 500 square feet of gross floor area, or five (5) percent of the approved gross floor area up to a maximum of 2500 square feet of gross floor area; and
 - (b) the maximum permitted FAR for the zoning district shall not be exceeded.
- C. For all approved special exception uses, any request for an addition shall require the provision of written notice by the requester in accordance with the following:
- (1) the notice shall include the letter of request with all attachments as submitted to the Zoning Administrator, a statement that the request has been submitted, and where to call for additional information; and
 - (2) the notice shall be sent to the last known address of the owners, as shown in the real estate assessment files of the Department of Tax Administration, of all property abutting and across the street from the site, or portion thereof, which is the subject of the request, and shall be delivered by hand or sent by certified mail, return receipt requested.

The request for an addition submitted to the Zoning Administrator shall include: an affidavit from the requester affirming that the required notice has been provided in accordance with the above; the date that the notice was delivered or sent; the names and addresses of all persons notified; and the Tax Map references for all parcels notified. No request for an addition shall be considered by the Zoning Administrator unless the affidavit has been provided in accordance with this paragraph.

When it is determined by the Zoning Administrator that a modification is not in substantial conformance with the approved special exception, such modification shall require the approval of an amendment to the special exception in accordance with Sect. 014 below or a new special exception.

9-005 Establishment of Categories

For purposes of applying specific conditions upon certain types of special exception uses, and for allowing special exception uses to be established only in those zoning districts which are appropriate areas for such uses, all special exception uses are divided into categories of associated or related uses, as hereinafter set forth in this Article 9.

9-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such uses shall satisfy the following general standards:

SPECIAL EXCEPTIONS

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it 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. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

9-007 Conditions and Restrictions

In addition to those standards set forth in this Article, the Board, in approving a special exception, may impose such conditions and restrictions upon the proposed use as it may deem necessary in the public interest to secure compliance with the provisions of this Ordinance and to protect the viability of the implementation of the adopted comprehensive plan. Such conditions or restrictions may include but need not be limited to a time limitation on the length of the exception in accordance with the provisions of Sect. 008 below and may require the posting of a guarantee or bond in a reasonable amount by the applicant.

9-008 Time Limitations, Extensions, Renewals

In addition to the time limits set forth in this Article, the Board may require, as a condition of the approval of any special exception, that it shall be approved for a specified period of time; that it may be subsequently extended for a designated period by the Zoning Administrator; or that it may be periodically renewed by the Board. The procedure of granting an extension or renewal shall be as presented in Sections 012 and 014 below.

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.

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.

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.

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		