



APPLICATION ACCEPTED: June 12, 2009
PLANNING COMMISSION: March 10, 2010
BOARD OF SUPERVISORS: March 23, 2010 @ 3:30 p.m.

County of Fairfax, Virginia

February 24, 2010

STAFF REPORT

SEA 79-V-093-02

CRD

MOUNT VERNON DISTRICT

APPLICANT: McDonald's Corporation

ZONING: C-8, HC, CRD

PARCEL(S): 109-2 ((2)) 3A

ACREAGE: 35,010 square feet

FAR: 0.12

OPEN SPACE: 18%

PLAN MAP: Retail and Other

SE CATEGORY: Category 6; Approval of the enlargement, extension, relocation or increase in intensity of existing ... fast food restaurants... in a Highway Corridor Overlay District

Category 6; Modifications, Waivers, Increases and Uses in a Commercial Revitalization District (CRD)

PROPOSAL: To amend SE 79-V-093-02 previously approved for fast food restaurant with drive through to permit the demolition and reconstruction of existing use and site modifications and modifications, waivers, increases and uses in a CRD.

Kelli Goddard-Sobers

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/



STAFF RECOMMENDATIONS:

Staff recommends approval of SEA 79-V-093-02, subject to the proposed development conditions contained in Appendix 1.

Staff recommends approval of a modification of the peripheral parking lot landscape requirements in favor of that shown on the SEA Plat.

Staff recommends approval of a modification of the Richmond Highway streetscape requirements along Richmond Highway and Cooper Road to that shown on the SEA Plat.

Staff recommends approval of a deviation of the tree preservation target requirements of Chapter 122 of the County Code and the Public Facilities Manual by the Director of DPWES, UFM.

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

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

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

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

O:\kgodda\SEA\McDonald's - Richmond Highway\Staff Reports\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 Amendment

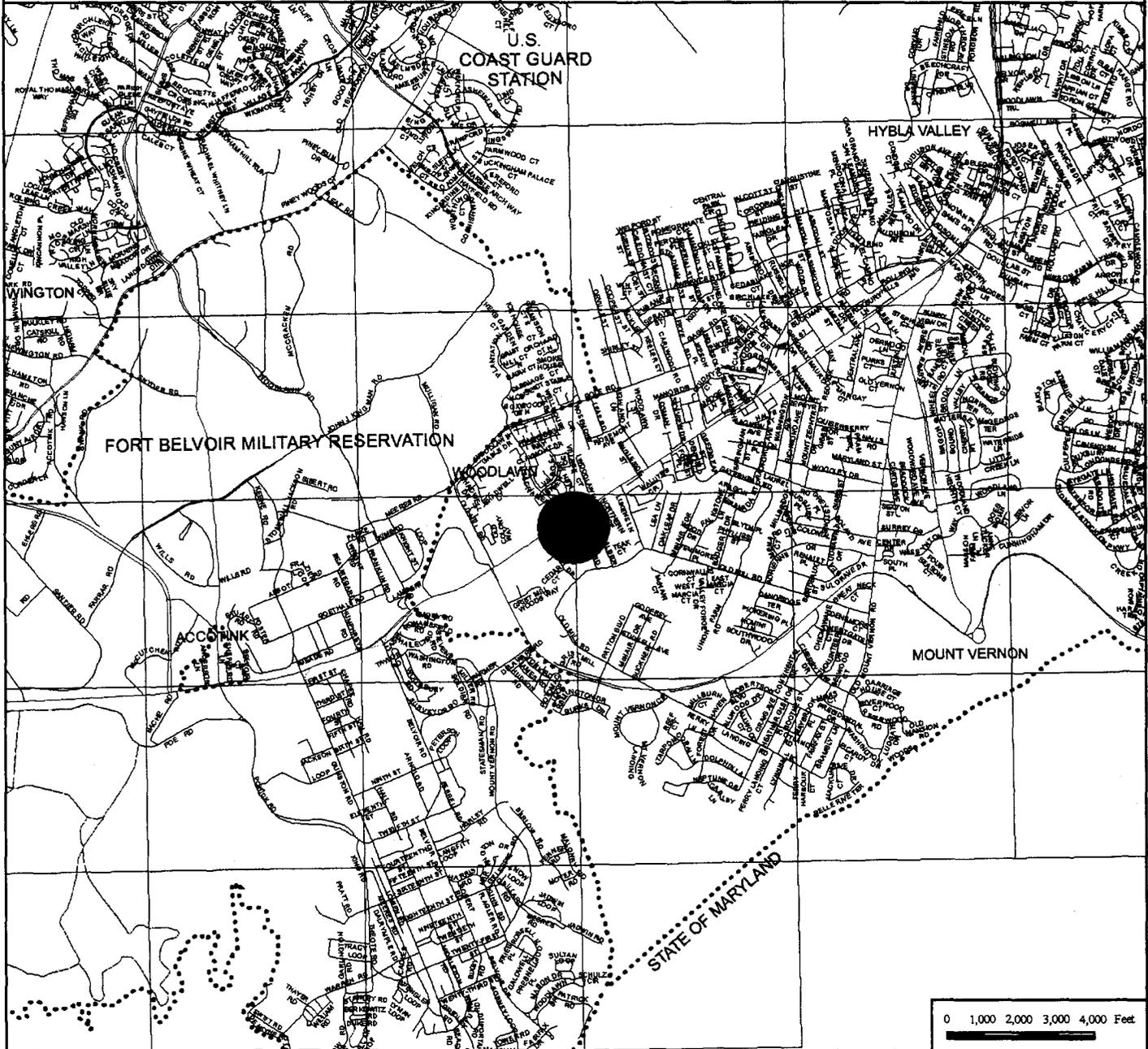
SEA 79-V-093-02



Applicant:
Accepted:
Proposed:

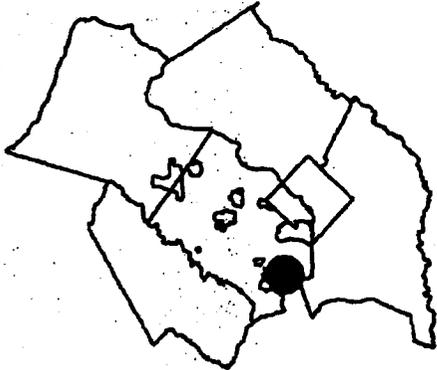
MCDONALD'S CORPORATION
06/12/2009
AMEND SE 79-V-093 PREVIOUSLY APPROVED FOR FAST FOOD RESTAURANT WITH DRIVE THRU TO PERMIT DEMOLITION AND RECONSTRUCTION OF EXISTING USE AND SITE MODIFICATIONS AND MODIFICATIONS, WAIVERS, INCREASES AND USES IN A CRD

Area: 35,010 SF OF LAND, DISTRICT - MOUNT VERNON
Zoning Dist Sect: 09-0622 07-0607
Art 9 Group and Use: 6-19 6-08
Located: 8735 RICHMOND HIGHWAY
Zoning: C- 8
Plan Area: 4,
Overlay Dist: CRD HC
Map Ref Num: 109-2- /02/ /0003 A



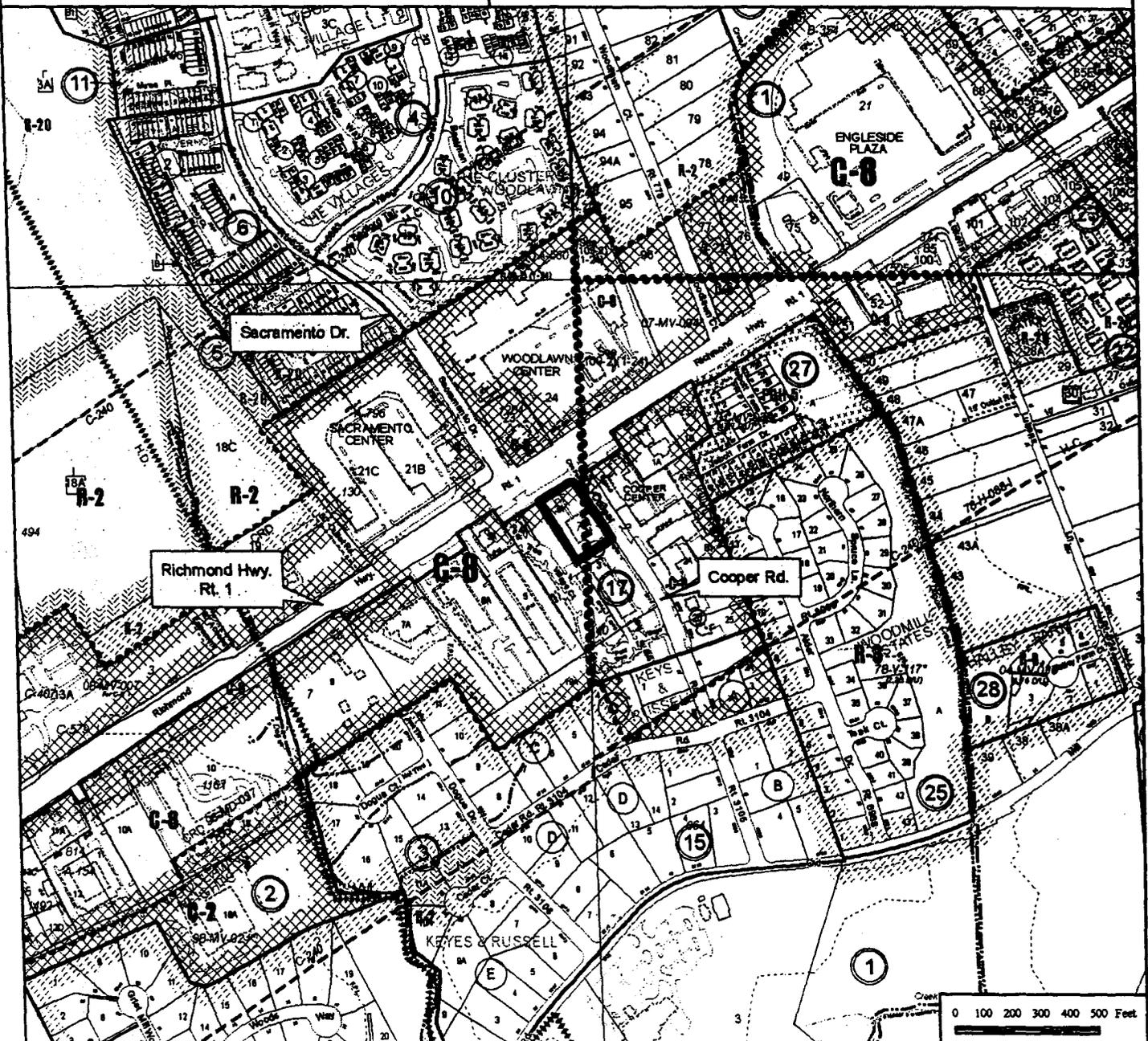
Special Exception Amendment

SEA 79-V-093-02



Applicant: MCDONALD'S CORPORATION
Accepted: 06/12/2009
Proposed: AMEND SE 79-V-093 PREVIOUSLY APPROVED FOR FAST FOOD RESTAURANT WITH DRIVE THRU TO PERMIT DEMOLITION AND RECONSTRUCTION OF EXISTING USE AND SITE MODIFICATIONS AND MODIFICATIONS, WAIVERS, INCREASES AND USES IN A CRD

