



County of Fairfax, Virginia

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

September 15, 2009

Steven F. Teets, L.S.
Pinecrest (E&A), LLC
7200 Wisconsin Avenue #400
Bethesda, MD 20814

RE: Special Exception Amendment Application SEA 95-M-009

Dear Mr. Teets:

At a regular meeting of the Board of Supervisors held on September 14, 2009, the Board approved Special Exception Amendment Application SEA 95-M-009 in the name of Pinecrest (E&A) LLC. The subject property is located at 6546-6552 Little River Turnpike on approximately 5.51 acres of land zoned C-2, C-5, and HC in the Mason District [Tax Map 72-1 ((1)) 20D]. The Board's action amends Special Exception Application SE 95-M-009, previously approved for a fast food restaurant to permit increase in land area, waiver of open space requirements, expansion of the use, and associated modifications to site design and development conditions pursuant to Sections 7-607 and 9-612 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions (which supersede all previous conditions; those carried forward from the previous approval are marked with an asterisk):

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. By-right or special permit uses allowed by the Zoning Ordinance may be permitted on the property without a Special Exception Amendment, so long as such uses can be parked and are in substantial conformance with the SE plat.
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 "Pinecrest Plaza," consisting of two sheets prepared by Dewberry and Davis, and dated April 2009, as revised through July 6, 2009, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.

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

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

4. All or a portion of the free-standing building on the site may be used for fast food uses, with no drive through windows.
5. Prior to approval of Non-residential use permit for any fast food use in the free-standing building on the site, a parking tabulation for the entire shopping center, demonstrating adequate parking for each use on the site, shall be submitted to the Department of Public Works and Environmental Services (DPWES). *
6. The new landscaping shown to be installed along Braddock Road shall be provided within six months of BOS approval of this SEA, subject to approval by the Urban Forest Management Division.
7. There shall be no outdoor storage of goods for sale. This shall not preclude the temporary outdoor display of retail goods for sale.

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

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

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors
NV/dms

Cc: Chairman Sharon Bulova
Supervisor Penelope Gross, Mason District
Janet Coldsmith, Director, Real Estate Division, Dept. of Tax Administration
Regina Coyle, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Angela K. Rodeheaver, Section Chief, Transportation, Planning Division
Ellen Gallagher, Capital Projects and Operations Div., Dept. of Transportation
Ken Williams, Plans & Document Control, ESRD, DPWES
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
District Planning Commissioner
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation



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

APPLICATION No: SEA 95-M-009

RECEIVED
 (Staff with Absence)
 Department of Planning & Zoning

MAY 29 2009

Zoning Evaluation

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

CLERK TO THE BOARD
 MAY 26 2009
 RECEIVED

APPLICANT	NAME	PINECREST (E&A) LLC		
	MAILING ADDRESS	7200 Wisconsin Avenue #400 Bethesda MD 20814		
	PHONE HOME ()	WORK ()		
			703 652-7400	
PROPERTY INFORMATION	PROPERTY ADDRESS	# 6546 - #6552 Little River Turnpike		
	TAX MAP NO.	SIZE (ACRES/SQ FT)		
			72-1 ((1)) 20D	5.5 AC / 239,809 S.F.
	ZONING DISTRICT	MAGISTERIAL DISTRICT		
			C-2, C-5, HC	MASON
SPECIAL EXCEPTION REQUEST INFORMATION	PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION:	N/A		
	ZONING ORDINANCE SECTION	S.E. USE 4-504 4.G	7-607	
	PROPOSED USE	FAST FOOD RESTAURANT	INCREASE LAND AREA OPEN SPACE WAIVER	
AGENT/CONTACT INFORMATION	NAME	Steven F. Teets, L.S.		
	MAILING ADDRESS	7200 Wisconsin Avenue #400 Bethesda MD 20814		
	PHONE NUMBER	HOME	WORK	
			803-760-9687	
MAILING	PHONE NUMBER	MOBILE	803-760-9687	
	Send all correspondence to (check one):	<input type="checkbox"/> Applicant -or- <input checked="" type="checkbox"/> Agent/Contact		

The name(s) and addresses of owner(s) of record shall be provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter the subject property as necessary to process the application.

Steven F. Teets
 TYPE/PRINT NAME OF APPLICANT/AGENT

[Signature]
 SIGNATURE OF APPLICANT/AGENT

DO NOT WRITE IN THIS SPACE

Date application accepted: 6/2/09

[Signature]
 Application Fee Paid: 75