



County of Fairfax, Virginia

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

May 20, 2008

Inda E. Stagg
Walsh, Colucci, Lubeley, Emrich & Walsh
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

Re: Special Exception Amendment Application SEA 2006-MA-016

Dear Ms. Stagg:

At a regular meeting of the Board of Supervisors held on May 19, 2008, the Board approved Special Exception Amendment Application SEA 2006-MA-016 in the name of PNC Bank, N.A. The subject property is located at 6950 Braddock Road on approximately 32,624 square feet of land zoned C-6 in the Mason District [Tax Map 71-4 ((1)) 28A]. The Board's action amends Special Exception Application SE 2006-MA-016, previously approved for a drive-in bank to permit waiver of minimum lot size, minimum lot width, and modifications to site design and development conditions pursuant to Sections 4-604 and 9-610 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions. Previously approved conditions are marked with an asterisk (*).

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 plat approved with the application (Drive In Bank), 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 Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled "PNC Bank" prepared by Bohler Engineering, P.C., and dated September 11, 2007, as revised through December 27, 2007, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.

Office of the Clerk to the Board of Supervisors
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035

Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903
Email: clerktothebos@fairfaxcounty.gov
<http://www.fairfaxcounty.gov/bosclerk>

4. Architectural elevations shall be in substantial conformance with those shown on the SEA Plat, however, the standing seam metal roof shall be painted a color matching that of the roof in the Bradlick Shopping Center.*
5. The drive-in bank building shall incorporate environmentally sustainable attributes into its building program, that may include, but not necessarily be limited to, such elements as high-efficiency mechanical systems, use of materials with recycled content, a high performance and insulated building envelope, water efficient fixtures, CO2 sensors and air filters, low volatile organic compounds in paints, sealants and finish materials, construction waste management, and storage and collection of recyclables.*
6. The free-standing sign shown at the corner of Braddock and Backlick Roads shall be a monument-style sign no more than 5.5 feet in height. Such sign shall be in conformance with Article 12 of the Zoning Ordinance, and shall meet the sight line standards of the PFM and VDOT.*
7. All lighting, including streetlights, security lighting, signage lighting and pedestrian or other incidental lighting shall be in conformance with Part 9 of Article 14 of the Zoning Ordinance.*
8. If not already submitted and reviewed pursuant to the approval of SE 2006-MA-016, a Phase I Environmental investigation of the property shall be submitted to DPWES for review prior to site plan approval. DPWES may request other Fairfax County or State agencies to evaluate the report findings. The investigation shall be performed consistent with the procedures described by the American Society of Testing and Materials (ASTM), as determined by DPWES. If warranted by the results of the Phase I investigation, and if determined appropriate by DPWES and the State Water Control Board, a Phase II investigation program shall be pursued. Subject to the findings of a Phase II evaluation program, if soil contaminants are found in sufficient quantities and at such levels to require a longer term monitoring program, a remedial action program and corrective action plan shall be instituted and implemented to the satisfaction of the State Water Control Board prior to site plan approval.
9. If not already dedicated pursuant to the approval of SE 2006-MA-016, at the time of site plan approval, or on demand (whichever occurs first) right-of-way along Backlick Road and Braddock Road, as shown on the SEA Plat, shall be dedicated to the Board of Supervisors in fee simple at no cost. Density credit for such dedication shall be retained by the site.*



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6. The free-standing sign shown at the corner of Braddock and Backlick Roads shall be a monument-style sign no more than 5.5 feet in height. Such sign shall be in conformance with Article 12 of the Zoning Ordinance, and shall meet the sight line standards of the PFM and VDOT.*
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9. If not already dedicated pursuant to the approval of SE 2006-MA-016, at the time of site plan approval, or on demand (whichever occurs first) right-of-way along Backlick Road and Braddock Road, as shown on the SEA Plat, shall be dedicated to the Board of Supervisors in fee simple at no cost. Density credit for such dedication shall be retained by the site.*

10. If not already provided pursuant to the approval of SE 2006-MA-016, prior to site plan approval the applicant shall enter into a license agreement with the County to permit landscaping to be provided and maintained in the area to be dedicated along the Braddock Road frontage of the site, as shown on the SEA Plat.
11. Crosswalks (either painted or specialized pavement) shall be provided across the entrance on Braddock Road, and into the site adjacent to the entrances on Braddock Road and Backlick Road, and across the interparcel access to the east.*
12. The public access easement shown across the sidewalks shall extend to the property line, and shall allow for construction easements and other public purposes necessary to the functioning of the roads, such as signage.*
13. The applicant shall construct an interparcel access connection to the east of the property as shown on the SEA Plat in the location of the public access easement recorded at Book 19379 at Page 1592. If the applicant is unable to obtain written permission from the property owner(s) to the east (TM 71-4 ((1)) 27) to construct that interparcel access connection as required by development conditions that were approved pursuant to SEA 01-M-052, then, at the time of site plan review, the applicant shall provide timely written requests and written responses verifying denied permission for the interparcel access connection. If interparcel access cannot be provided at the time of site plan review, then the applicant shall provide escrow funds to DPWES to: 1) construct the future interparcel access connection to the east as shown on the SEA Plat, and; 2) remove any landscaping, piping, curbing, etc. that might be installed in the area of this future interparcel access connection. At such time that interparcel access is available; the applicant shall construct the connection with escrowed funds or allow construction by others.
14. The applicant shall construct a one-way interparcel access to the north as shown on ~~Exhibit A of these development conditions, subject to VDOT approval.~~ The site plan for this interparcel access shall be submitted within sixty (60) days of this application's approval.

