



APPLICATION ACCEPTED: January 15, 2009  
PLANNING COMMISSION: May 14, 2009  
BOARD OF SUPERVISORS: June 1, 2009 at 3:30 PM

## County of Fairfax, Virginia

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April 29, 2009

### STAFF REPORT

APPLICATIONS SEA 95-H-066-02

### HUNTER MILL DISTRICT

**APPLICANT:** Sunoco, Inc. (R&M)

**ZONING:** C-6

**PARCEL(S):** 16-3 ((1)) 38A

**ACREAGE:** 42,941 sq. ft.

**OPEN SPACE:** 28.9%

**FAR:** 0.065

**PLAN MAP:** Mixed use

**SE CATEGORY:** Category 5, Uses 20 and 21; Quick Service Food Store and Service Station

**PROPOSAL:** The SEA application seeks to amend SEA 95-H-066 previously approved for a service station with two service bays and a quick service food store. The applicant proposes to replace the service bays with a larger quick service food and to change the existing development conditions. No new building construction is proposed. The overall FAR will remain 0.065.

### STAFF RECOMMENDATIONS:

William O'Donnell

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Department of Planning and Zoning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5509  
Phone 703 324-1290  
FAX 703 324-3924  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)



Staff recommends approval of SEA 95-H-066-02, subject to the proposed development conditions contained in Appendix 1.

Staff recommends reaffirmation of the modification of the transitional screening to the south and east in favor of the existing vegetation as shown on the SEA Plat.

Staff recommends reaffirmation of a waiver of the barrier requirements to the south and east in favor of that shown on the SEA Plat.

Staff recommends approval of a waiver of the on-road bike lane requirement along Centreville Road.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

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

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

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.

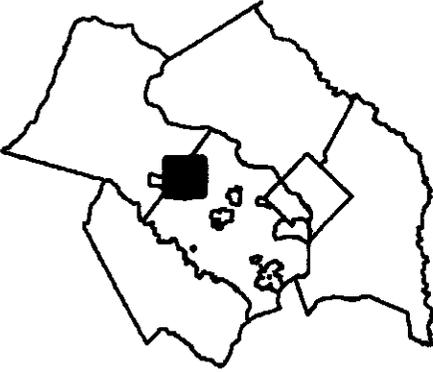
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Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

# Special Exception Amendment

SEA 95-H-066-02



**Applicant:** SUNOCO, INC. (R&M)  
**Accepted:** 01/15/2009  
**Proposed:** AMEND SE 95-H-066 PREVIOUSLY APPROVED FOR SERVICE STATION AND QUICK SERVICE FOOD STORE TO PERMIT SITE MODIFICATIONS

**Area:** 42,941 SF OF LAND; DISTRICT - HUNTER MILL

**Zoning Dist Sect:** 04-060404-0604

**Art 9 Group and Use:** 5-21 5-20

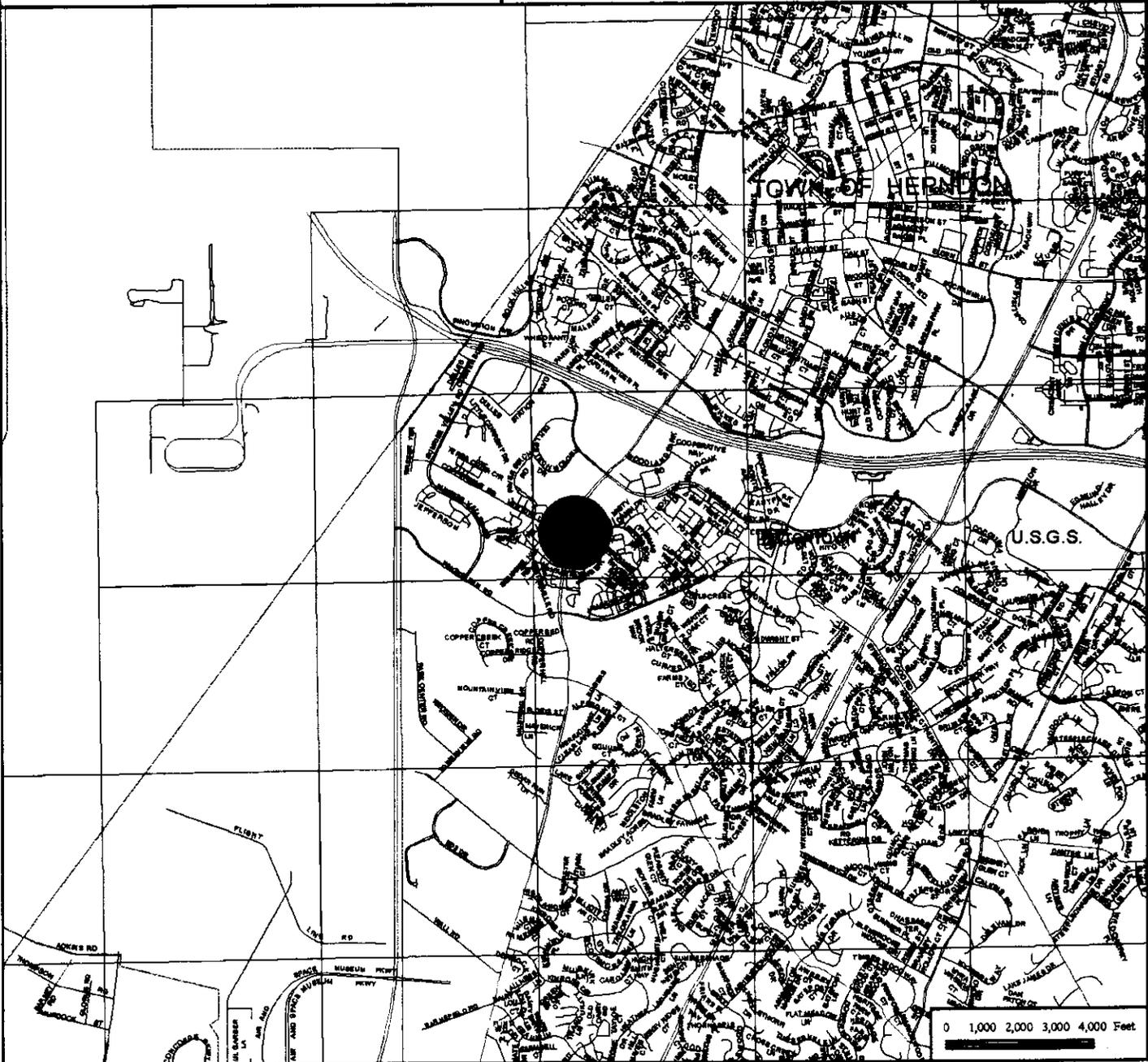
**Located:** 13470 COPPERMINE ROAD

**Zoning:** C-6

**Plan Area:** 3,

**Overlay Dist:**

**Map Ref Num:** 016-3- /01/ /0038A



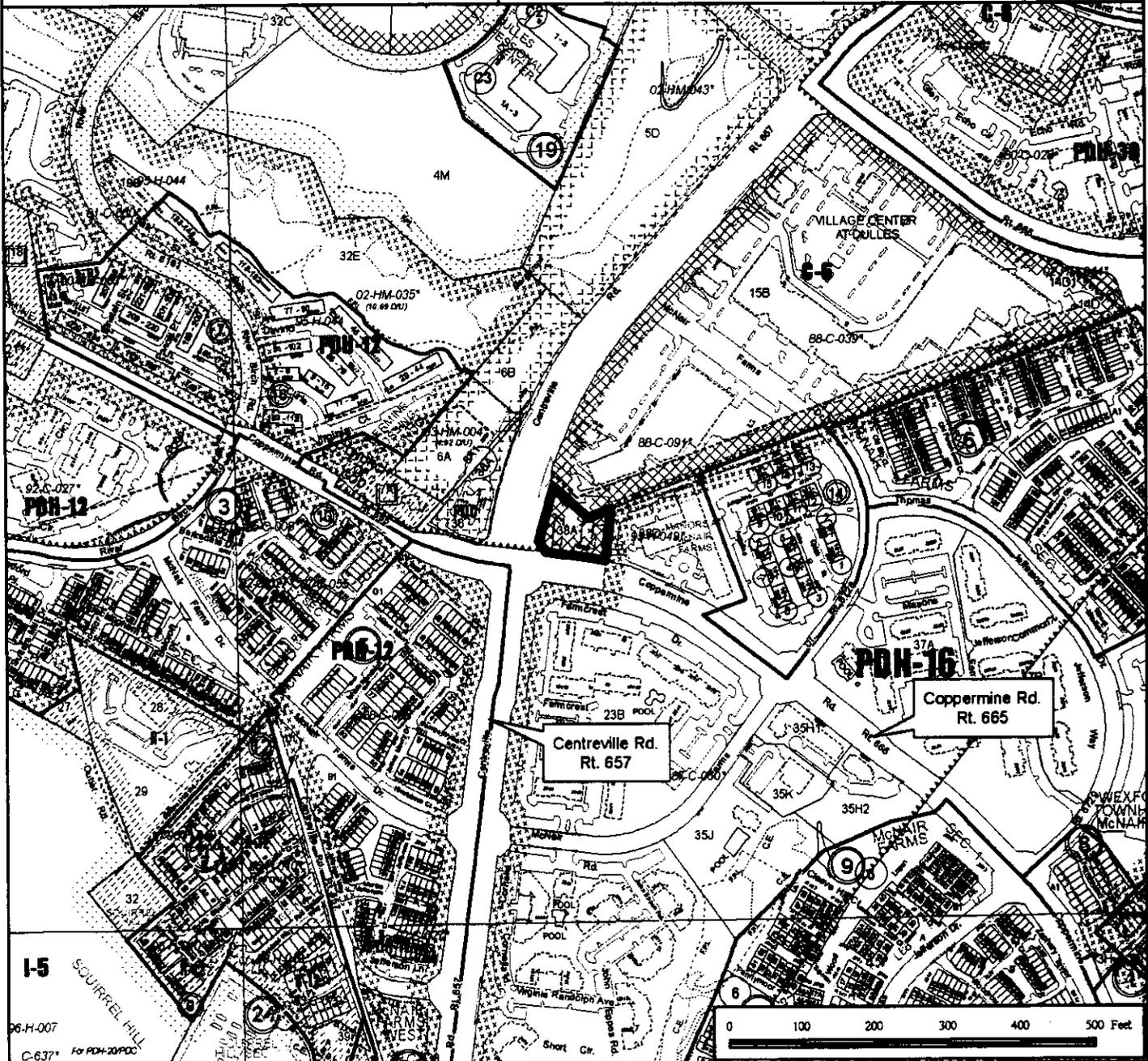
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Art 9 Group and Use: 5-21 5-20  
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Plan Area: 3,  
Overlay Dist:  
Map Ref Num: 016-3- /01/ /0038A



26-H-007  
C-637\* For PDH-20/PDC



**LEGAL DESCRIPTION**

THE MATTHEWS COMPANY, INC. (hereinafter referred to as "MATTHEWS") is the owner of the land described in the attached plat, and it is the intention of MATTHEWS to convey the same to the ConocoPhillips Company, a corporation organized under the laws of the State of Texas, for the purpose of operating a gas station and convenience store on the premises. MATTHEWS hereby certifies that the plat is a true and correct copy of the original as recorded in the Public Records of the County of Harris, State of Texas, and that the same is in full compliance with the provisions of the Subdivision Map Act, Chapter 212, of the Texas Civil Statutes, and the rules and regulations thereunder.