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INTERIOR PARKING LOT LANDSCAPING CALCULATIONS

TABLE 12.3 TREE PRESERVATION TARGET CALCULATIONS AND STATEMENT

ITEM	PRE-DEVELOPMENT AREA OF EXISTING TREE CANOPY (FROM EXISTING VEGETATION MAP)	TOTAL
A	PERCENTAGE OF GROSS SITE AREA COMPILED BY EXISTING TREE CANOPY	21.1 %
B	PERCENTAGE OF 10-YEAR TREE CANOPY REQUIRED FOR THIS SITE (SEE PLAN TABLE 12.12)	18.0 %
C	PERCENTAGE OF 10-YEAR TREE CANOPY PRESERVED THAT SHOULD BE MET THROUGH TREE PRESERVATION	2.1 %
D	PROPOSED PERCENTAGE OF CANOPY REQUIREMENT THAT WILL BE MET THROUGH TREE PRESERVATION	0.0 %
E	IS THE TREE PRESERVATION TARGET MINIMUM BEING MET?	NO
F	IF NO FOR LINE F, 1-5, A REQUEST TO DEVIATE FROM THE TREE PRESERVATION TARGET SHALL BE PROVIDED ON THE PLAN THAT STATES ONE OR MORE OF THE JUSTIFICATIONS LISTED IN SECTION 7-2007.3 ALONG WITH A NARRATIVE THAT PROVIDES A DETAILED EXPLANATION OF WHY THE TREE PRESERVATION TARGET CANNOT BE MET. PROVIDE SHEET NUMBER WHERE DEVIATION REQUEST IS LOCATED	SEE SHEET 2 EXISTING CONDITIONS & PLAN FOR DEVIATION REQUEST
G	IF STEP C REQUIRES A NARRATIVE, IT SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 13-2007.1	
H	IF STEP C REQUIRES A NARRATIVE, IT SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 13-2007.1	

TABLE 12.12 10-YEAR TREE CANOPY CALCULATION WORKSHEET

ITEM	DESCRIPTION	TOTAL
A. TREE PRESERVATION TARGET AND STATEMENT		
SEE TABLE 12.3		
B. TREE CANOPY REQUIREMENT		
B1	GROSS SITE AREA	33,610 S.F.
B2	AREA DEDICATED TO PARKS AND RECREATION	0 S.F.
B3	SUBJECTIVE AREA OF DISTURBANCE	0 S.F.
B4	ADJUSTED GROSS SITE AREA (B1 - B2) - B3	33,610 S.F.
B5	PERCENTAGE OF 10-YEAR TREE CANOPY PRESERVED	18.0 %
B6	MODIFICATION OF 10-YEAR TREE CANOPY REQUIREMENTS REQUESTED	NO
B7	IF YES, SEE PLAN SHEET WHERE MODIFICATION REQUEST IS LOCATED	
C. TREE PRESERVATION		
C1	TREE PRESERVATION TARGET AREA	72 S.F.
C2	TOTAL CANOPY AREA MEETING STANDARDS OF SECTION 12-2006	0 S.F.
C3	SUBJECTIVE AREA OF DISTURBANCE	0 S.F.
C4	TOTAL CANOPY AREA PROVIDED BY OWNER OR AVAILABLE FORS OF WORKMAN COMMUNITIES	0 S.F.
C5	TOTAL CANOPY AREA PROVIDED BY "SERVICIAL", "MEMORIAL", "SPECIALLY", OR "SPECIALTY" TREES	0 S.F.
C6	TOTAL CANOPY AREA PROVIDED BY "SERVICIAL", "MEMORIAL", "SPECIALLY", OR "SPECIALTY" TREES	0 S.F.
C7	CANOPY AREA OF TREES WITH RESOURCE PROTECTION AREAS AND 100-YEAR FLOODPLAINS	0 S.F.
C8	CANOPY AREA OF TREES WITH RESOURCE PROTECTION AREAS AND 100-YEAR FLOODPLAINS	0 S.F.
C9	TOTAL OF C2, C3, C4, C5, AND C6	0 S.F.
D. TREE PLANTING		
D1	AREA OF CANOPY TO BE MET THROUGH TREE PLANTING (D1-D10)	5,591 S.F.
D2	AREA OF CANOPY PLANTED FOR HIGH QUALITY BENEFITS	0 S.F.
D3	AREA OF CANOPY PLANTED FOR EMERGENCY OBSERVATION	0 S.F.
D4	AREA OF CANOPY PLANTED FOR EMERGENCY OBSERVATION	0 S.F.
D5	AREA OF CANOPY PLANTED FOR EMERGENCY OBSERVATION	0 S.F.
D6	AREA OF CANOPY PLANTED FOR EMERGENCY OBSERVATION	0 S.F.
D7	AREA OF CANOPY PROVIDED BY NATIVE TREES	2,000 S.F.
D8	AREA OF CANOPY PROVIDED BY NATIVE TREES	2,000 S.F.
D9	AREA OF CANOPY PROVIDED BY NATIVE TREES	2,000 S.F.
D10	AREA OF CANOPY PROVIDED BY NATIVE TREES	2,000 S.F.
E. TOTAL OF 10-YEAR TREE CANOPY PROVIDED		
E1	TOTAL OF CANOPY AREA PROVIDED THROUGH TREE PRESERVATION (C10)	0 S.F.
E2	TOTAL OF CANOPY AREA PROVIDED THROUGH TREE PLANTING (D1-D10)	2,000 S.F.
E3	TOTAL OF CANOPY AREA PROVIDED THROUGH OFFSITE MECHANISMS (D11-D13)	0 S.F.
E4	DIFFERENCE OF 10-YEAR TREE CANOPY PROVIDED	5,591 S.F.

COMPLIANCE CHART FOR THE FAIRFAX COUNTY ZONING ORDINANCE

SECTION	REQUIREMENTS	CALCULATIONS (DEMONSTRATED)	COMPLIANCE
13-2006	13-2006.1 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.2 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.3 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.4 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.5 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.6 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.7 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.8 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.9 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.10 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.11 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.12 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.13 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.14 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.15 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.16 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.17 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.18 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.19 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.20 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.21 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.22 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.23 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.24 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.25 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.26 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.27 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.28 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.29 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.30 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.31 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.32 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.33 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.34 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.35 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.36 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.37 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.38 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.39 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.40 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.41 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.42 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.43 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.44 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.45 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.46 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.47 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.48 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.49 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.50 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.51 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.52 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.53 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.54 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.55 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.56 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.57 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.58 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.59 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.60 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.61 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.62 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.63 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.64 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.65 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.66 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.67 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.68 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.69 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.70 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.71 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.72 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.73 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.74 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.75 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.76 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.77 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.78 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.79 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.80 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.81 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.82 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.83 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.84 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.85 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.86 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.87 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.88 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.89 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.90 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.91 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.92 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.93 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.94 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.95 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.96 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.97 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.98 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.99 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.100 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES

COMPLIANCE CHART FOR THE PUBLIC FACILITIES MANUAL

SECTION	REQUIREMENTS	CALCULATIONS (DEMONSTRATED)	COMPLIANCE
13-2006	13-2006.1 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.2 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
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13-2006	13-2006.6 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.7 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.8 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.9 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.10 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
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13-2006	13-2006.18 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
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13-2006	13-2006.32 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.33 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.34 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.35 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
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13-2006	13-2006.48 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.49 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.50 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.51 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.52 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.53 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13-2006.54 (A) THROUGH (D)	SEE TABLE 12.3	COMPLIES
13-2006	13		

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

DESCRIPTION OF THE APPLICATION

Proposal:

The applicant, McDonald's Corporation, requests a Special Exception Amendment to amend SE 79-V-093 previously approved for a fast food restaurant with a drive-through in a Highway Corridor Overlay (HC) District to permit the demolition and reconstruction of the existing use, site modifications and modifications, waivers and uses in the Commercial Revitalization District (CRD). It is the applicant's intent to demolish the existing 3,511.8 square foot fast food restaurant with drive-through, in order to construct a new 4,200 square foot structure with drive-through.

Hours of Operation:

Drive-through - 24 hours a day, seven days a week
Restaurant - 5:00 a.m. to midnight, Sunday through Thursday
5:00 a.m. to 1:00 a.m., Friday and Saturday

Number of Employees:

Maximum of 11 per shift

Requested Waivers and Modifications:

Modification of the peripheral parking lot landscaping requirement along the western property line to that shown on the SEA Plat.

Modification of the Richmond Highway Corridor streetscape requirements along Richmond Highway and Cooper Road to that shown on the SEA Plat.

A deviation from the tree preservation target requirement of Chapter 122 of the County Code and the Public Facilities Manual (PFM).

LOCATION AND CHARACTER

Site Description:

The subject property totals 35,010 square feet in area, is zoned C-8 and is located in the Richmond Highway Corridor Area's Woodlawn Community Business Center (CBC). The property is located on the southeastern side of Richmond Highway (Route 1) at its intersection with Cooper Road. The site is flat and sparsely vegetated. It is developed with a one-story fast food restaurant with drive-through totaling 3,511.8 square feet. Surface parking is provided at the front of the site. Access to the property is provided from a service drive along Richmond Highway, a two-way entrance from Cooper Road, and a two-way entrance from the adjacent southern property.

Surrounding Area Description:

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Wachovia Bank	C-8, HC, CRD	Retail and Other
South	Burke and Herbert Bank and Trust Co.	C-8, HC, CRD	Retail and Other
East	Cooper Shopping Center	C-8, HC, CRD	Retail and Other
West	Pear Tree Village	C-8, HC, CRD	Retail and Other

BACKGROUND

The existing fast food restaurant building was constructed in 1970 by right. On October 22, 1979, the Board of Supervisors (BOS) approved SE 79-V-093 to permit the addition of a drive-through window to the restaurant. On February 27, 1984, the BOS approved SEA 79-V-093-01 to permit an expansion of the restaurant. The expansion consisted of the addition of 69 seats to the dining room and a modification of the building's entrances to the sides of the building.

COMPREHENSIVE PLAN PROVISIONS (See Appendix 5)

Plan Area: Area IV, Richmond Highway Corridor Area
Planning District: Mount Vernon
Planning Sector: MV-8 Woodlawn Community Planning Sector
Plan Map: Retail and Other

Fairfax County Comprehensive Plan, 2007 Edition Area IV, Mount Vernon Planning District, Richmond Highway Corridor Area, Amended through 1-26-2009, MV-8 Woodlawn Community Planning Sector, Page 165 states:

The Woodlawn Community Planning Sector contains stable residential neighborhoods. Infill development in this sector should be of a compatible use, type and intensity in accordance with the guidance provided by the Policy Plan under Land Use Objectives 8 and 14.

Where substantial parcel consolidation is specified, it is intended that such consolidations will provide for projects that function in a well-designed, efficient manner and provide for the development of unconsolidated parcels in conformance with the Area Plan.

Richmond Highway Corridor Area

Recommendations and policies for the Richmond Highway Corridor are provided in the Richmond Highway Corridor section of the Plan which addresses land use issues and recommendations for the entire corridor. Recommendations are given in a north to south orientation and include the designated Community Business Centers and areas between these centers. The western portion of the Woodlawn Community Business Center and adjacent Suburban Neighborhoods are located in Sector MV8.

