



APPLICATION ACCEPTED: March 13, 2009
APPLICATION AMENDED: May 14, 2009
PLANNING COMMISSION: July 30, 2009
BOARD OF SUPERVISORS: not yet scheduled

County of Fairfax, Virginia

July 15, 2009

STAFF REPORT

APPLICATION SE 2009-MA-004

MASON DISTRICT

APPLICANT: Teraa, LLC
PRESENT ZONING: C-8
PARCEL(S): 80-2 ((1)) 58
ACREAGE: 31,286 SF
FAR/DENSITY: 0.13
OPEN SPACE: 25.1%
PLAN MAP: Retail and Other
PROPOSAL: Service station and quick service food store

STAFF RECOMMENDATIONS:

Staff recommends approval of SE 2009-MA-004, subject to development conditions consistent with those found in Appendix 1 of this report.

Staff recommends that the Board of Supervisors direct the Director of DPWES to waive the Tree Inventory and Poor Condition Analysis as outlined in PFM 12.0502.1A.

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

Suzianne Zottl

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



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.

N:\SE\SE 2009-MA-004 Edsall Rd BP\Staff Report_Cover.doc

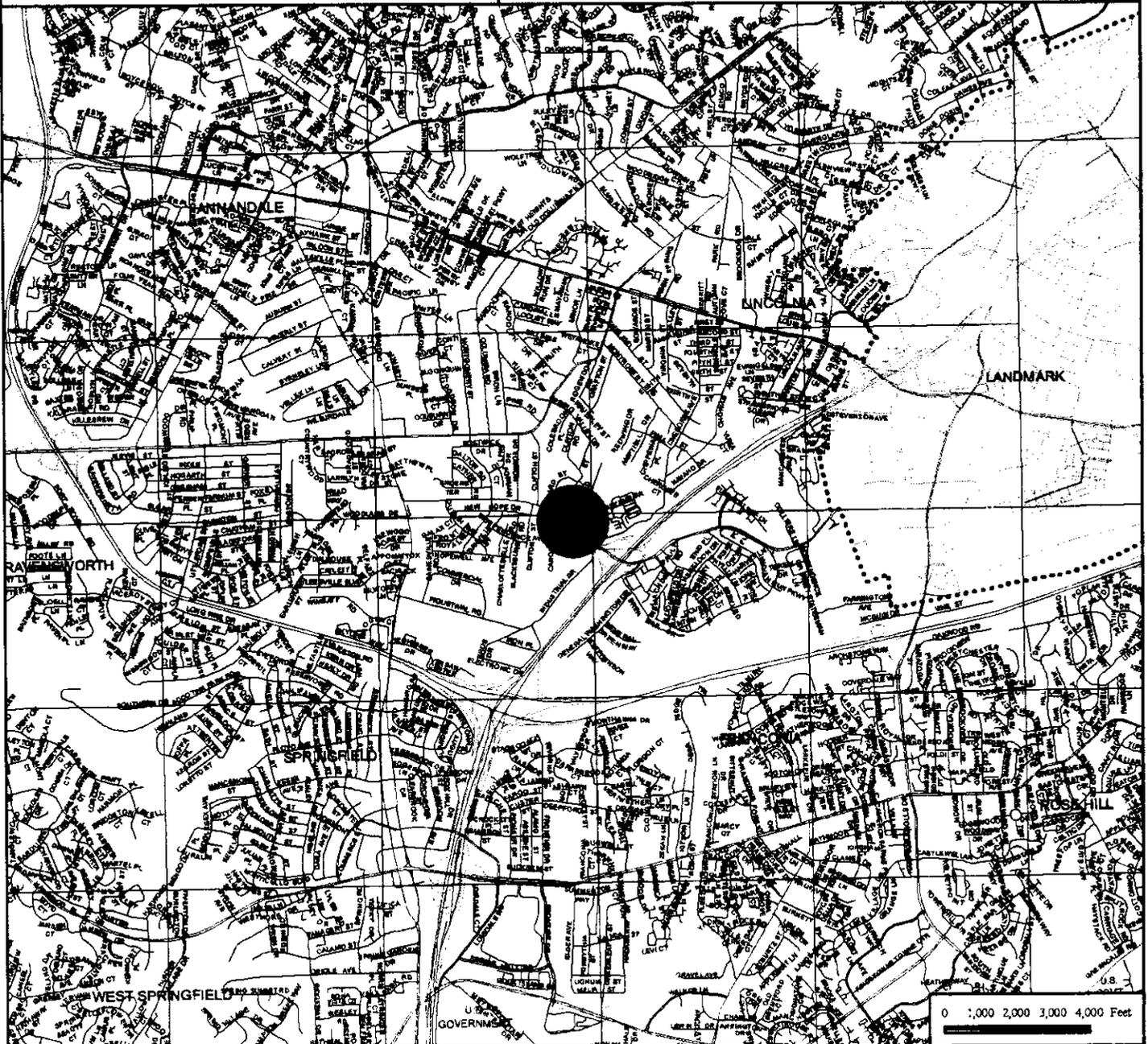


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Exception

SE 2009-MA-004

Applicant: TERA A, LLC
Accepted: 03/13/2009
Proposed: SERVICE STATION WITH QUICK SERVICE FOOD STORE
Area: 31,286 SF OF LAND; DISTRICT - MASON
Zoning Dist Sect: 04-0804
Art 9 Group and Use: 5-20 5-21 5-23
Located: 6540 EDSALL ROAD
Zoning: C- 8
Plan Area: 1,
Overlay Dist:
Map Ref Num: 080-2- /01/ /0058



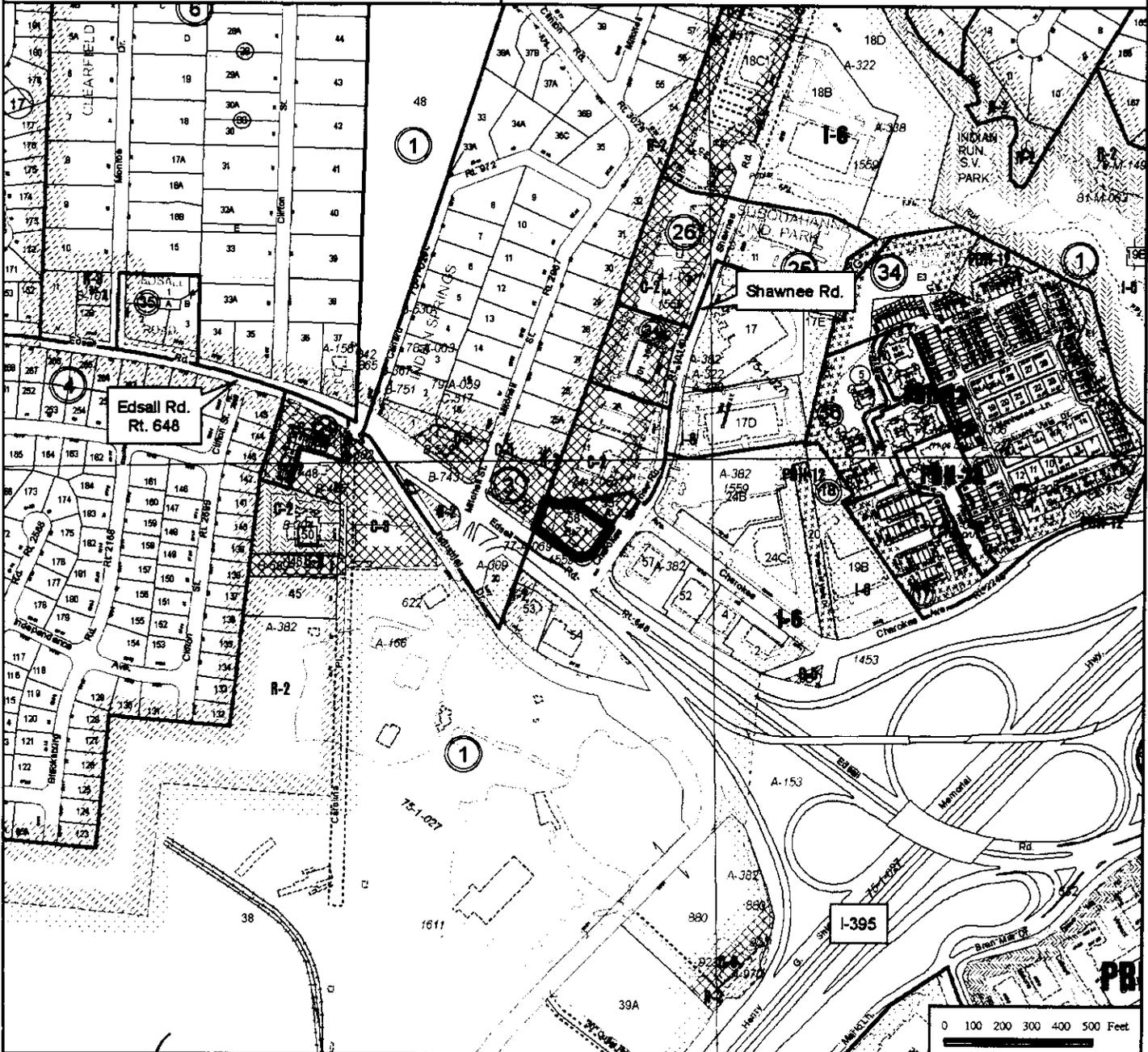
Special Exception

SE 2009-MA-004



Applicant: TERA A, LLC
Accepted: 03/13/2009
Proposed: SERVICE STATION WITH QUICK SERVICE FOOD STORE

