



APPLICATION FILED: August 24, 2007  
PLANNING COMMISSION: January 24, 2008  
BOARD OF SUPERVISORS: February 11, 2008 @ 3:30 p. m.

# County of Fairfax, Virginia

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January 10, 2008

## STAFF REPORT

### SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 84-V-035

#### MOUNT VERNON DISTRICT

**APPLICANT:** Huntwood, L. L. C.

**ZONING:** C-8, HC, CRD

**PARCEL(S):** 83-4 ((1)) 8, 9, 10, 11

**ACREAGE:** 4.67 acres

**FLOOR AREA RATIO (FAR):** 0.51

**OPEN SPACE:** 61,030 sq. ft. (30 percent)

**PLAN MAP:** Retail and Other

**SE CATEGORY:** Category 5 – Drive-in Bank in HC District  
Category 6 – Uses in a Floodplain  
Category 6 – Increase in Building Height  
Category 6 – Increase in Floor Area Ratio  
Category 6 – Waivers in a CRD District

**PROPOSAL:** Amend the previously approved special exception to allow a 1-story drive-in bank adjacent to the existing 8-story, 98-foot tall office building and an increase in the land area covered by the special exception

**WAIVERS/MODIFICATIONS:** Waiver of the required Loading Space for the Drive-in Bank;

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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

Modification of the peripheral parking lot landscaping along the boundary with Parcel 11A to the northeast;

Waiver of the trail requirement on Richmond Highway in favor of the existing trail constructed by VDOT

**STAFF RECOMMENDATIONS:**

Staff recommends that SEA 84-V-035 be denied. However, if it is the intent of the Board of Supervisors to approve SEA 84-V-035, staff recommends that the approval be 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, in adopting any conditions, 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 easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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

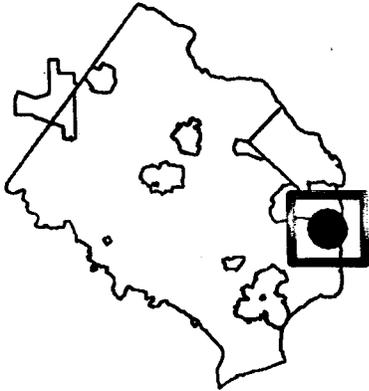
For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.



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 Amendment

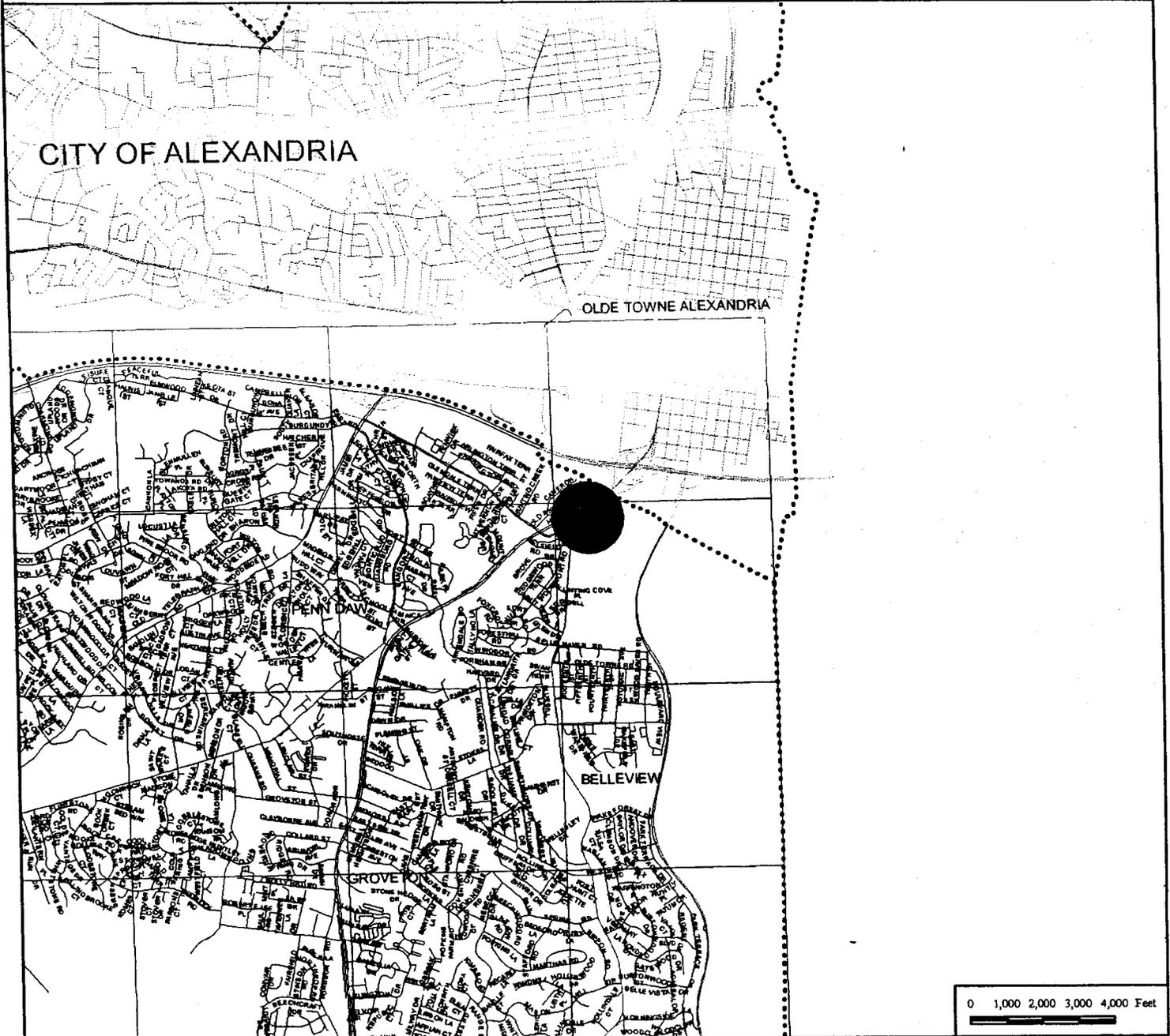
SEA 84-V -035



**Applicant:** HUNTWOOD, L.L.C.  
**Accepted:** 08/24/2007  
**Proposed:** TO AMEND SE 84-V-035 PREVIOUSLY APPROVED FOR AN INCREASE IN BUILDING HEIGHT AND USES IN A FLOODPLAIN TO PERMIT A DRIVE-IN BANK, USES IN A FLOODPLAIN, INCREASE IN LAND AREA, INCREASE IN MAXIMUM FLOOR AREA RATIO, WAIVERS AND MODIFICATIONS IN A COMMERCIAL REVITALIZATION DISTRICT AND ASSOCIATED MODIFICATIONS TO SITE DESIGN

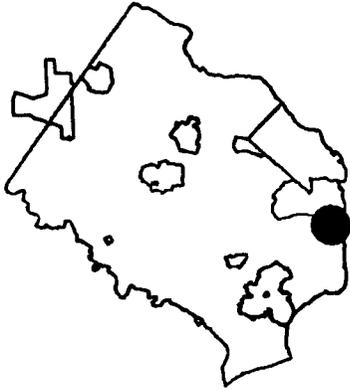
**Area:** 4.67 AC OF LAND; DISTRICT - MOUNT VERNON  
**Zoning Dist Sect:** 09-0607 09-0618 09-0622 04-0804 02-0904  
**Art 9 Group and Use:** 6-03 6-15 6-19 5-06 6-02

**Located:** 5845 AND 5863 RICHMOND HIGHWAY  
**Zoning:** C- 8  
**Plan Area:** 4,  
**Overlay Dist:** HC CRD  
**Map Ref Num:** 083-4 /01/ /0008 /01/ /0009 /01/ /0010 /01/ /0011



# Special Exception Amendment

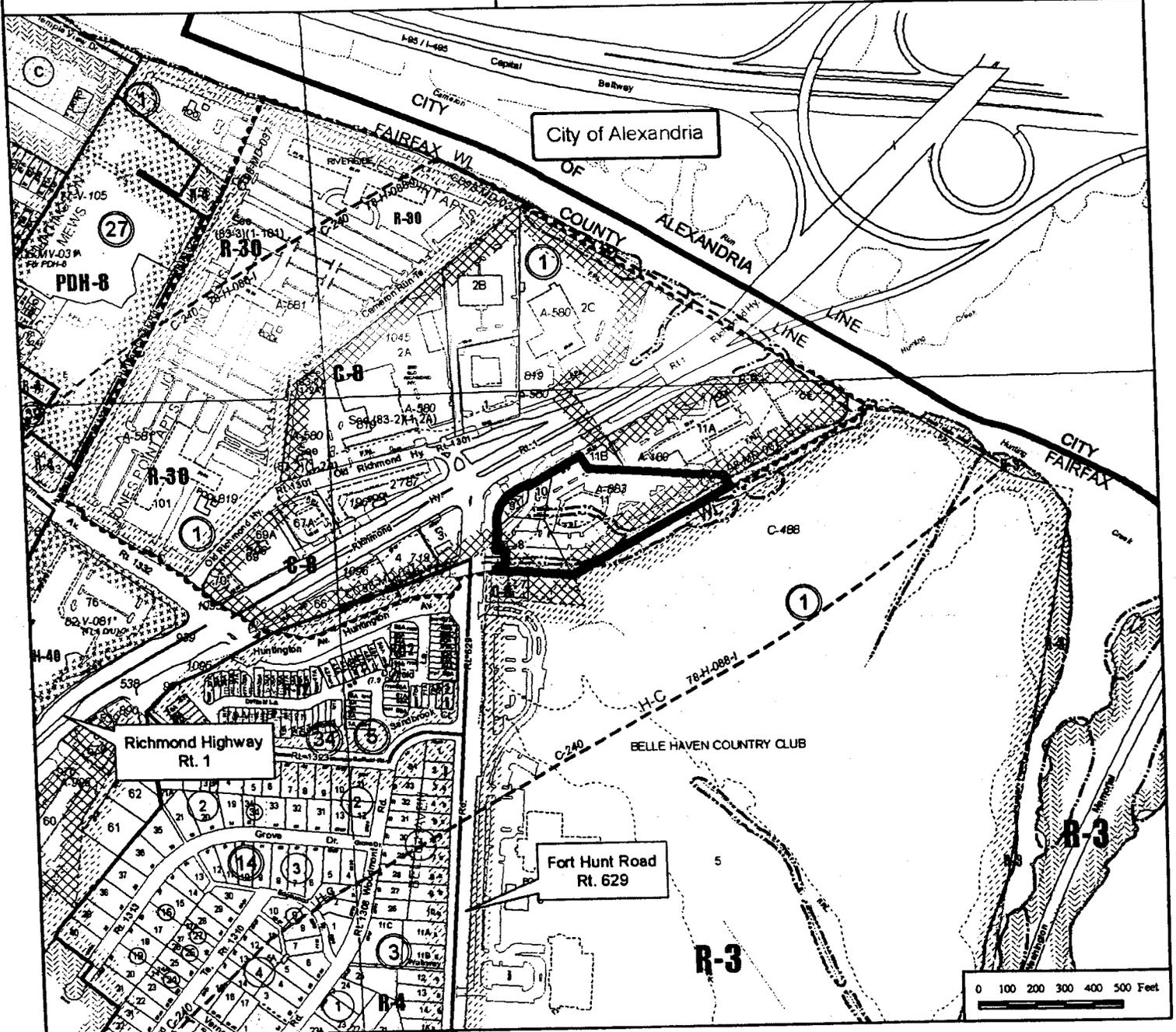
## SEA 84-V-035

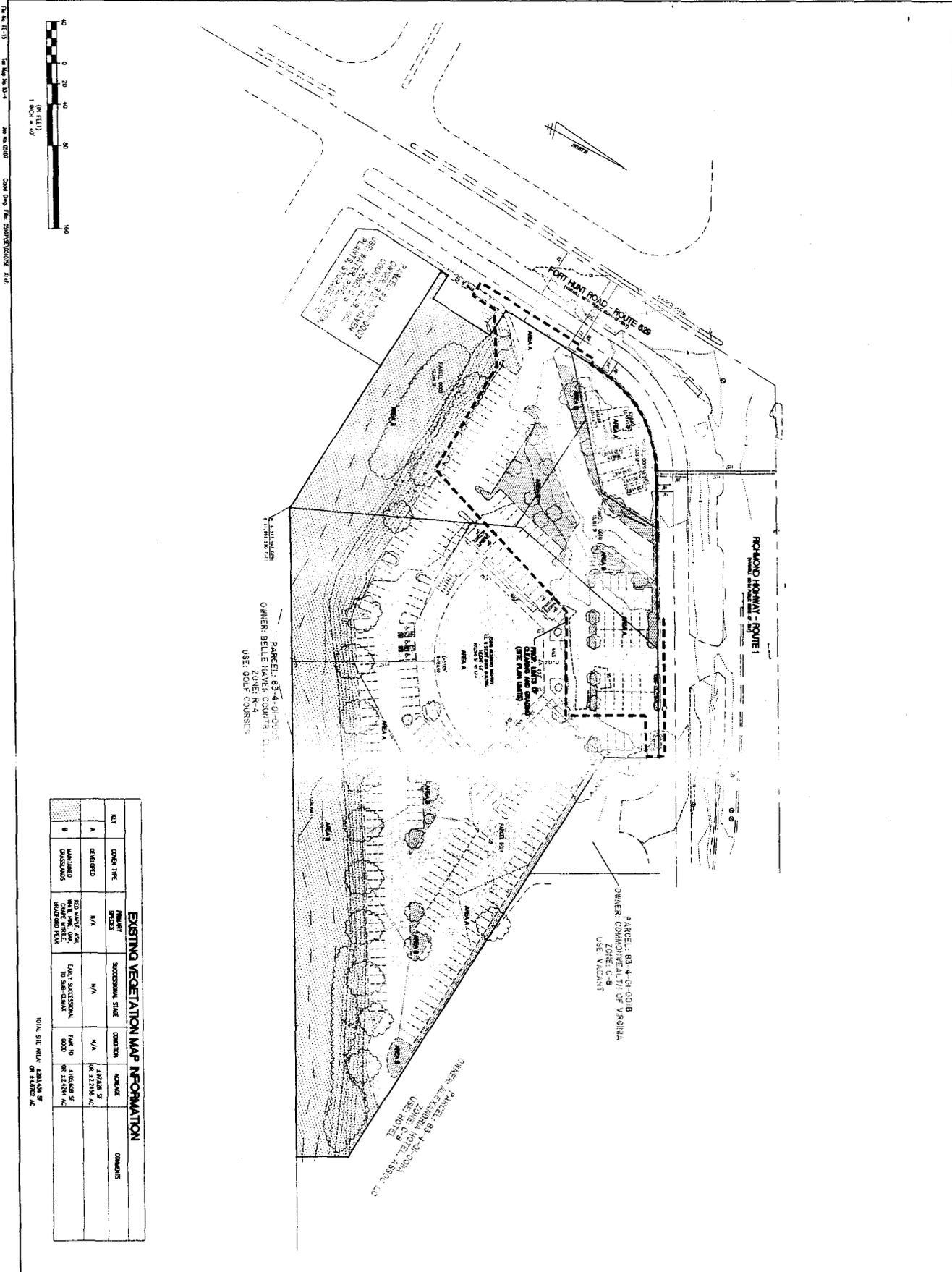


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**Accepted:** 08/24/2007  
**Proposed:** AMEND SE 84-V-035 PREVIOUSLY APPROVED FOR INCREASE IN BUILDING HEIGHT TO PERMIT A DRIVE-IN BANK, USES WITHIN A FLOODPLAIN, MODIFICATION OF LAND AREA, AN INCREASE IN MAXIMUM FLOOR AREA RATIO, AND WAIVER AND MODIFICATIONS IN A COMMERCIAL REVITALIZATION DISTRICT.