**SURVEY DESCRIPTION**

The land described in the attached plat is situated in the City of Houston, Harris County, Texas, and is bounded on the north by the right-of-way of Coppermine Road, on the east by the right-of-way of Centerville Road, on the south by the right-of-way of the Houston Ship Channel, and on the west by the right-of-way of the Houston Ship Channel. The land is divided into two lots, Lot 1 and Lot 2, and is shown on the attached plat with all easements, encumbrances, and other matters affecting the same.

"ALTA/CASM LAND TITLE SURVEY"  
PREPARED FOR:

**THE MATTHEWS COMPANY, INC.**  
National Land Survey Management

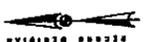
17500 Northwest Freeway, Suite 100, Houston, Texas 77058  
Tel: 281-460-1000 Fax: 281-460-1001  
www.matthewsland.com

DATE	BY

**CONOCOPHILLIPS**

18476 Coppermine Rd.  
Houston, TX

SCALE: 1" = 50'	DATE: 1/17/08
DRAWN: J. W. WOOD	PROJECT: MATTHEWS
CHECKED: J. W. WOOD	DATE: 1/17/08



**SCHEDULE B**

1. The lot area shown on this plat is based on the survey of the land shown on the attached plat, and is subject to the provisions of the Subdivision Map Act, Chapter 212, of the Texas Civil Statutes, and the rules and regulations thereunder.

2. The lot area shown on this plat is based on the survey of the land shown on the attached plat, and is subject to the provisions of the Subdivision Map Act, Chapter 212, of the Texas Civil Statutes, and the rules and regulations thereunder.

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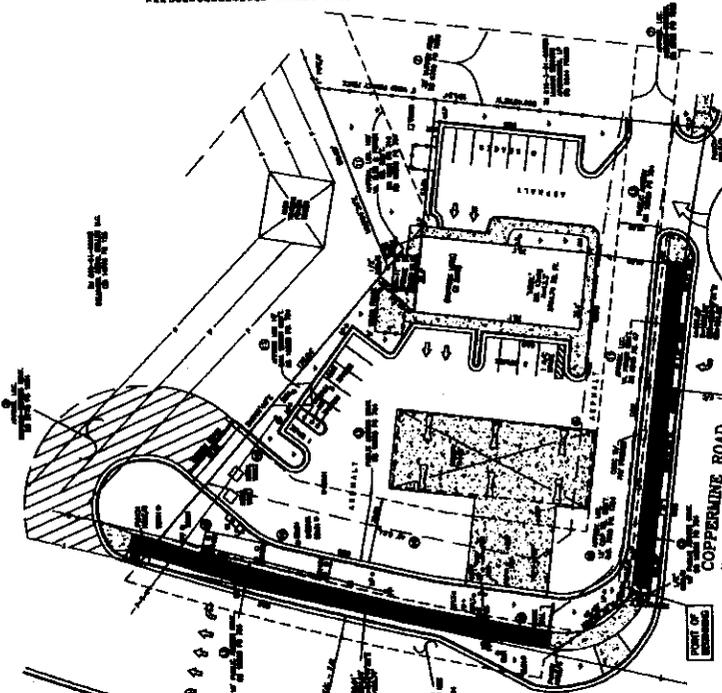
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**STATEMENT OF ENCUMBRANCES**

There are no encumbrances on the land described in this plat.



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**LEGEND**

- 1. Lot 1
- 2. Lot 2
- 3. Right-of-way
- 4. Easement
- 5. Encumbrance
- 6. Boundary
- 7. Building
- 8. Parking
- 9. Road
- 10. Water

**GENERAL NOTES**

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**ZONING DATA**

Zone	CU-1 (Community Use)
Area	1.00 acre
Use	Gas station, convenience store
Setback	10 feet
Height	35 feet
Other	See zoning ordinance

**PLAT DATA**

Plat No.	17500-01
Book	17500
Page	1 of 1
Date	1/17/08
Surveyor	James W. Wood

DATE: 1/17/08 DRAWN BY: JWW IN 17500-SHEET 1 OF 1



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

**DESCRIPTION OF THE APPLICATION**

The applicant, Sunoco, Inc. (R&M), request approval of a Category 5 Special Exception to amend SEA 95-H-066, previously approved for a service station with two service bays and a quick service food store containing approximately 1,000 square feet. The applicant proposes to replace the existing service bays with a 2,725 gross square foot quick service food store and to modify the existing development conditions. No new building construction is proposed. The proposed quick service food store expansion would occur entirely within the existing building footprint and the overall FAR would remain 0.065, with 29 percent open space. In addition, the applicant proposes to update and extend the existing curb and sidewalk surrounding the quick service food store to meet the American with Disabilities (ADA) requirements and to add three additional parking spaces to the west side of the enclosed service bays by restriping the existing pavement in front of the existing service bay exit points. No changes are proposed to the existing service station canopy, the six existing fuel pumps or the site access points at Centreville Road and Coppermine Road.

The service station and quick service food store are proposed to continue to operate 24 hours a day, 7 days a week. Proposed Development Conditions, the Applicant's Affidavit, and the Statement of Justification are contained in Appendices 1, 2 and 3, respectively.

**Waivers and Modifications:**

- Reaffirmation of the modification of the transitional screening to the south and east in favor of the existing vegetation as shown on the SEA Plat.
- Reaffirmation of a waiver of the barrier requirements to the south and east in favor of that shown on the SEA Plat.
- Waiver of the on-road bike lane requirement along Centreville Road.

## LOCATION AND CHARACTER

### Site Description:

The subject property is located at 13470 Coppermine Road, which is in the northeast quadrant of the intersection of Centreville Road and Coppermine Road on Tax Map 16-3 ((1)) 38A. The site is developed with a 20 foot high, 2,750 square foot service station/quick service food store with two drive-through service bays and six fuel pumps. The existing quick service food store is limited to a 1,000 square foot portion of the building. Existing vegetation is located around the perimeter of the parking area and access is provided from Centreville Road and Coppermine Road. The chart below provides the land use, zoning and current plan for surrounding properties.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Village Center at Dulles (Retail)	C-6	Mixed Use
South	The Village at McNair Farms (MF Residential)	PDH-16	Mixed Use
East	MF Residential	PDH-16	Mixed Use
West	Vacant (approved for a Commercial Center)	PDC	Mixed Use

## BACKGROUND

- On August 1, 1988, the Board of Supervisors approved RZ 87-C-060 to rezone approximately 264 acres from the R-1 District to the PDH-16 District for the development of up to 4,021 residential units. The application was concurrent with RZ 87-C-038, which rezoned 24 acres from the R-1 District to the 1-4 District and RZ 87-C-039, which rezoned 30.5 acres from the R-1 District to the C-6 District, for the McNair Farms development.
- On January 22, 1996, the Board of Supervisors approved RZ 95-H-049, concurrent with SE 95-H-066 and PCA 87-C-060-5. PCA 87-C-060-5 deleted approximately 1.05 acres of land from Land Bay 1 of the McNair Farms to be rezoned to the C-6 District pursuant to RZ 95-H-049. SE 95-H-066 approved a service station and quick service food store for the subject site (the Board of Supervisors, on July 13, 1998, approved an additional 30 months to commence construction of SE 95-H-066.) ***Copies of the approved general development plan, proffers and development conditions are on file with the Zoning Evaluation Division of the Department of Planning and Zoning.***

- On May 21, 2001, the Board of Supervisors approved SEA 95-H-066 concurrent with PCA 95-H-049. PCA 95-H-049 amended the previously approved Generalized Development Plan to relocate four parking spaces from the east side of the service station building to the west side of the building and amended the previously approved proffers to include streetscape amenities and a contribution to the Park Authority. SEA 95-H-066 revised the previously approved development conditions. The Zoning Ordinance was amended in January 1997 and established a service station/mini-mart use, which limited the type of food items sold, and changed the definition of quick service food store to exclude a service station/mini-mart. The removal of the development condition limiting the sale of food items permitted the applicant to operate as a quick service food store and not as a mini-mart. ***A copy of the previously approved general development plan, proffers and development conditions are located in Appendix 4.***

#### COMPREHENSIVE PLAN PROVISIONS (Appendix 5)

**Plan Area:** III  
**Planning District:** Upper Potomac Planning District, Dulles Suburban Center, Land Unit B  
**Plan Map:** Mixed Use

**Plan Text:**

On page 65 of the 2007 edition of the Area III Plan as amended through January 26, 2009, under the heading, "Recommendations, Land Use," the Plan states:

"1. The portion of Land Unit B located north and west of Frying Pan Branch (except Parcels 16-3((1))19, 20 and 21) is planned for a mix of residential, commercial retail, office and public park uses and is being developed as McNair Farms. The recommended development is a mixture of residential uses up to 14 dwelling units per acre and a maximum of 327,000 square feet of commercial retail and office use. This mixed-use development is conditioned upon the following:

- Substantial land consolidation is achieved. The area should be master planned and developed as a contiguous unit;
- Good urban design principles should be used for development. This includes coordinated vehicular and pedestrian access and circulation; attractive living, working and activity spaces; a variety of housing types; architectural compatibility; landscaping; usable open space, and good visual and functional relationships

among the various land uses;

- A mix of housing styles and types including single and multi-family units, prices and ownership forms is provided. A reasonable number of units must be marketed as rental units and incorporated into the overall design of the project; and
- Provision is made for sites for day care facilities and an elementary school.”