Area: 31,286 SF OF LAND; DISTRICT - MASON
Zoning Dist Sect: 04-0804
Art 9 Group and Use: 5-20 5-21 5-23
Located: 6540 EDSALL ROAD
Zoning: C- 8
Plan Area: 1,
Overlay Dist:
Map Ref Num: 080-2- /01/ /0058



McAllister Architects
 1411 South Lake Boulevard
 Richmond, Virginia 23220
 Telephone: (804) 351-8111



BP Service Station

NO. 10000
 BOARD OF ARCHITECTURE
 VIRGINIA
 REGISTERED ARCHITECT
 No. 10000

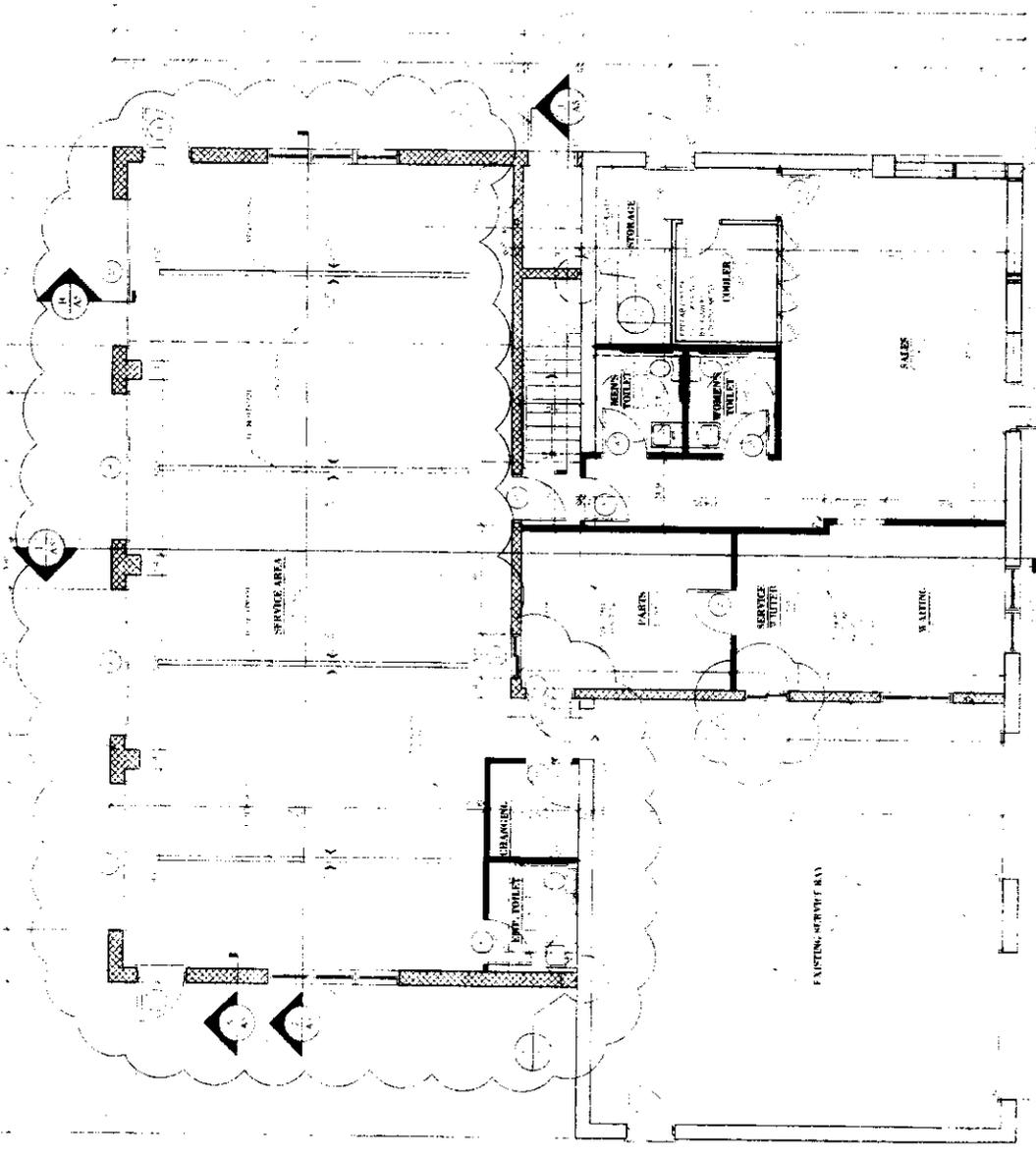
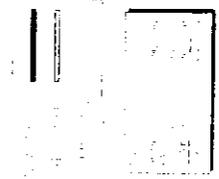
A1

FINISH SCHEDULE

NO.	DESCRIPTION	QTY.	UNIT	PRICE	TOTAL
1	CEILING				
2	FLOOR				
3	WALLS				
4	DOORS				
5	WINDOWS				
6	PAINT				
7	GLASS				
8	IRONWORK				
9	MECHANICAL				
10	ELECTRICAL				
11	PLUMBING				
12	MECHANICAL				
13	ELECTRICAL				
14	PLUMBING				
15	MECHANICAL				
16	ELECTRICAL				
17	PLUMBING				
18	MECHANICAL				
19	ELECTRICAL				
20	PLUMBING				
21	MECHANICAL				
22	ELECTRICAL				
23	PLUMBING				
24	MECHANICAL				
25	ELECTRICAL				
26	PLUMBING				
27	MECHANICAL				
28	ELECTRICAL				
29	PLUMBING				
30	MECHANICAL				
31	ELECTRICAL				
32	PLUMBING				
33	MECHANICAL				
34	ELECTRICAL				
35	PLUMBING				
36	MECHANICAL				
37	ELECTRICAL				
38	PLUMBING				
39	MECHANICAL				
40	ELECTRICAL				
41	PLUMBING				
42	MECHANICAL				
43	ELECTRICAL				
44	PLUMBING				
45	MECHANICAL				
46	ELECTRICAL				
47	PLUMBING				
48	MECHANICAL				
49	ELECTRICAL				
50	PLUMBING				
51	MECHANICAL				
52	ELECTRICAL				
53	PLUMBING				
54	MECHANICAL				
55	ELECTRICAL				
56	PLUMBING				
57	MECHANICAL				
58	ELECTRICAL				
59	PLUMBING				
60	MECHANICAL				

3'-0" DIA. CIRCULAR
 1'-0" DIA. CIRCULAR
 1'-0" DIA. CIRCULAR
 1'-0" DIA. CIRCULAR
 1'-0" DIA. CIRCULAR

DETAIL



FIRST FLOOR PLAN
 1/16" = 1'-0"

McAllister + Foltz
 Architecture, P.A.
 101 Southlake Boulevard
 Durham, North Carolina 27704
 Phone: 919.487.7700



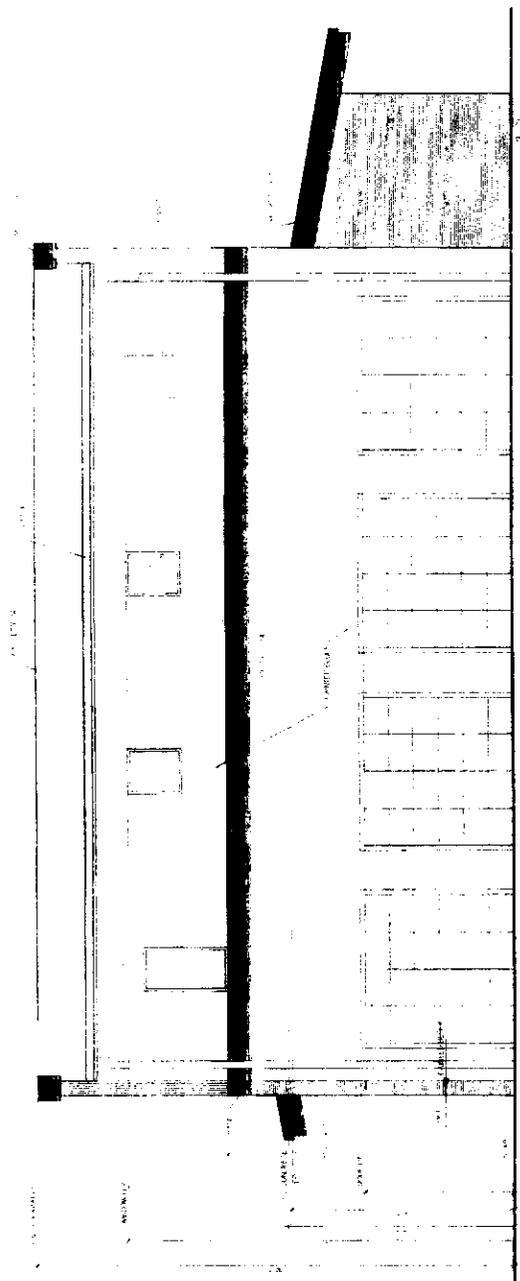
BP Service Station

McAllister + Foltz
 Architecture, P.A.
 101 Southlake Boulevard
 Durham, North Carolina 27704
 Phone: 919.487.7700