If, in the future, the owner of the property to the north (TM 71-4 ((1)) 27) desires to, or is required to provide a two-way interparcel access connection on the northern side of the property, then the applicant shall permit construction of such access in the general location of the public access easement recorded at Book 19379 at Page 1592, which is to the west of the bank drive through lanes' "Stop Bar", and shall permit the closure of the one-way interparcel access that was constructed in conformance with this condition. The location of the interparcel

connection shall not preclude the use of the bank drive through lanes. The applicant shall also grant additional easements that are deemed necessary to construct the curb and site improvements required on the subject property to accommodate the construction of the two-way interparcel connection and the removal of the one-way interparcel access connection, so long as all effort is made to ensure that the bank drive through lanes remain usable during construction.

15. Currently escrowed funds to be used towards construction of the interparcel connection to the east (Tax Map 71-4 ((1)) 27) shall remain escrowed for future use. The funds currently escrowed for the northern interparcel connection should be returned to the applicant.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

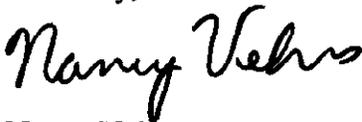
Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors 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.

The Board also:

-
- Modified the 8-foot wide trail requirement along Braddock Road and Backlick Road frontages in favor of a 5-foot wide sidewalk along each road.
 - Waived construction only of on-road bike lanes on Braddock and Backlick Roads.
 - Waived the loading space requirement.

- Modified the transitional screening requirements and waived the barrier requirements along the western and southern property boundaries, in favor of that shown on the SEA Plat, as conditioned.
- Modified the peripheral parking lot landscaping requirement, in favor of that shown on the SEA Plat, as conditioned.

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors
NV/dms

Cc: Chairman Gerald E. Connolly
Supervisor Penelope Gross, Mason District
Janet Coldsmith, Director, Real Estate Division, Dept. of Tax Administration
Regina Coyle, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Thomas Conry, Dept. Manager. – GIS - Mapping/Overlay
Angela K. Rodeheaver, Section Chief, Transportation, Planning Division
Ellen Gallagher, Capital Projects and Operations Div., Dept. of Transportation
Audrey Clark, Director – Building Plan Review, DPWES
Ken Williams, Plans & Document Control, ESRD, DPWES
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
District Planning Commissioner
Barbara J. Lippa, Executive Director, Planning Commission
Jose Comayagua, Director, Facilities Management
Denise James, Office of Capital Facilities/Fairfax County Public Schools
~~Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation~~

JUN 18 2008



COUNTY OF FAIRFAX
Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035 (703) 324-1290, TTY 711
www.fairfaxcounty.gov/dpz/zoning/applications

APPLICATION No: SEA 2006 MA-016
(Staff will assign)
RECEIVED
Department of Planning & Zoning

OCT 18 2007

Zoning Evaluation Division

APPLICATION FOR A SPECIAL EXCEPTION
(PLEASE TYPE or PRINT IN BLACK INK)

APPLICANT	NAME PNC Bank, N.A.
	MAILING ADDRESS c/o Walsh, Colucci, Lubeley, Emrich & Walsh, PC 2200 Clarendon Boulevard, Suite 1300 Arlington, VA 22201
	PHONE HOME () WORK (703) 528-4700
	PHONE MOBILE ()
PROPERTY INFORMATION	PROPERTY ADDRESS 6950 Braddock Road Annandale, VA 22003
	TAX MAP NO. 71-4 ((1)) 28A SIZE (ACRES/SQ FT) 32,624 36,824 sq. ft.
	ZONING DISTRICT C-6 MAGISTERIAL DISTRICT Mason
	PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION:
SPECIAL EXCEPTION REQUEST INFORMATION	ZONING ORDINANCE SECTION 4-604, 9-622
	PROPOSED USE Revision to previously approved SE for Drive-In Bank to permit site modifications, waiver of minimum lot size, & waiver of minimum lot width.
AGENT/CONTACT INFORMATION	NAME Inda E. Stagg, Agent
	MAILING ADDRESS c/o Walsh, Colucci, Lubeley, Emrich and Walsh, PC 2200 Clarendon Boulevard, Suite 1300 Arlington, Virginia 22201
	PHONE HOME () WORK (703) 528-4700, ext. 5423
	PHONE MOBILE ()
MAILING	Send all correspondence to (check one): <input type="checkbox"/> Applicant -or- <input checked="" type="checkbox"/> Agent/Contact
<p>The name(s) and addresses of owner(s) of record shall be provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter the subject property as necessary to process the application.</p> <p>Inda E. Stagg, Agent (lstagg@arl.thelandlawyers.com)</p>	
TYPE/PRINT NAME OF APPLICANT/AGENT	SIGNATURE OF APPLICANT/AGENT

DO NOT WRITE IN THIS SPACE

SEA 2007-0322

Date Application accepted: 11/19/07

Application Fee Paid: \$ 5,295.00

Virginia Ruffin

11/20/07
KCS