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**EXISTING VEGETATION MAP INFORMATION**

KEY	OWNER TYPE	REMARKS	SUCCESSORIAL STAGE	COMMENTS
A	REPLANTED	N/A	N/A	PLANTING BY BR 22784 AC
S	UNPLANTED	NO MATURE OAK W/ 10% CANOPY REMOVAL YEAR	EARLY SUCCESSIONAL (10-20% CANOPY)	PLANTING BY BR 22784 AC

**EXISTING VEGETATION MAP**

**PROPOSED DRIVE-THRU BANK AT HUNTERWOOD PLAZA**  
 MOUNT VERNON DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

REVISION APPROVED BY

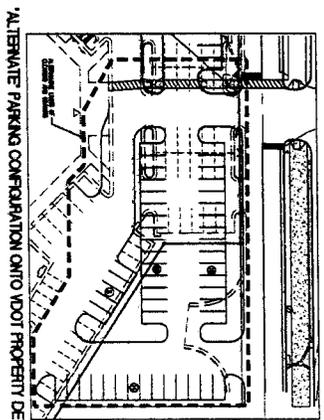
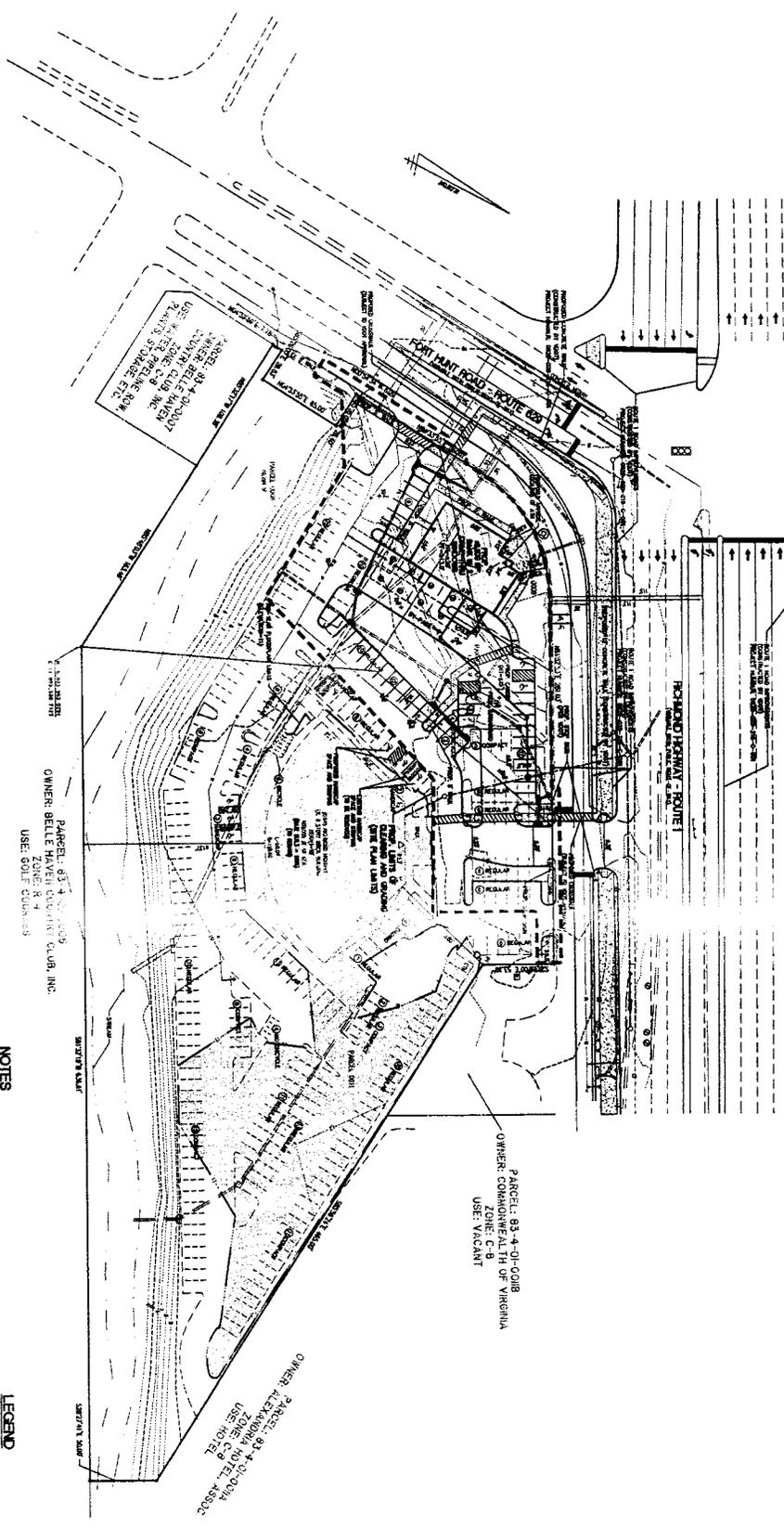
NO.	DESCRIPTION	DATE	REV BY	APPROVED	DATE



**WALTER L. PHILLIPS**  
 INCORPORATED  
 CIVIL ENGINEERS, LAND SURVEYORS, PLANNERS, LANDSCAPE ARCHITECTS  
 207 PARK AVENUE, FALLS CHURCH, VIRGINIA 22046  
 (703) 533-6183 FAX (703) 533-1301 WWW.WLPHINC.COM  
 DATE: 3/7/07, REV: 5/0/07, 2/17/07, 11/26/07, 11/26/07, 11/26/07  
 SCALE: 1" = 40'  
 DRAWN: MPA



1" = 40'



- NOTES**
1. OWNER LIMITS OF DISTURBANCE IS WITHIN THE 100 FEET RADIUS PLANNING LIMITS.
  2. ACCORDING TO FAIRFAX COUNTY ZONING THE ENTIRE SITE SITS WITHIN A RESIDENTIAL PROTECTION AREA (RPA).
  3. INCLUDE NEIGHBOR AGREEMENTS PER YOUR PROJECT #6829-029-210-2-201 (PENDING STAGE).



**SPECIAL EXCEPTION AMENDMENT PLAT**

**PROPOSED DRIVE-THRU BANK AT HUNTWOOD PLAZA**  
 MOUNT VERNON DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

NO.	DESCRIPTION	DATE	REV BY	APPROVED	DATE

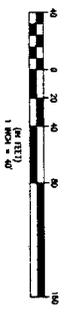
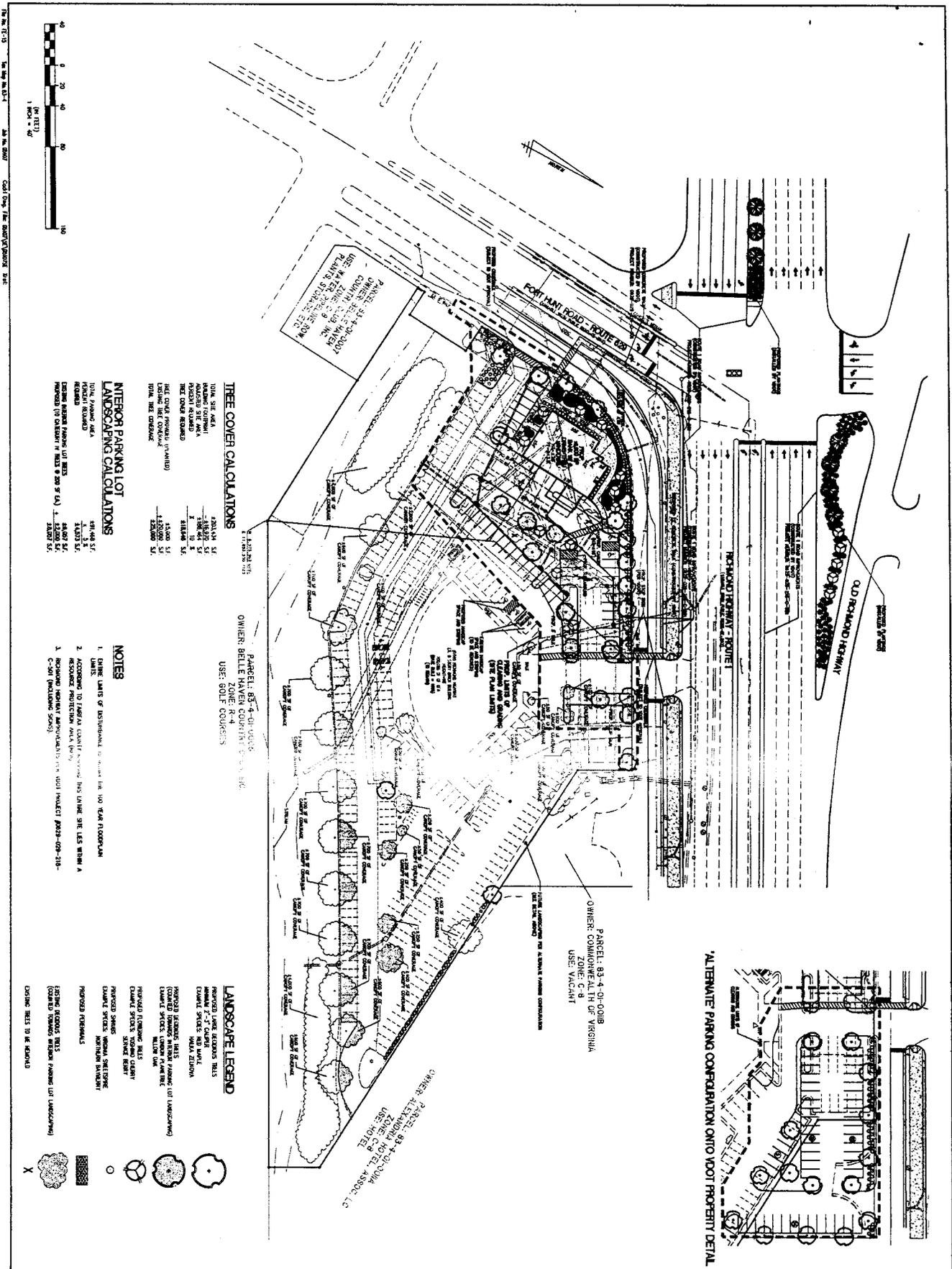


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 207 PARK AVENUE FALLS CHURCH, VIRGINIA 22045  
 (703) 532-6163 FAX (703) 533-1501 WWW.WLPHINC.COM

DATE: 3/7/09, REV: 5/1/09, 7/1/09  
 REV: 11/24/07, 1/26/08, 1/27/08







**INTERIOR PARKING LOT LANDSCAPING CALCULATIONS**

TOTAL PARKING AREA	48,000 SF
PERCENT REQUIRED	1.00%
TOTAL REQUIRED	480 SF
PERCENT PROVIDED (LOT AREA)	1.00%
PERCENT DEFICIENT (480 SF REQ)	0.00%

**TREE COVER CALCULATIONS**

TOTAL SITE AREA	3,000,000 SF
TOTAL TREE COVER	1,500,000 SF
PERCENT PROVIDED	50%

**NOTES**

1. DRIVE LANE OF DRIVE-THRU TO BE 14' WIDE WITH 10' CLEARANCE UNDER OVERHEAD WIRE.
2. ACCORDING TO VIRGINIA LANDSCAPE ACTING HAS DURING THE LAST WITHIN A 100' BUFFER ZONE.
3. INCLUDING HEIGHT ADJUSTMENTS (SEE 100' BUFFER ZONE 1003-003-218-C-501 (INCLUDING SOILS)).

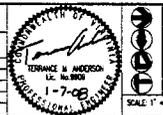
**LANDSCAPE LEGEND**

- PLANTED TREE: 4" CALIBER
- PLANTED TREE: 6" CALIBER
- PLANTED TREE: 8" CALIBER
- PLANTED TREE: 10" CALIBER
- PLANTED TREE: 12" CALIBER
- PLANTED TREE: 14" CALIBER
- PLANTED TREE: 16" CALIBER
- PLANTED TREE: 18" CALIBER
- PLANTED TREE: 20" CALIBER
- PLANTED TREE: 24" CALIBER
- PLANTED TREE: 30" CALIBER
- PLANTED TREE: 36" CALIBER
- PLANTED TREE: 42" CALIBER
- PLANTED TREE: 48" CALIBER
- PLANTED TREE: 54" CALIBER
- PLANTED TREE: 60" CALIBER
- PLANTED TREE: 72" CALIBER
- PLANTED TREE: 84" CALIBER
- PLANTED TREE: 96" CALIBER
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- PLANTED TREE: 144" CALIBER
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- PLANTED TREE: 720" CALIBER
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- PLANTED TREE: 1080" CALIBER
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- PLANTED TREE: 1200" CALIBER
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- PLANTED TREE: 1860" CALIBER
- PLANTED TREE: 1920" CALIBER
- PLANTED TREE: 1980" CALIBER
- PLANTED TREE: 2040" CALIBER
- PLANTED TREE: 2100" CALIBER
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**CONCEPTUAL LANDSCAPE PLAN**

**PROPOSED DRIVE-THRU BANK AT HUNTWOOD PLAZA**  
 MOUNT VERNON DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

REVISION APPROVED BY					
NO.	DESCRIPTION	DATE	REV BY	APPROVED	DATE



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 CIVIL ENGINEERS LAND SURVEYORS PLANNERS LANDSCAPE ARCHITECTS  
 207 FAIR AVENUE FALLS CHURCH, VIRGINIA 22048  
 (703) 532-6825 FAX (703) 532-1801  
 WWW.WLPHINC.COM

DATE: 3/2/02 REV: 5/1/02 3/17/02  
 REV: 11/26/01 1/26/02 1/2/02

SCALE: 1" = 40'



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

**DESCRIPTION OF THE APPLICATION**

**Proposal:** The application property is subject to approved Special Exception, SE 84-V-035, for an increase in building height to allow the existing 8-story, 98-foot tall office building. The applicant seeks to amend the previously approved SE to permit the construction of a free-standing drive-in bank adjacent to the existing 98-foot tall office building and increase land area for the previously approved SE. To accomplish this, the application includes request to:

- Allow an automobile oriented use within a Highway Corridor Overlay District;
- Allow fill in the floodplain;
- Re-affirm the previously approved increase in building height for the existing office building;
- Approval to allow office uses to exceed 50 percent of the uses on the site (the C-8 District current regulations limit office use to 50 percent);
- Allow the Floor Area Ratio (FAR) to exceed 0.50 to allow the FAR within the application property to be 0.51; and,
- Allow modifications to the front yard requirements for a property located in the Commercial Revitalization District (CRD).

<b>Size:</b>	Existing Office Building	100,085 sq. ft.
	Proposed Drive- in Bank	3,850 sq. ft.
	Total	103,935 sq. ft.

**Drive-in Windows:** Two Windows

**Stacking Spaces:** Ten Spaces

**Hours of Operation:** Drive-in Bank Windows –  
8:00 a. m. to 7:00 p. m. Monday through Friday;  
8:00 a. m. to 5:00 p. m. Saturday;  
9:00 a. m. to 5:00 p. m. Sunday

**Employees:** Maximum 12 at the Drive-in bank at any one time

**Waivers/Modifications:** Waiver of the required loading space for the drive-in-bank  
Modification of the peripheral parking lot landscaping along the boundary with Parcel 11A to the northeast

Waiver of the trail requirement on Richmond Highway in  
favor of the existing trail constructed by VDOT

## LOCATION AND CHARACTER

The site is currently developed with an office building and its associated parking. A portion of the required parking for the office building is provided on Parcel 11A to the east, which is developed with a hotel, pursuant to a shared parking agreement approved by the Department of Public Works and Environmental Services (DPWES) and recorded in the land records.

The land area proposed to be added to this special exception is the remnant of Parcel 9, formerly occupied by a service station. Parcel 9 was purchased by the Virginia Department of Transportation (VDOT) and currently used as a staging area for the Wilson Bridge improvement project. The applicant is contract purchaser of Parcel 9.

<b>Surrounding Area Description</b>			
<b>Direction</b>	<b>Use</b>	<b>Zoning</b>	<b>Plan Map</b>
<b>North*</b>	Vehicle Sales & Service Est. Eating Establishment	C-8	Retail & Other
<b>South</b>	Belle Haven Country Club	R-3	Private Recreation
<b>Northeast</b>	Hotel	C-8	Retail & Other
<b>West</b>	VDOT Staging Area	C-8	Retail & Other

\* Located across Richmond Highway.

## BACKGROUND (See Appendix 4)

### Tax Map Parcel 9:

This property was formerly developed with a service station and quick service food store. The service station was first constructed in 1983 pursuant to the approval of special exception, SE 81-V-070, and variance, VC 81-V-147. A quick-service food store was added with the approval of SEA 81-V-070 in 1990. SE 97-V-010 was approved to allow a service station/mini-mart on the site; however, that special exception was never implemented. SEA 97-V-010 was approved January 10, 2000, to allow a new canopy and an increase in the number of pumps at the existing service station and quick-service food store. Subsequently, VDOT purchased this parcel as part of the Wilson Bridge improvement project. A portion of the lot was included in the improvements to the intersection of Fort Hunt Road and Richmond Highway and the remaining portion of Parcel 9 is currently used as a staging area for the Wilson Bridge improvement project. The applicant is the contract purchaser of the remaining portion of Parcel 9 (7,383 sq. ft.), which is included in the pending application as land to be added to SE 84-V-035. The records for the previously approved

zoning applications noted above are on file with the Department of Planning and Zoning (DPZ).

**Existing Office Building:**

The existing 8-story 100,085 sq. ft. office building located at 5845 Richmond Highway was constructed pursuant to the approval of SE 84-V-034 to allow fill in the floodplain and the approval of SE 84-V-035 to allow an increase in building height. These two special exceptions were approved subject to development conditions on January 28, 1985. Copies of the Clerk to the Board's letters are contained in Appendix 4. The approved development conditions included a prohibition on having automobile-oriented uses on the property.

**Shared Parking Agreement:**

The existing office building is subject to a shared parking agreement based on differing hours of operation with the property to the east, Parcel 11A, which is developed with a hotel. As noted in the parking tabulation, 92 of the spaces provided for the office building and the drive-in bank will be located on Parcel 11A. The shared parking agreement with the County will be required to be amended prior to the approval of the site plan to allow the construction of the drive-in bank, if sufficient parking is not provided within the land area included in the site plan.