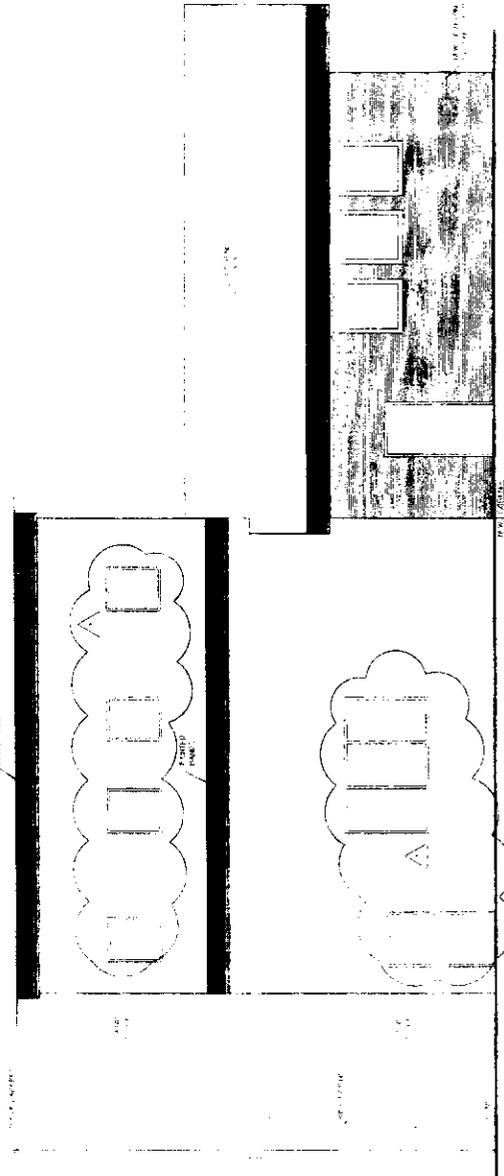
DATE	DESCRIPTION

NOT TO SCALE
 THIS DRAWING IS THE PROPERTY OF
 McALLISTER + FOLTZ ARCHITECTURE, P.A.
 AND IS NOT TO BE REPRODUCED OR
 TRANSMITTED IN ANY FORM OR BY
 ANY MEANS, ELECTRONIC OR MECHANICAL,
 INCLUDING PHOTOCOPYING, RECORDING,
 OR BY ANY INFORMATION STORAGE AND
 RETRIEVAL SYSTEM, WITHOUT THE
 WRITTEN PERMISSION OF McALLISTER + FOLTZ
 ARCHITECTURE, P.A.

A4



REAR ELEVATION
 1/8" = 1'-0"



LEFT SIDE ELEVATION
 1/8" = 1'-0"

DATE: 08/20/10
 DRAWN BY: J. FOLTZ
 CHECKED BY: J. FOLTZ
 PROJECT: BP SERVICE STATION
 SHEET: 01 OF 02
 SCALE: AS SHOWN
 1/8" = 1'-0"

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

DESCRIPTION OF THE APPLICATION

The applicant, Teraa, LLC, is requesting approval of a Category 5 Special Exception to permit a service station and quick service food store use on the property located at 6450 Edsall Road. The site is currently developed with a service station.

The applicant proposes a service station with 500 square feet devoted to quick service food and a 2,000 square foot building addition for four light vehicle service repair bays (plus two existing bays, for a total of six.)

The site is currently developed with a 2,100 square foot service station with three repair bays (one to be removed), a canopy over one of two separate pump islands and four multi-produce dispensers. The applicant also proposes to place an 18' high canopy over the second pump island.

The site will be staffed with a maximum of eight employees on site at any one time. The current hours of operation are 24 hours a day, seven days a week. The applicant is not proposing to change the current hours of operation.

LOCATION AND CHARACTER

The 31,286 square foot site is located at 6540 Edsall Road and is developed with an existing service station that was constructed in 1958.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Office Building	C-2	Office
South	Industrial Business	I-6	Industrial
East	Industrial Business	I-6	Industrial
West	Retail Business(service station)	C-5	Retail and Other

BACKGROUND

On July 8, 1958, the Board of Zoning Appeals approved variance case number 21655, which permitted the construction and operation of a service station for (filling purposes only) within 25 feet of the property line.

On September 26, 1961, the Board of Zoning Appeals denied VC 5535, which would have permitted an addition to the existing service station.

On September 25, 1962, the Board of Zoning Appeals approved VC 11925, which permitted construction of an addition to the existing service station. The approval specified that the service station would continue to operate as a filling station only.

On October 15, 1968, an as-built plan was approved by the County that depicts service bays.

On February 23, 2003, the Board of Supervisors approved, with development conditions, SE 01-M-053 for a service station, quick service food store, and fast food restaurant. That use was never established and the Special Exception expired on February 24, 2007. As a result, the subject site is not governed by development conditions. The existing service station was in operation prior to the adoption of the current governing Zoning Ordinance.

COMPREHENSIVE PLAN PROVISIONS

Plan Area: Area I

Planning District: Annandale Planning District

Planning Sector: Beltway South Industrial Area Planning Sector

Plan Map: Retail and Other

Plan Text:

Fairfax County Comprehensive Plan, 2007 Edition, Area I, Annandale Planning District as amended through January 26, 2009, Beltway South Industrial Area, page 49, states:

"Land Unit D is characterized primarily by research and development uses which maintain an overall office appearance. This land unit is planned for industrial and office uses as shown on the Plan map. Future development and/or redevelopment of the industrial portion of this land unit is planned for up to .30 FAR.

There is some commercial zoning to the west and north of Shawnee Road which has been planned and developed as office uses, with the exception of parcels 71-4((7))17 and 19, 80-2((1))55 and 58, and 80-2((3))22 and 23, which have been planned and developed with retail uses. In order to protect the stable residential

neighborhood to the west and north from commercial encroachment, the existing retail area should not be expanded..."

Additional relevant Plan text may be found in Appendix 4.

ANALYSIS

Special Exception Plat (Copy at front of staff report)

Title of SE Plat: Vernon M. Lynch, Parcel A2 1, 6540 Edsall Road

Prepared By: AMA Engineers, LLC

Original and Revision Dates: December 23, 2008 with engineer's deal date of May 14, 2009

Plat Description

The SE Plat consists of 9 sheets.

Sheet 1 contains notes, site tabulations, and the existing conditions plan.

Sheet 2 shows the proposed site layout

Sheet 3 is the landscape plan and BMP computations

Sheet 4 contains the drainage map and computations

Sheet 5 is a photometric plan

Sheets 6 contains fixture details and specifications

Sheets A1, A3, and A4 contain architectural information

Description of Proposal

Service Station/Quick Service Food Store/Light Vehicle Repair: The applicant proposes a service station with 500 square feet devoted to quick service food use and a 2,000 square foot building to accommodate for four repair bays for light vehicle service use. The building addition is proposed on the northern side of the existing service station building. The applicant also proposes to place a canopy over the second existing pump island, located on the northeastern portion of the site. The canopy is allowed to encroach on the minimum required setback provided it does not block the right-of-way or sidewalk. The canopy will be no taller than 18 feet.

Access: Access to the site is currently obtained from two curb cuts on Edsall Road and two curb cuts along Cherokee Avenue. In order to reduce the number of access points and eliminate traffic conflicts, the applicant proposes to close one entrance along each road and upgrade the remaining two to meet current VDOT standards. The applicant also proposes to upgrade the existing sidewalks along the site frontage to meet current ADA (Americans with Disabilities Act) guidelines.

Landscaping: The applicant has provided landscaping along the Edsall Road and Cherokee Drive road frontages and has added some additional planting as requested by staff. Although the applicant is meeting the open space requirement, staff believes a greater amount of additional landscaping should be provided due to the auto-oriented use on this site. Therefore, staff has included a development condition requiring the applicant to provide additional planting at the time of site plan, subject to the approval of Urban Forest Management (UFM.)

Stormwater Management: The proposed development will represent a decrease in impervious surface compared to the existing development. The applicant has proposed one filterra unit and a rain garden to be used for BMP (phosphorous removal). The applicant plans to apply for a waiver of stormwater detention requirements at the time of site plan.

Land Use Analysis (Appendix 4)

The applicant's request to modify an existing structure which currently includes a service station to permit a quick service food store has been evaluated by staff in order to determine conformance with the guidance of the Comprehensive Plan for this portion of the Beltway South Industrial Area. The applicant is proposing relatively minor modifications for an existing use in an area which is planned for retail and other uses. The proposed use does not raise any land use issues. Staff concludes that the proposed use is compatible with surrounding existing land uses and is in harmony with the land use recommendations of the Comprehensive Plan.

***Issue:** Although the proposed use is compatible and the development exceeds the open space requirement, the proposed plantings on the site are sparse. Staff feels that the applicant could offset the proposed additional square footage and auto-related use of this property by providing some additional planting within the existing and proposed planting beds on the site.*

Resolution: Staff has included a development condition requiring the applicant to provide more landscaping in the planting islands along Edsall Road and Cherokee Avenue to the satisfaction of UFM at the time of site plan.