Fairfax County Comprehensive Plan, 2007 Edition Area IV, Mount Vernon Planning District, Richmond Highway Corridor Area, Woodlawn Community Business Center Amended through 1-26-2009, Pages 64 and 65 state:

Sub-unit B-2

Sub-unit B-2 is located along the east side of Richmond Highway south of Cooper Road. Parcels 109-2 ((2)) 3, 3A, 4, 4A, 5A; 110-1 ((17)) 3, 19 and 19A are planned for neighborhood retail use at .35 FAR. Parcels 110-1 ((15)) 1, 2, and 3 are planned for neighborhood office use at 0.35 FAR. As an option, parcels 1, 2, 3 may develop as office use up to 0.50 FAR, if full consolidation can be achieved. Access should be oriented to Cooper Road, and substantial buffering should be provided to the adjacent residential uses. Parcels 109-2((2)) 5 and 6A are planned for residential use at 16-20 dwelling units per acre with an option for hotel use. Parking areas are well-screened and buffered from adjacent residential planned uses. Impacts on the adjacent environmental quality corridor are mitigated.

As an option, if parcels 109-2 ((2)) 3A, 3, 4A, 4, 5, 5A, 6A, 19A, 110-1 ((17)) 3, and 19 are substantially consolidated, an office, retail and/or hotel project at an overall intensity of up to .65 FAR may be appropriate if the following conditions are met:

- *Uses are oriented toward Richmond Highway and buildings taper down in height toward adjacent residential uses;*
- *Buildings are designed to meet the criteria for LEED Silver green building certification;*
- *dedication of needed right-of-way for planned road improvements, including bike lanes and the realignment of Sacramento Drive to Cooper Road, is provided;*
- *Mitigation of environmental impacts is provided. The related floodplain and wetland areas should be restored and protected;*
- *Access is provided at a median break and coordinated with planned roadway improvements;*
- *Provision of a pedestrian and bicycle circulation system which encourages pedestrian and bicycle traffic within the development, and to adjacent developments;*
- *Provision of substantial buffering and screening adjacent to residential and other existing uses;*
- *The traffic impact of the proposed development is thoroughly analyzed and mitigated using a Transportation Demand Management (TDM) program that may include shuttle bus service, Metrorail subsidies, and vanpool and carpool matching services; and*

- *Inclusion of urban design elements such as streetscaping, public art, pedestrian plazas, cultural/recreation facilities, landscaped open space, landmarks or building designs which will denote this area as a focal point of the Woodlawn Community Business Center. The urban design recommendations found at the end of this Plan are to be used as a guide.*

ANALYSIS

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

Title of SEA Plat: McDonald's Special Exception Amendment Plat

Prepared By: Bohler Engineering

Original and Revision Dates: April 27, 2009, as revised through February 18, 2010

SEA Plat Description:

SEA PLAT – MCDONALD'S	
Sheet #	Description of Sheet
1 of 7	Cover Sheet: Sheet Index, Legend, List of Waivers and Modifications, Vicinity Map
2 of 7	Existing Conditions Plan /Existing Vegetation Map
3 of 7	Special Exception Amendment Plat
4 of 7	Landscape Plan
5 of 7	Stormwater Management Plan
6 of 7	2009 Standard Building 38101 + 5F +5R-Wood/Wood (A2.0)
7 of 7	2009 Standard Building 38101 + 5F +5R-Wood/Wood (A2.0)

The SEA Plat depicts the following features:

Proposed Site Layout: The applicant proposes to develop a one-story fast food restaurant with one drive-through lane totaling 4,200 square feet. The restaurant would be centrally located on the site, 45 feet from the property line along the Richmond Highway service drive and 45 feet from Cooper Road. Surface parking would be provided along the site's Cooper Road frontage and rear lot line. Landscaping would be provided along the Richmond Highway, Cooper Road, and rear property lines. The trash enclosure would be located at the rear of the building, in the southwestern corner of the site.

Building and Architecture: The proposed twenty-four foot tall building would replace the existing fast food restaurant with drive-through (3,511.8 square feet in area). The proposed building would be constructed of brick veneer exterior walls (earth tone in color) with complimentary architectural colonnades finished in EIFS. The two primary entrances to the restaurant would be along the northern and western sides of the building. Though only one drive-through lane

is proposed, there would be two drive-through canopies, two ordering stations and one loading space would be located at the rear of the building. Two drive-through windows would be located on the eastern side of the building facing Cooper Road.

Drive-Through Lane: Vehicular traffic would enter the drive-through lane on the western side of the building. The SEA Plat depicts the drive-through lane curving around the southern end of the building in a counter-clockwise direction, and continuing along the western side of the building (Cooper Road) where the drive-through windows would be located. A total of 11 stacking spaces would be provided.

Site Access: Access to the site would be provided from the three existing access points. The first access point is a two-way entrance from the service drive along Richmond Highway, the second is a two-way entrance from Cooper Road, and the third is an interparcel access point from the adjacent southern property (Burke and Herbert Bank and Trust Company).

Pedestrian Access: The applicant proposes a new five-foot wide sidewalk along Cooper Road and a new nine-foot wide masonry sidewalk along the Richmond Highway service drive frontage. Four painted crosswalks leading to the restaurant are also being proposed on-site. Two crosswalks are proposed where the new sidewalks would cross over existing site entrances. The third crosswalk is proposed across the service drive between the service drive median and the site. The fourth crosswalk is proposed across the drive aisle at the front of the building. This would provide access from the new nine-foot wide sidewalk to the walkway in front of the restaurant.

Parking/Stacking/Loading: Typically, 45 parking spaces and 1 loading space would be required for this proposed development. However, the applicant is permitted a 20% by-right parking reduction (36 spaces) in the Richmond Highway CRD. A total of 39 parking spaces are being proposed. Sixteen (16) parking spaces are proposed along the Cooper Road property line, eighteen (18) spaces are proposed along the western property line, and five (5) spaces are proposed at the rear of the site. One loading space is being proposed at the rear of the building, and eleven (11) stacking spaces are being provided for the drive-through lane.

Open Space and Landscaping: Approximately 18.1% of the site will consist of open space. Landscaping would be provided on site as depicted on Sheet 4 of the SEA Plat. Specifically, landscaping is proposed along the Richmond Highway and Cooper Road frontages of the property, the rear property line and in a landscaped island along the western property line. Seven (7) Category IV deciduous trees are shown along the Richmond Highway frontage, and 8 Category II deciduous trees along with 30 medium evergreen shrubs are shown along the Cooper Road frontage.

Stormwater Management: An underground stormwater detention facility and stormfilters are being proposed to address water quantity and quality controls for the proposed development.

Signage: Sheets 3, 6 and 7 of the SEA plat depict the locations of proposed signage (directional signage and building mounted signage). Directional signage is proposed on the SEA Plat along the northern and eastern boundaries. Building mounted signs are proposed along the front and sides of the proposed building.

Use	Existing Development	SEA 79-V-093-02	Difference Between Existing Conditions and Current Application
Gross Floor Area	3,511.8 SF	4,200 SF	+ 688.2 SF
FAR	0.10	0.12	+ 0.02
Parking Spaces	43 Spaces	39 Spaces	- 4 spaces
Stacking	11 Spaces	11 Spaces	0 spaces
Open Space	11.6%	18.1%	+ 6.5%
Building Height	16 feet	24 feet	+ 8 feet

Land Use and Environmental Analysis (Appendix 5)

Use and Intensity

The applicant proposes to reconstruct an existing fast food restaurant with drive-through at a 0.12 FAR. The Comprehensive Plan strongly discourages freestanding uses with drive-through facilities and uses that create high traffic volumes along the Richmond Highway Corridor and that contribute to the strip-commercial character of Richmond Highway. However, in this instance, the site is currently occupied with a free-standing drive-through use. The Comprehensive plan also discourages parking along Richmond Highway and seeks buildings to be placed along the street to give it an edge. Under the proposed development, the applicant will make several improvements to the site. There will no longer be any parking spaces located in front of the building. The majority of the parking spaces will now be located along the side lot lines and a few at the rear of the site. Additionally, the new building will be much closer to Richmond Highway, and streetscaping, sidewalks, and crosswalks will also be provided along Richmond Highway and Cooper Road.

Streetscaping

In staff's opinion, the applicant's proposal will substantially improve the landscaping and streetscaping on the site, by replacing two dying trees in the service drive median, and increasing the number of trees along the property's boundaries and on the site.

The Comprehensive Plan streetscape requirement for Cooper Road is a 5-foot wide curb edge landscape strip, a 5-foot wide off-site sidewalk, and a 5-foot wide on-site landscaped screening strip, with one small tree planted every 25 feet. On the SEA Plat, a row of 8 Category II deciduous trees and 30 medium evergreen

shrubs are shown in a 4.5 foot wide on-site landscape strip along Cooper Road. Some shrubbery and one tree currently exist along this road. The SEA Plat shows that there are overhead wires above the Cooper Road sidewalk near the proposed street trees. For that reason, staff recommended that an appropriate tree type, such as an ornamental, be planted so that the trees will not impact the wires. The sidewalk along Cooper Road will be widened from the existing 4 feet to 5 feet. The SEA Plat also shows a 2-foot wide curb edge landscape strip. The applicant is requesting a modification of the required 5-foot wide landscape strips to that shown on the SEA Plat.

The Comprehensive Plan streetscape requirement along Richmond Highway consists of a 9-foot wide off-site landscape strip including curb, a 9-foot wide off-site trail, a 3-foot wide off-site landscape strip, and a 5-foot wide on-site landscape strip. One large deciduous tree should be planted every 30 feet inside the landscape strip. The SEA Plat shows a double row of street trees along the Richmond Highway frontage on either side of a 9-foot wide masonry sidewalk. Currently there is grass and some shrubbery along this frontage. The applicant also proposes to replace two existing trees in poor health with similar trees. These trees are located in the median between the service road and Richmond Highway. The applicant is requesting a modification of the required location for portions of the landscape strips and the sidewalk to that shown on the SEA Plat.

Per staff's recommendation, the revised SEA Plat now shows a landscaped parking island along the western property boundary in order to break up the long row of parking spaces along this property line. Due to the small size of the site, the applicant is unable to provide the full streetscape and peripheral parking lot landscaping requirements. However, staff finds that the streetscaping proposed along Cooper Road and Richmond Highway meets the intent of the Comprehensive Plan.

Signage

Building-mounted, directional, and monument signage is proposed on site. The building-mounted signage is proposed on the front and sides of the building. The location for a proposed monument sign along the Richmond Highway frontage has been shown on the SEA Plat, but the applicant has not provided a graphic which shows the proposed dimensions. A development condition has been proposed requiring all signage to be in conformance with Article 12 of the Zoning Ordinance.

Pedestrian Circulation

Staff has noted that the applicant is proposing pedestrian improvements including: the provision of crosswalks connecting the service drive median to the site; across the Richmond Highway site entrance; and from the trail along Richmond Highway to the building entrance. As recommended by staff, the applicant is now also providing a crosswalk across the Cooper Road site entrance. However, the applicant does not wish to provide a sidewalk across Cooper Road at the intersection with Richmond Highway as recommended by staff. The applicant believes that a crosswalk would encourage pedestrian traffic, thereby increasing the chance of conflict with vehicular traffic at this intersection.

Green Building

The Comprehensive Plan encourages the application of energy conservation, water conservation, and other green building practices in the design and construction of new development and redevelopment projects. The proposed redevelopment of the subject property presents a clear opportunity to construct a new building relying on green building standards. The applicant has been strongly encouraged to seek U.S. Green Building Council Leadership in Energy and Environmental Design (LEED) certification for the proposed fast food restaurant.