## ANALYSIS

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

Title of SEA Plat: “Sunoco, INC. Retail Engineering, Exton, PA”  
 Prepared By: Core States Engineering, Landmark-fleet Surveyors, P.C. and Tyree Engineering, PC  
 Original and Revision Dates: September 15, 2008, as revised through March 26, 2009 for Sheet C-1 (Core States Engineering) and January 5, 2004 for Sheet 2 and (Landmark-fleet Surveyors, P.C.) and March 1, 1996 as revised through December 16, 1997 for Sheet 3 (Tyree Engineering, PC).

### Description of SEA Plat:

The applicant is seeking approval of an SEA application to amend a previously approved special exception for a service station with two service bays and a quick service food store containing approximately 1,000 square feet. The applicant proposes to replace the existing service bays with a larger quick service food store that contains 2,725 gross square feet and to modify the existing development conditions. No new building construction is proposed. The proposed quick service food store expansion would be constructed within the existing building footprint and the overall FAR would remain 0.065, with 29 percent open space. The SEA Plat consists of three (3) sheets. Additional information regarding the proposed changes is provided in the description of the proposed development following the sheet index chart.

SEA PLAT: SUNOCO, INC. RETAIL ENGINEERING, EXTON, PA	
Sheet #	Description of Sheet
1 of 3 (C-1)	Special Exception Plat, Notes, Key Map, Existing Signage Information, Zoning Data
2 of 3 (1)	Legal Description, Survey Description
3 of 3 (5)	Landscape Plan

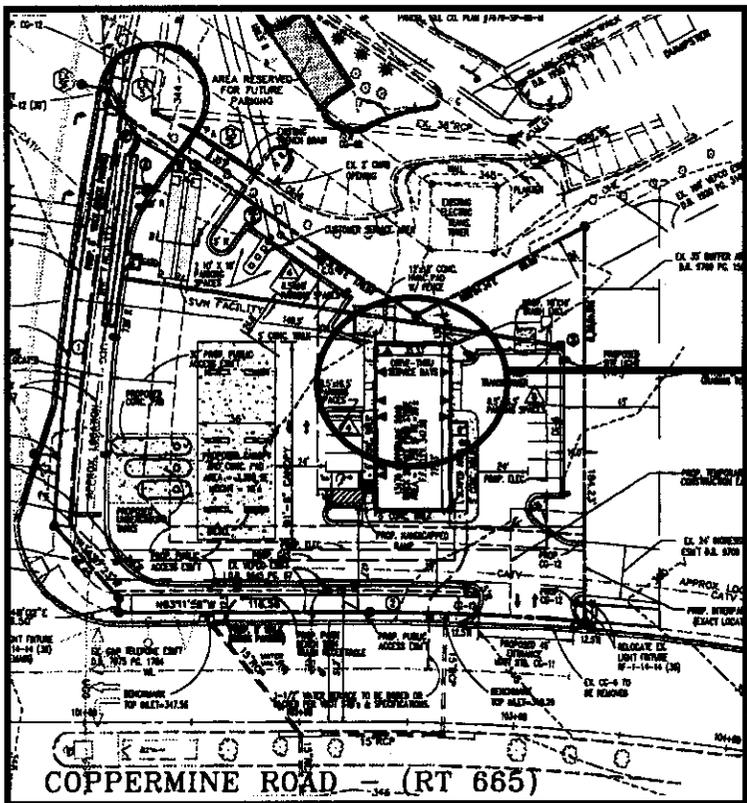
### Previously Approved SEA Development Plan

The 42,941 square foot site is currently developed with a 20 foot tall, 2,750 square foot service station and quick service food store building with two service bays, six fuel pumps and approximately 29% open space. The quick service food store was limited to a 1,000 square foot portion of the building. An 18 foot tall, 3,300 square foot canopy is located to the west of the service station building and covers the six fuel pumps. An access point is provided from Centreville Road and Coppermine Road and eighteen parking spaces are provided on site. In addition, existing good quality vegetation is located around the perimeter of the site.

### Proposed Changes

Graphics 1 and 2 below show the previously approved SEA Plat and an aerial of the existing 2,750 square foot building. Graphic 3 shows the proposed change to the existing service bay portion of the building.

Graphic 1: Previously approved SEA Plat



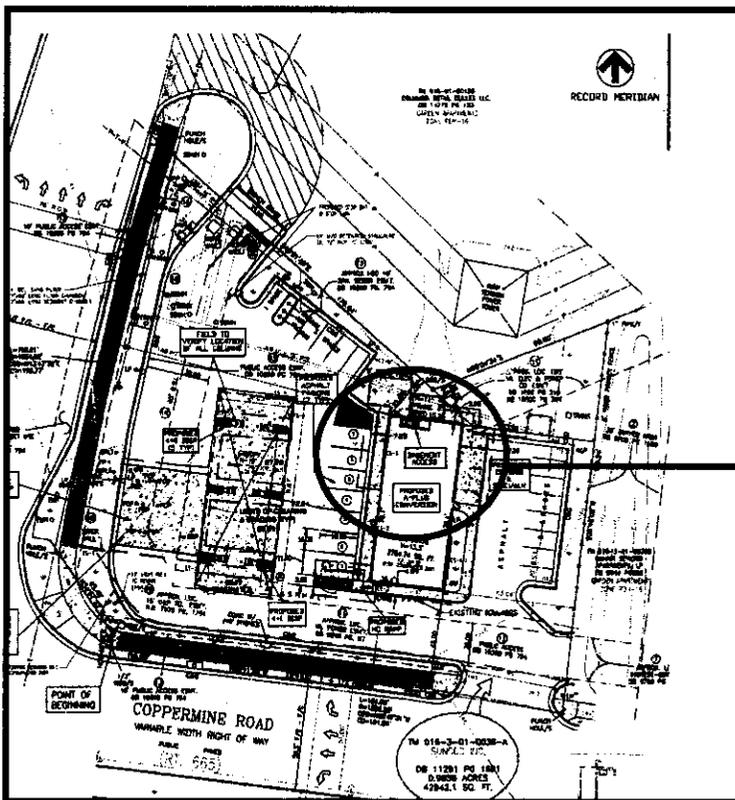
*Approved  
Service  
Bays*

Graphic 2: Aerial of the Existing Service station with Two Service Bays



*Existing  
Service Bays*

Graphic 3: Proposed Change



*Proposal to Enclose  
Service Bays and to  
Provide Three  
Additional Parking  
Spaces*

As shown in the graphics, no new building construction is proposed. The applicant merely proposes to enclose the existing service bays and to expand the existing quick service food store within the existing building footprint. In addition, the applicant proposes to update and extend the existing curb and sidewalk surrounding the quick service food store to meet the American with Disabilities (ADA) requirements and to add three additional parking spaces to the west side of the enclosed service bays by restriping the existing pavement. No changes are proposed to the existing service station canopy, the six existing fuel pumps or the site access points at Centreville Road and Coppermine Road. The overall FAR on the site would remain 0.065, with 29 percent open space.

#### *Access and Parking*

A shared right-in/ right-out access point is provided to the site from the northwest off Centreville Road and a right-in/right-out access point is provided from the southeast, off Coppermine Road, which both lead to an eighteen space surface parking area and six fuel pumps. An inter-parcel access point is also provided at the southeast property line between the subject property and the multi-family residential building to the east. Ingress/egress easements are provided as shown on Sheet 1 of the SEA Plat. In addition, an existing eight foot wide sidewalk constructed with brick pavers is provided along the property's frontages along on Centreville and Coppermine Roads.

#### *Landscaping and Open Space*

Approximately 29% of the site is open space. Existing good quality landscaping is provided along the perimeter of the site.

#### **Land Use**

No land use issues were identified.

#### **Environmental Analysis (Appendix 6)**

The Environmental Review Branch of the Planning Division of the Department of Planning and Zoning has reviewed the application and recommended that the applicant make a modest commitment to recycling/salvaging non-hazardous construction and demolition debris and incorporating appliances, fixtures, systems and building components that are ENERGY STAR qualified when the existing building is converted to solely quick service food use. A development condition has been written to ensure that these components (which may include heating and cooling systems, plumbing fixtures, vending machines, ceiling fans, ventilation fans, light fixtures, exit signs, programmable thermostats, windows and doors, skylights, kitchen-related appliances, and electronic equipment) are incorporated in the proposal. As part of the development condition, staff has added language to reduce the

potential for indoor air quality problems on the site through measures such as increased ventilation, indoor air testing and use of low-emitting adhesives, sealants, paints/coatings, carpeting and other building materials. Imposition of this development condition will satisfy staff's recommendations to incorporate green building techniques and to enable the site's energy performance to be optimized.

### Transportation Analysis (Appendix 7)

There are no outstanding transportation issues.

### Stormwater Management

There are no outstanding stormwater issues.

## ZONING ORDINANCE PROVISIONS (Appendix 8)

<b>Bulk Standards C-6</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Lot Size	40,000 square feet	42,941 square feet
Lot Width	200 ft	215 ft Centreville Rd. 240 ft Coppermine Rd.
Max. Building Height	40 ft	20 ft
Front Yard	45° ABP <sup>1</sup> , but not less than 40 ft.	141 (Centreville Rd) 46 (Coppermine Rd)
FAR	0.40	0.064
Open Space	15% landscaped open space	30%
Parking Spaces	18 spaces <sup>2</sup>	21 spaces

1. ABP = Angle Bulk Plan

2. No Service Bays are proposed  
Quick Service Food Store: 6.5 parking spaces per 1,000 gross square feet

<b>Transitional Screening and Barrier Requirement</b>		
<b>Direction</b>	<b>Required</b>	<b>Provided</b>
<b>South</b>	Type 2 <sup>1</sup> Barrier E, F or G <sup>2</sup>	10 ft landscape buffer on site and Type 2 screening on adjacent site. <sup>3</sup>
<b>East</b>	Type 2 <sup>1</sup> Barrier E, F or G <sup>2</sup>	10 ft landscape buffer on site and Type 2 screening on adjacent site. <sup>3</sup>

1. Transitional Screening 2 shall consist of an unbroken strip of open space a minimum of thirty-five (35) feet wide and planted with all of the following: (1) A mixture of large and medium evergreen trees that achieves a minimum ten (10) year tree canopy of seventy-five (75) percent or greater; (2) A mixture of trees consisting of at least seventy (70) percent evergreen trees, and consisting of no more than thirty-five (35) percent of any single species of evergreen or deciduous tree; and (3) A mixture of predominately medium evergreen shrubs at a rate of three (3) shrubs for every ten (10) linear feet for the length of the transition yard area. The shrubs shall generally be located away from the barrier and staggered along the outer boundary of the transition yard.
2. Barrier E shall consist of a 6 foot tall wall, brick or architectural block faced on the side facing the existing use and may be required to be so faced on both sides as determined by the Director. Barrier F shall consist of a 6 foot high solid wood or otherwise architecturally solid fence. Barrier G shall consist of a 6 foot tall chain link fence and may be required by the Director to have inserts in the fence fabric or to be coated.
3. The applicant is requesting a reaffirmation of the modification of the transitional screening and waiver of the barrier requirement approved by the Board of Supervisors on January 22, 1996 for RZ 95-H-049, and reaffirmed on May 21, 2001, for SEA 95-H-066 concurrent, with PCA 95-H-049.