Urban Forestry Analysis (Appendix 5)

***Issue:** Urban Forest Management reviewed this application and found that the applicant's ten-year tree canopy calculations and tree preservation target calculations, as shown on the plan, do not meet the requirements of the Public Facilities Manual (PFM) sections 12-0507 and 12-0510. In addition, the tree planting section of the ten-year tree canopy worksheet (Sheet 1 of the plat) is difficult to verify. The applicant has not provided a planting schedule, and several non-native trees shown on the plat are not included in the PFM as desirable plantings.*

Resolution: Irrespective of that shown on the plat, the applicant will need to submit revised ten-year tree canopy calculations and tree preservation target calculations, including a landscape plan with plant schedule, at the time of site plan, subject to verification and approval by UFM. Staff has included a development condition to ensure that these elements are addressed.

Issue: UFM recognizes that this application was submitted after January 1, 2009, the date at which the new Section 12 of the PFM became effective. This new Tree Conservation Ordinance emphasizes tree preservation over tree planting when meeting tree canopy requirements. Therefore, this application needs to be in compliance with the new Zoning Ordinance and PFM requirements. However, in cases such as this SE request, it may not be feasible or equitable to meet the tree inventory and poor condition analysis required by the PFM.

Resolution: Staff recommends that the Board of Supervisors direct the Director of DPWES to waive the Tree Inventory and Poor Condition Analysis as outlined in PFM 12.0502.1A. Staff supports a waiver of this requirement, as the existing vegetation on site is of low-quality and no large or outstanding trees will be removed. In addition, the applicant's proposal represents a reduction in impervious area from the current development, thereby creating areas for new landscaping and improving the stormwater and environmental benefits that the property provides.

If a waiver of the Tree Inventory and Poor Condition Analysis is not granted, the applicant will need to meet the requirements as outlined in the PFM or request a waiver and justify the request at the time of site plan submittal.

Transportation Analysis (Appendix 6)

Issue: The Transit Services Division of the Fairfax County Department of Transportation has requested that the applicant install a concrete pad to accommodate a bus shelter and provide easements for bus stop facilities for the bus stop on the site's Edsall Road Frontage.

Resolution: Staff has included a development condition requiring the applicant to install a concrete pad and provide easements for the bus stop identified as 93266 by the Fairfax County Bus Stop Inventory Program. Staff believes this issue is resolved.

Stormwater Analysis (DPWES) (Appendix 7)

The Department of Public Works and Environmental Facilities notes that adequate outfall meeting the PFM requirements must be part of the site plan submission. In addition, stormwater detention or an approved detention waiver is required per PFM 6-0301.3. It is noted that, since there will be reduced imperviousness on the site, this project would be eligible for a waiver under LT121-68, if adequate outfall can be demonstrated at site plan submission. The applicant understands that stormwater

detention or an approved waiver will be required at the time of site plan, and that, if the waiver is not granted, a SEA may be required.

ZONING ORDINANCE PROVISIONS

Bulk Standards C-8 Zoning		
Standard	Required	Provided
Lot Size	40,000 sq. ft. min.	31,286 sq. ft.*
Lot Width	200 feet min.	149 ft.*
Building Height	40 feet max.	35 ft.
Front Yard (Edsall Rd.)	No less than 40 ft.	63 ft.
Front Yard (Cherokee Ave.)	No less than 40 ft.	63 ft.
Rear Yard	20 ft. min.	25 ft.
Open Space	15% (4,693 sq.ft.)	25.1% (7,849 sq.ft.)
Floor Area Ratio (FAR)	.50 maximum	0.13
Gross Floor Area	-----	4,105 sq. ft.
Parking Spaces	15 spaces	15 spaces
Transitional Screening & Barrier: None required		

* The subject site was legally created prior to the adoption of the current Zoning Ordinance and met the provisions of the Zoning Ordinance in effect at that time; therefore, waivers are not required.

Other Zoning Ordinance Requirements:

Special Exception Requirements (Appendix 8)

General Special Exception Standards (Sect. 9-006)

Standards for all Category 5 Uses (Sect. 9-503)

Additional Standards for Automobile-Oriented uses... Quick Service Food Stores, Service Stations, and Service Stations/Mini-Marts (Sect. 9-505)

General Special Exception Standards (Sect. 9-006)

Par. 1 requires that the proposed use be in harmony with the Comprehensive Plan. The subject parcel is designated for retail and other related uses with a maximum FAR of 0.30. The project proposes a service station, quick service food store, and light vehicle service repair with an FAR of 0.13. The Plan states that, in order to protect the stable residential neighborhood to the west and north from commercial encroachment, the existing retail area should not be expanded. This proposal is to redevelop an existing service station and add quick service food use; however, there

is no residential use located directly adjacent to the subject site. Staff is of the opinion that this project is in harmony with the Comprehensive Plan and that this standard has been met.

Par. 2 requires that the proposed use be in harmony with the purpose and intent of the applicable zoning district regulations. The intent and purpose of the C-8 District is to provide locations on heavily traveled collector and arterial highways for those commercial and service uses that are oriented to the automobile and do not depend upon adjoining uses for reasons of comparison shopping or pedestrian trade. The proposal to add a quick service food use to this existing service station is consistent with the purpose and intent of the C-8 District. Staff is of the opinion that this standard has been met.

Par. 3 requires that the proposed use be harmonious with and not adversely affect the use or development of neighboring properties in accordance with applicable zoning district regulations and the adopted Comprehensive Plan. It further states that the location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof. The properties adjacent to the subject parcel are zoned C-5, C-2, and I-6 with plan designations of retail and other mixed uses, office, and industrial, respectively. This proposal for a quick service food store and service station is compatible with the uses of the surrounding properties. Staff believes this standard has been met.

Par. 4 states that the proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood. The applicant is providing sidewalk connections to the adjacent properties. Two vehicular access points are proposed for the project, one from Cherokee Avenue and one from Edsall Road. Staff is of the opinion that this project will pose no conflicts to the existing neighborhood traffic and that this standard has been met.

Par. 5 states that, in addition to the standards which may be set forth in this Article for a particular category or use, the Board may require landscaping and screening in accordance with the provisions of Article 13. There is no transitional screening, barrier, or parking lot landscaping requirement necessary for this request. However, staff has proposed a development condition to require additional landscaping in the planting islands along Edsall Road and Cherokee Avenue to help soften the appearance of this auto-oriented use.

Par. 6 states that open space should be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located. The open space requirement for this zone is 15 percent; 25 percent has been provided. Therefore, this standard has been met.

Par. 7 states that adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11. Adequate public facilities are available to service this project, and there will be no change in stormwater management for this proposal. The required amount of parking for this project is 15 spaces, and the SE Plat depicts 15 spaces on site; this standard has been met.

Par. 8 states that signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance. This project has been conditioned to comply with Article 12 of the Zoning Ordinance. Therefore, as conditioned, Staff is of the opinion that this standard has been met.

Standards for all Category 5 Uses (Sect. 9-503)

Standard 1 states that 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. The subject site was legally created prior to the adoption of the current Zoning Ordinance and met the provisions of the Zoning Ordinance in effect at that time. Therefore, this requirement is met.

Standard 2 states that 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. Par. 1 of Sect. 14-903 of the Zoning Ordinance states that service station and service station/mini-mart canopy lighting shall not exceed a maintained lighting level of thirty (30) footcandles under the canopy as measure horizontally at grade. The applicant's photometric plan (Sheet 5 of the SE Plat) depicts that the lighting for the existing service station canopy does not exceed thirty (30) footcandles and therefore satisfies this requirement.

Standard 3 states that before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans. Staff has proposed a development condition to ensure that this Special Exception will be subject to the provisions of Article 17. With the implementation of this condition, this standard is satisfied.

Additional Standards for Automobile-Oriented uses...Quick Service Food Stores, Service Stations, and Service Stations/Mini-Marts (Sect. 9-505)

Additional Standard 1(A) states that such use shall have the same architectural features on all sides or shall be architecturally compatible with the building group or neighborhood with which it is associated. The applicant has provided architecture for the proposed building addition, which shows that the addition will be compatible with the existing structure. Staff has proposed a develop condition to ensure that the

architecture for the building addition and canopy will be in substantial conformance with that shown on the SE Plat. With the implementation of the development condition as proposed, staff believes that this standard has been satisfied.

Additional Standard 1(B) states that such use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties. The applicant's proposal includes combining entrances on both Edsall Road and Cherokee Avenue to reduce the number of access points to the site, which will create less vehicular conflicts. In addition, the applicant has proposed to provide sidewalks that meet ADA standards along the entire site frontage. Staff believes that this standard has been satisfied.

Additional Standard 1(C) states that the site shall be designed to minimize the potential for 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 pedestrian access to all uses on the site. As noted earlier, the proposed site access changes will eliminate existing traffic conflicts and clarify circulation patterns. The minimum required parking required for the service station and quick service food store is 15 parking spaces. The applicant proposes 15 parking spaces, all of which are provided in the best possible place to facilitate safe and convenient pedestrian and vehicular access to the use on the site. Staff believes this standard is satisfied.