The applicant has proposed to incorporate a number of green building measures into the design of the proposed fast food restaurant. These green building measures are noted in the applicant's statement of justification. Additionally, the applicant has agreed to verify either by letter from a LEED-Accredited Professional (AP) or equivalent green building-certified professional who is also a licensed architect or engineer but not a McDonald's employee, or the provision of additional documentation as requested during the site or building plan process for certain green building measures as identified by the applicant. Staff has proposed a development condition requiring specific green building features to be incorporated into the design of the proposed fast food restaurant with drive-through.

Countywide Trails Plan

Staff acknowledges that the Countywide Trails Plan Map shows that the subject property is located in an area with other specific guidance regarding streetscaping and trail requirements and defers to the Area Plan for details. The applicable streetscaping and trail recommendations for Richmond Highway are found in the Transportation Section of the Policy Plan (Comprehensive Plan) entitled, "Roads in Revitalization Areas." This Section calls for a 9-foot wide curb edge landscaping strip, a 9-foot wide trail, and an 8-foot wide interior landscaping strip and no on-road bicycle route. The proposed streetscaping for this project includes a 5-foot wide curb edge landscaping strip, a 9-foot wide trail, and an 8-foot wide landscape strip and no on-road bicycle route.

Office of Community Revitalization and Reinvestment Analysis (Appendix 6)

The Office of Community Revitalization and Reinvestment Analysis (OCRR) staff acknowledges the improvements made on the revised SEA Plat and has no issues with the proposed development.

Urban Forestry Analysis (Appendix 7)

Peripheral Parking Lot Landscaping

Urban Forestry Management Division (UFMD) staff noted that on the original SEA Plat, a four-foot wide peripheral parking lot landscaping strip was being shown along the western property line. UFMD staff recommended that the strip should be widened to eight feet to accommodate the proposed plantings and that perennial

flowers should be added between the trees. However, the applicant is now proposing along this property line a one-foot wide landscaping strip with no trees or flowers and a parking island with one Category IV deciduous tree along this property line. Specifically, the applicant is attempting to provide streetscaping along Cooper Road (eastern property line) to meet the Richmond Highway Corridor streetscaping requirements. Because the site is too narrow to accommodate the proposed development with the required landscaping along the western and eastern property lines, the applicant is requesting a modification of the peripheral parking lot landscaping requirement along the western property line to allow more landscaping to be provided along Cooper Road. Staff does not object to the modification request.

UFMD staff also noted that the proposed Category IV tree in the northwestern corner of the property would be too close to the proposed sidewalk, which could create infrastructure problems as well as safety issues. Staff advised the applicant to relocate this tree to the rear of the site and to change it from a Category IV to a Category II. The SEA Plat was revised and this issue has been resolved.

Transportation Analysis (Appendix 8)

Based on the Department of Transportation (DOT) staff's review of the SEA Plat revised through August 20, 2009, the following recommendations were made:

- Provide pedestrian access from the service drive into the site;
- Provide a 5-foot sidewalk to Virginia Department of Transportation (VDOT) standards (4.5 feet from face of curb, 5-foot sidewalk, 1 foot to property line) along the Cooper Road frontage;
- Commit to providing future interparcel access to the south at such time as Richmond Highway is widened;
- Provide bike racks on site; and
- Commit to add pedestrian signals at the Cooper Road/Richmond Highway intersection, subject to VDOT's approval.

The SEA Plat was revised and all of the above recommendations have been incorporated except for a commitment to add pedestrian signals. The applicant has stated that it would be too costly to implement the requested signals.

Stormwater Analysis (Appendix 9)

Water Quantity and Water Quality Controls

The applicant has proposed a circular underground stormwater detention facility and stormfilters to address stormwater detention and water quality issues. However, the Department of Public Works and Environmental Services (DPWES) staff notes that the proposed underground detention facility would require a Public Facilities Manual (PFM) modification as the proposed height is less than 72 inches high (PFM 6-1306.3H). Additionally, the graphic of the proposed facility shows it to be circular, which would not be acceptable for a PFM modification. DPWES staff recommended that the applicant change the facility to an arch facility in order to qualify for a PFM modification. DPWES staff cautioned that even if the applicant

changes the proposed underground detention facility to an arch facility, there may not be a sufficient change in the site's elevation to accommodate the height of the detention facility and the required drop for the stormfilter. If there is an insufficient elevation difference on the site, a stormwater detention waiver may be needed which, in turn, would require the applicant to demonstrate that the site outfall is adequate. These issues will be addressed at site plan.

ZONING ORDINANCE PROVISIONS

STANDARD	REQUIRED	PROVIDED
Minimum Lot Area	40,000 sq. ft.* ¹	35,010 sq. ft.
Minimum Lot Width	200 ft.* ¹	145 ft.
Max. Building Height	40 ft.	24 ft.
Front Yard	20 ft. * ²	45 ft. (North and East)
Side Yard	N/A	45 ft. (West)
Rear Yard	20 ft.	75 ft.
Maximum FAR	0.50	0.12
Parking Spaces	45 spaces (One space per two seats) - 20% reduction in CRD = 36 spaces	39 spaces
Stacking Spaces	11	11
Loading Space	1	1
Open Space	15%	18%
Tree Cover	10%	12.9%

*¹The minimum lot area and lot width requirements may be waived by the Board in accordance with the provisions of Sect. 2-405.

*² Richmond Highway CRD Standards

The lot is 35,010 square feet and 145 feet wide which is less than the lot area and lot width requirements for the C-8 District. According to Section 2-405 of the Zoning Ordinance, if a lot was recorded before March 1, 1941, or before the effective date of the Zoning Ordinance, and the lot met the requirements of the Zoning Ordinance in effect at the time of recordation, then the lot may be used for any use permitted in the zoning district in which located under the Ordinance, even though the lot does not meet the minimum district size, lot area, lot width and/or shape factor requirements of the district, provided all other regulations are satisfied. The subject lot was recorded in 1970 prior to the effective date of the Zoning Ordinance. Therefore, a waiver of the lot area and lot width requirements is not required as the subject lot has not been subdivided since the adoption of the current Zoning Ordinance and met the requirements of the Zoning Ordinance at that time.

Waivers/Modifications

- *Modification of the peripheral parking lot landscaping requirements along the western property line (adjacent to Pear Tree Village).*

A modification of the peripheral parking lot landscaping requirement has been requested along the western boundary line. Pursuant to Par. 4 of Sect. 13-203 of the Zoning Ordinance, a four-foot wide landscape strip is required between the parking lot and abutting properties, if a parking lot contains twenty or more spaces and transitional screening is not required. The landscape plan depicts a one-foot wide landscape strip and a parking island with one tree along the western property line.

The subject site is fairly narrow. In an attempt to provide streetscape along Cooper Road (as recommended by the Comprehensive Plan), the applicant has shifted 4 feet of landscaping from the western property line to the eastern property line in order to provide a wider landscaping strip along Cooper Road. As a result, there is limited space available for peripheral parking lot landscaping along the western property line.

Per both Par. 3B of Sect. 13-202 and Par. 5 of Sect. A7-409 of the Zoning Ordinance, the Board can approve a modification of the peripheral parking lot landscaping requirement, where such modification will not have any deleterious effect on the existing or planned development of adjacent properties. Staff finds that the proposed development is an improvement to the existing development which has minimal landscaping. A modification will not have any deleterious effect on existing or planned developments of adjacent properties as there is a wide open space buffer on the adjacent western property along the shared property line. Additionally, the required modification will enable the applicant to provide a greater planting width and better streetscape along Cooper Road. For that reason, staff does not object to the modification request.

- *Modification of Streetscape Guidelines*

The Comprehensive Plan guidance for the Richmond Highway Corridor contains specific guidance for urban design and streetscape design. As discussed earlier in the report, the applicant is requesting a modification of the streetscape guidelines in favor of that shown on the SEA Plat. The Comprehensive Plan notes that "*modifications in the application of the streetscape...will likely be necessary to respond to site conditions or roadway design considerations.*" As discussed in the Land Use Analysis section, staff believes that the proposed landscaping is consistent with the streetscape recommendations for the Richmond Highway Corridor, subject to the proposed modifications which are related, in part, due to lot size issues. Therefore, staff has no objections to the approval of this modification request.

- *Deviation from the tree preservation target requirement of Chapter 122 of the County Code and the Public Facilities Manual (PFM) by the Director of DPWES, UFM.*

The applicant has requested a deviation from the tree preservation target requirements. The few existing trees on site have to be removed to

accommodate the new site layout for the restaurant use. Staff believes that the applicant's proposal is an improvement as it will be providing more trees than what currently exists on site. Staff supports the requested deviation from the tree preservation target requirements.

OTHER ZONING ORDINANCE REQUIREMENTS:

Special Exception Requirements (See Appendix 10)

- General Special Exception Standards (9-006)
- Additional Standards for Fast Food Restaurants (9-611)
- Highway Corridor Overlay Special Exception Uses (Sect. 7-607)
- Highway Corridor Overlay District (7-608)

General Special Exception Standards (Sect. 9-006)

The General Special Exception Standards require that the proposal be in harmony with the Comprehensive Plan; that there is a finding of no significant negative impact on surrounding properties; that safe and adequate vehicular and pedestrian access is provided; and that the provisions of Article 12, relating to signage be met. The proposed fast food restaurant with drive-through provides sufficient area for adequate vehicular and pedestrian circulation, as well as sufficient parking and landscaping. All signage proposed on the SEA Plat would be required to be in compliance with Article 12 of the Zoning Ordinance. The proposed fast food restaurant with drive-through, which is replacing an existing fast food restaurant with drive-through, would not negatively affect surrounding properties or the existing road network. Therefore, staff believes the proposal satisfies the General Special Exception Standards.

General Standard 1 requires that the proposed use be in harmony with the Comprehensive Plan. Even though the language in the Comprehensive Plan strongly discourages freestanding uses with drive-through facilities, this is an existing fast food restaurant with drive-through that is going through the Special Exception process to permit the demolition and reconstruction of the existing use. In return, the applicant is offering to provide additional landscaping which is a public benefit that furthers the intent of the Comprehensive Plan by improving the appearance of the site along Richmond Highway. The building will also be moved closer to the Richmond Highway street frontage and the parking will be moved to the side and rear, to add an edge to the street. Staff has concluded that the proposed application will contribute to the aesthetic improvement of Richmond Highway. Therefore, this standard has been met.

General Standard 2 requires that the proposed use be in harmony with the general purpose and intent of the applicable zoning district regulations. In staff's opinion, the fast food restaurant is consistent with the purpose of the C-8 District

which is to provide locations on heavily traveled collector and arterial highways, for those commercial and service uses which: (a) are oriented to the automobile; or (b) are uses which may require large land areas and good access; and (c) do not depend upon adjoining uses for reasons of comparison shopping or pedestrian trade. Staff is satisfied this standard has been met.

General Standard 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. As discussed previously in this report, staff finds that the proposed use is harmonious with the abutting commercial uses, including Pear Tree Village and the Cooper Shopping Center (located across Cooper Road) and will not adversely affect the use or development of these neighboring properties in accordance with the applicable zoning district regulations and the adopted Comprehensive Plan. The location, size, and height of the building, and the proposed landscaping and streetscaping will help mitigate any adverse impact the fast food restaurant might have on existing developments. As noted above, the applicant is seeking a modification of the peripheral parking lot landscaping requirement along the western property line. Staff does not believe this modification would adversely impact the abutting property, as this property is developed with a SWM facility. Therefore, this standard has been met.

