



County of Fairfax, Virginia

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

April 28, 2008

Sheri L. Hoy, Land Use Planner
McGuire Woods, LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102-4215

Re: Interpretation for SEA 01-Y-040 (Concurrent with PCA 85-S-013-4, PCA 84-S-027-7, and FDPA 84-S-027-5), Sully Station Shopping Center, Tax Map 44-3 ((97)) B3: Utility Room Addition

Dear Ms. Hoy:

This is in response to the letter of November 15, 2007, from David R. Gill, and your letter of March 24, 2008, requesting an interpretation of the proffers and Conceptual Development Plan Amendment (CDPA) accepted by the Board of Supervisors, the Final Development Plan Amendment (FDPA) and development conditions approved by the Planning Commission, and the Special Exception Amendment (SEA) Plat and development conditions approved by the Board of Supervisors in conjunction with the approval of the above-referenced applications. As I understand it, your question is whether the construction of a 332 square foot utility room at the rear of the shopping center would be in substantial conformance with the proffers, the CDPA/FDPA, the SEA Plat and the development conditions. This determination is based on your letters; an attached "Revised Interpretation Exhibit" labeled Exhibit A for the Sully Station Shopping Center dated February 3, 2008, prepared by TRI-TEK Engineering; an elevation sheet dated January 9, 2008, that was prepared by John Cooney Associates, Architects, P.C.; and, a Site Plan sheet entitled "Sully Station Shopping Center" labeled Exhibit B and dated December 7, 2007. Copies of your letters and relevant exhibits are attached.

You are proposing to construct a 332 square foot utility room at the rear of the in-line stores adjacent to the post office on the north side of the shopping center. The proposed addition would measure 12' 4" x 26' 4" and have a height of 15 feet. The utility room is proposed to be located adjacent to a loading/parking area in an area shown as landscaped open space on the approved combined CDPA/FDPA and SEA Plat. In order to avoid any reduction in open space, you propose to expand the open space area by shifting the curb line away from the utility room and toward the loading/parking area. You state that the small decrease in the size of the loading/parking area does not affect the currently approved parking tabulations. The development plan does not show parking details in this location.

According to the combined development plan referenced above, the total gross floor area approved for the overall shopping center is 146,615 square feet, which equates to a FAR of 0.24. You state that the

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703 324-1290
FAX 703 324-3924
www.fairfaxcounty.gov/dpz/



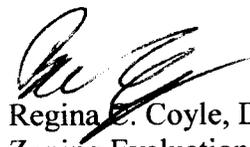
developer is not constructing the full 12,600 square feet of in-line retail that is approved on the SEA Plat for this section of the shopping center. According to Exhibit B, the currently proposed square footage for the in-line stores is 10,050 square feet. With the utility room the square footage will increase to 10,382 square feet. The site plan sheet shows an area reserved for future build-out on the southeast side of Building 1 that is not proposed to be built at this time. You assert that the engineer has stated that the ultimate, full build-out of the in-line stores with the utility room addition would be 12,225 square feet, which is below the 12,600 square feet approved for this section of the shopping center.

You have advised staff that the utility room will be constructed with all brick material to match the proposed building and, although it is attached to the building, it will not be accessible from within the building. The elevations sheet shows the utility room as a one-story, flat roofed brick structure with an entry door facing the travelway and adjacent to a pedestrian walkway. You have stated that the proposed room is planned to house the electrical panels, sprinklers, tools, and other supplies used for maintenance.

It is my determination that the proposed addition of a 332 square foot utility room at the rear of the shopping center as discussed above and shown in your exhibits would be in substantial conformance with the proffers, the CDP/FDP, the SEA Plat and development conditions provided that there is no decrease in open space, the landscaping around the proposed utility room is planted as shown on the exhibit, the utility room is constructed of the same brick as the rest of the building, the entry door is located an adequate distance from the walkway to avoid conflicts with pedestrians, the entry door is painted a color similar to the brick, and the maximum FAR for the shopping center is not exceeded.

This determination has been made in my capacity of the duly authorized agent of the Zoning Administrator and addresses only those questions defined and described above. If you have any questions regarding this interpretation, please feel free to contact Mary Ann Godfrey at (703) 324-1290.

Sincerely,



Regina E. Coyle, Director
Zoning Evaluation Division, DPZ

MAG/N:\ mgodfr\SE Interpretations SEI\SullyStation (SEA 01-Y-040) utility room

Attachments

cc: Michael Frey, Supervisor, Sully District
John Litzenberger, Planning Commissioner, Sully District
Diane Johnson Quinn, Deputy Zoning Administrator, DPZ
Kenneth Williams, Plan Control, Office of Land Development Services, DPWES
Angela Rodeheaver, Section Chief for Site Analysis, DOT
Craig Carinci, Director, Environmental and Facilities Inspection Division, DPWES
Kevin Guinaw, Chief, Special Projects/Applications Management Branch, DPZ
Audrey Clark, Director, Building Plan Review Division, DPWES
File: SEA 01-Y-040, SEI 0711 059, Imaging, Reading File

McGuireWoods LLP
1750 Tysons Boulevard
Suite 1800
McLean, VA 22102-4215
Phone: 703.712.5000
Fax: 703.712.5050
www.mcguiirewoods.com

Sheri L. Hoy
Direct: 703.712.5483

McGUIREWOODS

shoy@mcguiirewoods.com
Direct Fax: 703.712.5050

March 24, 2008

RECEIVED
Department of Planning & Zoning

MAR 24 2008

Zoning Evaluation Division

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

**Re: Sully Station Shopping Center
Tax Map No. 44-3-(97))-B3
SEA 01-Y-040 (Concurrent with PCA 85-S-013-4 & PCA 84-S-027-07
Substantial Conformance Request
Supplemental Information**

Dear Ms. Coyle:

This firm represents Sully Station LLC, owner and developer of the above-referenced property. On November 15, 2007, I submitted a substantial conformance request regarding the above-referenced matter. In response to several questions from your office, I am submitting this subsequent letter to provide further clarification regarding: 1) open space; 2) FAR; and 3) building materials.