Additional Standard 1(D) states that 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. This application does not meet the minimum lot area, and lot width requirements of the district. However, Par. 2 of Sect 2-405 of the Zoning Ordinance, entitled "Permitted Reduction in Lot Size Requirements for Certain Existing Lots" states that a lot that met the requirements of the Zoning Ordinance in effect at the time of recordation may be used for any use permitted in the zoning district in which located under this Ordinance, even though such lot does not meet the current minimum district size, lot area, lot width and/or shape factor requirements of the district provided all other Zoning Ordinance requirements are met. A waiver of the minimum lot width requirement is not required since the subject parcels have not been subdivided since the adoption of the current Zoning Ordinance and met the requirements of the Zoning Ordinance at that time. Staff does not believe the building addition or defining this use as quick-service food store will adversely affect any nearby residents. Therefore, this standard is satisfied.

Additional Standard 1(E) states that 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. Staff has proposed a development condition to ensure that there will be no outdoor storage or display

of goods offered for sale; therefore this standard has been met.

Additional Standard 4(B) states that in the C-8 District, service stations and service station/mini-marts shall not be used for the performance of major repairs, and shall not include the outdoor storage of more than four (4) abandoned, wrecked, or inoperable vehicles on the site for more than seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, in no event shall any one (1) abandoned, wrecked, or inoperable vehicle be stored outdoors for a period exceeding seventy-two (72) hours. With the implementation of the staff-proposed development condition to address uses identified above, this standard will be satisfied.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

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

Recommendation

Staff recommends approval of SE 2009-MA-004. If it is the intent of the Board of Supervisors to approve the application, staff recommends such approval be subject to development conditions consistent with those found in Appendix 1 of this report.

Staff recommends that the Board of Supervisors direct the Director of DPWES to waive the Tree Inventory and Poor Condition Analysis as outlined in PFM 12.0502.1A.

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

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

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

APPENDICES

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Land Use Analysis
5. UFM Memo
6. Transportation Analysis
7. Stormwater Analysis (DPWES)
8. Applicable Zoning Ordinance Provisions
9. Glossary of Terms

PROPOSED DEVELOPMENT CONDITIONS

SE 2009-MA-004

July 15, 2009

If it is the intent of the Board of Supervisors to approve SE 2009-MA-004, located at 6540 Edsall Road (Tax Map 80-2 ((1)) 58) to permit a service station with quick service food store pursuant to Sect. 4-804 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled "Vernon M. Lynch, Parcel A2 1, 6540 Edsall Road", prepared by AMA Engineers, LLC and dated December 23, 2008, with engineer's seal date of May 14, 2009. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. Architecture for the building and canopy shall be in substantial conformance with that shown on sheets A-1, A-3 and A-4 of the SE Plat.
5. A copy of these special exception conditions and the Non-Residential Use Permit shall be posted in a conspicuous place and made available to all departments of the County of Fairfax during hours of operation.
6. All signage shall meet the requirements of Article 12 of the Zoning Ordinance.
7. No major vehicular repairs shall occur on the property.
8. Abandoned, wrecked, or inoperable vehicles shall not be stored outdoors for a period exceeding seventy-two (72) hours.
9. No outdoor storage or display of goods other than those permitted for sale at the service station/quick service food store shall be allowed.
10. To ensure protection of groundwater quality, all existing and future underground storage tanks on the site shall be maintained or installed in accordance with current

federal, state, and local regulations as may be determined by the State Water Quality Control Board, DPWES, and the Fire and Rescue Department.

11. Trash dumpsters shall be screened with wood or masonry enclosures.
12. All litter and debris shall be removed from the application property on a daily basis.
13. Irrespective of that shown on the plat, the applicant shall submit revised ten-year tree canopy calculations and tree preservation target calculations, including a landscape plan with plant schedule, at the time of site plan, subject to verification and approval by UFM.
14. The applicant shall provide supplemental ornamental landscaping, including trees, shrubs, and ground cover, in the planting islands along Edsall Road and Cherokee Avenue to enhance the appearance of the property. Plantings shall be kept out of sight distance lines and are subject to approval by UFMD.
15. Prior to the issuance of a Non-RUP for the building addition and subject to approval by Fairfax County Department of Transportation (FCDOT) and VDOT, for the bus stop location identified as stop number 93266 on the Fairfax County Bus Stop Inventory Program, the applicant shall install a concrete loading pad (between curb and sidewalk), a bus shelter pad, and any necessary pedestrian connections and curb cuts along the Edsall Road site frontage. Final locations shall be determined in consultation with FCDOT and VDOT. The applicant shall also provide an easement for the shelter, with notice that advertising may be displayed on bus shelters to be constructed by others at the subject location.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

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

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established as evidenced by the issuance of a Non-Residential Use Permit or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

SPECIAL EXCEPTION AFFIDAVITDATE: JUN 29 2009
(enter date affidavit is notarized)I, Lori R. Greenlief, Land Use Planner, 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

1039574

in Application No.(s): SE 2009-MA-004
(enter County-assigned application number(s), e.g. SE 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
TERAA, LLC Agent: Ranjit (nmi) Singh	6540 Edsall Road Alexandria, VA 22312	Applicant/Title Owner of Tax Map No. 80-2 ((1)) 58
AS&R Consultants Agent: Raj (nmi) Lal	23183 Hemmingford Circle Dulles, VA 20147	Engineers/Agent
Fagelson, Schonberger, Payne & Deichmeister, P.C. Agent: William C. Thomas, Jr.	11320 Random Hills Road, Suite 325 Fairfax, VA 22030	Attorneys/Agent (former)

(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: JUN 29 2009
(enter date affidavit is notarized)

1039571

for Application No. (s): SE 2009-MA-004
(enter County-assigned application number (s))

(NOTE: All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel (s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
McGuireWoods LLP Agents: Scott E. Adams Carson Lee Fifer, Jr. Joanna C. Frizzell David R. Gill Jonathan P. Rak Gregory A. Riegle Mark M. Viani Kenneth W. Wire Lisa M. Chiblow Lori R. Greenlief Sheri L. Hoy	1750 Tysons Boulevard, Suite 1800 McLean, VA 22102	Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Planner/Agent Planner/Agent Planner/Agent

(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

JUN 29 2009

DATE: _____
(enter date affidavit is notarized)

103957v

for Application No. (s): SE 2009-MA-004
(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)

TERAA, LLC
6540 Edsall Road
Alexandria, VA 22312

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial and last name)

Ranjit (nmi) Singh, managing member

(check if applicable) 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: JUN 29 2009
(enter date affidavit is notarized)

1029578

for Application No. (s): SE 2009-MA-004
(enter County-assigned application number (s))

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

AS&R Consultants
23183 Hemmingford Circle
Dulles, VA 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)

Raj (nmi) Lal

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

Fagelson, Schonberger, Payne & Deichmeister, P.C.
11320 Random Hills Road, Suite 325
Fairfax, VA 22030

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)

Robert A. Payne
Robert L. Deichmeister
John L. Fagelson
William C. Thomas, Jr.

(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: JUN 29 2009
(enter date affidavit is notarized)

1039576

for Application No. (s): SE 2009-MA-004
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

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

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102

(check if applicable) [X] 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)

Equity Partners of McGuireWoods LLP

- List of names: Alphonso, Gordon R.; Anderson, Arthur E., II; Anderson, Mark E.; Andre-Dumont, Hubert; Bagley, Terrence M.; Barger, Brian D.; Barnum, John W.; Barr, John S.; Becker, Scott L.; Becket, Thomas L.; Beil, Marshall H.; Belcher, Dennis I.; Bell, Craig D.; Beresford, Richard A.; Bilik, R. Eric; Blank, Jonathan T.; Boland, J. William; Brenner, Irving M.; Brooks, Edwin E.; Brown, Thomas C., Jr.; Buchan, Jonathan E.; Busch, Stephen D.; Cabaniss, Thomas E.; Cacheris, Kimberly Q.; Cairns, Scott S.; Capwell, Jeffrey R.; Cason, Alan C.; Chaffin, Rebecca S.; Cobb, John H.; Cogbill, John V., III

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

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

Special Exception Attachment to Par. 1(c)

DATE: JUN 29 2009
(enter date affidavit is notarized)

103957v

for Application No. (s): SE 2009-MA-004
(enter County-assigned application number (s))

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

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102

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

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

Covington, Peter J.
Cramer, Robert W.
Cromwell, Richard J.
Culbertson, Craig R.
Cullen, Richard (nmi)
de Cannart d'Hamale, Emmanuel
De Ridder, Patrick A.
Dickerman, Dorothea W.
DiMattia, Michael J.
Dooley, Kathleen H.
Dorman, Keith A.
Downing, Scott P.
Edwards, Elizabeth F.
Ey, Douglas W., Jr.
Feller, Howard (nmi)
Fennebresque, John C.
Foley, Douglas M.
Fox, Charles D., IV
France, Bonnie M.
Freedlander, Mark E.
Fuhr, Joy C.
Getchell, E. Duncan, Jr.
Gibson, Donald J., Jr.
Glassman, Margaret M.
Glickson, Scott L.
Gold, Stephen (nmi)
Goldstein, Philip (nmi)

Gordon, Alan B.
Grant, Richard S.
Greenberg, Richard T.
Grieb, John T.
Harmon, Jonathan P.
Harmon, T. Craig
Harmon, Yvette (nmi)
Hartsell, David L.
Hayden, Patrick L.
Hayes, Dion W.
Heberton, George H.
Horne, Patrick T.
Hosmer, Patricia F.
Hutson, Benne Cole
Isaf, Fred T.
Jackson, J. Brian
Jarashow, Richard L.
Jeffcoat, Brenton D.
Johnston, Barbara Christie
Kanazawa, Sidney (nmi)
Katsantonis, Joanne (nmi)
Keenan, Mark L.
Kennedy, Wade M.
King, Donald E.
King, Sally Doubet
Kittrell, Steven D.
Kratz, Timothy H.