General Standard 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 pedestrian and vehicular traffic will not be hazardous or conflict with anticipated traffic in the neighborhood. The existing site entrances will be used to access the site and sufficient area for adequate vehicular circulation is provided on-site. The applicant also proposes sidewalks, sidewalk connections, and crosswalks on-site to ensure that pedestrians can safely walk to the proposed fast food restaurant. Therefore, staff finds this standard has been met.

General Standard 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. As discussed previously in this report, there are no transitional screening or barrier requirements; however, there is a requirement for interior and peripheral parking lot landscaping. As discussed earlier, the applicant has requested a modification of the peripheral parking lot landscaping requirements along the western property line to the landscaping shown on the SEA Plat. Staff does not object to the requested modification as it results in a wider landscaping strip along Cooper Road. Therefore, staff finds that this standard has been satisfied.

General Standard 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. As noted previously in the Bulk Standards chart, the proposal exceeds the minimum open space requirement of 10 percent required in the C-8 District (18% is proposed). Therefore, staff finds that this standard has been met.

General Standard 7 states that adequate utility, drainage, parking, loading, and other necessary facilities to serve the proposed use shall be provided.

The number of parking spaces, stacking spaces, and loading space being provided meets the minimum required by the Zoning Ordinance in the Richmond Highway CRD. Adequate utilities are provided on this site. However, DPWES staff has expressed concern regarding the size of the proposed stormwater management facility and topographic conditions of the site. The applicant is proposing a circular stormwater detention facility which is less than 72 inches in height. As noted previously, DPWES staff has raised concerns regarding the proposed stormwater facility which must be addressed at site plan.

General Standard 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. A development condition has been proposed requiring that all signage proposed on the SEA Plat is required to be in compliance with Article 12 of the Zoning Ordinance. The condition further stipulates that there shall be no pole signs, as only monument signs are allowed. Therefore, staff is satisfied that this standard has been met.

Additional Standards for Drive-In Banks, Fast Food Restaurants, Quick-Service Food Stores, Service Station and Service Station/Mini Marts in a Highway Corridor Overlay District (Sect. 9-611)

This provision states that the Board may approve a special exception for the establishment or for the enlargement, extension, relocation or increase in intensity of a drive-in financial institution in a Highway Corridor Overlay District, but only in accordance with the provisions of Part 6 of Article 7. The application's conformance with those provisions is discussed below.

Highway Corridor Overlay Special Exception Uses (Sect. 7-607)

This section states that all uses permitted by special exception in the underlying zoning district(s) are permitted with certain exceptions. The use proposed with this application is permitted by special exception; therefore, this standard has been satisfied.

Highway Corridor Overlay District Use Limitations (Sect. 7-608)

Paragraph 1A requires that such a use be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties. As discussed above, sidewalks, sidewalk connections, and crosswalks are being provided by the applicant for pedestrian circulation on-site, from the service drive median, and to the adjacent properties. The site also provides on-site parking lot circulation through the use of a one-way circulation pattern to minimize vehicular conflicts. Additionally, the applicant has committed to providing a future interparcel access point at the rear of the site, if the service drive along Richmond Highway is eliminated as part of the widening plans for Richmond Highway. Therefore, staff believes this standard is satisfied. Even though this standard has been met, staff still strongly encourages the applicant to add pedestrian signals and a crosswalk at the intersection of Cooper Road and Richmond Highway.

Paragraph 1B requires that such a use shall have access designed not to impede traffic on a public street intended to carry through traffic. The SEA Plat depicts access points along the site's service drive frontage, from Cooper Road and the adjacent southern property. The proposed access points and the internal circulation pattern of the site will not impede traffic on surrounding public streets. Staff believes that this standard has been satisfied.

Paragraph 1C requires that there shall be no outdoor storage or display of goods offered for sale. No such storage and/or display has been proposed for this application, therefore this standard has been met.

Summary of Zoning Ordinance Provisions

All applicable standards have been satisfied with the proposed development conditions.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The Comprehensive Plan goals for Richmond Highway strongly discourage freestanding uses with drive-through facilities and uses that create high traffic volumes to and from and along the corridor that contribute to the strip-commercial character of Richmond Highway. However, the applicant is replacing an existing freestanding fast food restaurant with a drive-through with a new one. The proposed site layout will bring the proposed structure up to the street, parking to the sides and rear, sidewalks and crosswalks across existing site entrances and much needed streetscaping along the Richmond Highway and Cooper Road frontages. With the implementation of the staff-proposed development conditions, staff believes the proposed application will provide an overall improvement and a contribution to the revitalization goals of the area and is in conformance with the Comprehensive Plan.

Staff Recommendations

Staff recommends approval of SEA 79-V-093-02, subject to the proposed development conditions contained in Appendix 1.

Staff recommends approval of a modification of the peripheral parking lot landscape requirements in favor of that shown on the SEA Plat.

Staff recommends approval of a modification of the Richmond Highway Streetscape Guidelines along Richmond Highway and Cooper Road to that shown on the SEA Plat.

Staff recommends approval of a deviation of the tree preservation target requirements of Chapter 122 of the County Code and the Public Facilities Manual by the Director of DPWES, UFM.

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

The approval of this special exception amendment 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. Development Conditions for SEA 79-V-093
5. Land Use and Environmental Analysis
6. Office of Community Revitalization and Reinvestment Analysis
7. Urban Forestry Analysis
8. Transportation Analysis
9. Stormwater Analysis
10. Applicable Zoning Ordinance Provisions
11. Glossary of Terms

PROPOSED DEVELOPMENT CONDITIONS**SEA 79-V-093-02****February 24, 2010**

If it is the intent of the Board of Supervisors to approve SEA 79-V-093-02 located at Tax Map 109-2 ((2)) 3A to amend SE 79-V-093, previously approved for a fast food restaurant with drive-through, to permit the demolition and reconstruction of the existing use and site modifications and modifications, waivers, increases and uses in a CRD, pursuant to Sect(s). 4-804, 7-607 and 9-622 of the Zoning Ordinance, then staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These development conditions incorporate and supersede all previous development conditions. Previously approved development conditions are marked with an asterisk (*).

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.*
2. This Special Exception Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.*
3. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Amendment (SEA) plat entitled "McDonald's Special Exception Plat," consisting of seven sheets, prepared by Bohler Engineering and dated April 27, 2009 and revised through February 18, 2010, and these conditions. Minor modifications to the approved special exception amendment may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. There shall be a maximum of one (1) drive-through lane for the fast food restaurant as shown on the SEA Plat.
5. The maximum number of seats for the restaurant shall not exceed 90 seats.
6. The fast food restaurant interior operations shall be limited to the hours of 5:00 a.m. to 12 midnight Sunday through Thursday and 5:00 a.m. to 1:00 a.m. Friday and Saturday. The drive-through window shall be allowed to operate 24 hours a day.
7. A maximum of thirty-nine (39) parking spaces, eleven (11) stacking spaces, and one (1) loading space shall be provided, as shown on the SEA plat.
8. All four sides of the proposed fast food restaurant, including materials, shall be in substantial conformance with the architectural elevations shown on the SEA plat.

9. All signage shall be in conformance with Article 12 of the Zoning Ordinance. There shall be no roof displays including, but not limited to signs, balloons or pennants, and no pole-mounted signs (except for directional signs).
10. All exterior lighting shall comply with Part 9, of Article 14 of the Zoning Ordinance.
11. Landscaping and tree plantings shall be provided consistent with the Landscape Plan submitted with the SEA Plat, as determined by Urban Forest Management Division (UFMD). All trees located in landscape strips less than eight feet in width shall be planted in conformance with the recommendations of UFMD. Any off-site trees to be removed in the service drive median along Richmond Highway shall require permission from the Virginia Department of Transportation (VDOT).
12. The species of trees planted pursuant to this SEA shall be in conformance with the Tree Selection Criteria and Recommended Tree Species for Richmond Highway as contained in the Comprehensive Plan. All on-site landscaping along Richmond Highway and Cooper Road shall be irrigated and maintained by the applicant.
13. At such time that the service drive along Richmond Highway is closed, a public ingress-egress access easement shall be provided and recorded in a form approved by the County Attorney and interparcel access shall be provided between Tax Map Parcel 109-2 ((2)) 3A and Parcel 4. This future ingress-egress access easement and interparcel access shall be shown on the initial and all subsequent site plans.
14. Crosswalks shall be provided as shown on the SEA Plat. Signage shall be erected alerting motorists to watch for pedestrians, subject to Virginia Department of Transportation (VDOT) approval.
15. The trash dumpster shall be fully screened with a brick wall or board-on-board fence and a gate, as shown on the SEA Plat.
16. There shall be no outdoor storage and the display of goods offered for sale.
17. Prior to the issuance of the Non-Residential Use Permit, verification shall be provided to the Department of Planning and Zoning that the following green building elements have been completed. These elements shall be verified either by letter from a LEED-AP or other equivalent green building certified professional who is also a licensed architect or engineer but not a McDonald's employee:
 - The purchase of renewable energy credits to offset up to 35% of the restaurant electrical demand;
 - The use of rooftop HVAC units with an 11 EER (Energy Efficiency Rating) for the 15 Ton Unit and a 13 SEER (Seasonal Energy Efficiency Rating) for the 4 Ton Unit;

- The use of compact fluorescent light fixtures as the predominant fixture in the dining room;
 - The use of high efficiency fluorescent light fixtures in kitchen area;
 - The use of Energy Management System in building;
 - The use of low VOC adhesives, paints and sealants;
 - The use of highly reflective (White Thermoplastic Polyolefin Membrane) building roof;
 - The use of low flow water closets, urinals and lavatories; and
 - The use of automatic faucets for restroom hand sinks (lavatories) and kitchen area hand sinks, as allowed by the Health Department.
18. Prior to the issuance of any sign permit, verification shall be provided to the Department of Planning and Zoning that LED illumination shall be used within the signs. The use of LED illumination shall be verified either by letter from a LEED-AP or other equivalent green building certified professional who is also a licensed architect or engineer but not a McDonald's employee.
19. Bicycle racks shall be installed in the amount and location shown on the SEA Plat prior to the issuance of the Non-RUP. The location and type of bicycle rack shall be depicted on the first and all subsequent site plans, subject to the review and approval of the Fairfax County Department of Transportation.

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 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 AFFIDAVIT

DATE: September 21, 2009
 (enter date affidavit is notarized)

I, Inda E. Stagg, agent, do hereby state that I am an
 (enter name of applicant or authorized agent)

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

1049638

in Application No.(s): SEA 79-V-093-02
 (enter County-assigned application number(s), e.g. SE 88-V-001)

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

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

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

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)
McDonald's Corporation Agents: John A. Eidberger Catherine A. Griffin Padraic G. Molloy	c/o McDonald's USA, LLC 6903 Rockledge Drive, Suite 1100 Bethesda, MD 20817	Applicant/Lessee of Tax Map 109-2 ((2)) 3A
RHC Associates Agent: Stefan H. Cushman	396 Washington Street, Suite 287 Wellesley, MA 02481	Title Owner/Lessor
Bohler VA, LLC f/k/a Bohler Engineering, P.C. Agents: Aaron M. Bodenschatz Noelle A. Trent David B. Logan	22630 Davis Drive, Suite 200 Sterling, Virginia 20164	Engineers/Agent

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

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Special Exception Attachment to Par. 1(a)

DATE: September 21, 2009
(enter date affidavit is notarized)

1049636

for Application No. (s): SEA 79-V-093-02
(enter County-assigned application number (s))

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

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)
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C. Agents: Martin D. Walsh Lynne J. Strobel Timothy S. Sampson M. Catharine Puskar Sara V. Mariska G. Evan Pritchard Elizabeth D. Baker Inda E. Stagg Kara M. Whisler Megan C. Shilling Elizabeth A. McKeeby	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent
M.J. Wells & Associates, Inc. Agents: Robin L. Antonucci Priyatham Konda	1420 Spring Hill Road, Suite 600 McLean, Virginia 22102	Transportation Consultant/ 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

DATE: September 21, 2009
(enter date affidavit is notarized)

1049631

for Application No. (s): SEA 79-V-093-02
(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code)
McDonald's Corporation
c/o McDonald's USA, LLC
6903 Rockledge Drive, Suite 1100
Bethesda, MD 20817

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)
Publicly traded on NYSE.