**COMPREHENSIVE PLAN PROVISIONS (See Appendix [#])**

<b>Planning Area:</b>	Area IV
<b>Planning District:</b>	Mount Vernon Planning District
<b>Community Business Center:</b>	North Gateway CBC of the Richmond Highway Corridor Area
<b>Sub-unit:</b>	B-1

The Comprehensive Plan provides the following guidance on the land use and the intensity/density for the property. On pages 29 and 31 of the Mount Vernon Planning District of the 2007 edition of the Area IV Plan, under the heading, "North Gateway and Penn Daw Community Business Centers," under the sub-heading "North Gateway Community Business Center," the Plan states:

"The North Gateway Community Business Center is an entry point to historic Richmond Highway from points north including the Nation's Capital, the City of Alexandria and the Capital Beltway. As such, this area provides an initial impression of Fairfax County, not only to visitors but to those who live in the southern part of the County. An improved identity using urban design principles and revitalization strategies is especially important. An attractive and efficient mix of land uses improves the image, economic viability and circulation along the Richmond Highway Corridor.

This area is characterized by high-rise residential buildings, auto dealerships, gas stations, hotels/motels and mid-rise office buildings. Its proximity to the Capital Beltway, Huntington Transit Station and Fort Hunt Road makes this portion of the

Richmond Highway Corridor a major transportation-oriented center and presents opportunities for well-designed, transit-accessible redevelopment.

Environmentally-sensitive areas exist along Cameron Run and in the shallow lots along the east side of Richmond Highway. Future highway improvements, including the redesign of the Woodrow Wilson Bridge and Richmond Highway/Capital Beltway interchange, may further impact this area. As development occurs, adequate measures should be provided to mitigate environmental impacts and restore degraded areas to more natural conditions.

Redevelopment in this area is anticipated to occur adjacent to the Capital Beltway primarily at the location of the auto dealerships. This area is planned to redevelop to high-rise residential or in the alternative, as a varied height, mixed-use project including residential, office and retail uses or in the alternative as high rise residential use. These planned uses complement the advantageous transit/transportation-oriented location and are compatible with the surrounding character and density.

Due to the prominent gateway location, high quality urban design is especially important in any redevelopment that occurs. Quality building materials, patterns and architectural design, which are compatible and complementary to surrounding uses, especially Huntington Gateway, are desirable. Landscaping should be used to soften the vertical built environment. . . .

### **Sub-unit B-1**

The area northwest of Belle Haven Country Club along Richmond Highway from the Beltway to Fort Hunt Road is developed with several commercial uses. The most northern portion of this sub-unit is planned for hotel use up to .60 FAR with a maximum of 8 stories. Office use up to .50 FAR with a maximum of 8 stories is planned for Parcels 83-4((1))10 and 11. The remainder of this sub-unit is planned for neighborhood-serving retail use up to .25 FAR. This recommendation reflects current uses which should be retained. Future highway improvements may impact the accessibility of this sub-unit. “

The following additional guidance applies to the evaluation of proposed land uses within the Richmond Highway Corridor. In the Fairfax County Comprehensive Plan, Area IV, 2007 Edition, Mount Vernon Planning District, Richmond Highway Corridor, as amended through October 23, 2006, page 23, the Plan states:

The following objectives are intended to guide general land use decisions for the portion of the Richmond Highway Corridor within the Mount Vernon Planning District:

#### Land Use

- Plan for quality development, which may include office, retail, residential, mixed-use and institutional uses in six Community Business Centers along Richmond Highway: North Gateway, Penn Daw, Beacon/Groveton, Hybla Valley/Gum Springs, South County Center and Woodlawn. Core areas within these Community Business Centers that are appropriate for higher intensity have been identified...
- Strongly discourage fast food, car washes and pawn shops as they are not consistent with quality revitalization.
- Mini-warehouses are not appropriate uses in the Richmond Highway Corridor.

- Encourage substantial consolidation of contiguous parcels starting at the Richmond Highway frontage back to the existing stable residential neighborhoods to provide for projects that function in a well-designed, efficient manner and for the redevelopment of unconsolidated parcels in conformance with the Area Plan.
- In cases where desired consolidation with other parcels is not feasible, consider interim land uses which result in significant public benefits, improvements in circulation or access, parking, landscaping, site design or building design and that provide public benefits which outweigh any adverse effects of the change in use.
- Reduce adverse impacts, such as noise, glare and incompatible building forms, on adjacent residential communities by establishing effective transitions, buffering and screening, and by designing buildings of appropriate scale and height. Within designated Community Business Centers, mid-rise buildings are generally appropriate as long as there is no other site-specific Plan language regarding height limits. In the core areas of the Community Business Centers, high-rise buildings may be appropriate in order to create an urban environment. Building heights should taper down to adjacent residential neighborhoods and special care should be given to screening and buffering these neighborhoods.
- Strongly discourage freestanding uses with drive-through facilities and uses that create high traffic volumes to and from and along the corridor and that contribute to the strip-commercial character of Richmond Highway.
- Encourage clustered auto-oriented uses within well-designed and integrated complexes with efficient internal circulation patterns to minimize and consolidate access points and to provide efficient internal circulation patterns.
- Encourage better access and functional amenities through improvements to and integration of the pedestrian, bicycle and vehicular traffic systems by visually enhancing intersections, reducing curb cuts and providing better signage and access to commercial facilities and adjacent, non-commercial uses. Provide for a safe, harmonious, barrier-free network of appropriately-sized pedestrian connections between existing and new uses and leading to bus/transit stops and covered waiting areas. This pedestrian network should provide traffic-sheltered, well-identified and pleasant-to-use access to shopping, employment, and transit opportunities for residents living in close proximity to Richmond Highway as well as for adjacent communities.
- Encourage aesthetic and design excellence in all public and private improvements and developments. Detailed guidance regarding aesthetic and design excellence is found in the urban design recommendations located at the end of this Plan. In addition, the provision of landscaping/open space which exceeds by more than 5% of that required in the Zoning Ordinance shall be considered highly desirable.
- Encourage revitalization and redevelopment of the Richmond Highway Corridor to create more attractive, commercially-viable, and functionally-efficient business centers and community focal points.
- Provide incentives such as tax abatement to attract reinvestment in the Richmond Highway Corridor which will seek help to correct deteriorating property conditions.
- Provide expanded employment opportunities and improve the economic condition of residents in the Richmond Highway Corridor.

The Comprehensive Plan Map shows this property to be planned for Retail and Other.

## ANALYSIS

### Special Exception Amendment Plat (SEA Plat) (Copy at front of staff report)

Title of SEA Plat: Proposed Drive-thru Bank at Huntwood Plaza  
 Prepared By: Walter L. Phillips Incorporated  
 Original and Revision Dates: March 7, 2007 as revised through January 7, 2008

SEA Plat (Proposed Drive-Thru Bank at Huntwood Plaza)	
Sheet #	Description of Sheet
1 of 7	Cover Sheet with Vicinity Map, Notes and Tabulations
2 of 7	Existing Conditions
3 of 7	Existing Vegetation Map
4 of 7	Special Exception Amendment Plat
5 of 7	Limits of Disturbance Exhibit showing Proposed Bank at 1":20' Scale
6 of 7	Landscape Plan
7 of 7	Preliminary Stormwater Management Plan

The following features are depicted on the proposed combined CDP/FDP:

- **Site Layout:** The proposed drive-in bank is to be located near the intersection of Fort Hunt Road and Richmond Highway with the building entrance facing to the corner. The proposed drive-through lanes are oriented away from the abutting roads because they are to be located on the side of the bank building that faces the existing office building, which is east of the proposed location of the drive-in bank. There will be a second entrance to the bank building on its southern side.
- **Parcel 11B:** To the north and east of the application property is the remnant of Parcel 11B. Parcel 11B, the former site of a service station, was acquired as part of the Woodrow Wilson Bridge project and the remnant not utilized for right-of-way is currently used as part of the staging areas for that project. The applicant has informed staff that they have approached VDOT with regard to acquiring this property, which the applicant intends to use as additional parking for the office building. The SEA Plat includes illustrations as to how this property would be incorporated into the project. However, it should be noted that Parcel 11B is not part of the application property.
- **Vehicular Access:** There are two access points into the application property. The first access point is from the service drive along Fort Hunt Road and the second is from the service drive on Richmond Highway. The access point along Richmond Highway aligns with a break in the

median between the service drive and the northbound lanes of Richmond Highway and is located opposite the entrance to the office building.

- *Pedestrian Access:* Pedestrian walkways are provided into the site from the trails along Richmond Highway and Fort Hunt Road. The applicant proposes to paint crosswalks across the respective service drives for those connections, subject to the approval of VDOT. The pathway from Richmond Highway also provides pedestrian access to the existing office building. There is an internal pedestrian pathway between the office building and the proposed drive-in bank. Sidewalks are proposed around the proposed bank building with the exception of the side with the drive through window. The existing office building has sidewalks on all sides.
- *Parking and Stacking Spaces:* As noted above, pursuant to a parking agreement and the associated easements, 92 parking spaces are available for the applicant on the adjacent site to the east. With recent the approval of amendments to the Zoning Ordinance, subsequent to the original approval of SE 84-V-035, the amount of parking required for office space has been reduced and the provisions of the Commercial Revitalization District (CRD) allow for a 20 percent (20%) reduction in parking. Of the 253 required parking spaces for this use with the application of the CRD reduction, and without the inclusion of Parcel 11B, two would be provided off-site. Without the CRD reduction, 316 spaces would be required.

There are fifteen parking spaces in the immediate proximity of the proposed bank building, which satisfies the parking requirement for that use. The proposed drive-through lanes are located on the side of the building away from the intersection. There are five spaces provided for each lane, which will require that both drive-through lanes be open at the same time, pursuant to Par. 5 of Sect. 11-104.

- *Floodplain:* The application property is located within the 100-year floodplain with the exception of the portion of the site that was previously filled to allow the construction of the existing office building. As described above, the application property, while within the floodplain, was previously developed. The application includes a request for approval to allow additional fill in the floodplain, which is limited to the footprint of the proposed new building. The elevation of the 100-year floodplain in this location is 11 feet above sea level, as stated on the SEA Plat. The first floor of the new bank building will be at elevation 13 feet above sea level.
- *Environmental Quality Corridor (EQC)/Open Space:* This property includes the stream valley associated with a tributary of Hunting Creek that runs along the site's boundary with the Belle Haven Country Club. This area is within an existing conservation easement. This area will remain as open space. The other open space on this site consists of

landscaped islands within the parking lot and around the proposed bank building. Thirty percent (30%) of the application property is open space.

- Landscaping: The existing landscaping consists of trees located within the islands within the parking lot and along the tributary. With the construction of the drive-in bank, a new landscaping island is proposed between the office building and the new building, as well as landscaping consistent with the streetscape requirements along Richmond Highway and Fort Hunt Road for the proposed drive-in bank. Additional landscaping is proposed along Richmond Highway in front of the office building to the extent possible; the amount of landscaping along Richmond Highway will be increased if Parcel 11B is incorporated into the project in the future.

### **Land Use Analysis (See Appendix 5)**

The subject property is located in Sub-unit B-1, of the North Gateway Community Business Center (CBC). The applicants are proposing to add a bank with drive-through facilities on a portion of the subject property, which is developed with a 100,085 sq. ft. office building. The resulting FAR will be 0.51 within the SEA application property, exceeding the plan recommendation of 0.50 FAR. Should the applicant obtain Parcel 11B from VDOT, thereby increasing both the land area and the parking available on-site, as shown on the SEA Plat, the FAR would be reduced to a level within the Plan recommendations. Parking for both uses is provided on-site and on the adjacent property through a shared parking agreement and associated easement for the adjacent hotel property to the east. The Comprehensive Plan envisions office/retail uses oriented to Richmond Highway and Fort Hunt Road in this sub-unit. The Plan encourages quality development for the Richmond Highway Corridor; however, it also strongly discourages freestanding uses with drive-through facilities and uses that create high traffic volumes. Staff has concluded that the proposed drive-in bank is not consistent with these goals.

The Comprehensive Plan guidance for the Richmond Highway Corridor also contains specific guidance for urban design and streetscape design. Staff has concluded that the proposed landscaping is consistent with the streetscape recommendations for the Richmond Highway Corridor, subject to the proposed modification which is related, in part, to transportation issues. Pedestrian access, internal vehicular circulation and impacts to the surrounding transportation infrastructure are all deemed elements of significant consideration for any development within the Richmond Highway Corridor. Staff has concluded that these elements have been adequately addressed, as described above under Special Exception Plat and below under Special Exception Standards.

On balance, while the applicants have addressed the many of primary goals for redevelopment in the Richmond Highway Corridor, the proposed bank with drive-through windows is not in harmony with the land use recommendations of

the Comprehensive Plan because automobile-oriented uses are specifically noted to be discouraged for the Richmond Highway Corridor.

### **Transportation Analysis** (See Appendix 6)

#### **Issue:** Parking Spaces at Entrance

Several existing parking spaces access directly to the travel aisle from the entrance to the service drive of Richmond Highway. This situation creates conflicts between traffic entering the site at that entrance and vehicles backing out of these spaces. Half of the existing spaces which back into the travel way will be reconstructed when the new travel way to the new drive-in bank is constructed. The other half would be resolved in the same manner as shown on the insets included on the SEA Plat with the future acquisition of parcel 11B. Staff recommends that all of the parking spaces that back directly into the travel aisle be eliminated even if Parcel 11B is not acquired by the applicant.

#### **Resolution:**

As noted above, this issue has been partially addressed by the proposed construction of the drive-in bank and would be fully resolved if the applicant obtains Parcel 11B and redevelops that land as shown on the inset. However, if Parcel 11B is not redeveloped with the construction of the drive-in bank, six (6) parking spaces would still be backing out into the travel aisle immediately adjacent to this site entrance. To resolve this issue, the proposed development conditions require that the six spaces that would be removed with the construction of the drive-in bank building, even if Parcel 11B is not included in the project.

#### **Issue:** Transportation Demand Management

As part of the original approval of the special exception for the office building, a development condition requiring that transportation demand management (TDM) measures be implemented was included. During the past twenty years since the original approval, the TDM practices in the county have been updated and improved. Staff recommends that the previous development condition reflect the newer practices of the county. The major changes to the previous development condition include designating a program manager, increased coordination with the Fairfax County Department of Transportation through biannual reporting and the use of more up-to-date techniques to promote ride-sharing and the use of transit.

#### **Resolution:**

If the recommended development condition is included in the approval, this issue will be adequately addressed.

**Environmental Analysis** (See Appendix 5)**Issue:** Water Quality

The entire site lies within a portion of the Resource Protection Area (RPA) for Little Hunting Creek. However, staff recognizes that the entire site was developed prior to the adoption of the Chesapeake Bay Preservation Ordinance (CBPO) and the applicants are seeking to redevelop a portion which was previously occupied by a service station. Staff had suggested that the applicants provide additional Best Management Practices (BMPs) to meet the ten percent phosphorous reduction requirements for development or redevelopment within the CRD. The applicants have noted significant problems in attempting to design conventional, structured BMPs for the site due to its location within the 100-year floodplain and outfall design constraints.

**Resolution:**

The applicants are proposing to meet their water quality control improvement requirements by increasing landscaping and permeable surface areas within the site, which meets the minimum requirements of the Public Facilities Manual (PFM). Given the proximity of the site to the existing stream channel and elevation issues, an underground BMP facility is impractical. However, while staff recognizes that this site is not conducive to substantial tree preservation areas or the establishment of conservation easements, there are opportunities with the proposed development to incorporate such elements as planter boxes, porous pavers, green roof areas and possibly biofiltration areas.

**Issue:** Stormwater Management

With this proximity to Hunters Creek and the limited elevation above the floodplain, the fact that this site was previously paved, installation of stormwater retention facilities would have little or no efficacy and staff has determined additional stormwater detention facilities is not required.

**Resolution:**

This issue has been adequately addressed.

**Issue:** Additional Landscaping in Environmental Quality Corridor

The comments of the Urban Forestry Branch recommend that additional trees be planted within the RPA. A proposed development condition requires that five additional trees be planted within the RPA.

**Resolution:**

This is addressed by the proposed development condition.

**ZONING ORDINANCE PROVISIONS (See Appendix 9)**

<b>Bulk Standards (C-8 District)</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Lot Size	40,000 sq. ft.	203,434 sq. ft.
Lot Width	200 feet	255 feet – Fort Hunt Road 380 feet – Richmond Highway
Building Height	40 feet	Existing Office Building – 98 feet <sup>1</sup> Proposed Bank Building – 20 feet
Front Yard	45° ABP <sup>2</sup> ≥ 40 feet	Office on Richmond Hwy. – 110 feet Bank on Richmond Hwy. – 20 feet Bank on Fort Hunt Rd. – 20 feet
Side Yard	No Requirement	N/A
Rear Yard	20 feet	410 feet
Floor Area Ratio (FAR)	0.50	0.51 <sup>3</sup>
Open Space	15 %	61,030 sq. ft. (30%)

1. The existing office building was constructed pursuant to SE 84-V-035 which allowed a building up to 98 feet tall; the pending SEA requests that this approval be carried forward.
2. ABP – Angle of Bulk Plane. A 45 degree ABP requires a 98 foot setback for a 98 foot tall building.
3. The pending application includes a request to allow a FAR greater than 0.50 pursuant to the provisions of Sect. 9-618.

