



FAIRFAX  
COUNTY

DEPARTMENT OF PLANNING AND ZONING

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V I R G I N I A

March 3, 2000

Ms. Inda Stagg  
Walsh, Colucci, Stackhouse, Emrich & Lubeley  
2200 Clarendon Boulevard  
Arlington, Va. 22201-3359

Re: Interpretation for CPA 86-C-121-2 and CSP 86-C-121, Tax Map 17-1 ((1)) 3Q, 11806  
Spectrum Center, Building K1: use, parking requirements, and sign area

Dear Ms. Stagg:

This is in response to your letter of December 14, 1999, requesting an interpretation of the Concept Plan Amendment approved by the Planning Commission in conjunction with CPA 86-C-121-2 and the Comprehensive Sign Plan and development conditions approved by the Planning Commission in conjunction with CSP 86-C-121. As I understand it, you have three questions related to Building K1 regarding its use, parking requirements, and permitted sign area. A copy of the above referenced letter is attached.

Your first question is whether the establishment of a grocery store use in Building K1, which had previously been used for a retail department store (Upton's), would be in substantial conformance with the Concept Plan Amendment. You have described the store as similar to a Giant or Safeway grocery store, which will have the sale of the following: general groceries, pharmaceuticals, delicatessen items, a film developing area and a small cafeteria. You have verbally indicated that the cafeteria portion of the proposed grocery store would consist of less than 3,000 square feet or 6% of the gross floor area.

The introductory paragraph and subparagraph f. of Note 21 of the Concept Plan Amendment state the following:

It is expected that retail sales establishments will be the predominate use on this site. In addition to retail sales establishments, the Applicant reserves the right to include the following uses, including accessory uses, which are hereby approved as part of this Conceptual Plan:

f. Eating establishments, financial institutions, offices, personal service establishments, business service and supply service establishments (as qualified by subparagraph a), public uses, repair service establishments, and retail sales establishments (including food supermarkets).

It is my determination that the proposed grocery store is permitted to be located in Building K1 and the proposed cafeteria is a permitted accessory use to the store.

The second question is whether there is an increased parking requirement for the proposed grocery store use, including the cafeteria, if no square footage is added to the existing structure. Given that the proposed grocery store use is considered as retail sales and that the proposed cafeteria is considered to be accessory to the grocery store, it is my determination that if the floor area of the proposed use remains the same as the previous retail sales establishment, no increase in parking spaces is required.

Your third question relates to what is the maximum size of a sign permitted for Building K1 by the Comprehensive Sign Plan. The most relevant Comprehensive Sign Plan development conditions are as follows:

3. The applicant shall provide the Zoning Administrator with a matrix prior to the issuance of the first sign permit and all subsequent sign permits which includes the tenant name, address, sign type, sign height, sign area, and Non-Residential Use Permit number and/or other pertinent information deemed necessary by the Zoning Administrator in order to allow efficient tracking of all signage to be provided on the site.
4. Building-mounted signs located within 150 feet of and fronting on Reston Parkway shall be limited to a maximum sign area of 50 square feet, except the anchor tenant located within tenant space K1 may have a building-mounted sign along the Reston Parkway frontage up to 65 square feet in area...
5. The anchor tenants located in space K1 and space D2 shall be permitted up to two (2) building-mounted signs on the south face of the buildings. All other tenants shall be limited to one (1) sign per face.
6. Signage located on an awning/canopy shall only be permitted for the anchor tenant located in tenant space K1. The sign area for the canopy/awning shall be deducted from the overall building-mounted sign area for Building K.
7. Each tenant in a multi-tenant building shall be limited to no more than two (2) building mounted tenant identification signs, except one tenant in Building C and one tenant in tenant space K1. Each of these tenants may have up to three (3) building-mounted signs.
8. The sign proposed on the eastern façade (i.e. facing Reston Parkway) of Building K1 shall be white or off-white. Applicant shall either back-light said sign, or shall turn its sign off after its hours of operation.