(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: September 21, 2009
(enter date affidavit is notarized)

1049636

for Application No. (s): SEA 79-V-093-02
(enter County-assigned application number (s))

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

Bohler VA, LLC f/k/a Bohler Engineering, P.C.
22630 Davis Drive, Suite 200
Sterling, Virginia 20164

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)

Ludwig H. Bohler
Adam J. Volanth
Daniel M. Duke
Mark R. Joyce

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

Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

(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 Attachment to Par. 1(b)

DATE: September 21, 2009
(enter date affidavit is notarized)

1049636

for Application No. (s): SEA 79-V-093-02
(enter County-assigned application number (s))

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

M.J. Wells & Associates, Inc.
1420 Spring Hill Road, Suite 600
McLean, Virginia 22102

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)

M.J. Wells & Associates, Inc. Employee
Stock Ownership Trust. All employees are
eligible plan participants; however, no one
employee owns more than 10% of any class
of stock.

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

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)

(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: September 21, 2009
(enter date affidavit is notarized)

1049631

for Application No. (s): SEA 79-V-093-02
(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)
RHC Associates, a New York General Partnership
396 Washington Street, Suite 287
Wellesley, MA 02481

(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)

- General Partners:
Roderick H. Cushman
Verena F. Cushman
Stefan H. Cushman
Christoph F. Cushman

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

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: September 21, 2009
(enter date affidavit is notarized)

1049636

for Application No. (s): SEA 79-V-093-02
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (**NOTE:** If answer is none, enter "NONE" on the line below.)

None

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Special Exception Attachment to Par. 2" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: September 21, 2009
(enter date affidavit is notarized)

1049630

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)
None

NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [] There are more disclosures to be listed and Par. 3 is continued on a "Special Exception Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

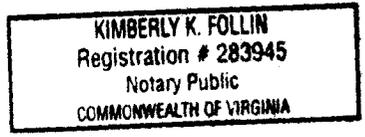
(check one) [] Applicant [X] Applicant's Authorized Agent

Inda E. Stagg, agent
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 21 day of September 20 09, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K. Follin
Notary/Public

My commission expires: 11/30/2011





Inda E. Stagg
 Land Use Coordinator
 (703) 528-4700 Ext. 5423
istagg@arl.thelandlawyers.com

WALSH COLUCCI
 LUBELEY EMRICH
 & WALSH PC

December 29, 2009

RECEIVED
 Planning & Zoning
 JAN 04 2010
 Evaluation Division

Via Hand Delivery

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

Re: Statement of Justification
 Fast Food Restaurant with Drive-Through (Category 6)
 Provisions for Modifications/Waivers/Increases and Uses in a Commercial
 Revitalization District (Category 6)
 McDonald's Corporation (the "Applicant")
 8735 Richmond Highway
 TM 109-2 ((2)) 3A (the "Application Property")
 L/C #45-0048

Dear Ms. Coyle:

The McDonald's Corporation ("McDonald's") is the Applicant. They are seeking special exception approval in order to reconstruct their existing fast food restaurant with drive through (established in 1970) to be demolished, and to permit a new fast food restaurant with drive through to be constructed on the Application Property pursuant to a Category 6 Special Exception. They are also seeking a Category 6 Special Exception for certain waivers and modifications in a Commercial Revitalization District.

Property Description

The 8735 Richmond Highway Property is located in the southeast quadrant of the intersections of Richmond Highway and Cooper Lane in the Mount Vernon Magisterial District. It is zoned C-8, HC and is within the Richmond Highway Commercial Revitalization District ("CRD"). According to the Fairfax County Tax Assessor, Parcel 3A contains approximately 35,010 square feet (0.80 acres) of land area and contains a 6,290 square foot McDonald's restaurant that was constructed in 1970.

History

The McDonald's Restaurant was constructed as a matter of right in 1970.

PHONE 703 528 4700 • FAX 703 525 3197 • WWW.THELANDLAWYERS.COM
 COURTHOUSE PLAZA • 2200 CLARENDON BLVD., THIRTEENTH FLOOR • ARLINGTON, VA 22201-3359

LOUDOUN OFFICE 703 737 3633 • PRINCE WILLIAM OFFICE 703 680 4664

On October 22, 1979, the Board of Supervisors approved Special Exception application SE 093-V-79 to permit a drive in window addition to the restaurant.

On February 27, 1984, the Board of Supervisors approved Special Exception Amendment SEA 79-V-093-1 to permit expansion of the restaurant.

Comprehensive Plan

The Application Property is located in the Mount Vernon Planning District (Area IV); Richmond Highway Corridor Area, Woodlawn Community Business Center, Sub-Unit B-2. Specific Plan Text for the Application Property states,

“Sub-unit B-2 is located along the east side of Richmond Highway south of Cooper Road. Parcels 109-2((2)) 3, 3A, 4, 4A, 5A; 110-1((17)) 3, 19 and 19A are planned for neighborhood retail use at .35 FAR...Access should be oriented to Cooper Road, and substantial buffering should be provided to the adjacent residential uses... Parking areas are well-screened and buffered from adjacent residential planned uses. Impacts on the adjacent environmental quality corridor are mitigated.”

There is an option for consolidation. The Plan states,

“As an option, if parcels 109-2((2)) 3A, 3, 4A, 4, 5, 5A, 6A, 19A, 110-1 ((17)) 3, and 19 are substantially consolidated, an office, retail and/or hotel project at an overall intensity of up to .65 FAR may be appropriate if [certain] conditions are met...”

The Applicant has chosen to develop under the base Plan recommendation. The development is proposed for 0.12 FAR, which is substantially less than the maximum recommended intensity. Access is provided from the existing service drive along Richmond Highway and from Cooper Road. There is an interparcel connection to the property located south of the Application Property as well. The Application Property is not adjacent to any residential planned uses or to the environmental quality corridor.

Response to Par. 7 of Sect. 9-011

A. Type of operation(s).

A new fast food restaurant with drive through will replace the existing fast food restaurant with drive through.

B. Hours of operation.

Indoor Service: 5:00 a.m. until 12:00 a.m. (Sunday to Thursday); 5:00 a.m. until 1:00 a.m. (Friday and Saturday)

Window: 24 hours a day, 7 days a week

C. Estimated number of patrons/clients/patients/pupils/etc.

500 per day at the Counter and 800 per day at the drive through

D. Proposed number of employees/attendants/teachers/etc.

Estimated total employee count on payroll is 80-85, including management, full time employees, and part time employees. However, it is estimated that there will only be an average of 11 employees on-site at any one time.

E. Estimate of traffic impact of the proposed use, including the maximum expected trip generation and the distribution of such trips by mode and time of day.

The new restaurant will replace an existing restaurant with similar transportation impacts; therefore a 527 Study was not required. Please see the February 2, 2009 letter from Wells + Associates to Mr. John Eidberger for this information.

F. Vicinity or general area to be served by the use.

Typically, fast food restaurants are frequented by customers who are already driving by the restaurant while on their way to another destination; however, it is anticipated that the general area to be served by the use is approximately three (3) miles.

G. Description of building facade and architecture of proposed new building or additions.

The proposed building will be constructed of brick veneer exterior walls (earth tone in color) with complimentary architectural colonnades (called "Building arcades") finished in EIFS. The colonnades "frame-in" and accentuate the building's exterior windows and customer entry doors. Building mounted and ground mounted lighting will be used to highlight the building architecture at night. These light fixtures are indirect lighting. Their aim is to highlight the building architecture.

H. A listing, if known, of all hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4 and 355; all hazardous waste as set forth in Virginia Department of Environmental Quality Hazardous Waste Management Regulations; and/or petroleum products as defined in Title 40, Code of Federal Regulations Part 280; to be generated, utilized, stored, treated, and/or disposed of on site and the size and contents of any existing or proposed storage tanks or containers.

There are no known hazardous materials on the site. The proposed development shall not generate any hazardous materials.

I. A statement that the proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards and any applicable conditions, or, if any waiver, exception or variance is sought by the applicant from such ordinances, regulations, standards and conditions, such shall be specifically noted with the justification for any such modification.

The proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards and applicable conditions, with the exception of the following requested waivers and modifications:

Modification of Parking Lot Landscaping/Streetscaping standards adjacent to Cooper Road.

Summary

The new restaurant on the Application Property will be an exciting upgrade and an asset to the community. The McDonald's Corporation welcomes the opportunity to continue operation in this location. The Applicant further believes that they meet the criteria for approval, and requests approval of their application.

Please let me know if you have any additional questions about this request.

Very truly yours,

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



Inda E. Stagg
Land Use Coordinator

cc: John Eidberger; McDonald's USA, LLC
Aaron Bodenschatz; Bohler Engineering P.C.
Robin Antonucci; Wells + Associates, Inc.
Gerry Hyland; Supervisor, Mount Vernon District
Earl Flanagan; Planning Commissioner, Mount Vernon District
M. Catharine Puskar; Walsh Colucci Lubeley Emrich and Walsh PC
Martin D. Walsh

Commitments to Green Building Practices for McDonald's rebuilds in Fairfax County

During the Zoning Process/Proffered Commitments (i.e. with ZED)

- Commit to verification of elements listed as "verify" under building plan, site plan or before bond release set forth below, either by letter from a LEED-AP or other equivalent green building certified professional who is also a licensed architect or engineer but not a McDonald's employee or by providing additional documentation as requested during the site or building plan process.
- Conduct construction activity pollution prevention by way of on-site erosion and sedimentation controls, as currently required for development in Virginia.
- Conduct environmental phase I site study for site.
- Do not redevelop land that is: prime farm land, or is in a 100 year flood plain, or inhabits federal or state endangered species, or within 100 feet of federal wetlands, or within 50 feet of seas, lakes, rivers, or streams, or was previously public parkland.
- Provide bicycle racks for customer usage.
- Provide low emitting and fuel efficient vehicle priority parking spaces for customer usage.
- Provide storm water management, best managed practices that meet or exceed current PFM requirements for water quantity and water quality, subject to any approved site specific modifications or waivers, emphasizing the use of LID/infiltration over traditional stormwater management and exceeding the required reduction of pollutant load in stormwater runoff where practical.
- Provide a building design that meets ASHRAE 62.1 ventilation requirements, as currently required for development in Fairfax County.
- Provide a non-smoking environment for the restaurant's customers and employees, as currently required for development in Virginia.
- Provide LED illumination of McDonald's signs.
- Use of native and non-invasive plants in landscaping.
- Where landscape irrigation is to be provided, drip irrigation or low flow methods will be provided in non turf areas as feasible.
- Provide pedestrian access (sidewalks and connectivity).
- Provide greater tree cover than currently exists on site.
- Site the building on existing developed area.
- Purchase renewable energy credits to offset up to 35% of the restaurant electrical demand.
- Provide on-site recycling of corrugated cardboard and used vegetable oil.
- Conduct construction waste management recycling for the existing building demolition, consisting of storefront windows, glass window lights in exterior doors, structural steel (columns, lintels, etc), storefront glass window frames, hollow metal doors/frames, and steel supports from dining room seating/tables. .
- Provide highly reflective (White Thermoplastic Polyolefin Membrane) building roof reducing localized heat island effect.