**Transitional Screening and Barriers**

With the exception of the Belle Haven Country Club, the abutting uses are either commercial uses or a hotel which do not require the provision of either transitional screening or a barrier per Article 13 of the Zoning Ordinance (Landscaping and Screening). With regard to an abutting country club, a drive-in bank and an office building are each required to provide Barrier H, which consists of one row of six foot tall trees planted fifty feet on center. The existing trees along the periphery of the parking lot and within the open space area along the tributary satisfy this requirement for both uses.

**Parking Lot Landscaping**

*Interior Parking Lot Landscaping:* Sect. 13-201 requires that interior parking lot landscaping that is five percent (5%) of the area of the parking lot be provided when a parking lot has 20 or more parking spaces. The tabulations on the Conceptual Landscape Plan (Sheet 6) state that the required interior parking lot landscaping would be 4,573 sq. ft. and that 8,057 sq. ft. will be provided to satisfy this requirement.

*Peripheral Parking Lot Landscaping:* Peripheral parking lot landscaping consisting of one large deciduous tree planted for every fifty feet within a four foot wide landscaping strip is required where a parking lot with 20 or more

parking spaces abuts a street line or a property line pursuant to Sect. 13-202 of the Zoning Ordinance; these trees are not required to be planted on fifty foot centers. Par. 4 of that section requires that, in Commercial Revitalization Districts, peripheral parking lot landscaping in accordance with the applicable CRD District shall be provided. In this instance, the area along the abutting roads near the proposed drive-in bank is shown to be planted in accordance with the Comprehensive Plan recommended streetscape for Richmond Highway. As shown on the Conceptual Landscape Plan, the portion of the site's frontage on Richmond Highway east of the entrance is shown to be planted with two new large deciduous trees until Parcel 11B is acquired by the applicant. Once that occurs, new parking will be constructed as shown on the inset on Sheets 4 and 6 of the SEA Plat and the streetscape recommended for Richmond Highway will be installed. Staff has concluded that this proposal will adequately address the peripheral parking lot landscaping for the land east of the entrance from Richmond Highway.

The SEA Plat also requests that the Board of Supervisors approve a modification of the peripheral parking lot landscaping requirement along the site's boundary with Parcel 11A, where the hotel is located. The modification requests a delay in providing full peripheral parking lot landscaping along that boundary until the improvements to the parking lot associated with the acquisition of Parcel 11B are undertaken. Staff agrees that such a modification, in favor of the existing landscaping, is warranted.

### **Parking**

The parking requirement for the development existing office building was satisfied by including 92 spaces on Parcel 11A, the adjacent site which is developed with a hotel. Pursuant to Par. 4 of Sect. 11-101, parking may be provided off-site subject to the approval of a shared parking study by the Board of Supervisors and subject to the execution and recording of the necessary easements in a form approved by the County. As noted above, there is an existing shared parking agreement and easements to allow parking on the adjacent property. Pursuant to the terms of this approval, if another use is added to the property a revised shared parking study must be submitted for review by staff and approval by the Board of Supervisors. The proposed development conditions require that a revised parking study be submitted for review and approval prior to the approval of the site plan that would allow the construction of the drive-in bank.

With the addition of the proposed drive-in bank the required parking would be 316 spaces, not including the stacking spaces for the drive-through window. Subsequent to the approval of the original SE for the office building, the Board of Supervisors amended the Zoning Ordinance to create the Commercial Revitalization District (CRD), which includes, among other things, a provision that allows for a parking reduction of twenty percent in a CRD District. With the permitted twenty percent (20%) reduction within the CRD District, the parking requirement would be reduced to 253 spaces. The SEA Plat shows that, with the existing parking agreement for 92 spaces off-site on Parcel 11A, the total

number of parking spaces available would 343, with 251 spaces located within the application property. If the adjacent property owned by VDOT, Parcel 11B, were to be added to the site, the total number of parking spaces would be increased to approximately 262 spaces. However, Parcel 11B is not included in the application property. In order to consider the parking proposed to be constructed on Parcel 11B as part of the required parking for the two uses included in this special exception amendment that parcel would have to be included in the application.

### **Loading**

There are six loading spaces located adjacent to the existing office building, which satisfies the loading space requirement for a 108,000 sq. ft. office building pursuant to the provisions of Sect. 11-203. The application includes a request to waive the one loading space required for the proposed drive-in bank. Par. 3 of Sect. 11-202 permits the number of loading spaces to be waived or modified if other space is available on the site for loading. In this instance, the six spaces located at the office building can provide for this requirement for the drive-in bank. Staff recommends that the requested waiver be granted.

### **Special Exception Requirements (See Appendix 9)**

- Additional Standards for Automobile Oriented Uses (Sect. 9-505)
- Provisions for Uses in a Floodplain (Sect. 9-606)
- Provisions for Approving an Increase in Building Height (Sect. 9-607)
- Increase in FAR (Sect. 9-618)
- Provisions for Modifications/Waivers/Increases and Uses in a Commercial Revitalization District (Sect. 9-622)
- Category 5 Standards (Sect. 9-503)
- General Special Exception Standards (Sect. 9-006)

**Additional Standards for Automobile Oriented Uses, Car Washes, Drive-Through Pharmacies, Fast Food Restaurants, Quick-Service Food Stores, Service Stations and Service Stations/Mini-Marts (Sect. 9-505)**

Par. 1 of this section includes five standards that apply to automobile oriented uses within all districts and Par. 4 includes three standards that are applicable to automobile oriented uses in the C-8 District. The other paragraphs apply to other zoning districts and do not apply in this instance.

The first standard in Par. 1 requires that the building have the same architectural treatment on all four sides or be compatible with the building group in which it is located. The proposed development conditions would require that the proposed freestanding drive-in bank building have the same architectural treatment on all four sides of the building.

The second standard requires that the proposed use be designed to coordinate pedestrian and vehicular access with adjacent properties. As described above, the SEA Plat includes pedestrian connections from this site to the pedestrian facilities

along the adjacent roads. Further, vehicular access is provided via the curb cuts established with the recent improvements to the intersection of Fort Hunt Road and Richmond Highway associated with the Wilson Bridge project. For these reasons, staff has concluded that this standard has been satisfied.

The third standard in Par. 1 requires that running movements not conflict to facilitate safe and efficient access to the proposed use and that parking and stacking spaces be provided and located in a manner to provide safe and convenient vehicle access to the site. The site will be accessed via curb cuts established with the recently constructed improvements to Richmond Highway. As described under the Transportation Analysis, the existing parking spaces located closest to the access point from the service drive along Richmond Highway will interfere with vehicles entering the site at this location and are recommended to be removed. This situation will be addressed if the staff recommended condition related to this matter is included in the approval of the SEA, thereby satisfying this standard.

The fourth standard requires that the lot be of sufficient size and width to accommodate the use. The minimum lot size and lot width requirements for the C-8 District are met as show on the SEA Plat. This standard also addresses impacts on adjacent or nearby residential uses. The nearest residential properties are located approximately 250 feet south of the existing southernmost entrance to this site. Therefore, staff has concluded that these properties would not be adversely affected by the changes proposed on this site.

The fifth standard in Par. 1 addresses drive-through pharmacies and is not applicable.

The additional standards in Par. 4 of Sect. 9-505 address outdoor storage, service station and service station/mini-marts and are not applicable in this instance.

#### Provisions for Uses in a Floodplain (Sect. 9-606)

The application property consists of land that was previously filled to create the existing office building and its associated parking. While additional fill will be required as part of the construction of the new building to set the elevation of the first floor at 13 feet above the 100 year floodplain elevation at 11 feet, this amount of fill will not affect the manner in which the site conforms with the standards for fill in a floodplain.

#### Provisions for Approving and Increase in Building Height (Sect. 9-607)

This request is related to the previous approval that permitted the existing building to be constructed 98 feet tall pursuant to SE 84-V-035. Since the proposed amendment proposes no changes to the office building, it will not affect the manner in which the office building conforms with the applicable additional standards found in Sect. 9-608.

#### Increase in FAR (Sect. 9-618)

This provision allows the Board of Supervisors to approve an increase in FAR as outlined in the zoning district regulations. Floor area ratio (FAR) is limited in the C-8 District to 0.5, but permits an increase to 0.7 FAR with the approval of a special exception or in conjunction with a rezoning (see Par. 3 of Sect. 4-807). The applicant is requesting to develop the site at 0.51 FAR. Staff would recommend approval of this request if the proposed bank building did not include drive-through windows, which, as noted above, staff has concluded are specifically discouraged in the Richmond Highway Corridor.

#### Provisions for Modifications/Waivers/Increases and Uses in a Commercial Revitalization District (Sect. 9-622)

These provisions allow for waivers and modifications to permit increases in FAR, reductions in yards, increases in the proportion of office allowed and increases in building heights in a Commercial Revitalization Overlay District, when such modifications are in accordance with and will further the implementation of the CRD District. The increase in FAR and the increase in building height are addressed above. The proposed bank building is set back from Fort Hunt Road and Richmond Highway by 20 feet, which is in accordance with the design standards for Richmond Highway. In addition, the request for the increase in proportion of office use is related to the existing use on the site. However, because the application proposes two drive-through windows, staff has concluded that the application is not in conformance with the recommendations of the Comprehensive Plan.

#### Category 5 Standards (Sect. 9-503)

The first standard addresses whether the proposed use conforms with the applicable lot size and bulk regulations of the zoning district in which it is located. As noted above, the application property meets the lot size requirements of the C-8 District and the office building meets the C-8 District setback requirements. The proposed bank building meets the C-8 requirements with the exception of the front yard requirement, which is consistent with the urban design recommendations for the Richmond Highway Area.

The second standard states that all such uses are required to conform with the requirements of Article 14, Performance Standards. These standards, including the outdoor lighting standards found in Part 9 of this article, will have to be met both during construction and during operations on the site.

The third standard notes that all such uses require approval of a site plan pursuant to the provisions of Article 17 of the Zoning Ordinance. This requirement is reiterated in the proposed development conditions.

#### General Special Exception Standards (Sect. 9-006)

This section of the Ordinance contains eight standards applicable to all applications for special exceptions and special exception amendment applications.

The first standard requires that the proposed use be in harmony with the recommendations of the Comprehensive Plan. As noted above, while staff has concluded that the proposed bank building and the proposed landscaping along both Fort Hunt Road and Richmond Highway conform with the urban design recommendations for the Richmond Highway Area, the proposed drive-through windows are in harmony with the recommendations of the Comprehensive Plan.

The second standard requires general harmony with the general purpose and intent of the district regulations. As outlined in Part 8 of Article 4, the purpose and intent of the C-8 Highway Commercial District is to provide locations for commercial and service uses on heavily travelled corridors. This proposal meets that standard.

The third general standard addresses whether the proposed use would be harmonious with the surrounding uses and not adversely affect the use or development of the adjacent properties. Staff has concluded that the application conforms with this standard.

The fourth general standard requires that vehicular and pedestrian circulation associated with such a use be such that it is not hazardous and not conflict with existing or existing traffic. As described above, the pedestrian links are appropriate and provide adequate connections to uses within the property and to other pedestrian pathways in the vicinity. With the exception of the possible conflicts resulting from the existing parking spaces at the entrance from Richmond Highway, vehicular circulation is adequate. As discussed in the Transportation Analysis and required by the proposed development conditions, the existing vehicular conflicts at the entrance along Richmond Highway should be eliminated as part of the construction of the proposed bank building.

The fifth standard addresses the landscaping and screening requirements contained in Article 13. As noted above, transitional screening is required only adjacent to the Belle Haven Country Club and is met by the existing landscaping along that boundary. Interior parking lot landscaping that meets the requirement is shown on the SEA Plat. Staff recommends that the requested modification of peripheral parking lot landscaping along the boundary for Parcel 11A, reflecting the existing situation, be approved.

The sixth standard addresses open space. The SEA Plat includes 30 percent, 15 percent open space is required in the C-8 District.

The seventh standard addresses drainage, parking, loading and other accessory facilities. As noted above, with the twenty percent (20%) reduction in parking permitted in the CRD District, all but two of the number of parking spaces required is provided for within the application property. Additional parking would be provided when and if the applicant purchases Parcel 11B from VDOT in the future. In addition, the applicant has easements in place that allow parking for the office building on the adjacent parcel, Parcel 11C, which is developed with a hotel. As discussed above, the application includes a request for a waiver of the required loading space for the proposed bank building.

The eighth standard addresses signage; all signs will have to conform with the requirements of Article 12, Signs.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Conclusions**

Staff has concluded that the proposal for a bank with drive-in windows is not in harmony with the Comprehensive Plan which strongly discourage automobile oriented uses along Richmond Highway. Therefore, staff has also concluded that this application is not in conformance with the applicable Zoning Ordinance provisions.

### **Recommendations**

Staff recommends that SEA 84-V-035 be denied. However, if it is the intent of the Board of Supervisors to approve SEA 84-V-035, staff recommends that the approval be 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, in adopting any conditions, 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 easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

It should be further noted that the content of this report reflects the analysis and 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. Clerk to the Board's letter for SE 84-V-035
5. Plan Citations, Land Use Analysis and Environmental Assessment
6. Transportation Analysis
7. Stormwater Analysis
8. Urban Forestry Analysis
9. Applicable Zoning Ordinance Provisions Checklist
10. Glossary of Terms

## PROPOSED DEVELOPMENT CONDITIONS

SEA 84-V-035

January 10, 2008

If it is the intent of the Board of Supervisors to approve SEA 84-V-035 located at 5845 and 5863 Richmond Highway [Tax Map 83-4 ((1)) 8, 9, 10, 11] previously approved for an increase in building height to permit a drive-in bank in a separate one-story building adjacent to an existing 8-story, 98-foot tall Office Building in a Highway Corridor Overlay District, an increase in gross floor area, increase in office in a CRD District, uses in a floodplain, and an increase in land area pursuant to Sections 9-607, 9-618, 9-622, 4-804 and 2-902 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions (the conditions marked with an asterisk (\*) have been carried forward from the previous approval):

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Amendment Plat approved with the application, as qualified by these development conditions.
3. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans, as may be determined by the Department of Public Works and Environmental Services (DPW & ES). Any plan submitted pursuant to this Special Exception Amendment shall be in substantial conformance with the approved Special Exception Amendment Plat entitled Proposed Drive-thru Bank at Huntwood Plaza, prepared by Walter L. Phillips Incorporated and dated March 7, 2007 as revised through January 7, 2008. Minor modifications to the approved Special Exception Amendment may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. \*There shall be no median break along this property's frontage on Fort Hunt Road.
5. \*The following uses shall not be permitted in the office building or on this site:
  - Automobile-oriented uses except for the proposed drive-in bank
  - Contractors office and shops
  - Fast food restaurants
  - Funeral Homes

- Hotels/Motels
  - Plant nurseries
  - Private school of general education and/or special education
  - Quick-service food stores
  - Repair service establishments
  - Theaters
  - Vehicle light service establishments
  - Veterinary hospitals
  - Wholesale trade establishments
  - Mini-warehousing establishments
  - Service stations
  - Service stations/mini-marts
  - Vehicle sale, rental and ancillary service establishments.
6. \*Any retail use, if any, in the office building shall be limited in its hours of operation so that it will not be open for business during the morning peak hours, and in not event shall be any permitted to open earlier than 9:30 a. m.
7. Transportation Demand Management Program. A transportation demand management plan (TDM Plan) should be implemented by the Applicant, and, subsequently the respective tenants in order to encourage the use of transit (Metrorail and bus), other high-occupant vehicle commuting modes, walking and biking in order to reduce automobile trips generated by the development.
- A. Program Manager. Within 30 days of approval of this requested Special Exception Amendment, the Applicant should designate an individual to act as the Program Manager (PM) for the Property. The Program Manager will be responsible for implementing the TDM strategies. The duties of the Program Manager may be a part of other duties assigned to the individual. The applicant should provide written notice to Fairfax County Department of Transportation ("FCDOT") of the appointment of the Program Manager within ten (10) days of such appointment, and thereafter, within ten (10) days of any change in such appointment.
- B. TDM Plan. Ninety (90) days after the appointment of the Program Manager the Program Manager should submit to FCDOT for review and approval a TDM Plan of strategies to be implemented for the Property. The TDM Plan should include provisions for the following:

- i. **Information Dissemination.** The Program Manager should make Metro maps, schedules and forms, ridesharing and other relevant transit option information available to owners/tenants and employees in a common area; such as the central lobby, community room, or building management office.
  - ii. **Ride Matching.** The Program Manager should coordinate and assist with vanpool and carpool formation programs, ride matching services, and establish a guaranteed ride home program.
  - iii. **Flexible Work Schedules.** The Program Manager should encourage tenants to allow flexible work schedules for their employees to reduce peak period traffic generation.
  - iv. **Teleworking.** The Program Manager should encourage tenants to facilitate employee teleworking from their homes or local telework centers to reduce traffic generated by the development.
  - v. **Website.** The Program Manager should develop and maintain a TDM project website that includes targeted information including multi-modal transportation information, real-time travel and transit data, the possibility of online transit pass sales or value loading and connections to supporting links.
  - vi. **Preferential Parking.** Applicant should provide preferential office parking for car/van pools at the proposed development
  - vii. **Coordination.** The Program Manager should work with FCDOT, and any other transportation management entities that may be established in the area of the development, to promote alternatives to single-occupant automobile commute trips.
- C. Six months after this TDM Plan is implemented, and bi-annually on the anniversary date of the first survey, for a period of ten (10) years thereafter, a survey should be completed and provided to FCDOT. The survey should be conducted during a week without any holidays and when Fairfax County Public Schools are in session. The survey should gather information on the effectiveness of the TDM Plan and be used by the Program Manager to determine whether changes to the TDM Plan are appropriate. If the survey reveals that changes to the TDM Plan are

needed, the Applicant, through the Program Manager should coordinate such changes with FCDOT and implement and adjust the TDM Plan accordingly. Such analysis should include at a minimum:

- i. A description of the TDM measures in effect for the survey period and a description of how such measures have been implemented;
  - ii. The number of people surveyed;
  - iii. The results of any surveys taken during the survey period;
  - iv. The number of employees participating in the TDM programs displayed by category of participants and by mode of use;
  - v. An evaluation of the effectiveness of the TDM Plan and its program elements and, if necessary, proposed modifications to the plan and program elements; and
  - vi. A description of the uses of the buildings on the Property at the time the survey was conducted and levels of occupancy.
- D. Continuation of TDM Program. After the ten year survey requirement is fulfilled, all other TDM conditions should remain in effect, and applicant should continue to implement the TDM Plan and coordinate with FCDOT.
8. The same architecture treatment shall be used on all four sides of the proposed drive-in bank building.
  9. Due to the configuration of the stacking spaces, both of the drive-through lanes shall be open at the same at any time that the drive through window is in operation.
  10. If Parcel 11B is included in the site plan for the initial construction of the proposed drive-in bank, it shall landscaped as shown on the inset on Sheets 4 and 6 of the SEA Plat. However, if Parcel 11B is not included in the site plan, prior to the issuance of the Non-residential Use Permit (Non-RUP) for the drive-in bank, the six parking spaces, which back into the travel aisle from the entrance to the site from the service drive shall be replaced with a landscaped island.