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It is my determination that signage for Building K1 may be provided if it meets the requirements set forth in the CSP conditions excerpted above.

Please note that the CSP conditions also require that the Zoning Administrator must be provided a matrix prior to the issuance of any sign permits which includes the tenant name, address, sign type, sign height, sign area, and Non-Residential Use Permit number and/or other pertinent information deemed necessary by the Zoning Administrator in order to allow efficient tracking of all signage to be provided on the site.

These determinations have been made in my capacity as the duly authorized agent of the Zoning Administrator. If you have any questions regarding this interpretation, please call Lisa Feibelman at (703) 324-1290.

Sincerely,



Barbara A. Byron, Director  
Zoning Evaluation Division, DPZ

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Attachments: A/S

cc: Catherine M. Hudgins, Supervisor, Hunter Mill District  
John M. Palatiello, Planning Commissioner, Hunter Mill District  
Jane W. Gwinn, Zoning Administrator, DPZ  
Michelle Brickner, Director, Office of Site Development Services, DPW&ES  
Angela Rodeheaver, Section Chief for Site Analysis, DOT  
Bonds and Agreements Branch, Office of Site Development Services, DPW&ES  
Files: CPA 86-C-121-2, CSP 86-C-121, and PI 9912 160

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December 14, 1999

VIA HAND DELIVERY

Ms. Barbara A. Byron, Director  
Zoning Evaluation Division  
Fairfax County Department of Planning and Zoning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5505

Re: Request for Interpretation for CP 86-C-121-2 and CSP 86-C-121  
Tax Map 17-1 ((1)) 3Q: 11806 Spectrum Center, Building K1

Dear Ms. Byron:

May this letter serve as a request for an interpretation regarding the use, parking requirements and permitted signage for 11806 Spectrum Center, Building K1 of The Spectrum (the "site"). The site, until recently, has been occupied by an Upton's retail store. A major grocery store chain is interested in locating within Building K1. This grocery store would be similar in use to that of the Giant or Safeway grocery stores which are located within the Fairfax County area, with general grocery sales, accessory pharmacies, delicatessens, and film developing areas. This grocery store will also contain a small cafeteria, such as those found in Sutton Place Gourmet grocery stores. It is our judgement that the proposed grocery store use would be in substantial conformance with the approved Development Plan and General Notes for The Spectrum.

The site was rezoned from the RE District to the PRC District by the Board of Supervisors pursuant to RZ 86-C-121. Use on this site is further qualified by CP 86-C-121-2 and CSP 86-C-121. Proffers dated February 27, 1987, Plan Notes, which are stamped August 21, 1996, pertinent information from the CSP, and the Site Plan Overview Sheet prepared by Urban Engineering and Associates, Inc., dated November 1994, as revised through May 20, 1996, have been provided for your information. The Site Plan Overview Sheet clarifies the building designations, building and site areas, and parking requirements for the entire Spectrum site.

Specifically, we request answers to the following: (1) would the proposed grocery store use be in substantial conformance with the proffers and general notes which were approved pursuant to

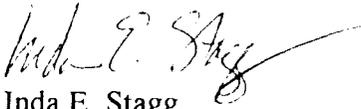
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ZONING EVALUATION DIVISION

RZ 86-C-121 and CP 86-C-121-2, respectively; (2) is there an increase in parking requirements if no square footage is added to the structure; and (3) what is the maximum size of a sign permitted for this structure without a CSPA? I have spoken, briefly, with Leslie Johnson about the issue of use. In addition, Gary Cook (Zoning Enforcement) is familiar with some aspects of the site's signage. They may be good resources for discussion.

We would appreciate your response to this request. If you have any questions or need any additional information, please do not hesitate to contact me.

Very truly yours,

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



Inda E. Stagg  
Land Use Coordinator

IES:rck

Enclosures

cc: James F. Mondani  
Martin D. Walsh

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