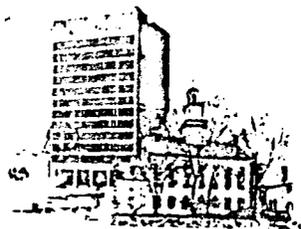
- Provide low flow water closets, urinals and lavatories.
- Provide automatic faucets for restroom hand sinks (lavatories) and kitchen area hand sinks, as allowed by the Health Department.
- Provide an energy-efficient building that meets ASHRAE 90.1 energy code requirements, as currently required for development in Fairfax County.
- Use Rooftop HVAC units with an 11 EER (Energy Efficiency Rating) for the 15 Ton Unit and a 13 SEER (Seasonal Energy Efficiency Rating) for the 4 Ton Unit.
- Use McDonald's proprietary back shelf exhaust hoods.
- Use compact fluorescent light fixtures as the predominant fixture in the dining room.
- Use high efficiency fluorescent light fixtures in kitchen area.
- Use full cut-off outdoor lighting to reduce light pollution, as currently required for development in Fairfax County.
- Use Energy Management System in building.
- Use low VOC adhesives, paints and sealants.

At Building Plan/DPWES (potentially in conjunction with ZED)

- Verify specification of highly reflective (White Thermoplastic Polyolefin Membrane) building roof.
- Verify specification of the Energy Management System in the building.
- Verify specification of McDonald's proprietary back shelf exhaust hoods.
- Verify specification of low VOC adhesives, paints and sealants.
- Verify specification of low flow water closets, urinals and lavatories.
- Verify specification of automatic faucets for restroom hand sinks (lavatories) and kitchen area hand sinks, as allowed by the Health Department.
- Verify specification of compact fluorescent light fixtures as the predominant fixture in the dining room.
- Verify specification of high efficiency fluorescent light fixtures in the kitchen area.

At Sign Permit

- Verify specification of LED illumination of McDonald's signs.



COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX

4100 CHAIN BRIDGE ROAD
 FAIRFAX, VIRGINIA 22030



March 1, 1984

Mr. William H. Hansbarger
 10523 Main Street
 Fairfax, Virginia 22030

Re: Special Exception
 Amendment 79-V-093-1

Dear Mr. Hansbarger:

At a regular meeting of the Board of Supervisors held on February 27, 1984, the Board approved Special Exception Amendment SEA 79-V-093-1 in the name of McDonald's Corporation, located as Tax map 109-2 ((2)) 3A for expansion of a fast food restaurant in a Highway Corridor District pursuant to Section 4-804, 7-607 and 9-601 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This Special Exception is granted for the location indicated in the application and is not transferable to other land.
2. This Special Exception is granted for the building and uses indicated on the plats submitted with the application only.
3. A site plan generally in conformance with the preliminary site plan herein as qualified by these conditions, will be submitted for approval in accordance with the provisions of Article 17 unless the requirement is waived by the Director, Department of Environmental Management.
4. The proposed parallel parking spaces at the southwestern corner of the site shall be designated for employee parking.
5. The curb cut between Route 1 and the service drive shall be closed when the service drive is extended to Sacramento Drive to the west.
6. There shall be one-way circulation only on the Cooper Road side of the property, to include DO NOT ENTER signs where appropriate.

SEA 79-V-093-1
March 1, 1984

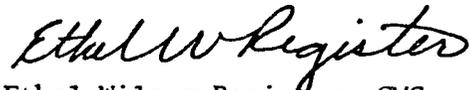
This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures,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

Under Section 9-015 of the Zoning Ordinance, this Special Exception shall automatically expire, without notice, eighteen (18) months after the approval date of the Special Exception unless construction has commenced, or an extension has been granted by the Board of Supervisors because of the occurrence of conditions unforeseen at the time of the granting of this Special Exception. A request for extension should cite justification for the extension and be filed with the Zoning Administrator prior to the expiration date.

The Board of Supervisors also waived the minimum lot requirement under Section 9-610 of the Zoning Ordinance; however, the Board did not waive the open space requirement.

If you have any questions concerning this Special Exception, please give me a call.

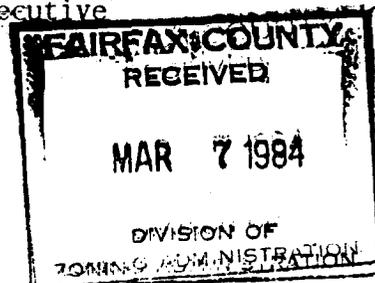
Very truly yours,



Ethel Wilcox Register, CMC
Clerk to the Board of Supervisors

EWR/mmg

cc: Mr. Patteson
✓ Mr. Knowlton
Mr. Covington
Mr. Saxe
Mr. Ted Austell, III
Executive Assistant to the County Executive





County of Fairfax, Virginia

MEMORANDUM

DATE: February 4, 2010

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: Land Use Analysis and Environmental Assessment: SEA 79-V-093-02
McDonald's Corporation

The memorandum, prepared by Jennifer Bonnette, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the subject Special Exception Amendment (SEA) application dated December 17, 2008 as revised through January 11, 2010. 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.

DESCRIPTION OF THE APPLICATION

The applicant, McDonald's Corporation, proposes to amend the existing Special Exception to reconstruct an existing McDonald's restaurant with drive-through with a 4,200 square foot, maximum 24 foot tall McDonald's restaurant with drive-through on an approximately 0.80 acre site. The proposed floor area ratio (FAR) is 0.12. The property is planned for retail use up to .35 FAR. As an option, an office, retail and/or hotel project at up to .65 FAR with substantial consolidation is planned.

LOCATION AND CHARACTER OF THE AREA

The subject property is located in the Richmond Highway Corridor Area's Woodlawn Community Business Center. The property is located on the southeast corner of Richmond Highway and Cooper Road inbetween two small shopping centers, including Cooper Center and Pear Tree Village. The uses surrounding the property are planned for and developed as retail uses and zoned C-8.

COMPREHENSIVE PLAN CITATIONS:

Land Use

In the Fairfax County Comprehensive Plan, 2007 Edition, Area IV, Mount Vernon Planning District, Richmond Highway Corridor Area, Woodlawn Community Business Center, Sub-unit B-2, as amended through August 3, 2009, on pages 64 - 65, the Plan states:

"Sub-unit B-2

Sub-unit B-2 is located along the east side of Richmond Highway south of Cooper Road. Parcels 109-2((2))3, 3A, 4, 4A, 5A; 110-1((17))3, 19 and 19A are planned for neighborhood retail use at .35 FAR. Parcels 110-1((15))1, 2, and 3 are planned for

neighborhood office use at 0.35 FAR. As an option, parcels 1, 2, 3 may develop as office use up to 0.50 FAR, if full consolidation can be achieved. Access should be oriented to Cooper Road, and substantial buffering should be provided to the adjacent residential uses. Parcels 109-2((2))5 and 6A are planned for residential use at 16-20 dwelling units per acre with an option for hotel use. Parking areas are well-screened and buffered from adjacent residential planned uses. Impacts on the adjacent environmental quality corridor are mitigated.

As an option, if parcels 109-2((2)) 3A, 3, 4A, 4, 5, 5A, 6A, 19A, 110-1 ((17)) 3, and 19 are substantially consolidated, an office, retail and/or hotel project at an overall intensity of up to .65 FAR may be appropriate if the following conditions are met:

- Uses are oriented toward Richmond Highway and buildings taper down in height toward adjacent residential uses;
- Buildings are designed to meet the criteria for LEED Silver green building certification;
- Dedication of needed right-of-way for planned road improvements, including bike lanes and the realignment of Sacramento Drive to Cooper Road, is provided;
- Mitigation of environmental impacts is provided. The related floodplain and wetland areas should be restored and protected;
- Access is provided at a median break and coordinated with planned roadway improvements;
- Provision of a pedestrian and bicycle circulation system which encourages pedestrian and bicycle traffic within the development, and to adjacent developments;
- Provision of substantial buffering and screening adjacent to residential and other existing uses;
- The traffic impact of the proposed development is thoroughly analyzed and mitigated using a Transportation Demand Management (TDM) program that may include shuttle bus service, Metrorail subsidies, and vanpool and carpool matching services; and
- Inclusion of urban design elements such as streetscaping, public art, pedestrian plazas, cultural/recreation facilities, landscaped open space, landmarks or building designs which will denote this area as a focal point of the Woodlawn Community Business Center. The urban design recommendations found at the end of this Plan are to be used as a guide.”

Environment

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through February 25, 2008, pages 7 to 18, the Plan states:

“Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County.

Policy a. Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment complies with the County’s best management practice (BMP) requirements. . . .

Policy j. Regulate land use activities to protect surface and groundwater resources.

Policy k. For new development and redevelopment, apply better site design and low impact development (LID) techniques. . . .

Development proposals should implement best management practices to reduce runoff pollution and other impacts. Preferred practices include: those which recharge groundwater when such recharge will not degrade groundwater quality; those which preserve as much undisturbed open space as possible; and; those which contribute to ecological diversity by the creation of wetlands or other habitat enhancing BMPs, consistent with State guidelines and regulations. . . .

Objective 3: Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.

Policy a. Ensure that new development and redevelopment complies with the County's Chesapeake Bay Preservation Ordinance. . . .

Objective 10: Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.

Policy a: Protect or restore the maximum amount of tree cover on developed and developing sites consistent with planned land use and good silvicultural practices.

Policy b: Require new tree plantings on developing sites which were not forested prior to development and on public rights of way.

Policy c: Use open space/conservation easements as appropriate to preserve woodlands, monarch trees, and/or rare or otherwise significant stands of trees, as identified by the County. . .

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

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

- Environmentally-sensitive siting and construction of development
- Application of low impact development practices, including minimization of impervious cover (See Policy k under Objective 2 of this section of the *Policy Plan*)
- Optimization of energy performance of structures/energy-efficient design
- Use of renewable energy resources
- Use of energy efficient appliances, heating/cooling systems, lighting and/or other products

- Application of water conservation techniques such as water efficient landscaping and innovative wastewater technologies
- Reuse of existing building materials for redevelopment projects
- Recycling/salvage of non-hazardous construction, demolition, and land clearing debris
- Use of recycled and rapidly renewable building materials
- Use of building materials and products that originate from nearby sources
- Reduction of potential indoor air quality problems through measures such as increased ventilation, indoor air testing and use of low-emitting adhesives, sealants, paints/coatings, carpeting and other building materials.

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

Policy b. Ensure that zoning proposals for nonresidential development and zoning proposals for multifamily residential development of four or more stories within the Tysons Corner Urban Center, Suburban Centers, Community Business Centers and Transit Station Areas as identified on the Concept Map for Future Development incorporate green building practices sufficient to attain certification through the LEED program or its equivalent, where applicable, where these zoning proposals seek at least one of the following:

- Development in accordance with Comprehensive Plan Options;
- Development involving a change in use from what would be allowed as a permitted use under existing zoning;
- Development at the Overlay Level; or
- Development at the high end of planned density/intensity ranges. For nonresidential development, consider the upper 40% of the range between by-right development potential and the maximum Plan intensity to constitute the high end of the range. . .