11. A revised parking study and a request to modify the existing approval for shared parking shall be submitted prior to the submission of the site plan or minor site plan for the proposed drive-in bank for the review and approval of the Director, DPWES or the Board of Supervisors, as determined by the Director, DPWES. If the amendment to the parking study is not approved the site plan to allow construction of the drive-in bank shall not be approved unless the applicant can demonstrate that the parking requirement is met within the land area included in the Site Plan.
12. An additional five trees, consisting of a mix of deciduous trees identified in the PFM as native trees that have wildlife value, shall be planted within the open space area adjacent to the tributary of Hunting Creek along the site's southern boundary.

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 Amendment shall not be valid until this has been accomplished.

The approval of this special exception does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception Amendment shall automatically expire, without notice, thirty (30) months after the date of approval unless 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.

**SPECIAL EXCEPTION AFFIDAVIT**

DATE: December 3, 2007  
 (enter date affidavit is notarized)

I, Lynne J. Strobel, 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

95928c

in Application No.(s): SEA 84-V-035  
 (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 <b>BOLD</b> above)
Huntwood, L.L.C. also f/k/a Tall Oaks Village Center, L.L.C.	c/o WPC Management LLC 4720 Montgomery Lane, #900 Bethesda, Maryland 20814	Applicant/Title Owner of Tax Map 83-4 ((1)) 8, 9, 10, 11
Agents:		
Winburn E. Stewart, III (former)		
Jonathan I. Meyers		
Charles K. Nulsen, III		
Joann K. Nulsen		
Richard A. Redler		

(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 Attachment to Par. 1(a)**

DATE: December 3, 2007  
 (enter date affidavit is notarized)

95928c

for Application No. (s): SEA 84-V-035  
 (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 <b>BOLD</b> above)
Walter L. Phillips, Incorporated  Agents: Jenifer L.T. Hornback Monica R. Westgate Charles F. Dunlap Jill C. Olinger	207 Park Avenue Falls Church, Virginia 22046	<b>Engineer/Agent</b>
Wetland Studies and Solutions, Inc.  Agents: Michael S. Rolband Mark W. Headley Brian M. Chromey	5300 Wellington Branch Drive Suite 100 Gainesville, VA 20155	<b>Environmental Consultant/Agent</b>
Patton Harris Rust & Associates, Inc. f/k/a Patton Harris Rust & Associates, PC  Agents: Douglas R. Kennedy Peter J. Steele	14532 Lee Road Chantilly, Virginia 20151	<b>Transportation Consultant/ Agent</b>
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.  Agents: Martin D. Walsh Lynne J. Strobel Timothy S. Sampson M. Catharine Puskar Jason B. Heinberg (former) Abby C. Denham Tara E. Wiedeman Sara V. Mariska G. Evan Pritchard Elizabeth D. Baker Inda E. Stagg Kara M. Whisler Megan C. Shilling Elizabeth A. McKeeby	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	<b>Attorneys/Planners/Agent</b>

(check if applicable)

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: December 3, 2007
(enter date affidavit is notarized)

95928c

for Application No. (s): SEA 84-V-035
(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)
Huntwood, L.L.C. f/k/a Tall Oaks Village Center, L.L.C.
4720 Montgomery Lane
Bethesda, Maryland 20814

DESCRIPTION OF CORPORATION: (check one statement)

- [x] 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)

Washington Property Company, L.L.C.,
Manager

CKN Investments, L.P., Member
Stanley M. Barg, Member
JKN Investments, L.P., Member

(check if applicable) [x] 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: December 3, 2007  
(enter date affidavit is notarized)

95928c

for Application No. (s): SEA 84-V-035  
(enter County-assigned application number (s))

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

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

Washington Property Company, L.L.C.  
4720 Montgomery Lane  
Bethesda, Maryland 20814

**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)

CKN Investments, L.P.

(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 Attachment to Par. 1(b)**

DATE: December 3, 2007  
(enter date affidavit is notarized)

95928c

for Application No. (s): SEA 84-V-035  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
CKN Investment Management, LLC  
4720 Montgomery Lane  
Bethesda, Maryland 20814

**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)  
Member: Charles K. Nulsen, III Family      Manager: JoAnn K. Nulsen  
Dynasty Trust f/b/o JoAnn K. Nulsen,  
Jordan I. Nulsen, Charles K. Nulsen, IV,  
Charles K. Nulsen, III, Haley E. Nulsen,  
M. Ramsey Nulsen

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
JKN Investment Management, LLC  
4720 Montgomery Lane  
Bethesda, Maryland 20814

**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)  
Member: JoAnn K. Nulsen Family Dynasty      Manager: Charles K. Nulsen, III  
Trust f/b/o JoAnn K. Nulsen, Jordan I.  
Nulsen, Charles K. Nulsen, IV, Charles K.  
Nulsen, III, Haley E. Nulsen, M. Ramsey  
Nulsen

(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 Attachment to Par. 1(b)**

DATE: December 3, 2007  
(enter date affidavit is notarized)

95928c

for Application No. (s): SEA 84-V-035  
(enter County-assigned application number (s))

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

Walter L. Phillips, Incorporated  
207 Park Avenue  
Falls Church, VA 22046

**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)

Terrance M. Anderson (former)  
Brian G. Baillargeon  
Edward L. Johnson (former)  
Jeffrey J. Stuchel

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

Wetland Studies and Solutions, Inc.  
5300 Wellington Branch Drive  
Suite 100  
Gainesville, VA 20155

**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)

Michael S. Rolband, Sole Shareholder

(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 Attachment to Par. 1(b)**

DATE: December 3, 2007  
(enter date affidavit is notarized)

95928c

for Application No. (s): SEA 84-V-035  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Patton Harris Rust & Associates, Inc. f/k/a Patton Harris Rust & Associates, PC  
14532 Lee Road  
Chantilly, Virginia 20151

**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)

Thomas D. Rust  
Jeffrey E. Frank

**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: December 3, 2007  
(enter date affidavit is notarized)

95928c

for Application No. (s): SEA 84-V-035  
(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)

CKN Investments, L.P.  
4720 Montgomery Lane  
Bethesda, Maryland 20814

(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)**

General Partners:  
JoAnn K. Nulsen  
Charles K. Nulsen, III

Limited Partners:  
Charles K. Nulsen, III  
CKN Investment Management, LLC

(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 Attachment to Par. 1(c)**

DATE: December 3, 2007  
(enter date affidavit is notarized)

95928c

for Application No. (s): SEA 84-V-035  
(enter County-assigned application number (s))

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

JKN Investments, L.P.  
4720 Montgomery Lane  
Bethesda, Maryland 20814

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

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

General Partners:  
JoAnn K. Nulsen  
Charles K. Nulsen, III

Limited Partners:  
JoAnn K. Nulsen  
JKN Investment Management, LLC

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: December 3, 2007  
(enter date affidavit is notarized)

95928c

for Application No. (s): SEA 84-V-035  
(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: December 3, 2007  
(enter date affidavit is notarized)

95928c

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 "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:

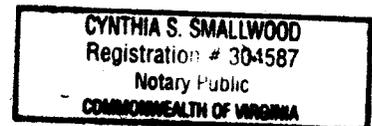
(check one) Lynne J. Strobel  
[ ] Applicant [x] Applicant's Authorized Agent

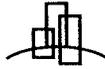
Lynne J. Strobel, attorney/agent  
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 3 day of December 20 07, in the State/Comm. of Virginia, County/City of Arlington

Cynthia S. Smallwood  
Notary Public

My commission expires: December 31, 2009





**WALSH COLUCCI  
LUBELEY EMRICH  
& WALSH PC**

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

RECEIVED  
Department of Planning & Zoning

JUL 30 2007

Zoning Evaluation Division

REVISED

June 27, 2007

*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: Special Exception Amendment (SEA 84-V-035)  
Applicant: Huntwood, L.L.C.

Dear Ms. Coyle:

Please accept the following as a statement of justification for a special exception amendment application to permit the following: the construction of a drive-in bank, uses in a floodplain, the addition of land area and an increase in maximum floor area.

The Applicant is the owner of approximately 4.67 acres in the Mount Vernon District, which are identified among the Fairfax County tax map records as 83-4 ((1)) 8, 9, 10, and 11. Parcel 11 is developed with an eight (8)-story office building and associated surface parking. Parcels 8, 9, and 10 contain asphalt and compacted gravel parking areas, along with a number of temporary construction trailers. A special exception, referenced as SE 84-V-035 was previously approved on Parcels 8, 10 and 11 to permit a building height increase for the office building. The approval conditions limit the construction of automobile-oriented uses. The Applicant proposes to amend the previously approved special exception to permit a drive-in bank.

The Subject Property is located in the southeastern quadrant of the intersection of Fort Hunt Road and Richmond Highway. A private service drive provides access to the Subject Property along its northern and western boundaries. The Subject Property is currently zoned to the C-8 Highway Commercial District, and is located within the bounds of the Richmond Highway Corridor Overlay District and the Richmond Highway Commercial Revitalization District (the "Richmond Highway CRD").

The Subject Property is developed with an eight (8) story office building and associated parking. With the exception of adding landscaping and modifying a small area of parking, there are no changes proposed to the existing office building. That portion of the Subject Property

located at the intersection of Fort Hunt Road and Richmond Highway was previously developed with a service station and quick service food store in accordance with special exception applications approved by Fairfax County. In 2003, however, the service station and quick service food store ceased operations as it was acquired by the Virginia Department of Transportation (VDOT) in conjunction with the improvements to the Woodrow Wilson Bridge. The buildings were demolished, and the land not utilized for right-of-way became a staging area for VDOT. This portion of the Subject Property currently contains asphalt, compacted gravel parking areas, as well as a number of temporary construction trailers. The Applicant acquired the land in 2005 as part of its negotiations with VDOT for acquisition of right-of-way along its adjacent Richmond Highway property frontage. The Subject Property is not governed by any proffered conditions.

The Subject Property is located within the Richmond Highway Corridor Area, which is specifically discussed in the Area IV Fairfax County Comprehensive Plan (the "Plan"). As the Plan suggests, a goal of a Comprehensive Plan for the Richmond Highway Corridor is to promote revitalization and redevelopment, while maintaining an acceptable land use and transportation balance. The Applicant's proposal is consistent with this overall goal, as well as the more specific Planning Objectives, including urban design.

The Subject Property is specifically located within Sub-unit B-1 of the North Gateway Community Business Center. The general text for the North Gateway Community Business Center includes an acknowledgement of existing uses. Certain areas are planned for redevelopment to high-rise residential or, in the alternative, as a varied height mixed use project including residential, office and retail uses or a high-rise residential use. These higher intensity redevelopment options are not applicable to the Subject Property. The text states that Parcels 10 and 11 are planned for office use up to 0.50 FAR with a maximum of eight (8) stories, which reflects existing conditions. The remainder of this sub-unit is planned for neighborhood serving retail use up to 0.25 FAR. Lastly, the text for Sub-unit B-1 states "future highway improvements may impact the accessibility of the sub-unit."

The Applicant's proposal includes preservation of an existing office building and the construction of a free standing bank building with drive-through windows as described herein. It is important to remember that the area proposed for the bank building was previously utilized as a service station. On January 10, 2000, the Board of Supervisors approved SEA 97-V-010 filed by Mobil Oil Corporation. The approval permitted site modifications, including the replacement of two (2) multi-pump dispensers with four (4) multi-pump dispensers, or an intensification of the use. The current Plan text for Sub-unit B-1 was applicable at the time of the approval. The staff report indicates that there were no land use issues and recommended approval.

As foreseen by the Plan text, future highway improvements did impact Sub-unit B-1. The service station was part of a total condemnation by the Virginia Department of Transportation (VDOT) at the time that improvements were made to the Woodrow Wilson Bridge. The Applicant, as part of its negotiated dedication of Richmond Highway property frontage, acquired the remainder of this land.

While the Plan envisions redevelopment and revitalization, there will be a continued need for services to benefit the residents of the Richmond Highway Corridor, as well as employees of office and retail buildings. Services, such as banks, are a part of daily life, and must be conveniently located to the people that they serve. The land use portion of the Planning Objectives strongly discourages free standing uses with drive-through facilities and uses that create high traffic volume to and from and along the Corridor, and that contribute to the strip commercial character of Richmond Highway. However, the proposed free standing drive-in bank can be distinguished from this general recommendation. The proposed drive-in bank will utilize existing curb cuts that are already in place. Therefore, there will not be an adverse impact to the traffic flow along Richmond Highway. Further, a drive-through bank historically has fewer trips per day than other drive-in facilities. The proposed use will serve the adjacent eight (8) story office building, the hotel that is currently under renovation, the employees of the Richmond Highway Corridor, as well as the nearby residential communities. A single free standing use in proximity to an existing office building does not create a strip commercial character.

The Planning Objectives encourage better access and functional amenities through improvements to and integration of the pedestrian, bicycle and vehicular traffic systems by visually enhancing intersections, reducing curb cuts and providing better signage and access to the commercial facilities and adjacent non-commercial uses. The Applicant has designed an integrated pedestrian circulation system consisting of sidewalks, trails and crosswalks. This pedestrian system links the proposed free standing building to the Richmond Highway Corridor, as well as to the adjacent office building and hotel. Further, the total number of curb cuts has been reduced from the original service station use. The Applicant does not propose any modifications to existing access points.

More importantly, the Applicant satisfies the Plan's five (5) Urban Design Objectives for the Richmond Highway Corridor Area. The Urban Design objectives are intended to:

- Establish Visual Continuity

The Plan references the creation of a unified, attractive visual appearance along the corridor. The Applicant is satisfying this objective with the placement of its proposed free standing bank building closer to the intersection of Richmond Highway and Fort Hunt Road. To locate the bank within the existing office building, or as addition to the building, would not create the same visual appearance. A relocation of the bank building would result in parking in proximity to Richmond Highway, which does not create any visual interest to pedestrians or motorists. The building will be constructed of quality masonry materials. In addition, the Applicant will provide its utilities underground to enhance the appearance of the Subject Property. Lastly, landscaping has been emphasized to create a visually pleasing image from Richmond Highway.

The Applicant proposes the construction of a freestanding bank with a drive-through component. The drive-through component necessitates the approval of a category 5 special exception. As the Subject Property is located within a floodplain, the approval of a category 6 special exception is also required. The Applicant has prepared a special exception plat (the "SE Plat"), that illustrates the proposed one-story building, containing approximately 3,800 square feet of gross floor area ("GFA"). The architecture will be traditional, including brick and glass exterior and a metal standing seam or architectural asphalt shingle roof that is in keeping with the Richmond Highway Corridor Area Urban Design Recommendations as discussed herein.

The front of the proposed bank building will be oriented toward the intersection of Richmond Highway and Fort Hunt Road. Two (2) primary points of access are provided via existing curb cuts along the service drive, which fronts the northern and western boundaries of the Subject Property. The Applicant proposes two (2) drive-through windows and a by-pass lane. As articulated in the Urban Design Recommendations, parking on the Subject Property will be located to the side and rear of the proposed building, creating an "urban atmosphere." A total of thirty (30) parking spaces will be provided, with an additional five (5) stacking spaces provided for each drive-through window. This stacking is adequate to serve the proposed use and will preclude any stacking of vehicles on public roadways.