Krueger, Kurt J.
Kutrow, Bradley R.
La Fratta, Mark J.
Lias-Booker, Ava E.
Lieberman, Richard E.
Little, Nancy R.
Long, William M.
Manning, Amy B.
Marianes, William B.
Marks, Robert G.
Marshall, Gary S.
Marshall, Harrison L., Jr.
Marsico, Leonard J.
Martin, Cecil E., III
Martin, George Keith
Martinez, Peter W.
Mason, Richard J.
Mathews, Eugene E., III
Mayberry, William C.
McCallum, Steven C.
McDonald, John G.
McElligott, James P.
McElroy, Robert G.
McFarland, Robert W.
McIntyre, Charles Wm.
McLean, J. Dickson
McRill, Emery B.

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

Special Exception Attachment to Par. 1(c)

DATE: JUN 29 2009
(enter date affidavit is notarized)

1039578

for Application No. (s): SE 2009-MA-004
(enter County-assigned application number (s))

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

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102

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

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

Muckenfuss, Robert A.
Murphy, Sean F.
Nesbit, Christopher S.
Nunn, Daniel B., Jr.
O'Grady, Clive R. G.
O'Grady, John B.
O'Hare, James P.
Oakey, David N.
Oostdyk, Scott C.
Padgett, John D.
Pankey, David H.
Parker, Brian K.
Phears, H.W.
Plotkin, Robert S.
Potts, William F., Jr.
Pryor, Robert H.
Pusateri, David P.
Rak, Jonathan P.
Rakison, Robert B.
Reid, Joseph K., III
Richardson, David L.
Riegle, Gregory A.
Rifken, Lawrence E.

Riley, James B., Jr.
Riopelle, Brian C.
Roberts, Manley W.
Robinson, Stephen W.
Rogers, Marvin L.
Rohman, Thomas P.
Rust, Dana L.
Satterwhite, Rodney A.
Scheurer, P. Christian
Schewel, Michael J.
Schill, Gilbert E., Jr.
Schmidt, Gordon W.
Sellers, Jane Whitt
Shelley, Patrick M.
Simmons, L. D., II
Simmons, Robert W.
Skinner, Halcyon E.
Slone, Daniel K.
Spahn, Thomas E.
Spitz, Joel H.
Stallings, Thomas J.
Steen, Bruce M.
Stein, Marta A.

Stone, Jacquelyn E.
Swan, David I.
Tackley, Michael O.
Tarry, Samuel L., Jr.
Thornhill, James A.
Tirone, Joseph G.
Vick, Howard C., Jr.
Viola, Richard W.
Wade, H. Landis, Jr.
Walker, John Tracy, IV
Walsh, James H.
Watts, Stephen H., II
Werlin, Leslie M.
Westwood, Scott E.
Whelpley, David B., Jr.
White, H. Ramsey, III
White, Walter H., Jr.
Williams, Steven R.
Wilson, Ernest G.
Wilson, James M.
Wren, Elizabeth G.
Young, Kevin J.
Younger, W. Carter

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: JUN 29 2009
(enter date affidavit is notarized)

1039578

for Application No. (s): SE 2009-MA-004
(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:

[x] 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: JUN 29 2009
(enter date affidavit is notarized)

1039576

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:

Lori R. Greenief

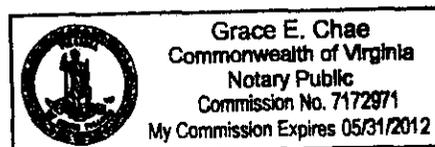
(check one) Applicant Applicant's Authorized Agent

Lori R. Greenief, Land Use Planner
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 29th day of June 2009, in the State/Comm. of Virginia, County/City of Fairfax.

Grace E. Chae
Notary Public

My commission expires: 5/31/2012



WRITTEN STATEMENT OF JUSTIFICATION
APPLICANT: TERA, LLC/RANJIT SINGH
6540 EDSALL ROAD
ALEXANDRIA, VA 22312
TAX MAP NO: 80-2 ((1)) 58

December 31, 2008
Revised February 12, 2009
Revised June 24, 2009

The subject application is filed on behalf of Tera, LLC and Ranjit Singh is a request for a category 5 Special Exception to permit a service station with quick service food store use on the property located at 6540 Edsall Road. The property is located in the C-8 highway commercial district and has been used as a service station since 1958 with several zoning approvals, the last of which was Special Exception SE 01-M-053 approved on February 24, 2003 for a service station/quick service food use. That use was never developed and the Special Exception has since expired. This application is a proposal for a service station with 500 square feet devoted to quick service food and a 2,000 square foot addition for four repair bays for light vehicle service (plus 2 existing bays for a total of 6). The existing use includes a 2,100 square foot service station with three repair bays (one repair bay to be removed), a canopy over one of two separate pump islands and four multi-product dispensers (MPD's). A canopy over the second pump island is also proposed. Quick service food store items sold will include dairy products, frozen foods, prepackaged snacks and candy, magazines and newspapers, and automobile related products. The proposed FAR for the expanded service station is .13 (.50 allowed).

Submission information under Article 9-011.

1. Type and hours of operation: The current and proposed uses are: service station with quick service food. The current hours of operation are 24 hours a day, 7 days a week. The proposed hours of operation for the service station and quick service store are 24 hours a day, 7 days a week.
2. Estimated number of patrons and employees: There will be an estimated 550 customers per day with approximately 100 of those customers entering the site to visit the quick service food store. The site will be staffed with a maximum of eight employees per shift with multiple shifts through the day. Six of the employees will work the service bays and the remaining two would staff the quick service food store and service station counter. Employees may shift staffing positions based on hourly customer needs.
3. Estimated traffic impact: The number of trips per day is estimated for the present use at 977 with an hourly p.m. peak of 82 trips. The use as proposed increases that number by 120 for a total of 1,097 with an hourly p.m. peak volume of approximately 96.
4. Area to be served by use: The site will continue to serve the surrounding Annandale community.
5. Building façade: The building façade will be constructed primarily of masonry and steel/aluminum with siding complementing the existing structure.
6. Waivers and modifications: None

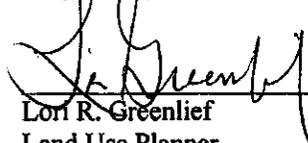
7. The current and proposed use of the property is as a service station and hazardous substances are stored on the lot, including gasoline and diesel fuel. Both are stored in double-wall fiberglass underground storage tanks. Such storage is in compliance with all governmental regulations. No hazardous or toxic material will be disposed of on the property. Disposal of motor oil and all other waste products related to the service use will be conducted in compliance with all governmental regulations.

8. Conformance with comprehensive plan: The property is within the Fairfax County Comprehensive Plan's Beltway South Industrial area which is planned to retain an overall industrial orientation for future uses. Improvements planned on the subject property are in accordance with the Fairfax County Comprehensive Plan and will significantly improve the existing visual quality of the service station. Proposed open space for the site equals 25%, significantly greater than the 15% minimum requirement. The property is not located within a Resource Protection Area, nor is it inside a county designated Floodplain area.

9. The subject property is owned by the applicant, Teraa, LLC. Ranjit Singh is the managing member of the LLC.

The proposed development conforms to all applicable ordinance, regulations and standards for development under the provisions of the C-8 zoning district for a service station with quick service food. Adequate utilities, drainage, parking and other facilities needed to serve this use will be provided. Therefore, the applicant respectfully requests the Planning Commission to recommend and the Board of Supervisors to approve this Special Exception request.

Respectfully submitted,


Lori R. Greenlief
Land Use Planner



County of Fairfax, Virginia

MEMORANDUM

DATE: June 11, 2009

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: **Land Use Analysis:** SE 2009-MA-004, Singh/Terra, LLC – Edsall Road BP

The memorandum, prepared by John Bell, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the special exception (SE) plat dated December 23, 2008, as revised through May 14, 2009. The extent to which the application conforms to the applicable guidance contained in the Comprehensive Plan is noted. 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.

DESCRIPTION OF THE APPLICATION

The applicant, Singh/Terra, LLC, is requesting special exception approval of a service station with quick service food store on the 31,000 square foot subject property. The proposed development would convert an existing service station with two service bays to include a quick service food store. The proposed addition would be 1,871 square feet after the removal of 313 square feet of the existing building. The proposed net floor area would be 4,105 square feet resulting in a floor area ratio (FAR) of .13 where .50 FAR is permitted in the C-8 Highway Commercial Zoning District.

LOCATION AND CHARACTER OF THE AREA

The property is located on Edsall Road at its intersection with Cherokee Avenue. The property is zoned C-8, Highway Commercial District and has been established as a service station since 1958. Properties located immediately north are zoned C-2, to the west C-5 and to the east and south of the subject property are predominately I-6 zoned properties. Some R-2 zoned single-family detached development does exist to the northwest of the subject property, but is separated from the subject property by other uses. The subject property is located within Land Unit D of the Beltway South Industrial Area of the Annandale Planning District in the Area I volume of the Comprehensive Plan.