### **Waivers/Modifications**

In conjunction with the approval of the previously approved special exception, (SEA 95-H-066), the Board of Supervisors approved two modifications. The applicant has requested the same waivers and modifications for their proposal to replace the existing service bays with a larger quick service food store that contains 2,725 gross square feet and to modify the existing development conditions. These changes do not impact the previous analysis of the waivers and modifications for the uses on the site.

### ***Transitional Screening and Barrier Requirements to the south and east in favor of the existing vegetation as shown on the SEA Plat.***

The Zoning Ordinance requires Transitional Screening Type II (35 feet depth) and a Barrier Type D, E or F for the service station and quick service food store located adjacent to multi-family residences to the south and east. A modification of the transitional screening and barrier requirements was

approved in the original rezoning application (RZ 95-H-049 concurrent with SE 95-H-066 and PCA 87-C-060-5) in favor of the proposed landscaping shown on the development plan, which included a combination of architectural and landscaping techniques to adequately screen the service station from the residential properties to the south and east. A subsequent special exception amendment (to modify development conditions with no modifications to the service station building) was approved in 2001 and reaffirmed the modification of the screening and barrier requirements along the south and east sides of the property in favor of the existing landscaping provided on the site. Staff continues to support the requested modification in the current SEA application because no changes are proposed to the existing landscaping on the site and the internal modification to the existing building will not increase the visual intensity of the use or create any additional impacts on the adjacent residential properties; in fact, the proposed closure of the service bays should lessen the existing impacts to the residential uses.

***Waiver of the on-road bike lane requirement along Centreville Road.***

The applicant has requested a waiver of the Comprehensive Plan Trails requirement for providing an on-road bike lane along the Centreville Road frontage portion of the property. The County Trails Plan identifies Centreville Road as a location for on-road bike lanes.

As part of the previously approved SEA application, an 8 foot wide sidewalk consisting of brick pavers was constructed along Centreville and Coppermine Roads, which satisfied the trail requirement along Centreville Road at that time. Since the applicant merely seeks to replace the existing service bays with a larger quick service food store that contains 2,725 gross square feet with no proposed new construction, staff does not object to the requested waiver of an on-road bike lane at this time. The existing trail serves pedestrian and bicycle traffic in the general vicinity of the subject property, and the applicant has demonstrated that significant improvements would be necessitated in order to implement the bike lane at this time.

**Other Zoning Ordinance Requirements:**

**Special Exception Requirements**

The special exception amendment application does not change the previous analysis for the existing Category 5 Quick Service Food Store and Service Station uses, the previously approved waivers and modifications, or the other applicable Zoning Ordinance provisions as established with the current conditioned SEA Plat (SEA 95-H-066) for the property. The applicant merely seeks to replace the existing service bays with a larger quick service food store that contains 2,725 gross square feet, with no proposed new construction. The previously approved site layout and development conditions for the service station and quick service food store are carried forward with

this application with minor modifications to update development conditions to reflect current code requirements and the current application request. Staff believes that this proposal does not adversely impact the previously approved SEA Plat and continues to meet the general standards for special exceptions (Sect 9-006), the standards for all Category 5 uses (Sect. 9-503) and the Additional Standards for Service Stations/Quick Service Food Stores (Sect. 9-505) of the Zoning Ordinance, and therefore has no issues with the current request.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Staff Conclusions**

In staff's opinion, with the adoption of the proposed development conditions, the Special Exception Amendment is in harmony with the Comprehensive Plan and in conformance with all applicable Zoning Ordinance provisions.

### **Staff Recommendations**

Staff recommends approval of SEA 95-H-066-02, subject to the proposed development conditions contained in Appendix 1.

Staff recommends reaffirmation of the modification of the transitional screening to the south and east in favor of the existing vegetation as shown on the SEA Plat.

Staff recommends reaffirmation of a waiver of the barrier requirements to the south and east in favor of that shown on the SEA Plat.

Staff recommends approval of a waiver of the on-road bike lane requirement along Centreville Road.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

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

## **APPENDICES**

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Previously Approved Proffers, SEA Plat, and Development Conditions for SEA 95-H-066 concurrent with PCA 95-H-049
5. Comprehensive Plan Land Use Recommendations
6. Environmental Analysis
7. Transportation Analysis
8. Applicable Zoning Ordinance Provisions
9. Glossary

## APPENDIX 1

### PROPOSED DEVELOPMENT CONDITIONS

**SEA 95-H-066-02**

**April 29, 2009**

If it is the intent of the Board of Supervisors to amend SE 95-H-066, located at 13470 Coppermine Road on Tax Map 16-3 ((1)) 38A in the northeast quadrant of the intersection of Centreville Road and Coppermine Road, previously approved for a service station with two service bays and a quick-service food store, to replace the service bays with a larger quick service food and to change the existing development conditions, pursuant to Section 4-604 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions, which supersede all previous conditions (those conditions carried forward from previous approval 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 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 DPWES. Any plan submitted pursuant to this special exception amendment shall be in conformance with the approved Special Exception Amendment plat entitled "Sunoco, INC. Retail Engineering, Exton, PA prepared by Core States Engineering, Landmark-fleet Surveyors, P.C. and Tyree Engineering, PC dated September 15, 2008 as revised through March 26, 2009 for Sheet C-1 (Core States Engineering) and January 5, 2004 for Sheet 2 and (Landmark-fleet Surveyors, P.C.) and March 1, 1996 as revised through December 16, 1997 for Sheet 3 (Tyree Engineering, PC)," and these conditions. Minor modifications to the approved Special Exception Amendment may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. The number of employees on site at any one time shall be limited to four (4).
5. All signs shall be in accordance with Article 12 of the Zoning Ordinance. There shall be no pole mounted signs. All signs shall be internally lighted.\*
6. The enclosed service bays shall have the same architectural treatment and construction materials as the existing building.

7. To ensure that public access is available for the inter-parcel connection between this property and Tax Map 16-3 ((1)) 15B pt. (Village Center at Dulles) to the north and Tax Map 16-3 ((1)) 38D (Kendrick Court) to the east, a public access easement shall be recorded for the travel aisle parallel to Centreville Road and Coppermine Road. The public access easement shall be recorded in a form acceptable to the County Attorney prior to the time of site plan approval by the Department of Public Works and Environmental Review (DPWES). The inter-parcel easements shall be free of obstructions that would constrain the flow of traffic onto the site.\*
8. Sidewalks shall be provided along the Coppermine Road and Centreville Road frontages of the site. Sidewalks shall match those provided in McNair Farms and in the Village Center at Dulles shopping center, as determined by DPWES. Unless the sidewalks are provided within the Virginia Department of Transportation (VDOT) right-of-way, a public access easement shall be provided over all sidewalks. The public access easement shall be recorded in a form acceptable to the County Attorney prior to the time of site plan approval by DPWES.\*
9. The gross floor area of the building shall be limited to a maximum of 2800 square feet as shown on the SEA Plat. The canopy shall be limited to 3,300 square feet and 18 feet in height.
10. Landscaping shall be provided consistent with that shown on Sheet 3 of the SEA plat. All supplemental landscaping and/or any modifications to the landscape plan provided shall be subject to the review and approval of the Urban Forest Management.\*
11. 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. The perimeter of the canopy shall contain a fascia to reduce excess glare. Pole mounted lights shall not exceed a height of 14.5 feet.\*
12. All rooftop equipment shall be screened from view of the shopping center and adjacent residential districts.\*
13. All trash dumpster(s) located on the property shall be enclosed by a solid, opaque barrier with a gate, as determined by DPWES.\*
14. The service station/quick service food store shall have an employee patrol the subject property daily for the collection of trash.\*
15. The proposed building shall be limited to twenty (20) feet and the canopy to eighteen (18) feet in height.\*

16. Green building techniques for recycling/salvaging of non-hazardous construction and demolition debris and incorporating appliances, fixtures, systems and building components that are ENERGY STAR qualified shall be used to the extent feasible in the proposed expansion of the quick service food store. These techniques may include, but shall not be limited to, heating and cooling systems, plumbing fixtures, vending machines, ceiling fans, ventilation fans, light fixtures, exit signs, programmable thermostats, windows and doors, skylights, kitchen-related appliances, and electronic equipment that may be part of the proposed development. In addition, increased ventilation, indoor air testing and use of low-emitting adhesives, sealants, paints/coatings, carpeting and other building materials shall also be used to the extent feasible to reduce the potential for indoor air quality problems on the site.

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.

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. 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 Amendment. 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: August 11, 2008  
 (enter date affidavit is notarized)

I, Sara V. Mariska, attorney/agent, do hereby state that I am an  
 (enter name of applicant or authorized agent)

(check one)             applicant  
                            applicant's authorized agent listed in Par. 1(a) below      **103385**

in Application No.(s): SEA 95-H-066-02  
 (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.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Sunoco, Inc. (R&M)  Agents: Clayton L. McCane Jeffrey J. Bauer Michael L. Millman David (nmi) Rubino	1735 Market Street, Suite LL Philadelphia, PA 19103	Applicant/Title Owner of Tax Map 16-3 ((1)) 38A
Core States Inc.  Agents: Glenn M. Phillips Jennifer L. Adams	44355 Premier Plaza, Suite 240 Ashburn, Virginia 20147	Engineer/Agent

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

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

**Special Exception Attachment to Par. 1(a)**

DATE: August 11, 2008  
(enter date affidavit is notarized)

103385

for Application No. (s): SEA 95-H-066-02  
(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.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	<b>Attorneys/Planners/Agent</b>
Agents: Martin D. Walsh Lynne J. Strobel Timothy S. Sampson M. Catharine Puskar Sara V. Mariska G. Evan Pritchard Elizabeth D. Baker Inda E. Stagg Kara M. Whisler Megan C. Shilling Elizabeth A. McKeeby		

(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: August 11, 2008
(enter date affidavit is notarized)

103385

for Application No. (s): SEA SEA 95-H-066-02
(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) Sunoco, Inc. (R&M) 1735 Market Street, Suite LL Philadelphia, PA 19103

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.
[X] 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) Publicly traded.