Landscaping will be provided as shown on the SE Plat. This landscaping will include a combination of deciduous trees, flowering trees, and shrubs. The Subject Property's total proposed tree coverage is approximately 25,000 feet, which far exceeds the 18,646 square feet of tree coverage required by the Fairfax County Zoning Ordinance (the "Zoning Ordinance"). The deciduous trees around the perimeter of the Subject Property will provide visual screening for the building, will enhance the appearance of the site, and will foster the revitalization goals for the Richmond Highway Corridor.

The Applicant's proposal also provides several other key benefits. First, replacing the former service station and quick service food store use with a lower traffic-generating drive-through bank will reduce the transportation impacts associated with the uses on the Subject Property. Furthermore, the Applicant's proposed site design utilizes existing curb cuts, while also incorporating high-quality architecture, landscaping, and urban design elements to improve the streetscape along this portion of the Richmond Highway Corridor. Finally, it is important to note that the impervious area will be reduced by the Applicant's proposed development, even though the site design includes fill in a floodplain. The portion of the Subject Property that will be disturbed currently contains asphalt and compacted gravel parking areas, along with multiple temporary construction trailers. The pre-development impervious area of 0.63 acre will be reduced to 0.57 acre post-development. As a result of the reduction in the peak rate of runoff associated with the Applicant's proposal, no stormwater detention is required. In addition, a Resource Protection Area ("RPA") exception is not required as the proposal is considered redevelopment and the amount of impervious surface is not increased.

In accordance with the requirements of Section 9-011 of the Zoning Ordinance, please accept the following information regarding the special exception application for a drive-in bank:

- The type of operation proposed is a bank with two (2) drive-through windows. This use will require amendment of prior conditions that limit automobile-oriented uses.
- The hours of operation will be as follows: Drive-in Windows, Monday through Friday, 8:00 a.m. to 7:00 p.m.; Saturday, 8:00 a.m. to 5:00 p.m.; and Sunday, 9:00 a.m. to 5:00 p.m.
- On average, approximately two hundred (200) persons will visit the drive-in bank each day.
- The estimated number of employees is a maximum of twelve (12) on site at any one time.
- The proposed use generates approximately thirty-eight (38) vehicle trips during a.m. peak and one hundred thirty-nine (139) vehicle trips during p.m. peak. On Saturdays, the use of lobby services and drive-through windows are evenly distributed during the hours of operation. Because walk-up and drive-through ATMs are available twenty four (24) hours a day, seven (7) days a week, the peak hours that banks have traditionally experienced are increasingly less intensive when compared to non-peak hours.
- The vicinity or general area that will be served by the bank is the Richmond Highway Corridor Area. This includes an area of approximately five (5) square miles surrounding the Subject Property.
- The proposed drive-in bank is a one-story building consisting of approximately 3,800 square feet of GFA, with two (2) drive-through windows. The façade for the proposed building will be predominantly brick and glass. Additional architectural features will be dependent upon the specific tenant that occupies the building.
- The gasoline storage tanks previously located on the Subject Property have been removed in accordance with State and Federal regulations. Therefore, the Applicant is unaware of any current hazardous or toxic substances on the Subject Property.
- The proposed development complies with all adopted standards, ordinances, and regulations, except as discussed below and as may be noted on the SE Plat.

The site intensity of 0.51 exceeds the 0.50 FAR permitted in the C-8 District. Therefore, the Applicant further requests a special exception in accordance with Section 9-618 of the Ordinance to permit an increase in maximum floor area. The request results from an Ordinance amendment that occurred in 1991. The existing building was constructed when the permitted FAR in the C-8 District was 0.7. The Ordinance currently limits FAR to 0.50, but allows an increase to 0.7 FAR with the approval of a special exception in accordance with Section 9-618. The Applicant is requesting this special exception to allow the existing office building to remain.

In accordance with Section 2-904, paragraph B, of the Zoning Ordinance, please accept the following additional information regarding the special exception application for uses in a floodplain:

- There are no existing or anticipated problems of flooding or erosion on the Subject Property. Additionally, there are no existing or anticipated problems of flooding or erosion upstream or downstream from the Subject Property. An analysis of any existing or anticipated problems of flooding or erosion in the area of the application and upstream and downstream of the Subject Property has been prepared by Walter L. Phillips, Inc. This analysis includes the floodplain area and concludes that the proposed improvements will not result in an increase in the 100-year flood elevation.
- The Applicant is not aware of any additional required Federal or State permits, except issuance of a Virginia Stormwater Management Permit (VSMP).

In accordance with Section 2-904, paragraph C, of the Zoning Ordinance, please accept the following information:

- The proposed use of the structure is a freestanding bank with two (2) drive-through windows.
- Floodproofing will be provided in compliance with all County, State and Federal regulations. I have attached the appropriate certification from Walter L. Phillips, Inc.
- The Applicant is aware that flood insurance may be required by the Applicant's lending institution and that flood insurance rates may increase because of increases in risk to life and property.

Pursuant to Sections A7-404 and A7-407 of the Zoning Ordinance, and in accordance with Section 9-622 of the Zoning Ordinance, the Applicant requests a modification of the minimum front yard requirements, as well as waivers of the minimum lot area and minimum lot width requirements. The minimum front yard requirements in the C-8 District are controlled by a forty-five (45) degree angle of bulk plane, but shall not be less than forty (40) feet. However, the Applicant proposes a minimum front yard of twenty (20) feet, as permitted by Section A7-407 of the Zoning Ordinance. The minimum lot area requirement in the C-8 District is 40,000 square feet, while the Subject Property contains approximately 37,600 square feet. The minimum lot width requirement in the C-8 District is two hundred (200) feet, whereas the Applicant proposes a minimum lot width of one hundred sixty five (165) feet. Therefore, waivers of the minimum lot area and minimum lot width requirements are also required in conjunction with the special exception request. Lastly, the Applicant requests a waiver of the ten (10) foot trail requirement along Richmond Highway as specified in the Richmond Highway CRD provisions, in lieu of a twelve (12) foot concrete walkway that has been installed by VDOT, as illustrated on the SE Plat.

July 27, 2007

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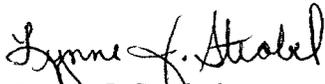
The Applicant also requests a waiver of the requirement to provide a loading space for the drive-in bank. The daily operations of a bank do not necessitate a loading space. Further, the designation of a loading space is a security issue for the transfer of funds from the bank to an off-site location. A waiver of the loading space requirement for a bank is standard practice in Fairfax County.

In conclusion, the Applicant's proposal is in harmony with the recommendations of the Plan and will enhance the appearance of the Subject Property. The bank is anticipated to be a community-serving use that will be convenient to residents and visitors in and around the Richmond Highway Corridor Area. The Applicant's special exception proposal includes high-quality urban architecture that fosters the goals of the Richmond Highway CRD and all applicable recommendations of the Plan.

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

Very truly yours,

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



Lynne J. Strobel

LJS/aab

Enclosures

cc: Jonathan Meyers  
Win Stewart  
Jeni Hornback  
Monica Westgate  
Mark Headly  
Martin D. Walsh

{A0121395.DOC / 1 Stmt of Justification 005812 000002}

WALTER L. PHILLIPS, INCORPORATED

*Founded 1945*

March 28, 2007

Walsh Colucci  
2200 Clarendon Boulevard  
13<sup>th</sup> Floor  
Arlington, VA 22201

Attn: Lynne Strobel

Re: Special Exception for Proposed Drive-thru Bank  
Within a Floodplain/Floodproofing Certification  
Washington Properties Company Management LLC.  
Huntwood Plaza in Fairfax County, VA

Dear Ms. Strobel:

I have prepared this letter as a floodproofing certification for the proposed building to be located on Tax Assessment Map # 83-4-((1))-8, 9, 10, and 11 in accordance with Article 2 of the Fairfax County Zoning Ordinance,

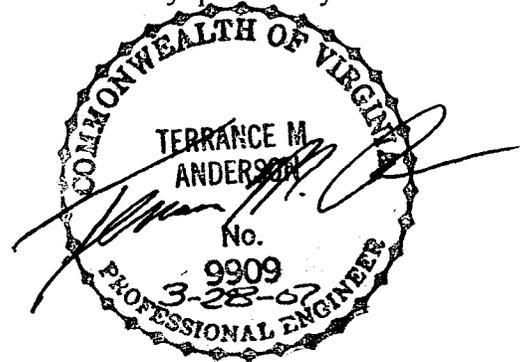
Washington Properties Company Management is proposing to redevelop a portion of Huntwood Plaza. As part of this redevelopment, a drive-thru bank will be constructed within the existing 100-year floodplain as shown on the Special Exception Plat. Based upon the analysis provided by Wetland Studies and Solutions, the floodplain elevation in this area is approximately 10.2 feet. The proposed first floor of the drive-thru bank will be a minimum of 18 inches above the water surface elevation of the 100-year flood level. The owner of the building will be responsible for providing all adequate floodproofing and complying with all County, State, and Federal requirements

Upon your review of this letter, please feel free to contact me with any questions you may have.

Sincerely,

Terry Anderson

(05-107 FE-15)



207 Park Avenue  
Falls Church, Virginia 22046  
Telephone: (703) 532-6163  
Facsimile: (703) 533-1301

60

YEARS OF PROFESSIONAL SERVICE

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COMMONWEALTH OF VIRGINIA  
COUNTY OF FAIRFAX

4100 CHAIN BRIDGE ROAD  
FAIRFAX, VIRGINIA 22030

APPENDIX 4



February 12, 1985

Mr. Carson Lee Fifer, Jr.  
Boothe, Prichard and Dudley  
1199 North Fairfax Street  
Alexandria, Virginia 22313

Re: Special Exception  
Number SE 84-V-035

Dear Mr. Fifer:

At a regular meeting of the Board of Supervisors held on January 28, 1985, the Board approved Special Exception Number SE 84-V-035, in the name of TDC - Harwood Venture at Fair Oaks IV, located as Tax Map 83-4 ((1)) 8, 10 and 11 for a Building Height Increase pursuant to Section 9-601 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 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 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. There shall be no median break along this property's frontage on Fort Hunt Road.
5. Unless provided by VDH&T, a left-turn lane from Fort Hunt Road to southbound Route 1 shall be provided.

-2-

6. Shuttle Bus Service.

a. The developer shall establish a shuttle bus service and guarantee its operation for a full year. The minimum operating schedule for the shuttle bus shall be:

(1) Monday, Tuesday, Wednesday, Thursday, Friday -

- hourly between 6:30 a.m. and 8:00 p.m.

- one half hour during rush hours.

(2) Saturday, Sunday and Holidays -

- as justified by demand.

b. The establishment and operation of the shuttle bus service shall commence upon the occupancy of one-half of the building.

c. The owner shall take reasonable steps to promote the usage of the shuttle.

d. The developer will study the feasibility and, if feasible, shall continue the shuttle bus service to transport users of the office building between the site and the Huntington Metrorail Station.

7. Car Pool/Van Pool:

a. A car pool/van pool coordinator shall be appointed and given the responsibility and authority (i) to collect trip origination/destination point information from all occupants of the office building; (ii) to publish information to all occupants as to common or similar origination/destination points, trip routes, trip times and the like; (iii) to grant and police the privileges given to car pool/van pool participants and vehicles; (iv) to update regularly all such information; (v) to coordinate with, exchange information with and take advantage of any Fairfax County car pool/van pool program for the area; (vi) to supply to all building occupants current information as to Metro rail and Metro bus service for the area.

b. Parking spaces in preferred locations, e.g., in close proximity to building entrances/exits, shall be reserved for car pool/van pool vehicles.

c. A "sticker" or similar program shall be used to identify and differentiate car pool/van pool vehicles.

8. Flex Time:
  - a. Any business leasing space within the office building shall, to the extent feasible, be encouraged, and if possible be required, in lease documents to establish and maintain a "flex time" schedule of office hours to remove trips from peak hour periods.
  - b. Parking spaces in preferred locations, e.g., in close proximity to building entrances/exits, shall be reserved for flex time arrivals which occur outside of established peak hour periods.
  - c. A "sticker" or similar program shall be used to identify and differentiate flex time vehicles.
  
9. To assure the completion and availability for use of the Huntington Avenue Extension (now under construction) and the improvements to Fort Hunt Road between Huntington Avenue Extended and U.S. Route 1 (now under construction), the owner agrees that a Non-Residential Use Permit (NON-RUP), also known as an Occupancy Permit, shall not be issued to permit the use of any portion or all of this building prior to January 1, 1986.
  
10. Use Limitation:
  - a. The following retail uses (all permitted in the C-8 district) shall not be permitted in the office building or on this site:
    - Automobile-oriented uses;
    - Contractors offices and shops;
    - Fast food restaurants;
    - Funeral homes;
    - Hotels/motels;
    - Plant nurseries;
    - Private school of general education and/or special education;
    - Quick-service food stores;
    - Repair service establishments;
    - Theatres;
    - Vehicle light service establishments;
    - Veterinary hospitals;
    - Wholesale trade establishments;
    - Mini-warehousing establishments;
    - Service stations;
    - Vehicle sale, rental and ancilliary service establishments.
  
  - b. Any retail use, if any, in the office building shall be limited in its hours of operation so that it will not be open for business during the morning peak hours, and in no event shall any be permitted to open earlier than 9:30 A. M.

-4-

11. The applicant will undertake all reasonable measures to cause VDH&T to adopt appropriate measures which will prohibit cars traveling south from the Beltway on U.S. Route 1, from making what has been called the U-turn at Fort Hunt Road (or a double left turn) to allow that car to head north on U.S. Route 1 and to this site, the motel site or either of the service stations. This restriction would only apply during morning rush hours and would not prohibit cars from turning into Fort Hunt Road to head east on that road.
12. The applicant shall construct or provide funds for the construction for an extension of the left turn lane in existing U.S. Route 1 and Huntington Avenue as it extends across to Fort Hunt Road. The present stacking/turning lane is one hundred ten (110) feet long. This obligation will increase that by one hundred (100) feet so as to provide considerable excess of storage capacity.
13. The applicant shall provide a two-way service drive on the north side of Fort Hunt Road connecting the existing easement on site to the intersection of Fort Hunt Road and Huntington Avenue Extended. In the event condemnation is required to obtain necessary property rights, the applicant shall bear the actual cost of the exercise of the power of eminent domain by Fairfax County.
14. If left turns from Fort Hunt Road into the site are sought and permitted, the applicant shall provide any turning lane required by VDH&T.
15. No medical offices or similar medical facilities shall be located within the building.
16. Lessor will advise tenants that left turns from Route 1 onto Fort Hunt Road shall not be permitted during the morning rush hour.

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.

February 12, 1985  
SE 84-V-035

-5-

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*  
Ethel Wilcox Register, CMC  
Clerk to the Board of Supervisors

EWR/lc

cc: Samuel A. Patteson, 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

## MEMORANDUM

**DATE:** November 13, 2007

**TO:** Regina C. Coyle, Director  
Zoning Evaluation Division, DPZ

**FROM:** Pamela G. Nee, Chief *PHH*  
Environment and Development Review Branch, DPZ

**SUBJECT:** Comprehensive Plan Land Use Analysis and Environmental Assessment:  
SEA 84-V-045 Huntwood Plaza – Drive-through bank

This memorandum, prepared by John R. Bell, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the above referenced Special Exception plat dated March 7, 2007 as revised through July 30, 2007. The extent to which the proposed use, intensity and development plans are consistent with the guidance contained in the Comprehensive Plan, is noted.

### DESCRIPTION OF THE APPLICATION

The development proposal would add a bank with drive-through windows on the site of an existing office building. The subject property contains approximately 203,000 square feet and is zoned C-8, Highway Corridor (HC) and Commercial Revitalization District (CRD). The proposed bank will be approximately 3,800 square feet in size and is located in the North Gateway Community Business Center, Sub-unit B-1, Richmond Highway Corridor of Area IV volume of the Comprehensive Plan. The bank will occupy a portion of the land area formerly occupied by a service station. The applicants are seeking a waiver/modification of the streetscaping requirements, a waiver of the loading space requirement, a modification of the front yard requirements, a waiver of the 10-foot wide trail and a waiver of the peripheral parking lot landscaping along Richmond Highway.

### LOCATION AND CHARACTER OF THE AREA

The subject property is located in Sub-unit B-1 of the North Gateway Community Business Center. The proposed development will have frontage on Richmond Highway and Fort Hunt Road. The subject property is zoned C-8, Community Retail Commercial. The property is also located within Highway Corridor (HC) and Commercial Revitalization District (CRD) overlay districts. The property is currently developed with an eight-story office building and associated surface parking. Properties to the west, north and south are zoned C-8 and currently

occupied with commercial uses. The property to the east is zoned R-3 and is occupied with country club and golf course. The Plan recommends office/retail uses up to a 0.50 FAR for the subject property.