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/



COMPREHENSIVE PLAN CITATIONS:

Land Use

Fairfax County Comprehensive Plan, 2007 Edition, Area I, Annandale Planning District as amended through January 26, 2009, Beltway South Industrial Area, page 49, states:

“Land Unit D is characterized primarily by research and development uses which maintain an overall office appearance. This land unit is planned for industrial and office uses as shown on the Plan map. Future development and/or redevelopment of the industrial portion of this land unit is planned for up to .30 FAR.

There is some commercial zoning to the west and north of Shawnee Road which has been planned and developed as office uses, with the exception of parcels 71-4((7))17 and 19, 80-2((1))55 and 58, and 80-2((3))22 and 23, which have been planned and developed with retail uses. In order to protect the stable residential neighborhood to the west and north from commercial encroachment, the existing retail area should not be expanded. . . .”

COMPREHENSIVE PLAN MAP: Retail and Other

LAND USE ANALYSIS

The applicant’s request to modify an existing structure which currently includes a service station to permit a quick service food store has been evaluated by staff in order to determine conformance with the guidance of the Comprehensive Plan for this portion of the Beltway South Industrial Area. The applicant is proposing relatively minor modifications for an existing use in an area which is planned for retail and other uses. The proposed use does not raise any land use issues. Staff concludes that the proposed use is compatible with surrounding existing land uses and is in harmony with the land use recommendations of the Comprehensive Plan.

PGN: JRB



County of Fairfax, Virginia

MEMORANDUM

June 1, 2009

TO: Suzie Zottl, Staff Coordinator
Department of Planning and Zoning, Zoning Evaluation Division

FROM: Ineke Dickman, Urban Forester II
Forest Conservation Branch, DPWES

SUBJECT: Vernon M Lynch Parcel A2 1 (6540 Edsall Road), SE 2009-MA-004
002067-ZONA-001-1

I have reviewed the above referenced Special Exception application stamped as received by the Department of Planning and Zoning on May 15, 2009. A site visit was conducted on March 25, 2009.

- Comment:** Table 12.12, the 10-year tree canopy calculations worksheet, is not entirely correct. A4, the percentage of the 10 year tree canopy requirement that should be met through tree preservation (the tree preservation target) should be the same as A2, or 22%. A5 is incorrect as well. C1 is calculated as 22% of the required 10% tree cover on site or 22% of 3,129 sf or 688 sf.

Recommendation: Submit tree preservation target calculations and 10-year tree canopy calculations in accordance with the requirements of the PFM 12-0507 and 12-0510. Adjust accordingly.

- Comment:** The tree planting section of table 12.12 is difficult to verify. D10 states that 2,800 sf of tree canopy will be planted with native trees and a multiplier of 1.5 has been applied. However, no plant schedule has been provided and sheet 3 indicates that several non-native trees are proposed to be planted that are not listed in table 12.10.

Recommendation: Provide at a minimum a plant schedule with the number, categories and sizes of trees to be planted. See PFM 12-0514.1E and table 12.14. If additional native credit is applied, indicate which species deserve this multiplier (table 12.10). Adjust D10 of the tree canopy calculations worksheet accordingly. PFM 12-0509.4B(5) has more information on the use of native trees and the additional multiplier.

- Comment:** Comment 4 of Urban Forest Management Division's previous letter was a recommendation to staff to address tree inventory and poor condition analysis requirements of the PFM for this site with a Special Condition. Applicant has responded to this issue by requesting a modification of the 10-year tree canopy

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



requirements (PFM 12-0512.2). This is not the same as staff including an SE condition that modifies some of the Tree Conservation Plan elements of the Public Facilities Manual (PFM) and Chapter 122 of the Fairfax County Code such as the need for a tree survey and poor condition analysis for the site.

Recommendation: Remove the request for a tree canopy requirement modification from the plan. Submit a request to the Board of Supervisors which would direct staff from Urban Forest Management Division (UFMD) to modify the required Tree Conservation Plan elements of the Public Facilities Manual (PFM) and Chapter 122 of the Fairfax County Code, to that shown on the Special Exception plat layout. Furthermore, the Board may direct staff from UFMD to waive the Provisional Tree Conservation Plan Elements including the Tree Inventory and Poor Condition Analysis (PFM 12-0502.1A) for this site.

Please call me at 703-324-1770 if you have any questions.

AID/
UFMID #: 144961

cc: RA File
DPZ File





County of Fairfax, Virginia

MEMORANDUM

DATE: June 2, 2009

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

FROM: Angela Kadar Rodeheaver: 
Site Analysis Section
Department of Transportation

FILE: 3-5 (SE 2009-MA-004)

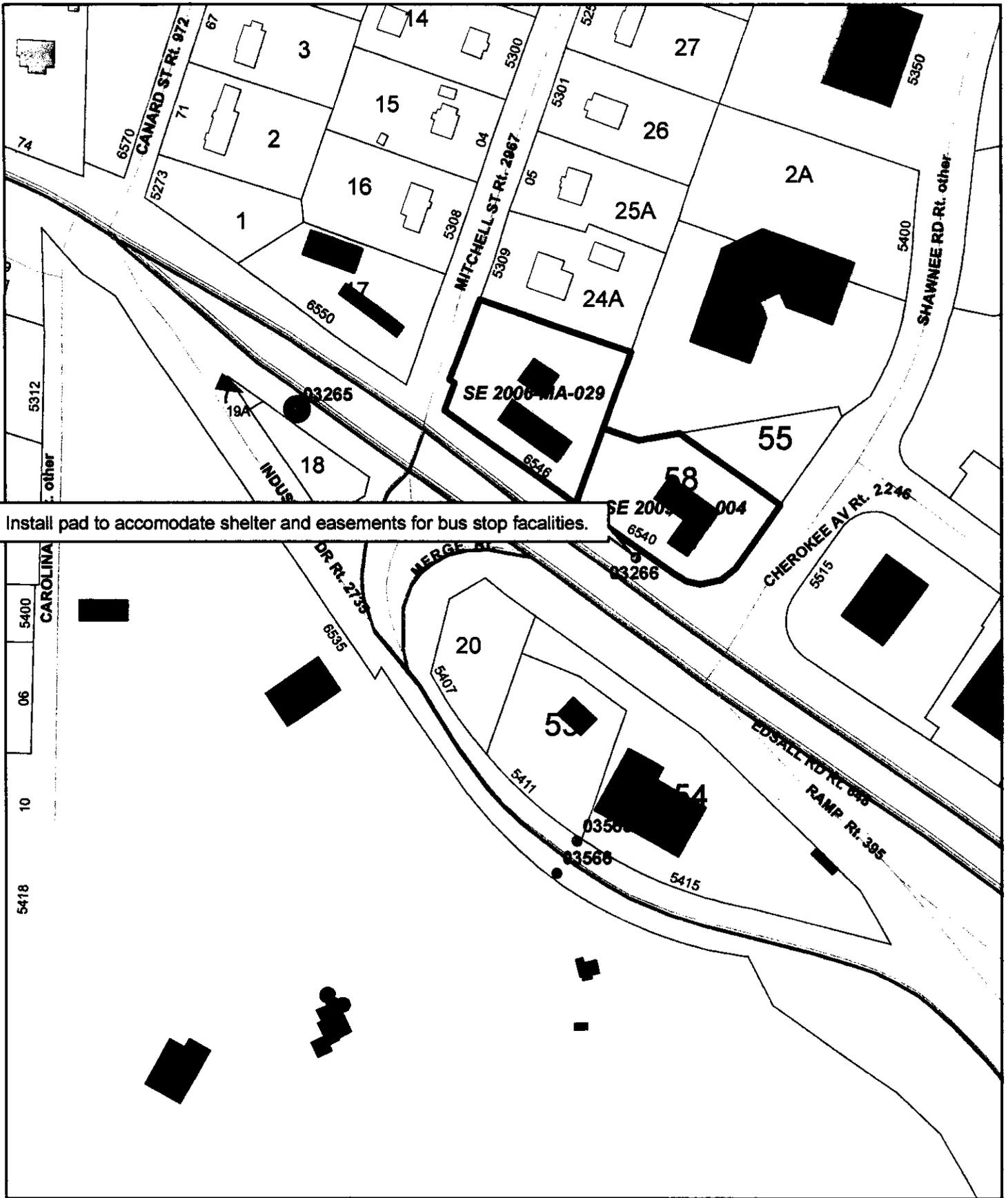
SUBJECT: Transportation Impact

REFERENCE: SE 2009-MA-004 – Ranjit Singh/Teraa, LLC
6540 Edsall Road
Traffic Zone: 1401
Land Identification Map: 80-2 ((1)) 58

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on plats made available to this office dated December 23, 2008, and revised through May 14, 2009. The site has been a service station since 1958 and was approved for a service station/quick service food use on February 24, 2003. However, that use was never developed and the SE has expired. The applicant now proposes a service station with a quick service food use, a 2000 square foot addition for four repair bays (for a total of six), and a canopy over the second pump island.

The Transit Services Division of this Department has requested that the applicant install a concrete pad to accommodate a bus shelter and provide easements for bus stop facilities for the bus stop on the site's Edsall road frontage. Attached is a sheet showing a typical bus shelter pad.