(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: August 11, 2008  
(enter date affidavit is notarized)

103385

for Application No. (s): SEA  
SEA 95-H-066-02  
(enter County-assigned application number (s))

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

Core States Inc.  
44355 Premier Plaza, Suite 240  
Ashburn, Virginia 20147

**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)

John M. Scheffey  
Glenn M. Phillips  
Richard A. Perez  
Richard A. Cote

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

(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: August 11, 2008  
(enter date affidavit is notarized)

for Application No. (s): SEA 95-H-066-02  
(enter County-assigned application number(s))

103385

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)  
None

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

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

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

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: August 11, 2008  
(enter date affidavit is notarized)

103385

for Application No. (s): SEA 95-H-066-02  
(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: August 11, 2008  
(enter date affidavit is notarized)

103385

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:

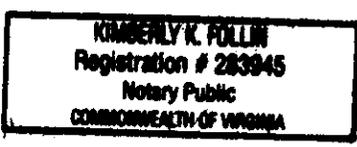
(check one) Sara V. Mariska  
[ ] Applicant [x] Applicant's Authorized Agent

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

Subscribed and sworn to before me this 11 day of August 2008, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K. Follin  
Notary Public

My commission expires: 11/30/2011



RECEIVED  
Department of Planning & Zoning

**DEC 10 2008**

Zoning Evaluation Division



**WALSH COLUCCI  
LUBELEY EMRICH  
& WALSH PC**

**AMENDED**

December 10, 2008

Sara V. Mariska  
(703) 528-4700 Ext. 5419  
[smariska@arl.thelandlawyers.com](mailto:smariska@arl.thelandlawyers.com)

**Via Hand Delivery**

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

Re: Proposed Special Exception Amendment  
Applicant: Sunoco, Inc. (R&M)

Dear Ms. Coyle:

Please accept this letter as a statement of justification for a special exception amendment application on property identified among the Fairfax County tax map records as 16-3 ((1)) 38A (the "Subject Property").

The Subject Property is located in the northeast quadrant of the intersection of Centreville Road (Route 657) and Coppermine Road (Route 665) in the Hunter Mill Magisterial District. The Subject Property contains approximately 42,941 square feet, is zoned to the C-6 District, and is developed with a service station, service bays, and quick service food store. The Subject Property has been the subject of several prior land use approvals granted by the Fairfax County Board of Supervisors (the "Board"). Most recently, the Board approved special exception amendment SEA 95-H-066 on May 21, 2007 to allow site improvements and modifications to development conditions.

The Applicant now proposes to replace the existing quick service food store and service bays with a larger quick service food store that contains a total of 2,765 square feet of gross floor area ("GSF"). A larger store is necessary to better serve customer demands as it provides a sufficient retail space to offer a wider range of products. The proposal does not modify the location of the service station canopy with six (6) fuel dispensers that is to the west of the quick service food store. Existing points of site access at Centreville Road and Coppermine Road will also remain unchanged. The enlarged quick service food store will be constructed within the same footprint as the existing quick service food store and the service bays combined, thus there will be no additional impervious surface added to the Subject Property. The proposed improvements result in an overall site intensity of 0.065 floor area ratio ("FAR") that is well below the 0.40 FAR permitted in the C-6 District. The Applicant also proposes to replace and

update the curbing and sidewalk surrounding the quick service food store so that it is compliant with the Americans with Disabilities (“ADA”) requirements. Because the Applicant’s proposal does not propose any changes to the existing vegetation, a waiver of the requirement to provide an existing vegetation map is requested. The Applicant also requests a modification of the trail requirement on Centreville Road in favor of the existing sidewalk.

The Subject Property is located within Area III of the Fairfax County Comprehensive Plan (the “Plan”). More specifically, the Subject Property is located within the Dulles Suburban Center, in Land Unit B. The Plan provides, in relevant part, that retail uses up to 327,000 square feet are planned for the land area that includes the Subject Property. The Plan map designates the Subject Property as appropriate for mixed-use development. The Applicant’s proposal is in conformance with the Plan language.

In accordance with Section 9-011 of the Fairfax County Zoning Ordinance (the “Ordinance”) please accept the following information:

- The type of operation proposed is a service station with a quick service food store.
- Hours of operation:  
  
The service station and quick service food store will be open twenty-four hours a day, seven days a week.
- The estimated number of patrons is approximately 600 persons per day.
- The estimated number of employees is a maximum of four (4) on site at any one time.
- The proposed use will generate approximately 1500 trips per day, with approximately 105 trips during the peak A.M. hour and 130 trips during the peak P.M. hour.
- The general area to be served by the use is Reston, Herndon, and the surrounding area.
- The proposed use results in approximately 2,765 GSF in building improvements. The building design utilizes materials that include glass and vinyl siding.
- Petroleum products, as defined in Title 40, Code of Federal Regulations, are the only known hazardous or toxics substances to be utilized and stored on the Subject Property.

December 10, 2008

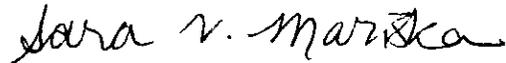
Page 3 of 3

- The proposed use conforms to the provision of all applicable ordinances, regulations, adopted standards and conditions except as modified herein.

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

Very truly yours,

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



Sara V. Mariska

SVM/kae

Enclosures

cc: Jeffrey J. Bauer  
Clayton L. McCane  
Michael L. Millman  
David Rubino  
Jennifer L. Adams  
Martin D. Walsh

{A0157316.DOC / 1 Amended Statement of Justification 12-10-08 005080 000003}



# FAIRFAX COUNTY

APPENDIX 4

OFFICE OF THE  
BOARD OF SUPERVISORS  
12000 Government Center Parkway, Suite 533  
Fairfax, Virginia 22035-0072

V I R G I N I A

Telephone: 703-324-3151

FAX: 703-324-3926

TTY: 703-324-3903

June 6, 2001

Marie B. Travesky  
Travesky and Associates  
3900 Jermantown Road - Suite 300  
Fairfax, Virginia 22030Name

RE: Proffered Condition Amendment  
Number PCA 95-H-049  
(Concurrent with SEA 95-H-066)

Dear Ms. Travesky

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on May 21, 2001, approving Proffered Condition Amendment PCA 95-H-049 in the name of Tosco Refining LP, to amend the proffers for RZ 95-H-049 to permit commercial development with an overall Floor Area Ratio (FAR) of 0.06, located in the northeast quadrant of the intersection of Coppermine Road and Centreville Road, Tax Map 16-3 ((1)) 38A, subject to the proffers dated March 21, 2001, consisting of approximately 43,037 square feet of land zoned C-6 in Hunter Mill District.

Sincerely,

Nancy Vehrs  
Clerk to the Board of Supervisors  
NV/ns

PCA 95-H-049  
June 6, 2001

- 2 -

cc: Chairman Katherine K. Hanley  
Supervisor Hunter Mill District  
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration  
Michael R. Congleton, Deputy Zoning Administrator  
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ  
Thomas Conry, Dept. Mgr. - GIS - Mapping/Overlay  
Robert Moore, Trnsprt'n. Planning Div., Dept. of Transportation  
Charles Strunk, Project Planning Section, Dept. of Transportation  
Michelle Brickner, Deputy Director, DPWES  
DPWES - Bonds & Agreements  
Frank Edwards, Department of Highways - VDOT  
Land Acqu. & Planning Div., Park Authority  
District Planning Commissioner  
James Patteson, Director, Facilities Mgmt. Div., DPWES

**RECEIVED**  
DEPARTMENT OF PLANNING AND ZONING  
JUN 13 2001

ZONING EVALUATION DIVISION

PCA 95-H-049

Concurrent with SEA 95-H-066

**PROFFERS**

**March 21, 2001**

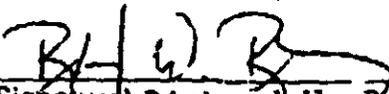
Pursuant to Section 15.2-2303A of the 1950 Code of Virginia, as amended, the undersigned proffer the following conditions, provided that the Board of Supervisors approves PCA 95-H-049, as requested. The proffers previously approved and dated January 19, 1996, are hereby reaffirmed with the following additions:

1. The site shall be developed in substantial conformance with the PCA/SEA plat prepared by Bohler Engineering, P.C., dated 5/18/00 as revised on March 21, 2001, which supercedes Proffer No. 2 associated with RZ 95-H-049.
2. A donation in the amount of \$5,000, less the cost of a bench and waste receptacle installed on the site for the benefit of area residents, shall be made to the Fairfax County Park Authority at the time of site plan approval. This money shall be used for improvements in the Hunter Mill District in the immediate vicinity of the site.

(signatures on following page.)

PCA 95-H-049  
Concurrent with SEA 95-H-066

TOSCO REFINING LP, Applicant/Property Owner,  
By Tosco Corporation, Its General Partner

  
By (Signature) Richard W. Reinken

Title: Vice President

Date: 3-21-00  
3-21-01



# FAIRFAX COUNTY

DP2  
OFFICE OF THE CLERK  
BOARD OF SUPERVISORS  
12000 Government Center Parkway, Suite 533  
Fairfax, Virginia 22035-0072

V I R G I N I A

Telephone: 703-324-3151  
FAX: 703-324-3926  
TTY: 703-324-3903

May 30, 2001

Marie B. Travesky  
Travesky and Associates  
3900 Jermantown Road - Suite 300  
Fairfax, Virginia 22030

RE: Special Exception Amendment Application  
Number SEA 95-H-066  
(Concurrent with PCA 95-H-049)

Dear Ms. Travesky:

At a regular meeting of the Board of Supervisors held on May 21, 2001, the Board approved Special Exception Amendment Application Number SEA 95-H-066 in the name of Tosco Refining LP, located in the northeast quadrant of the intersection of Coppermine Road and Centreville Road, Tax Map 16-3 ((10) 38A, amending SE 95-H-066 previously approved for a service station and quick-service food store to permit a service station, quick-service food store and change in development conditions, pursuant to Section 4-604 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions. Those conditions carried forward from the previously approved Special Exception marked with an asterisk. Minor edits have been made to conform with current terminology. These edits have been underlined.