## COMPREHENSIVE PLAN

### Environmental Plan Guidance

In the Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through November 15, 2004, on page 5-7, the Plan states:

**“Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County. . . .**

- Policy k. For new development and redevelopment, apply better site design and low impact development techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County’s streams, some or all of the following practices should be considered where not in conflict with land use compatibility objectives:
- Minimize the amount of impervious surface created.
  - Site buildings to minimize impervious cover associated with driveways and parking areas and to encourage tree preservation.
  - Where feasible, convey drainage from impervious areas into pervious areas. . . .
  - Encourage the use of innovative BMPs and infiltration techniques of stormwater management where site conditions are appropriate, if consistent with County requirements.
  - Apply nonstructural best management practices and bioengineering practices where site conditions are appropriate, if consistent with County requirements. . . .
  - Where feasible and appropriate, encourage the use of pervious parking surfaces in low-use parking areas.
  - Maximize the use of infiltration landscaping within streetscapes consistent with County and State requirements. . . .

Development proposals should implement best management practices to reduce runoff pollution and other impacts. Preferred practices include: those which recharge groundwater when such recharge will not degrade groundwater quality; those which preserve as much undisturbed open space as possible; and, those which contribute to ecological diversity by the creation of wetlands or other habitat enhancing BMPs, consistent with State guidelines and regulations.”

### **Land Use Plan Guidance**

In the Fairfax County Comprehensive Plan, Area IV, 2007 Edition, Mount Vernon Planning District, Richmond Highway Corridor, North Gateway Community Business Center, as amended through October 23, 2006, pages 29 and 31, the Plan states:

“The North Gateway Community Business Center is an entry point to historic Richmond Highway from points north including the Nation's Capital, the City of Alexandria and the Capital Beltway. As such, this area provides an initial impression of Fairfax County, not only to visitors but to those who live in the southern part of the County. An improved identity using urban design principles and revitalization strategies is especially important. An attractive and efficient mix of land uses improves the image, economic viability and circulation along the Richmond Highway Corridor.

This area is characterized by high-rise residential buildings, auto dealerships, gas stations, hotels/motels and mid-rise office buildings. Its proximity to the Capital Beltway, Huntington Transit Station and Fort Hunt Road makes this portion of the Richmond Highway Corridor a major transportation-oriented center and presents opportunities for well-designed, transit-accessible redevelopment.

Environmentally-sensitive areas exist along Cameron Run and in the shallow lots along the east side of Richmond Highway. Future highway improvements, including the redesign of the Woodrow Wilson Bridge and Richmond Highway/Capital Beltway interchange, may further impact this area. As development occurs, adequate measures should be provided to mitigate environmental impacts and restore degraded areas to more natural conditions.

Redevelopment in this area is anticipated to occur adjacent to the Capital Beltway primarily at the location of the auto dealerships. This area is planned to redevelop to high-rise residential or in the alternative, as a varied height, mixed-use project including residential, office and retail uses or in the alternative as high rise residential use. These planned uses complement the advantageous transit/transportation-oriented location and are compatible with the surrounding character and density.

Due to the prominent gateway location, high quality urban design is especially important in any redevelopment that occurs. Quality building materials, patterns and architectural design, which are compatible and complementary to surrounding uses, especially Huntington Gateway, are desirable. Landscaping should be used to soften the vertical built environment. . . .

### **Sub-unit B-1**

The area northwest of Belle Haven Country Club along Richmond Highway from the Beltway to Fort Hunt Road is developed with several commercial uses. The most northern portion of this sub-unit is planned for hotel use up to .60 FAR with a maximum of 8 stories. Office use up to .50 FAR with a maximum of 8 stories is planned for Parcels 83-4((1))10 and 11. The remainder of this sub-unit is planned for neighborhood-serving retail use up to .25 FAR. This

recommendation reflects current uses which should be retained. Future highway improvements may impact the accessibility of this sub-unit.

**COMPREHENSIVE PLAN MAP:** Office as well as Retail and Other Uses.

## **LAND USE ANALYSIS**

The subject property is located in Sub-unit B-1, of the North Gateway Community Business Center (CBC). The applicants are proposing to add a bank with drive-through facilities on a portion of the subject property. The proposed FAR will be 0.51, which was based on a previous approval for the property. The FAR may be reduced in the future if the applicants are able to obtain a small parcel from VDOT for additional parking and landscaping at this location. Parking for the proposed uses is provided with on-site parking and a shared parking agreement with the adjacent hotel at 343 spaces with 316 spaces required for the existing and proposed uses. The Comprehensive Plan envisions office/retail uses oriented to Richmond Highway and Fort Hunt Road in this area. The Plan encourages quality development for the Richmond Highway Corridor and strongly discourages freestanding uses with drive-through facilities and uses that create high traffic volumes. The Comprehensive Plan guidance for the Richmond Highway Corridor contains specific guidance for urban design and streetscape design.

Staff feels that the proposed landscaping is consistent with the streetscape recommendations for the Richmond Highway Corridor, subject to the proposed modification which are related, in part, to transportation issues. Pedestrian access, internal vehicular circulation and impacts to the surrounding transportation infrastructure are all deemed to be elements of significant consideration for any development within the Richmond Highway Corridor. Staff feels that these elements have been addressed; more explicit comments regarding internal circulation and impacts to the surrounding transportation infrastructure may be noted by staff within the Department of Transportation.

On balance, while the applicants have addressed the primary goals for redevelopment in the Richmond Highway Corridor the proposed bank with drive-through windows is not in harmony with the land use recommendations of the Comprehensive Plan. Staff's primary concerns relate to the development of uses explicitly noted to be discouraged for the Richmond Highway Corridor. While a bank at this location would be deemed acceptable, the use of drive-through windows is clearly an element that is discouraged by the Plan.

## **ENVIRONMENTAL ANALYSIS**

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed land use. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions.

## Water Quality

### **Issue:**

The entire site lies within a portion of the Resource Protection Area (RPA) for Little Hunting Creek. However, staff recognizes that the entire site was developed prior to the adoption of the Chesapeake Bay Preservation Ordinance and the applicants are seeking to redevelop a portion which was previously occupied by a service station. Staff had suggested that the applicants provide BMP's to meet the ten percent phosphorous reduction requirements for development or redevelopment within the CRD. The applicants have noted significant problems in attempting to design conventional, structured BMP's for the site due to its location within the 100-year floodplain and outfall design constraints.

### **Resolution:**

The applicants are proposing to meet their water quality control improvement requirements by increasing landscaping and permeable surface areas within the site. Given the proximity of the site to the existing stream channel and elevation issues, an underground BMP facility appears to be impractical at this stage. However, while staff recognizes that the nature of this type of development is not conducive to substantial tree preservation areas or the establishment of conservation easements, there are opportunities with the proposed development to incorporate such elements as planter boxes, porous pavers, green roof areas and possibly biofiltration areas. Any final determination regarding stormwater management and best management practice measures for the proposed development will be made by staff in the Department of Public Works and Environmental Services (DPWES).

PGN: JRB

In the Fairfax County Comprehensive Plan, Area IV, 2007 Edition, Mount Vernon Planning District, Richmond Highway Corridor, as amended through October 23, 2006, page 23, the Plan states:

The following objectives are intended to guide general land use decisions for the portion of the Richmond Highway Corridor within the Mount Vernon Planning District:

Land Use

- Plan for quality development, which may include office, retail, residential, mixed-use and institutional uses in six Community Business Centers along Richmond Highway: North Gateway, Penn Daw, Beacon/Groveton, Hybla Valley/Gum Springs, South County Center and Woodlawn. Core areas within these Community Business Centers that are appropriate for higher intensity have been identified.
- Encourage development which fosters home ownership to improve the variety of available housing.
- Plan for primarily residential (except for garden-style apartments), institutional and open space uses in areas outside and between the Community Business Centers.
- Strongly discourage fast food, car washes and pawn shops as they are not consistent with quality revitalization.
- Mini-warehouses are not appropriate uses in the Richmond Highway Corridor.
- Encourage substantial consolidation of contiguous parcels starting at the Richmond Highway frontage back to the existing stable residential neighborhoods to provide for projects that function in a well-designed, efficient manner and for the redevelopment of unconsolidated parcels in conformance with the Area Plan.
- In cases where desired consolidation with other parcels is not feasible, consider interim land uses which result in significant public benefits, improvements in circulation or access, parking, landscaping, site design or building design and that provide public benefits which outweigh any adverse effects of the change in use.
- Reduce adverse impacts, such as noise, glare and incompatible building forms, on adjacent residential communities by establishing effective transitions, buffering and screening, and by designing buildings of appropriate scale and height. Within designated Community Business Centers, mid-rise buildings are generally appropriate as long as there is no other site-specific Plan language regarding height limits. In the core areas of the Community Business Centers, high-rise buildings may be appropriate in order to create an urban environment. Building heights should taper down to adjacent residential neighborhoods and special care should be given to screening and buffering these neighborhoods.
- Strongly discourage freestanding uses with drive-through facilities and uses that create high traffic volumes to and from and along the corridor and that contribute to the strip-commercial character of Richmond Highway.
- Encourage clustered auto-oriented uses within well-designed and integrated complexes with efficient internal circulation patterns to minimize and consolidate access points and to provide efficient internal circulation patterns.

- Encourage better access and functional amenities through improvements to and integration of the pedestrian, bicycle and vehicular traffic systems by visually enhancing intersections, reducing curb cuts and providing better signage and access to commercial facilities and adjacent, non-commercial uses. Provide for a safe, harmonious, barrier-free network of appropriately-sized pedestrian connections between existing and new uses and leading to bus/transit stops and covered waiting areas. This pedestrian network should provide traffic-sheltered, well-identified and pleasant-to-use access to shopping, employment, and transit opportunities for residents living in close proximity to Richmond Highway as well as for adjacent communities.
- Encourage aesthetic and design excellence in all public and private improvements and developments. Detailed guidance regarding aesthetic and design excellence is found in the urban design recommendations located at the end of this Plan. In addition, the provision of landscaping/open space which exceeds by more than 5% of that required in the Zoning Ordinance shall be considered highly desirable.
- Encourage revitalization and redevelopment of the Richmond Highway Corridor to create more attractive, commercially-viable, and functionally-efficient business centers and community focal points.
- Provide incentives such as tax abatement to attract reinvestment in the Richmond Highway Corridor which will seek help to correct deteriorating property conditions.
- Provide expanded employment opportunities and improve the economic condition of residents in the Richmond Highway Corridor.

In the Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Land Use – Appendix, as amended through March 12, 2007, page 19, the Plan states:

#### **“APPENDIX 5**

#### **GUIDELINES FOR DRIVE-THROUGH WINDOWS AND OTHER DRIVE-THROUGH FACILITIES**

Drive-through windows for commercial establishments and other drive-through facilities have the potential to cause serious on-site and off-site traffic circulation problems. To address these potential problems, drive-through windows and other drive-through facilities should be approved only if the size and configuration of the lot are adequate to achieve a safe drive-through facility, parking circulation and pedestrian system. All activity generated by the use must be accommodated on the site. Noise, glare and other nuisance aspects related to drive-through facilities must not adversely affect adjacent properties.”

In the Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Land Use – Appendix, as amended through March 12, 2007, page 21, the Plan states:

**“APPENDIX 7**

**GUIDELINES FOR CLUSTERING OF AUTOMOBILE-ORIENTED  
COMMERCIAL USES**

Consideration should be given during the development review process to encourage the clustering of automobile-oriented commercial uses. By allowing such clusters, the following benefits may accrue: higher quality design; increased landscaping and buffering; increased vehicular safety; and increased energy efficiency.

Uses that should be considered for clustering include, but are not limited to, automobile sales and service, banks, convenience stores and fast food restaurants. The following design guidelines should be considered with regard to commercial clusters:

1. Clustered commercial uses should be developed as an integrated complex of buildings and supporting structures. There should be overall compatibility in terms of architectural character, design detail, materials, and color within a cluster.
2. Vehicular access should be consolidated in order to improve vehicular safety and traffic flow. A maximum of two ingress/egress points should be allowed where there is frontage on only one street. Where there is frontage on more than one street, a maximum of three access points may be considered. Vehicular access to physically separate structures within the complex shall be by means of interparcel connections and/or service drives.
3. To allow for a more efficient clustering of uses, shared buildings or structures should be encouraged.
4. A reduction in minimum lot size should be considered in conjunction with cluster design for automobile-oriented commercial uses.
5. Sharing of parking between uses should be encouraged through the consideration of reductions in the required number of spaces per use.
6. To eliminate visual clutter along street frontages, all street-oriented pole signs should be consolidated onto one pole sign per street frontage which can identify all uses within the cluster.
7. The identification of uses within each structure should be limited to one sign per use on the exterior of the structure.
8. On-site service signs indicating entrances, deliveries, parking, etc. should be alike in size, material, color, and finish.

9. To reduce the visual impact of service areas and trash collection areas, they should be consolidated where possible. These areas should be visually screened from public roads, shared access drives, parking, and adjacent parcels. Such screening can be achieved using plant materials, walls or fencing which is compatible with the architectural style and materials used in the cluster, and by the use of berms.
10. Drive-through windows should be discouraged in these clusters, unless the windows can be consolidated."



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** December 17, 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

**FILE:** 3-5 (SE 84-V-35)

**SUBJECT:** Transportation Impact

**REFERENCE:** SEA 84-V-035-1; Huntwood L.L.C.  
Traffic Zone: 1476  
Land Identification Map: 83-4 ((1)) 9, 10, and 11

The following comments reflect the position of the Department of Transportation, and are based on the applicant's Special Exception Amendment Plat revised to November 16, 2007.

The applicant is seeking modifications to the on-site parking layout, and the addition of a bank with two drive-up windows. The following transportation concerns are associated with the application.

Travel Aisle Offset. The width of the proposed travel aisle south of the entrance from Richmond Highway is dimensioned at 25 feet in width. The Richmond Highway entrance is 35 feet wide. The plat delineates six spaces along the east side of this aisle. These spaces conflict with vehicles leaving the drive-up windows. The site is over parked by 90 spaces. These six spaces should be eliminated, a curb added along the east side of this aisle, with a taper so that the aisle width at the service drive is 30 - 35 feet in width at this location. A similar design should be utilized in the event that the alternative parking configuration, which includes the VDOT property, is constructed.

TDM Commitments. Various Transportation Demand Management measures were conditioned with the initial Special Exception approval for this site. These measures should be revised and updated as follows.

1. Transportation Demand Management Program. A transportation demand management plan (TDM Plan) should be implemented by the Applicant, and, subsequently the respective tenants in order to encourage the use of transit (Metrorail and bus), other high-occupant vehicle commuting modes, walking and biking in order to reduce automobile trips generated by the development.
  - A. Program Manager. Within 30 days of approval of this requested Special Exception Amendment, the Applicant should designate an individual to act as the Program Manager (PM) for the Property. The Program Manager will be responsible for implementing the TDM strategies. The duties of the Program Manager may be a part of other duties assigned to the individual. The applicant should provide written notice to Fairfax County Department of Transportation (“FCDOT”) of the appointment of the Program Manager within ten (10) days of such appointment, and thereafter, within ten (10) days of any change in such appointment.
  - B. TDM Plan. Ninety (90) days after the appointment of the Program Manager the Program Manager should submit to FCDOT for review and approval a TDM Plan of strategies to be implemented for the Property. The TDM Plan should include provisions for the following:
    - i. Information Dissemination. The Program Manager should make Metro maps, schedules and forms, ridesharing and other relevant transit option information available to owners/tenants and employees in a common area; such as the central lobby, community room, or building management office.
    - ii. Ride Matching. The Program Manager should coordinate and assist with vanpool and carpool formation programs, ride matching services, and establish a guaranteed ride home program.
    - iii. Flexible Work Schedules. The Program Manager should encourage tenants to allow flexible work schedules for their employees to reduce peak period traffic generation.
    - iv. Teleworking. The Program Manager should encourage tenants to facilitate employee teleworking from their homes or local telework centers to reduce traffic generated by the development.
    - v. Website. The Program Manager should develop and maintain a TDM project website that includes targeted information including multi-modal transportation information, real-time travel and transit data, the possibility of online transit pass sales or value loading and connections to supporting links.

- vi. Preferential Parking. Applicant should provide preferential office parking for car/van pools at the proposed development
  - vii. Coordination. The Program Manager should work with FCDOT, and any other transportation management entities that may be established in the area of the development, to promote alternatives to single-occupant automobile commute trips.
- C. Six months after this TDM Plan is implemented, and bi-annually on the anniversary date of the first survey, for a period of ten (10) years thereafter, a survey should be completed and provided to FCDOT. The survey should be conducted during a week without any holidays and when Fairfax County Public Schools are in session. The survey should gather information on the effectiveness of the TDM Plan and be used by the Program Manager to determine whether changes to the TDM Plan are appropriate. If the survey reveals that changes to the TDM Plan are needed, the Applicant, through the Program Manager should coordinate such changes with FCDOT and implement and adjust the TDM Plan accordingly. Such analysis should include at a minimum:
- i. A description of the TDM measures in effect for the survey period and a description of how such measures have been implemented;
  - ii. The number of people surveyed;
  - iii. The results of any surveys taken during the survey period;
  - iv. The number of employees participating in the TDM programs displayed by category of participants and by mode of use;
  - v. An evaluation of the effectiveness of the TDM Plan and its program elements and, if necessary, proposed modifications to the plan and program elements; and
  - vi. A description of the uses of the buildings on the Property at the time the survey was conducted and levels of occupancy.
- F. Continuation of TDM Program. After the ten year survey requirement is fulfilled, all other TDM conditions should remain in effect, and applicant should continue to implement the TDM Plan and coordinate with FCDOT.