AKR/LAH/lah

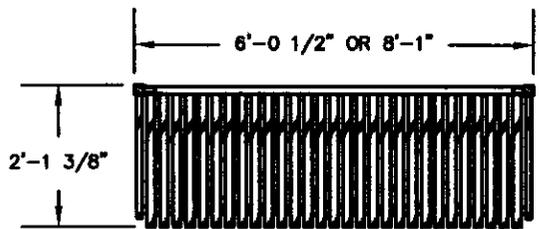


Install pad to accomodate shelter and easements for bus stop facilities.



Fairfax County Department of Transportation
 Transit Services Division
 SE 2009-MA-004



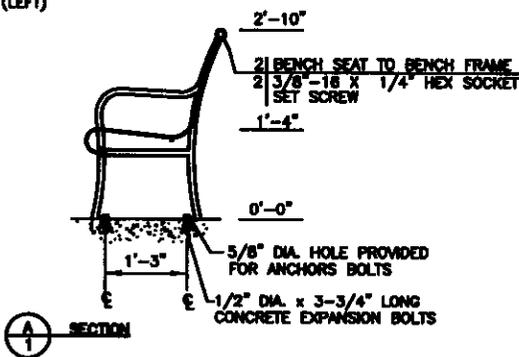
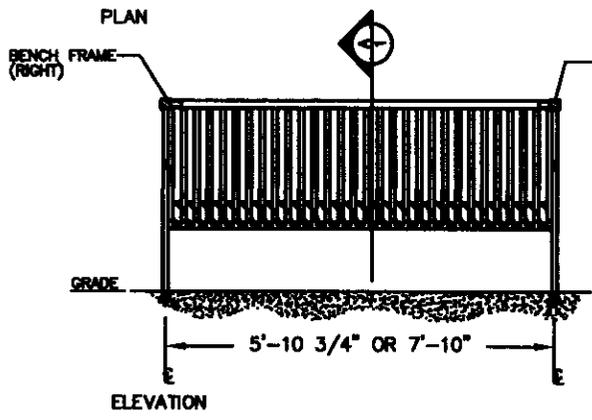


ASSEMBLY INSTRUCTIONS:

1. BEFORE ANCHORING, ASSEMBLE BENCH SEAT AND BENCH FRAMES PER NOTES 2 & 3. USE ASSEMBLED BENCH TO LOCATE ANCHORS.
2. SLIDE BENCH FRAME INSERTS INTO BENCH SEAT UNTIL PIPES ARE FLUSH WITH THE BENCH FRAMES.
3. SECURE BENCH FRAMES TO BENCH SEAT WITH SET SCREWS.
4. SECURE WITH ANCHORS (BY OTHERS). SHIMS (BY OTHERS) MAY BE REQUIRED FOR LEVEL INSTALLATION.

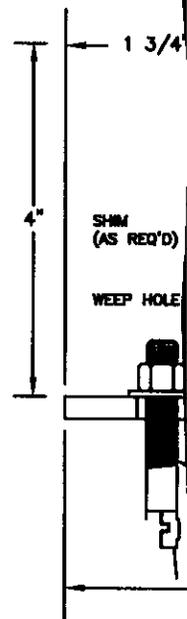
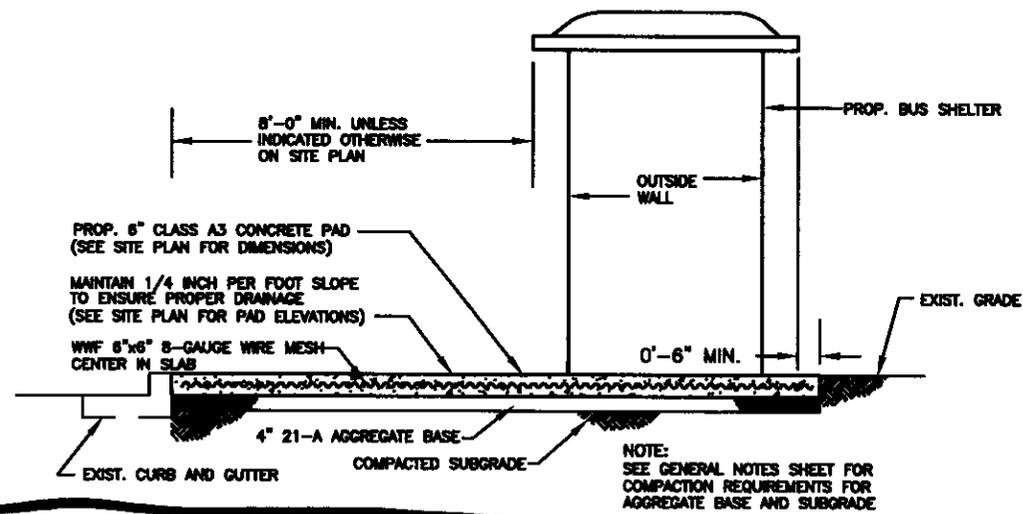
SIBC:

SEAL AROUND BASE

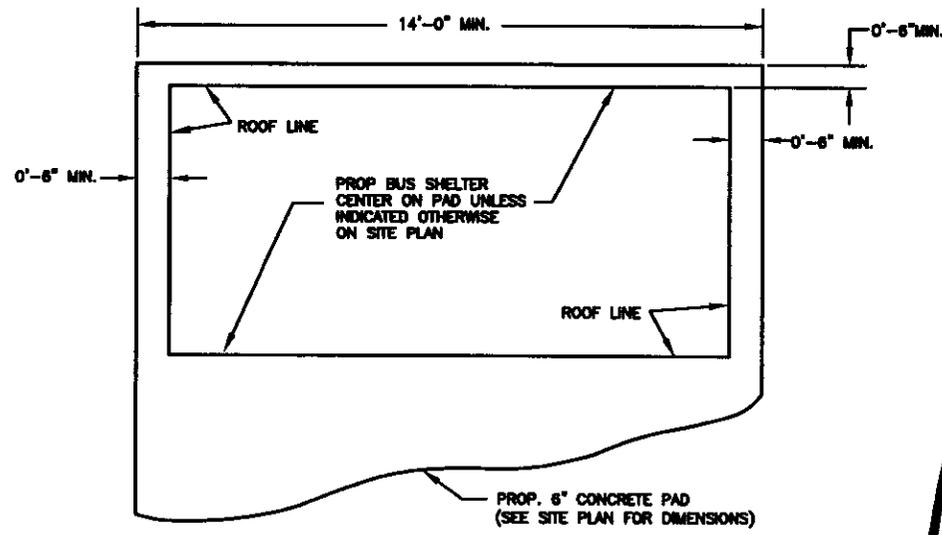


STANDALONE BENCH DETAIL
NOT TO SCALE

COLUMBIA MODEL



BRASCO MODI



CONCRETE PAD FOR BUS SHELTER
TYPICAL SECTIONS
NOT TO SCALE



County of Fairfax, Virginia

MEMORANDUM

DATE: June 3, 2009

TO: Suzie Zottl, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Beth Forbes, Stormwater Engineer *BF*
Environmental and Site Review Division
Department of Public Works and Environmental Services

SUBJECT: Special Exception Plat Application #SE 2009-MA-004, Ranjit Singh/Teraa,
Special Exception Plat dated December 23, 2008, LDS Project #2067-
ZONA-001-2, Tax Map #80-2-01-0058, Mason District

We have reviewed the subject application and offer the following comments:

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on this site. Adequate water quality controls are shown on the plat.

Floodplain

There are no regulated floodplains on the property.

Downstream Drainage Complaints

There are no downstream drainage complaints on file.

Stormwater Detention

Stormwater detention, or an approved detention waiver, is required (PFM 6-0301.3). Since there will be reduced imperviousness on the site, if adequate outfall can be demonstrated at site plan submission then this project would be eligible for a waiver under LTI 21-68.

Site Outfall

A description of adequate outfall has been provided. Adequate outfall meeting PFM requirements must be a part of the site plan submission.

Please contact me at 703-324-1720 if you have any questions or require additional information.

BF/

cc: Craig Carinci, Director, Stormwater Planning Division
Jeremiah Stonefield, Chief, Stormwater & Geotechnical Section, ESRD, DPWES
Zoning Application File

Department of Public Works and Environmental Services
Land Development Services, Environmental and Site Review Division
12055 Government Center Parkway, Suite 535
Fairfax, Virginia 22035-5503
Phone 703-324-1720 • TTY 711 • FAX 703-324-8359



9-006 General Standards

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

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

9-503 Standards for all Category 5 Uses

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

1. Except as qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located.
2. All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan or photometric plan as may be required by Part 9 of Article 14.
3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

9-505 Additional Standards for Automobile-Oriented Uses, Car Washes, Drive-In 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. SPECIAL EXCEPTIONS 9-45

E. For a drive-through pharmacy, signs shall be required to be posted in the vicinity of the stacking area stating the limitations on the use of the window service and/or drive-through lane. Such signs shall not exceed two (2) square feet in area or be located closer than five (5) feet to any lot line.

4. In the C-7, C-8 and C-9 Districts, in addition to Par. 1 above:

A. In the C-7 or C-9 District, there shall be no outdoor storage or display of goods offered for sale except for the outdoor storage or display of goods permitted at a service station or service station/mini-mart.

B. Service stations and service station/mini-marts shall not be used for the performance of major repairs, and shall not include the outdoor storage of more than four (4) abandoned, wrecked or inoperable vehicles on the site for more than seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, in no event shall any one (1) abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding seventy-two (72) hours.

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

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		