- \*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 Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant

to this Special Exception Amendment shall be in substantial conformance with the approved Proffer Condition Amendment/Special Exception Amendment(PCA/SEA) Plat entitled "Tosco Refining, LP" prepared by Bohler Engineering, PC and dated May 18, 2000, as revised through March 21, 2001, and these conditions. Minor modifications to the approved Special Exception Amendment may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance.

- \*4. The number of employees on site at any one time shall be limited to six (6).
- \*5. All signs shall be in accordance with Article 12 of the Zoning Ordinance. There shall be no pole mounted signs. The proposed monument sign shall be in substantial conformance with the detail on Sheet 3 of the PCA/SEA Plat. All signs shall be internally lighted.
- \*6. The building for the quick service food store and service bays shall have the same architectural treatment and construction materials on all sides.
- \*7. To ensure that public access is available for the interparcel connection between this property and Tax Map 16-3 ((1)) 15B pt. (Village Center at Dulles) to the north and Tax Map 16-3 ((1)) 38D (Kendrick Court) to the east, a public access easement shall be recorded for the travel aisle parallel to Centreville Road and Coppermine Road. The public access easement shall be recorded in a form acceptable to the County Attorney prior to the time of site plan approval by the Department of Public Works and Environmental Review (DPWES). The interparcel easements shall be free of obstructions that would constrain the flow of traffic onto the site. The interparcel connections shall be constructed prior to issuance of a Non-RUP.
- \*8. Sidewalks shall be provided along the Coppermine Road and Centreville Road frontages of the site. Sidewalks shall match those provided in McNair Farms and in the Village Center at Dulles shopping center, as determined by DPWES. Unless the sidewalks are provided within the Virginia Department of Transportation (VDOT) right-of-way, a public access easement shall be provided over all sidewalks. The public access easement shall be recorded in a form acceptable to the County Attorney prior to the time of site plan approval by DPWES.
- \*9. A right-turn deceleration lane shall be constructed to meet VDOT standards to accommodate right-turns into the site from Centreville Road and Coppermine Road as required by VDOT and DPWES at the time of site plan review and approval.

- \*10. The gross floor area of the quick service food store, service station and service bays shall be limited to 2,750 square feet and the net sales area for the retail quick service food store shall be limited to 1,000 square feet as indicated on the Proffer Condition Amendment/Special Exception Amendment (PCA/SEA) Plat. The canopy shall be limited to 3,300 square feet and 18 feet in height.
- \*11. The service station with drive-through service bays shall operate in accordance with the definition of a service station contained in Article 20, Definitions, of the Zoning Ordinance. No vehicle stacking for the service bays shall be permitted.
- \*12. A Non-RUP shall not be issued for this use until such time as transitional screening and barriers are provided and installed along the eastern lot line pursuant to landscaping/screening commitments set forth in proffers accepted by the Board of Supervisors pursuant to PCA 87-C-060-5, McNair Farms.
- \*13. Until such time as the interparcel access stub connection depicted in the extreme southeastern corner of the site is constructed, the minimum ten (10) foot landscaping strip depicted along the eastern boundary of the site shall be provided along the entire eastern boundary.
- \*14. Landscaping shall be provided consistent with that shown on Sheet 3 of the PCA/SEA plat. All supplemental landscaping and/or any modifications to the landscape plan provided shall be subject to the review and approval of the Urban Forester.
- \*15. A copy of this Special Exception Amendment SHALL BE POSTED in a conspicuous place on the property, along with the Non-Residential Use Permit and shall be made available to all Departments of the County of Fairfax during hours of operation of the permitted use.
- 16. Lighting for the site shall meet the Zoning Ordinance standard that glare shall not cause illumination in the adjacent PDH Districts in excess of 0.5 footcandles (fc). All lighting shall be shielded and/or feature full cut-off fixtures, including security and pedestrian lights. Canopy lenses shall be flush mounted with recessed lights. The perimeter of the canopy shall contain a fascia to reduce excess glare. (Attachment A) Pole mounted lights shall not exceed a height of 14.5 feet.
- 17. All rooftop equipment shall be screened from view of the shopping center and adjacent residential districts.

18. All trash dumpster(s) located on the property shall be enclosed by a solid, opaque barrier with a gate, as determined by DPWES.
19. The service station/quick service food store shall have an employee patrol the subject property daily for the collection of trash.
20. The proposed building shall be limited to twenty (20) feet and the canopy to eighteen (18) feet in height.
21. There shall be no sale of alcoholic beverages, marketing of video tapes or video machines on site.
22. There shall be no performance of major repairs of vehicles and no storage of wrecked or inoperable vehicles on the site for more than seventy-two (72) hours.
23. At site plan review, if adequate turning radii at the entrance of Parcel 38D to accommodate fuel delivery trucks, can be accomplished, as determined by DPWES, the entrance to Coppermine Road may be closed, at the discretion of the applicant.
24. The maximum hours of operation for the service bays shall be between 6:00 A.M. and 8:00 P.M., seven days a week. The quick service food store and service station may operate twenty-four hours per day, seven days a week.

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 itself 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.

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 Amendment. 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 reaffirmed the modification of the transitional screening and waived the barrier requirements to the south and east of the site.**

SEA 95-H-066  
May 30, 2001

- 5 -

If you have questions regarding the expiration of this Special Exception Amendment or filing a request for additional time they should be directed to the Zoning Evaluation Division in the Department of Planning and Zoning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Sincerely,



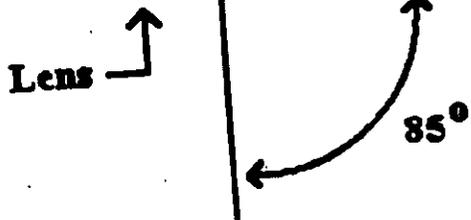
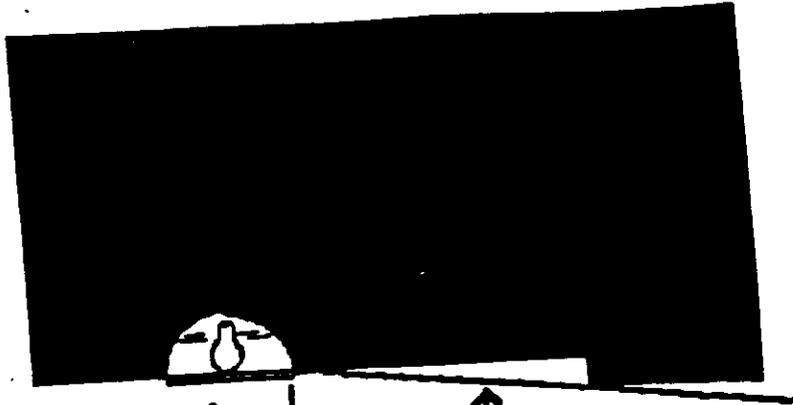
Nancy Vehrs  
Clerk to the Board of Supervisors

NV/ns

Attachment

cc: Chairman Katherine K. Hanley  
Supervisor – Hunter Mill District  
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration  
Michael R. Congleton, Deputy Zoning Administrator  
John Crouch, Assistant Chief, PPRB, DPZ  
Audrey Clark, Director, BPRD, DPWES  
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ  
Robert Moore, Trnsprt'n. Planning Div., Department of Transportation  
Charles Strunk, Project Planning Section, Department of Transportation  
Michelle A. Brickner, Director, Site Development Services, DPWES  
DPWES – Bonds & Agreements  
Department of Highways, VDOT  
Land Acqu. & Planning Div., Park Authority  
District Planning Commissioner