AKR/CAA

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



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** October 9, 2007

**TO:** Peter Braham, Principle Planner  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Valerie Tucker, Chief Stormwater Engineer  
Environmental and Site Review Division East  
Department of Public Works and Environmental Services

**SUBJECT:** Special Exception Amendment Application, SEA 84-V-035, Drive-Thru Bank at Huntwood Plaza, Huntwood, LLC, Proposed Drive Thru Bank at Huntwood Plaza Special Exception Plat dated July 17, 2007 (Plan), Tax Map # 083-4-01-0008, 0009, 0010 and 0011 (Property), Mount Vernon District

We have reviewed the referenced submission and offer the following comments related to stormwater management:

### Chesapeake Bay Preservation Ordinance (CBPO)

A majority of the site is overlain by 1993 mapped Resource Protection Areas (RPA). The applicant is showing reconstruction of the surface parking lot and construction of a building within the RPA. As long as there is no net increase in impervious area within the RPA, the reconstruction will qualify as redevelopment and a Water Quality Impact Assessment will be required prior to final site plan approval. The applicant shall provide the existing impervious area and the proposed impervious area within the RPA on the plan.

The applicant shall clearly identify the RPA boundary on the Plan. The source of the boundary shall be noted and shall be from the adopted County maps, field verified, or from an approved redelineation study, CBPO 118-1-9.

The applicant is required to incorporate best management practices (BMPs) into the development plan which achieve a 10% phosphorus removal efficiency, as the proposed improvements are considered 'redevelopment' under the CBPO. The impervious areas provided indicate that water quality controls are needed to provide at least 2% phosphorus removal as the reduction in impervious area is not sufficient to provide the entire requirement. The applicant shall indicate on the Plan the location and type of BMPs to be used to achieve the water quality control requirement.

### Floodplain

The floodplain elevation must be noted on the Plan and should be at least to elevation 11. Per the VDOT study adopted by the Director in January, 2007, the floodplain elevation is 14 on the other side of Route 1 as that was the limit of the study. The applicant shall provide an updated floodplain study for this site to determine the actual floodplain limit on the site.

Department of Public Works and Environmental Services  
Land Development Services, Environmental and Site Review Division  
12055 Government Center Parkway, Suite 535  
Fairfax, Virginia 22035-5503  
Phone 703-324-1720 • TTY 703-324-1877 • FAX 703-324-8359



The applicant also notes that approximately 4500 cubic feet of fill will occur in the floodplain but does not note it's location nor the elevation at which that was computed. This information is necessary as well as the submittal requirements of Zoning Ordinance 2-904.2 must be provided on the Plan.

Downstream Drainage Complaints

There are no relevant downstream complaints on file along the outfall for this Property.

Stormwater Detention

The applicant has indicated that there will be no net increase in impervious area on the Property and that detention is not required. As there will be minimal increase in impervious area if any, staff does not believe that on-site stormwater detention will be effective for this Property.

Site Outfall

The applicant must provide a description of the condition of each site outfall in terms of capacity and stability. A simple statement (Sheet 7) that flow is being reduced by a reduction in impervious area is not sufficient to meet the outfall requirements, ZO 9-011.2J & 2L.

Please contact me at 4-1720 if you have any questions or require further clarification.

cc: Steve Aitcheson, Director, Stormwater Planning Division, DPWES  
Zoning Application file (6216-ZONA-001-2)



## County of Fairfax, Virginia

**MEMORANDUM**

October 5, 2007

**TO:** Peter Braham, Senior Staff Coordinator  
Zoning Evaluation Division, DPZ

**FROM:** Jessica Strother, Urban Forester II  
Forest Conservation Section, UFMD, DPWES

**SUBJECT:** Drive Thru Bank at Huntwood Plaza, SEA 84-V-035

This review is based on the Special Exception Amendment Plat (SEA Plat) stamped as received by the Department of Planning and Zoning on July 30, 2007. Earlier cursory recommendations and comments were provided to you on July 31, 2007. Draft conditions were not included.

1. **Comment:** The subject property is encompassed by a Resource Protection Area (RPA) and the RPA has not been delineated on the SEA Plat sheets. Additionally, it appears that there is additional room to plant supplemental trees and shrubs in the southwest corner of the site, as well as within several islands in the parking lot.

**Recommendation:** The RPA should be clearly delineated on all applicable Plat sheets and the provision of additional trees and shrubs in appropriate parking lot islands and unpaved areas should be addressed.

2. **Comment:** Several additional medium shade trees adjacent to the bank and the corner of Fort Hunt Road and Richmond Highway should be provided. Additionally, peripheral landscaping trees have not been provided on Parcel 11, adjacent to parcel 83-4-01-0011B

**Recommendation:** Provide the additional medium shade trees and peripheral landscaping trees.

3. **Comment:** The tree cover calculations reflect using existing vegetation to meet a large portion of the cover requirements. It does not appear that 20,000 square feet of canopy (per the calculations) is being provided.

**Recommendation:** Clarify and re-evaluate where 20,000 square feet of tree cover canopy is coming from. If necessary provide a narrative and or coordinate with Urban Forest Management.

JGS/  
UFMIQ #: 126484

Department of Public Works and Environmental Services  
Land Development Services, Urban Forest Management Division  
12055 Government Center Parkway, Suite 518  
Fairfax, Virginia 22035-5503  
Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769  
[www.fairfaxcounty.gov/dpwes](http://www.fairfaxcounty.gov/dpwes)



## SELECTED EXCERPTS FROM THE ZONING ORDINANCE

### PART 8      4-800 C-8 HIGHWAY COMMERCIAL DISTRICT

#### 4-801      **Purpose and Intent**

The C-8 District is established to provide locations on heavily traveled collector and arterial highways for those commercial and service uses which (a) are oriented to the automobile, or (b) are uses which may require large land areas and good access, and (c) do not depend upon adjoining uses for reasons of comparison shopping or pedestrian trade.

The regulations of this district are designed to accommodate such uses in a manner that will minimize interference with through traffic movements and insure a high standard in site layout, design and landscaping. Uses should be encouraged to group in preplanned concentrations, and where possible, a minimum distance of three (3) miles should be encouraged between such concentrations.

## ARTICLE 9

### SPECIAL EXCEPTIONS

### PART 0      9-000 GENERAL PROVISIONS

#### 9-001      **Purpose and Intent**

There are certain uses, like those regulated by special permit, which by their nature or design can have an undue impact upon or be incompatible with other uses of land. In addition, there are times when standards and regulations specified for certain uses allowed within a given district should be allowed to be modified, within limitations, in the interest of sound development. These uses or modifications as described may be allowed to locate within given designated zoning districts under the controls, limitations, and regulations of a special exception.

The Board of Supervisors may approve a special exception under the provisions of this Article when it is concluded that the proposed use complies with all specified standards and that such use will be compatible with existing or planned development in the general area. In addition, in approving a special exception, the Board may stipulate such conditions and restrictions, including but not limited to those specifically contained herein, to ensure that the use will be compatible with the neighborhood in which it is proposed to be located. Where such cannot be accomplished or it is determined that the use is not in accordance with all applicable standards of this Ordinance, the Board shall deny the special exception.

**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:

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.

**9-503****Standards for all Category 5 Uses**

In addition to the general standards set forth in Sect. 006 above, all Category 5 special exception uses shall satisfy the following standards:

1. Except as qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located.
2. All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports

illumination plan or photometric plan as may be required by Part 9 of Article 14.

3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

9-505

**Additional Standards for Automobile-Oriented Uses, Car Washes, Drive-In Banks, Drive-Through Pharmacies, Fast Food Restaurants, Quick-Service Food Stores, Service Stations and Service Stations/Mini-Marts**

1. In all districts where permitted by special exception:
  - A. Such a use shall have on all sides the same architectural features or shall be architecturally compatible with the building group or neighborhood with which it is associated.
  - B. Such a use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties.
  - C. The site shall be designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation. Parking and stacking spaces shall be provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the site.
  - D. In reviewing such a use or combination of uses, it shall be determined that the lot is of sufficient area and width to accommodate the use and that any such use will not adversely affect any nearby existing or planned residential areas as a result of the hours of operation, noise generation, parking, glare or other operational factors.
  - E. For a drive-through pharmacy, signs shall be required to be posted in the vicinity of the stacking area stating the limitations on the use of the window service and/or drive-through lane. Such signs shall not exceed two (2) square feet in area or be located closer than five (5) feet to any lot line.
4. In the C-7, C-8 and C-9 Districts, in addition to Par. 1 above:
  - A. In the C-7 or C-9 District, there shall be no outdoor storage or display of goods offered for sale except for the outdoor storage or display of goods permitted at a service station or service station/mini-mart.
  - B. Service stations and service station/mini-marts shall not be used for the performance of major repairs, and shall not include the outdoor storage of more than four (4) abandoned, wrecked or inoperable vehicles on the site for more than seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, in no event shall any one (1) abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding seventy-two (72) hours.

- C. The outdoor area devoted to any use such as vehicle or tool rental shall be limited to the area so designated on an approved special exception plat.

**9-606 Provisions for Uses in a Floodplain**

The Board may approve a special exception for the establishment of a use in a floodplain in accordance with the provisions of Part 9 of Article 2.

**9-607 Provisions for Approving an Increase in Building Heights**

As set forth in the C-3, C-4, C-6, C-7, C-8, C-9, I-1, I-2, I-3, I-4, I-5, I-6 and Sully Historic Overlay Districts, and as applicable to all Group 3, Institutional Uses and Category 3, Quasi-Public Uses, the Board may approve a special exception for an increase in height above the maximum building height regulations specified for the zoning district or a given use, but only in accordance with the following provisions:

1. An increase in height may be approved only where such will be in harmony with the policies embodied in the adopted comprehensive plan.
2. An increase in height may be approved only in those locations where the resultant height will not be detrimental to the character and development of adjacent lands.
3. An increase in height may be approved in only those instances where the remaining regulations for the zoning district can be satisfied.
4. An increase in height up to 60 feet may be approved in the Sully Historic Overlay District when located within the historic district and within 500 feet of the Sully Historic Overlay District perimeter boundary and when it can be demonstrated by the applicant that the proposed structures, including all rooftop structures excluded from the maximum height regulations pursuant to Sect. 2-506 and those portions of the roof excluded from the building height calculations in accordance with the definition, are compatible with and do not have detrimental impacts on the Sully property in terms of mass, scale, color and visual impact and when such increase in height is in compliance with Federal Aviation Administration standards. Other factors to be considered when determining the impact of an increase in height may include, but not be limited to, changes to existing topography, presence of existing vegetation and the building lighting and signage. The actual building height as measured from the grade to the top of any roof or rooftop structure shall not exceed 65 feet.

**9-611 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**

The Board may approve a special exception for the establishment or for the 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.

**9-618 Increase in FAR**

The Board may approve a special exception to allow an increase in the maximum permitted FAR for all uses in the C-6, C-7, C-8, I-3, I-4, I-5 and I-6 Districts, in accordance with the maximum FAR set forth in the respective zoning district.

**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. Notwithstanding the provisions of Par. 2 of Sect. 011 above, the plat requirements set forth below shall apply. Upon receipt of a written request with justification, the Zoning Administrator may modify or waive a plat requirement, if it is determined that the requirement is clearly not necessary for the review of the application.
  - A. Twenty-three (23) copies of a plat, including any resubmissions of the plat and supporting graphics, drawn to designated scale of not less than one inch equals fifty feet (1" = 50'), certified by a professional engineer, land surveyor, architect or landscape architect licensed by the State of Virginia, presented on a sheet having a maximum size of 24" x 36", and one 8 ½" x 11" reduction of the plat and supporting graphics. If the proposal cannot be accommodated on one 24" x 36" sheet at a scale of 1" = 50', a scale of not less than 1" = 100' may be used. If presented on more than one (1) sheet, match lines shall

clearly indicate where the several sheets join. Such plat shall contain the following information:

- (1) Boundaries of entire property, with bearings and distances of the perimeter property lines and of each zoning district.
- (2) Total area of the property and of each zoning district in square feet or acres.
- (3) Scale and north arrow, with north, to the extent feasible, oriented to the top of the plat and all supporting graphics.
- (4) Location, dimensions and maximum height in feet, including penthouses, of all existing and proposed structures.
- (5) A statement of the architectural concepts, building materials and color of any proposed structures, and schematic architectural sketches, if available.
- (6) The location, dimensions, style and lighting of all signs.
- (7) The distances of all existing structures that are proposed to remain and all proposed structures from the lot boundaries and abutting streets, and a graphic depiction of the angle of bulk plane, if applicable.
- (8) Public right(s)-of-way, indicating names, route numbers and width, any required and/or proposed improvements to the public right(s)-of-way and delineation of the existing centerline of all streets abutting the property, including dimensions from the existing centerline to the edge of the pavement and to the edge of the right-of-way.
- (9) Proposed means of ingress and egress to the property from a public street(s).
- (10) Location of all existing and/or proposed parking spaces, indicating minimum distance from the nearest property line(s), and a schedule showing the number of parking spaces provided and the number required by the provisions of the Commercial Revitalization District. If parking spaces are to be located off-site, the location, number and access to such spaces.
- (11) Location of well and/or septic field, or indication that the property is served by public water and/or sewer. Where applicable, a statement from the Health Department that available facilities are adequate for the proposed use.
- (12) Approximate location, estimated size of footprint in acres and type of all proposed stormwater management facilities, including the full extent of side slopes, embankments,

spillways, dams, and approximate water surface elevation for design storms, if applicable. In addition, a preliminary stormwater management plan that includes information about the adequacy of downstream drainage, including the sufficiency of capacity of any storm drainage pipes and other conveyances into which stormwater runoff will be conveyed. When there is 2500 square feet or more of land disturbing activity on the entire application property, in addition to the above, the preliminary stormwater management plan shall include:

- (a) A graphic depicting:
  - (i) The approximate footprint of the stormwater management facility and, where applicable, the height of the dam embankment and the location of the emergency spillway outlet for each stormwater management facility.
  - (ii) The approximate on-site and off-site areas to be served by each stormwater management facility, along with the acreage draining to each facility.
  - (iii) A preliminary layout of all on-site drainage channels, outfalls and pipes, including inlet and outlet pipes within the stormwater management facility.
  - (iv) The approximate location or alternative locations, if any, of any maintenance access road or other means of access to the stormwater management facility, and the identification of the types of surfaces to be used for any such road.
  - (v) Proposed landscaping and tree preservation areas in and near the stormwater management facility.
  - (vi) The approximate limits of clearing and grading on-site and off-site for the stormwater management facility, storm drainage pipes, spillways, access roads and outfalls, including energy dissipation, storm drain outlet protection and/or stream bank stabilization measures.
- (b) A preliminary stormwater management narrative setting forth the following:
  - (i) Description of how the detention and best management practice requirements will be met.
  - (ii) The estimated area and volume of storage of the stormwater management facility to meet

stormwater detention and best management practice requirements.

- (iii) For each watercourse into which drainage from the property is discharged, a description of the existing outfall conditions, including any existing ponds or structures in the outfall area. The outfall area shall include all land located between the point of discharge from the property that is located farthest upstream, down to the point where the drainage area of the receiving watercourse exceeds 100 times the area of that portion of the property that drains to it or to a floodplain that drains an area of at least 1 square mile, whichever comes first.
  - (iv) Description of how the adequate outfall requirements of the Public Facilities Manual will be satisfied.
- (13) A statement setting forth the maximum gross floor area and FAR proposed for all uses other than residential, and the maximum density of dwelling units, if applicable.
  - (14) Existing topography with a maximum contour interval of two (2) feet and a statement indicating whether it is air survey or field run.
  - (15) A plan showing the open space areas and how the development meets any applicable streetscape/urban design guidelines set forth in the adopted comprehensive plan, with a statement of the percent of open space required and percent of open space provided. The plan shall also include the limits of clearing, existing vegetation, and when there is 2500 square feet or more of land disturbing activity, an existing vegetation map; proposed landscaping in accordance with the Commercial Revitalization District regulations to include interior and peripheral parking lot landscaping, screening and barrier measures, and proposed tree cover.
  - (16) Approximate delineation of any floodplain designated by the Federal Emergency Management Agency, United States Geological Survey, or Fairfax County, the delineation of any Resource Protection Area and Resource Management Area, and the approximate delineation of any environmental quality corridor as defined in the adopted comprehensive plan, and, if applicable, the distance of any existing and proposed structures from the floodplain, Resource Protection Area and Resource Management Area, or environmental quality corridor.

- (17) Location of all existing utility easements having a width of twenty-five (25) feet or more, and all major underground utility easements regardless of width.
- (18) Location of all walkways on the site and to adjacent sites and trails required by the adopted comprehensive plan.
- (19) Approximate delineation of any grave, object or structure marking a place of burial if known, and a statement indicating how the proposed development will impact the burial site.
- (20) Where applicable, seating capacity, useable outdoor recreation area, emergency access, bicycle parking, fencing, outside lighting, and loudspeakers.
- (21) Seal and signature of professional person certifying the plat.

In addition, an application shall include a statement and any supporting materials detailing any requested modification/waiver/increase and the justification for same.

- 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		