In response to Staff's concerns regarding the loss of open space, the engineer has shifted the curb line south away from the utility room to reduce the parking area and increase the open space. This increase will replace the open space lost by the footprint of the utility room. Please reference the revised Interpretation Exhibit marked as Exhibit A. Also, please note that the decrease in parking area does not affect the currently approved parking tabulations. The new parking area results from the construction of the in-line stores and will increase the already existing parking surplus at the shopping center.

In response to Staff's concerns regarding FAR, I have attached Exhibit B which is the currently submitted site plan sheet for the build-out of the in-line retail stores. As I advised in a previous telephone conversation, at this time, the developer is not constructing the full 12,600 square feet of in-line retail that is approved on the Development Plan. Exhibit B shows that the currently proposed square footage for the in-line stores is 10,050 square feet. With the addition of the utility room, the total square

March 24, 2008

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footage of this area will be 10,382 sf. (Please note that the engineer has not shown the utility room on the site plan until substantial conformance is approved). The developer reserves the right to complete its build-out in the area marked in yellow on Exhibit B. The engineer has also advised that assuming an 8 inch wall thickness, the ultimate, full build-out of the in-line stores with the utility room would total 12,225 sf which is well below the approved square footage amount.

Last, in response to Staff's concerns regarding building materials, I have attached the Exterior Elevation Building Cross Section sheet that shows the proposed building materials. As shown, the utility room will be constructed with all brick material matching the proposed building. Also attached for reference purposes only is a colored rendering of the proposed architecture and building materials for the new inline stores. The building materials for the utility room will match the brick shown in this drawing.

Your review of this request is greatly appreciated. If you have any questions or comments, please contact me at the number above.

Sincerely,



Sheri L. Hoy
Land Use Planner

encs.

McGuireWoods LLP
1750 Tysons Boulevard
Suite 1800
McLean, VA 22102-4215
Phone: 703.712.5000
Fax: 703.712.5050
www.mcguirewoods.com

David R. Gill
Direct: 703.712.5399

McGUIREWOODS

dgill@mcguirewoods.com
Direct Fax: 703.712.5297

November 15, 2007

RECEIVED
Department of Planning & Zoning

NOV 19 2007

Zoning Evaluation Division

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

**Re: Sully Station Shopping Center
Tax Map No. 44-3-(97))-B3
SEA 01-Y-040 (Concurrent with PCA 85-S-013-4 & PCA 84-S-027-07
Substantial Conformance Request**

Dear Ms. Coyle:

This firm represents Sully Station LLC, owner and developer of the above-referenced property. I am writing on behalf of our client to request your determination that the installation of a 332 square foot utility room may be approved as a minor modification to the development plan for the above-referenced property. The proposed utility room is to be constructed at the rear of the in-line stores, and a copy of the layout and elevations is enclosed for your review.

As background, on May 7, 2007, the Board of Supervisors concurrently approved SEA 01-Y-040, PCA 85-S-013-04, and PCA/FDPA 84-S-027-07 (the "Approvals") to permit a drive-thru bank pad and an expansion of the in-line retail.

This letter requests your determination that the additional 332 square foot utility room would be in substantial conformance with the Approvals. While the most recently approved Proffers and Development Conditions limit the shopping center to a Floor Area Ratio of .24, the proposed 332 square feet will not exceed the maximum allowable FAR. Further, there are no changes to the proposed landscaping, sidewalk, overall building height, or parking in the area of the proposed utility room.

Pursuant to Section 16-403(4)(A) of the Zoning Ordinance, we respectfully request that you approve the proposed utility room based upon the following:

1. It will not permit a more intensive use from that approved pursuant to the Approvals.

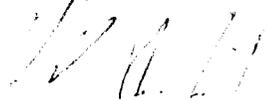
November 15, 2007

Page 2

2. Available parking spaces at the shopping center are in excess of Zoning Ordinance requirements. As such, any increase in parking pursuant to this modification will be accommodated by existing on-site parking.
3. As an accessory structure, it will not permit uses other than those approved.
4. It will not reduce the effectiveness of approved transitional screening, buffering, landscaping or open space.
5. The utility room will not change the bulk, mass, orientation, or location of the original use to a degree that adversely impacts the relationship of the development to adjacent properties.
6. It will not result in an increase in the amount of clearing and/or grading for a stormwater management facility.
7. It will not exceed the square footage for accessory structures or minor additions, it does not exceed the land area designated for commercial uses, and it will not exceed the maximum permitted density as outlined in Section 16-403(4)(A)(7).

Your review of this request is greatly appreciated. If you have any questions or comments, please contact me at the number above.

Sincerely,



David R. Gill

encs.

cc: Ted Brit, Tri-Tek Engineering
Matt Primm, JBG Rosenfeld

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