**RECEIVED**  
DEPARTMENT OF PLANNING AND ZONING  
JUN 1 2001  
ZONING EVALUATION DIVISION



ATTACHMENT A

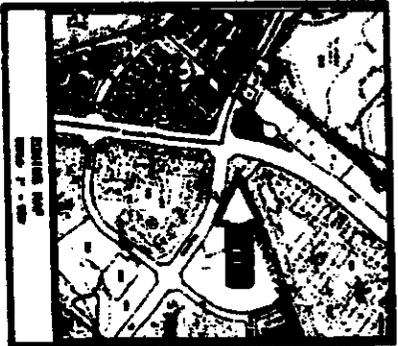
**SPECIAL EXCEPTION AMENDMENT/  
PROPER CONDITION AMENDMENT PLAT**

**SE 96 - H - 066**

**TOSCO REFINING, LP**

**88 410-CK8**

**HUNTER MILL DISTRICT, FAIRFAX COUNTY**



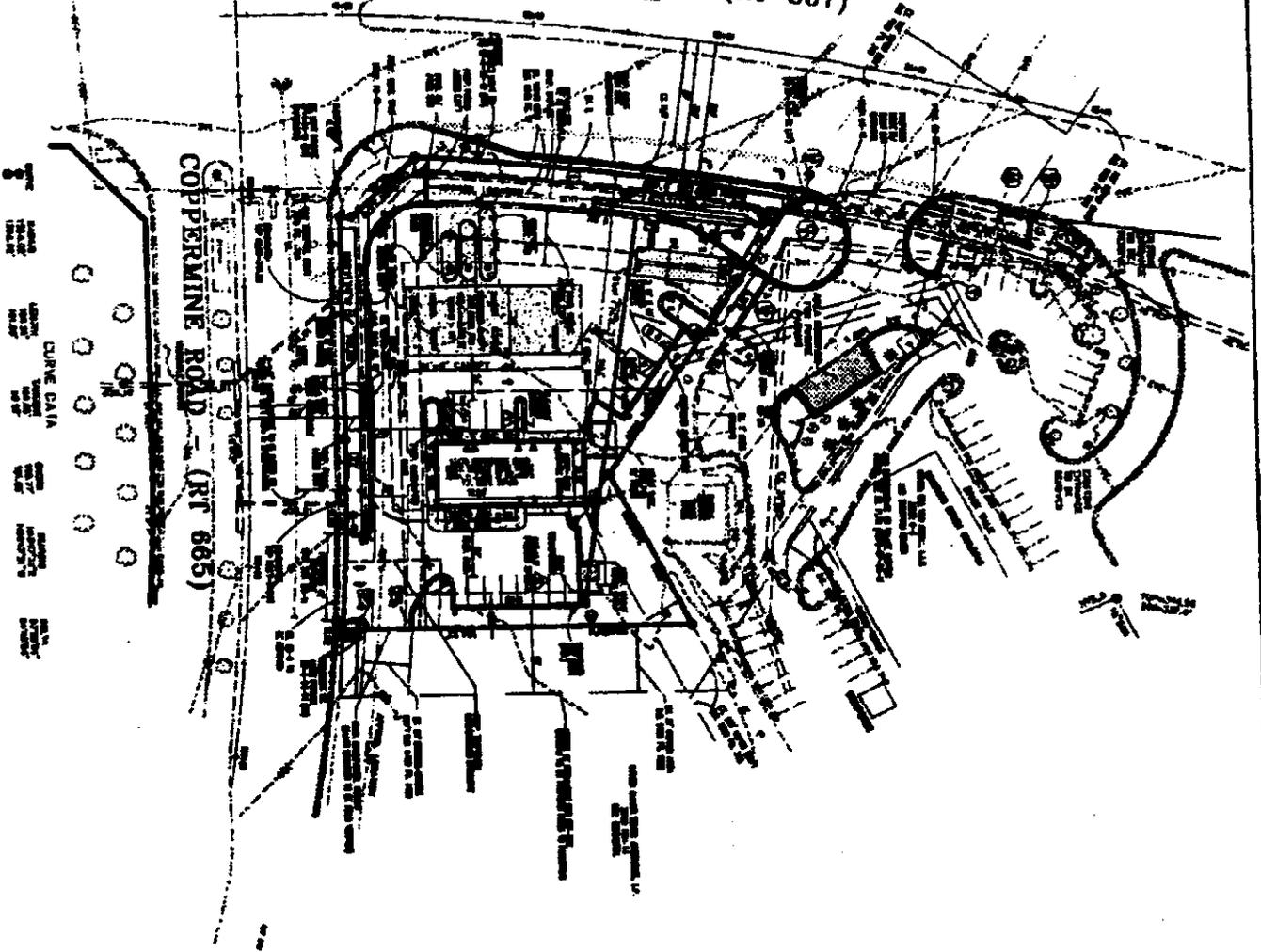
**Sheet Index**

1. OVER MAP
2. PROPER CONDITION AMENDMENT PLAT
3. SPECIAL EXCEPTION AMENDMENT PLAT
4. OTHER SECTION MAP



<p><b>PLAT INFORMATION</b></p> <p>PLAT NO. 88-410-CK8</p> <p>DATE OF RECORDATION: 05/11/2001</p> <p>APPLICANT: TOSCO REFINING, LP</p> <p>ADDRESS: 11111 WOODLAWN BLVD, FARMERS BRANCH, VA 22031</p> <p>PREPARED BY: [Name]</p> <p>DATE: [Date]</p>	
<p><b>OWNER</b></p> <p>TOSCO REFINING, LP</p>	<p><b>AGENT</b></p> <p>[Name]</p>
<p><b>COMMISSIONER</b></p> <p>[Name]</p>	<p><b>CLERK</b></p> <p>[Name]</p>
<p><b>DEPUTY COMMISSIONER</b></p> <p>[Name]</p>	<p><b>DEPUTY CLERK</b></p> <p>[Name]</p>

CENTREVILLE ROAD - (RT 657)

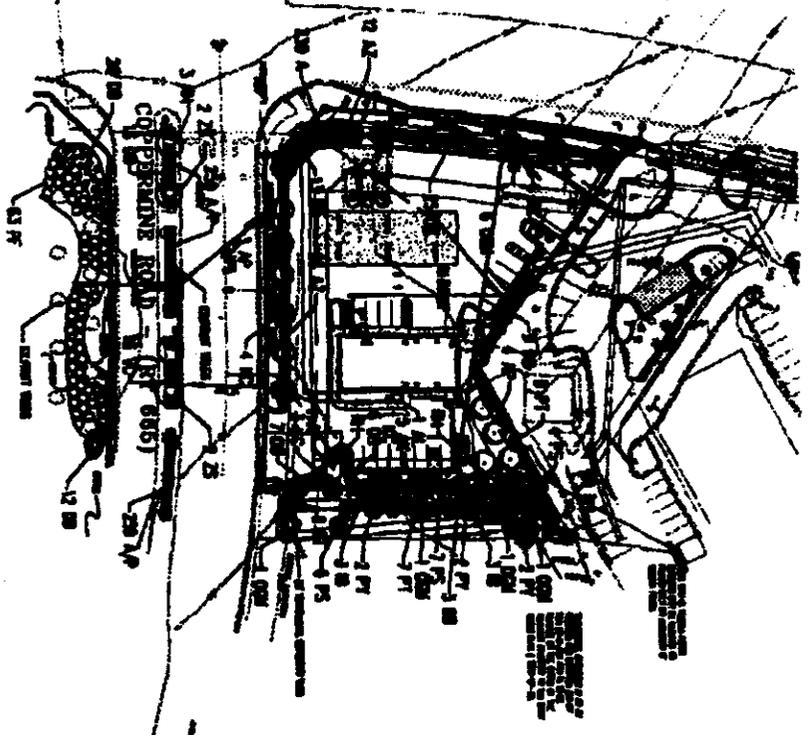


<b>KOHLER ENGINEERING, INC.</b>	
SPECIAL EXCEPTION, MAINTENANCE/PROJECTS GOVERNMENT ASSIGNMENT	
PROJECT NO. 100-000	DATE: 10/1/80
DESIGNED BY: A.J. VOLANTE	CHECKED BY: L.H. BOHLER
DRAWN BY: [Name]	SCALE: [Scale]
DATE: [Date]	PROJECT: [Project Name]

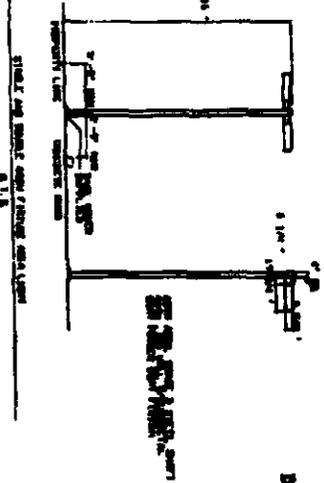
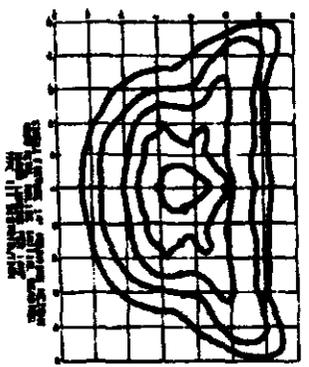
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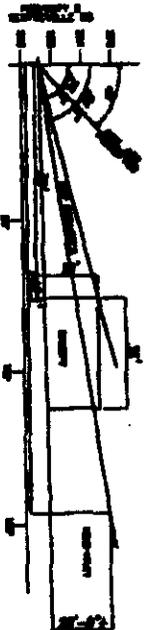
CENTREVILLE ROAD - (RT 657)



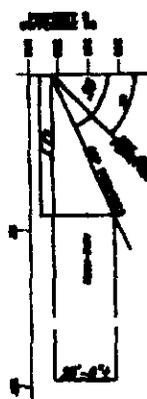
LANDSCAPE PLAN



DETAIL ANGLE OF SIGN PLANE FROM CENTREVILLE ROAD

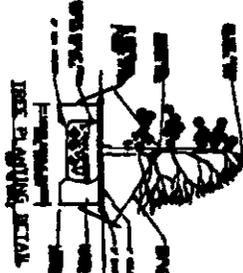
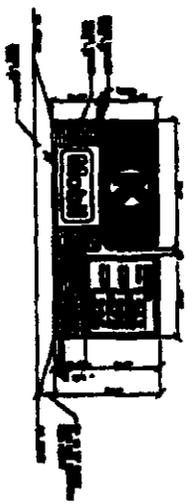


DETAIL ANGLE OF SIGN PLANE FROM COPPELAND ROAD



NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
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2	WOOD SIGN PANEL	1	EA	100.00	100.00
3	WOOD SIGN MOUNTING	1	EA	50.00	50.00
4	WOOD SIGN BRACKET	1	EA	50.00	50.00
5	WOOD SIGN POST	1	EA	150.00	150.00
6	WOOD SIGN PANEL	1	EA	100.00	100.00
7	WOOD SIGN MOUNTING	1	EA	50.00	50.00
8	WOOD SIGN BRACKET	1	EA	50.00	50.00
9	WOOD SIGN POST	1	EA	150.00	150.00
10	WOOD SIGN PANEL	1	EA	100.00	100.00
11	WOOD SIGN MOUNTING	1	EA	50.00	50.00
12	WOOD SIGN BRACKET	1	EA	50.00	50.00

SIGN DETAIL



**ROBERTS ENGINEERING & ARCHITECTURE**  
 1111 CENTREVILLE ROAD  
 SUITE 100  
 CENTREVILLE, VA 20109  
 TEL: (703) 881-1111  
 FAX: (703) 881-1112  
 WWW: WWW.ROBERTS-ENGINEERING.COM

**A.J. VOLANTE**  
 PROJECT ARCHITECT

**L.H. BOBILIC**  
 PROJECT ARCHITECT

**LANDSCAPE PLAN & DETAILS**

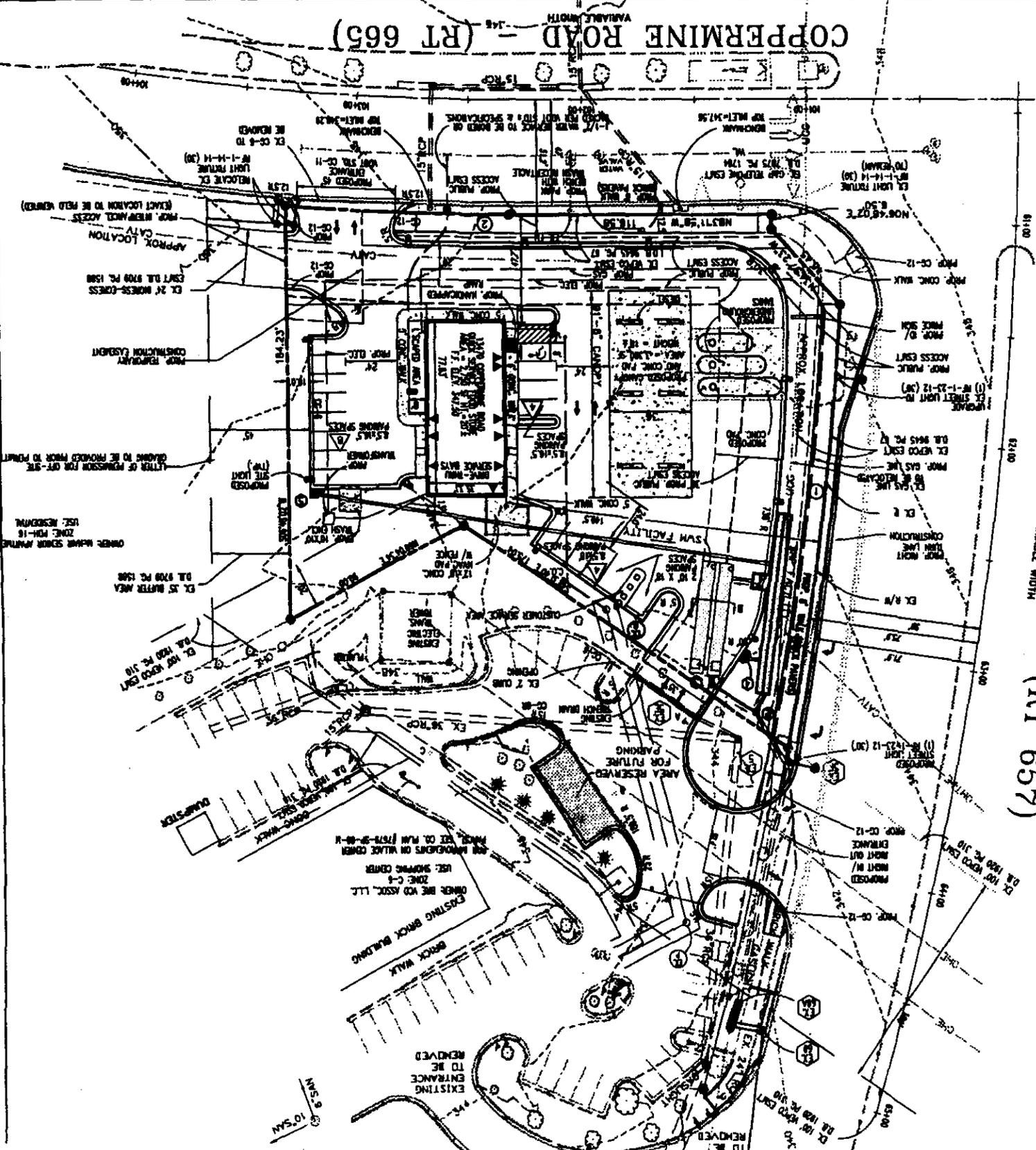


**BOHLER ENGINEERING, P.C.**  
 • CIVIL & CONSULTING ENGINEERS • PROJECT MANAGERS  
 • ENVIRONMENTAL & SITE PLANNERS • MUNICIPAL ENGINEERS  
 109 CARPENTER DRIVE  
 SUITE 210  
 STERLING, VIRGINIA 20164  
 (908) 668-8300 PH: (703) 709-9500 FAX: (703) 709-9501 (215) 393-8300

776 MOUNTAIN BLVD.  
 WATCHUNG, N.J. 07060  
 (908) 668-8300 PH: (703) 709-9500 FAX: (703) 709-9501 (215) 393-8300

PROJECT: **TOSCO**  
**PROFFER CONDITION AMENDMENT PLAT**  
 CENTREVILLE ROAD & COPPERMINE ROAD  
 HERNDON, FAIRFAX CO., VA  
 SS 16-CKB

TITLE: **SPECIAL EXCEPTION AMENDMENT PLAT**  
 SCALE: (H) 1"=60'  
 DATE: 3/21/01  
 DRAWN BY: ADM  
 CAD I.D. #: S02018SE  
 PROJECT #: S02018



(N1 657)



## LAND UNIT B

### CHARACTER

Land Unit B consists of approximately 310 acres and is bounded on the west by Centreville Road, on the north by Fox Mill Road, on the south by Floris Community Park and Frying Pan Park, and on the east by the Sycamore Ridge single-family residential community and other land planned for residential use at 2-3 dwelling units per acre (Figure 14).

This land unit contains the McNair Farms multi-family, garden apartments as well as townhouses. In addition, local and community serving commercial uses at the Village Center at Dulles are located at the southeast quadrant of the intersection of Fox Mill and Centreville Roads. Both the apartments and the Village Center are part of a planned mixed-use development to include residential, office and retail uses. Within this land unit there is additional land planned for residential use and a public park.

### RECOMMENDATIONS

#### Land Use

1. The portion of Land Unit B located north and west of Frying Pan Branch (except Parcels 16-3((1))19, 20 and 21) is planned for a mix of residential, commercial retail, office and public park uses and is being developed as McNair Farms. The recommended development is a mixture of residential uses up to 14 dwelling units per acre and a maximum of 327,000 square feet of commercial retail and office use. This mixed-use development is conditioned upon the following:
  - Substantial land consolidation is achieved. The area should be master planned and developed as a contiguous unit;
  - Good urban design principles should be used for development. This includes coordinated vehicular and pedestrian access and circulation; attractive living, working and activity spaces; a variety of housing types; architectural compatibility; landscaping; usable open space, and good visual and functional relationships among the various land uses;
  - A mix of housing styles and types including single and multi-family units, prices and ownership forms is provided. A reasonable number of units must be marketed as rental units and incorporated into the overall design of the project; and
  - Provision is made for sites for day care facilities and an elementary school.
2. The three parcels south of Fox Mill Road (Parcels 16-3((1))19, 20 and 21) that were not incorporated into the planned development for this area are planned for development at 2-3 dwelling units per acre. As an option, residential use at 5-8 dwelling units per acre may be appropriate if the following conditions are met:



# County of Fairfax, Virginia

## MEMORANDUM

DATE: March 19, 2009

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

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

**SUBJECT:** ENVIRONMENTAL ANALYSIS: SEA 95-H-066-02  
Sunoco, Inc.

This memorandum, prepared by Jennifer Bonnette, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. Plan citations are followed by a discussion of concerns including a description of potential impacts that may result from the proposed development as depicted on the Special Exception Plat dated September 15, 2008. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

### COMPREHENSIVE PLAN CITATIONS

The Comprehensive Plan is the basis for the evaluation of this application. The assessment of the proposal for conformity with the environmental recommendations of the Comprehensive Plan is guided by the following citations from the Plan:

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through February 25, 2008, on pages 17-18, the Plan states:

**“Objective 13: Design and construct buildings and associated landscapes to use energy and water resources efficiently and to minimize short- and long-term negative impacts on the environment and building occupants.**

Policy a. Consistent with other Policy Plan objectives, encourage the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. These practices can include, but are not limited to:

- Environmentally-sensitive siting and construction of development

Department of Planning and Zoning  
Planning Division  
12055 Government Center Parkway, Suite 730  
Fairfax, Virginia 22035-5509  
Phone 703-324-1380  
Fax 703-324-3056  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)



- Application of low impact development practices, including minimization of impervious cover (See Policy k under Objective 2 of this section of the *Policy Plan*)
- Optimization of energy performance of structures/energy-efficient design
- Use of renewable energy resources
- Use of energy efficient appliances, heating/cooling systems, lighting and/or other products
- Application of water conservation techniques such as water efficient landscaping and innovative wastewater technologies
- Reuse of existing building materials for redevelopment projects
- Recycling/salvage of non-hazardous construction, demolition, and land clearing debris
- Use of recycled and rapidly renewable building materials
- Use of building materials and products that originate from nearby sources
- Reduction of potential indoor air quality problems through measures such as increased ventilation, indoor air testing and use of low-emitting adhesives, sealants, paints/coatings, carpeting and other building materials.

Encourage commitments to implementation of green building practices through certification under established green building rating systems (e.g., the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED<sup>®</sup>) program or other comparable programs with third party certification). Encourage commitments to the attainment of the ENERGY STAR<sup>®</sup> rating where applicable and to ENERGY STAR qualification for homes. Encourage the inclusion of professionals with green building accreditation on development teams. Encourage commitments to the provision of information to owners of buildings with green building/energy efficiency measures that identifies both the benefits of these measures and their associated maintenance needs. . .

Policy e. Encourage energy conservation through the provision of measures which support nonmotorized transportation, such as the provision of showers and lockers for employees and the provision of bicycle parking facilities for employment, retail and multifamily residential uses.”

## **ENVIRONMENTAL ANALYSIS**

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed development.

The applicant has indicated that certain LEED components will be provided such as plumbing fixtures for water efficiency and interior lighting for energy conservation.

To enable the site's energy performance to be optimized, it is recommended that the applicant commit to recycling/salvaging non-hazardous construction and demolition debris and incorporating appliances, fixtures, systems and building components that are ENERGY STAR qualified when the existing building is converted to solely quick food service use. These components could include heating and cooling systems, plumbing fixtures, vending machines, ceiling fans, ventilation fans, light fixtures, exit signs, programmable thermostats, windows and doors, skylights, kitchen-related appliances, and electronic equipment that may be part of the proposed development. It is also recommended that the applicant reduce the potential for indoor air quality problems through measures such as increased ventilation, indoor air testing and use of low-emitting adhesives, sealants, paints/coatings, carpeting and other building materials.

#### **COUNTYWIDE TRAILS PLAN**

The Countywide Trails Plan shows an onroad bike route on Centreville Road. The applicant has requested a waiver of the bike route requirement.

PGN: JRB



# County of Fairfax, Virginia

## MEMORANDUM

DATE: February 27, 2009

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

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

**FILE:** 3- 5 (SE 95-H-066)

**SUBJECT:** Transportation Impact

**REFERENCE:** SEA 95-H-066-02; Sunoco, Inc (R& M)  
Traffic Zone: 1733  
Land Identification Map: 16-3 ((01)) 38A

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the applicant's statement of justification of use dated January 27, 2009 and the revised plat dated December 3, 2008.

The applicant requests a special exception for an existing service station with quick service food store and vehicular service bays to be replaced by the service station and a larger quick service food store.

This department has reviewed the subject application and provides the following comments.

- Centreville Road is on Fairfax County's Comprehensive Plan for an on-road bike lane. The applicant should revise their plat and demonstrate within the existing frontage on Centreville Road, if the existing lanes can be restriped, at some future date, to accommodate an on road bike lane.

AKR/AK W:SEA95H066Sunoco...BO

CC: Michelle Brickner, Director, Design Review, DPW & ES

**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.

**9-505 Additional Standards for Automobile-Oriented Uses, Car Washes, Drive-In Financial Institutions, 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.
3. In the C-5 and C-6 Districts, in addition to Par. 1 above:

- A. 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 two (2) 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 hours.

### 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		