Policy d. Promote implementation of green building practices by encouraging commitments to monetary contributions in support of the county's environmental initiatives, with such contributions to be refunded upon demonstration of attainment of certification under the applicable LEED rating system or equivalent rating system.

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

COMPREHENSIVE PLAN MAP: Retail and Other

LAND USE ANALYSIS

Use and Intensity The applicant proposes to reconstruct an existing McDonald’s with drive-through at a 0.12 FAR. The Comprehensive Plan strongly discourages freestanding uses with drive-through facilities and uses that create high traffic volumes along the Richmond Highway Corridor and that contribute to the strip-commercial character of Richmond Highway. Since the McDonald’s is an existing use, and in order to improve the proposal, the applicant was asked to make several site design improvements such as remove parking spaces located in front of the building, enhance the proposed landscaping on site, and improve the streetscaping along Richmond Highway and Cooper Road. The applicant removed parking spaces in front of the restaurant and made several other improvements to the site.

Streetscaping and Landscaping The applicant has proposed to substantially improve the landscaping and streetscaping, by replacing the existing trees and increasing the number of trees along the property’s boundaries. A row of deciduous trees and evergreen plantings are shown in a 4.5 foot wide landscape strip along Cooper Road. Minimal plantings along this road exist currently. The SEA Plat shows that there are overhead wires above the sidewalk near the proposed street trees. It is recommended that an appropriate tree type, such as an ornamental, be planted so that the trees will not impact the wires. The sidewalk along Cooper Road will be widened from the existing 4 feet to 5 feet.

A double row of street trees is shown along the Richmond Highway frontage on either side of a nine foot wide masonry sidewalk. The applicant proposes to replace two existing trees in poor health with similar trees that are located in the median between the service road and Richmond Highway.

The streetscaping proposed along Richmond Highway and Cooper Road meets the intent of the Comprehensive Plan. However, the row of 19 parking spaces along the southern border of the property should be broken up by at least one parking island, particularly since only a one foot wide landscape strip between the parking spaces and the property boundary is now provided.

Additionally, the Comprehensive Plan recommends that all utility distribution lines be placed underground. Offsite overhead lines run parallel to the Cooper Road above the proposed streetscape and the above median between the service drive and Richmond Highway.

Signage The location for a proposed monument sign along the Richmond Highway frontage has been shown on the SEA Plat, but the applicant has not provided a graphic which shows the proposed dimensions. This information should be provided on the plat.

Pedestrian Circulation The applicant has made pedestrian improvements including providing crosswalks connecting the service drive median to the site, across the Richmond Highway site

entrance, and from the trail to the building entrance. In addition, it is recommended that a crosswalk across the Cooper Road site entrance and across Cooper Road at the intersection with Richmond Highway be provided.

ENVIRONMENTAL ANALYSIS

Green Building The applicant has been strongly encouraged to seek U.S. Green Building Council Leadership in Energy and Environmental Design (LEED) certification for the proposed restaurant. As a result of multiple discussions with staff, the applicant has agreed to many green building measures, including a commitment or verification either by letter by an LEED-Accredited Professional (AP) or equivalent green building-certified professional who is also a licensed architect or engineer but not a McDonald's employee, or the provision of additional documentation as requested during the site or building plan process for certain green building measures as identified by the applicant.

COUNTYWIDE TRAILS PLAN

The Countywide Trails Plan Map shows that the subject property is located in an area with other specific guidance regarding streetscaping and trail requirements and defers to the Area Plan for details. The applicable streetscaping and trail recommendations for Richmond Highway are found in the Transportation Policy Plan section, "Roads in Revitalization Areas," which call for a 9 foot wide curb edge landscaping strip, a 9 foot wide trail, and an 8 foot wide interior landscaping strip and no on-road bicycle route. The proposed streetscaping includes a 5 foot wide curb edge landscaping strip, a 9 foot wide trail, and an 8 foot wide landscape strip and no on-road bicycle route.

PGN: JRB

Additional Comprehensive Plan language:

In the Fairfax County Comprehensive Plan, 2007 Edition, Area IV, Mount Vernon Planning District, Richmond Highway Corridor Area, as amended through August 3, 2009, on pages 72 - 83, the Plan states:

Urban Design Recommendations

The Richmond Highway urban design recommendations are intended to help foster new development and redevelopment that function well together and contribute to a positive image of the area as a desirable place to live, work, shop or visit. These recommendations build on guidance found in the 1989 Richmond Highway Urban Design Study and the Virginia Department of Transportation Richmond Highway Study completed in 1998.

Historically, development in the Richmond Highway Corridor has occurred in an uncoordinated, strip-commercial manner with little attention to efficient functioning and aesthetic form. These deficiencies should be corrected in any new development or redevelopment through integration of the urban design elements prescribed in the following recommendations.

These recommendations specifically address streetscape, landscape, parking lot, building and site design and signage elements. Combined, these elements comprise the physical form. The guidance provided for each element seeks to create an improved visual image for the Richmond Highway Corridor. These recommendations will be used as performance criteria in the review of development applications and site plans for properties in the Richmond Highway Corridor. In addition, these recommendations support public and private revitalization in the Richmond Highway Corridor.

Given the existing uncoordinated development patterns along Richmond Highway, implementation of the following urban design recommendations will require creative application of the design elements described. Modifications in the application of the streetscape guidance outlined in this Plan will likely be necessary to respond to site conditions or roadway design considerations. Until such time as road improvements are designed and/or constructed along Richmond Highway, it will be necessary to provide flexibility in the implementation of streetscape improvements in the right of way. Urban design elements should be incorporated into each site in a way that transitions effectively to adjacent existing properties and future planned land uses.

STREETSCAPE ELEMENTS

Attractive streetscape includes a well designed road edge with street furniture and other features and provides an improved identity, visual continuity and user safety. In order to establish a uniform roadway edge on major and minor arterials, a consistent landscape corridor is prescribed which includes coordinated areas for landscaping, sidewalks and landscaped parking lot edges or browsing areas. Figures 18 and 19 visually display a cross section of the roadway edge plans as envisioned on major and minor roadways.

LANDSCAPE CORRIDOR

A landscape corridor consists of the total landscape treatments placed parallel to the road edge and property line between the curb and the building or parking lot. The following landscape corridor treatments are recommended:

A. Streetscape treatments for Richmond Highway, Kings Highway and Mount Vernon Memorial Highway:

As depicted in Figure 18, on these prominent roadways located within the Richmond Highway Corridor area, a 20'-25' total landscape corridor width should be provided and comprised of:

1. Off-site improvements:

- a. On east side of Richmond Highway and both sides of Kings Highway and Mount Vernon Highway:
 - 1) a 9' wide curb edge landscape strip and
 - 2) a 6' wide masonry sidewalk
- b. On west side of Richmond Highway:
 - 1) a 8' wide curb edge landscape strip and
 - 2) a 10' asphalt trail on the west side of the roadway; and

2. On-site improvements:

- a. On the east side of Richmond Highway and both sides of Kings Highway and Mount Vernon Highway provide either a 5' wide paved browsing area where a building abuts the landscape corridor or a 10' wide landscaped screening strip if a parking lot or other non-building edge types abuts the landscape corridor.
- b. On the west side of Richmond Highway provide either a 4' wide paved browsing area where a building abuts the landscape corridor or a 7' wide landscaped screening strip if a parking lot or other non-building edge types abuts the landscape corridor.

B. Streetscape treatments on all other streets intersecting Richmond Highway:

As depicted in Figure 19, on other streets that intersect Richmond Highway and are within the Richmond Highway Corridor area, a 15' total landscape corridor width should be provided and comprised of:

1. Off-site improvements:

- a. 5' wide curb edge landscape strip;
- b. 5' wide sidewalk; and

2. On-site improvements:

- a. either a 5' wide paved browsing strip where a building abuts the landscape corridor or a 5' wide landscaped screening strip when a parking lot or other non-building edge types abuts the landscape corridor.

BROWSING STRIP A browsing strip is an important part of the landscape corridor in areas where buildings are oriented toward the street and have little or no front setback. In these cases, a minimum 5' wide masonry surface between the sidewalk and building front should be provided to encourage pedestrian activity especially where retail stores are located

on the first level of a building.

CENTER HIGHWAY MEDIAN Along Richmond Highway, a 16'-20' raised median is planned as part of the highway improvements. This median should be planted with groups of flowering trees or large deciduous trees and underplanted with groundcovers and shrubs. Sight lines should not be obscured by plantings at initial installation or at maturity.

BICYCLE LANE Along the Richmond Highway streetscape, a bicycle lane should be accommodated in the wider outside roadway lanes in each direction. In addition, bicycles will be accommodated in a 10' multi-purpose trail on the west side of Richmond Highway.

STREET FURNITURE Provide some or all of these features in a coordinated style, where feasible and/or appropriate, both in streetscape and other areas:

Trash receptacles	Bollards
Benches	Planters
Kiosks	Water Fountains
Tree Grates/Guards	Bus Shelters
Bicycle Racks	

STREETLIGHTING Provide flat lens streetlight fixtures mounted on black painted poles with all wiring placed underground. In areas of significant pedestrian activity, uniform pedestrian-scale lampposts are more appropriate and can supplement the aforementioned overhead streetlights. All lighting fixtures should be well placed within the streetscape and have full cut-off lighting that is directed downward in an effort to reduce glare and provide uniform directed illumination.

UTILITIES Place all utility distribution lines underground.

LANDMARKS Provide distinctive major and minor features that contribute to a sense of place (i.e. clock towers, distinctive architecture, fountains, furnished open space, public art, arcades, plazas, etc.), where feasible and/or appropriate.

OPEN SPACE Preserve existing natural features or create attractive open space where people can gather and/or view in a pleasant environment.

GATEWAYS/ENTRY AREAS At locations identified in the Plan as gateways to the Corridor or Community Business Centers, provide distinctive features to identify entry into the Corridor and/or the individual Community Business Centers. Utilize special landscape and other treatments to identify and reinforce entry areas.

PAVEMENT TREATMENTS Provide surface treatments in pedestrian areas and on crosswalks that contrast with the roadway surface to enhance the appearance and clearly identify areas of pedestrian walkways.

ENVIRONMENTAL PRESERVATION Preserve sensitive environmental features and existing quality vegetation.

PARKING ELEMENTS

The provision of adequate parking is essential to commercial activities. Poorly designed parking lots dominate the Richmond Highway Corridor. These recommendations provide guidance for visually and functionally improving existing and new parking facilities.

INTERPARCEL ACCESS Provide vehicular and pedestrian connections between adjacent developments instead of service drives, where feasible.

PARKING LOT DESIGN

Divide lots into smaller sections using landscaped medians to avoid large expanses of parking areas.

Ensure adequate visual clearance at intersections.

Provide internal circulation which is efficient, yet attractive and user-friendly.

Consolidate access points.

Use clear and legible signs and other techniques to direct the flow of vehicular and pedestrian traffic.

Provide sidewalks or walkways for safe pedestrian access that connect to adjacent street sidewalks and/or trails.

PARKING LOT LIGHTING

Locate or screen parking lot lighting, with respect to spatial design and fixture height, to minimize impacts on adjacent neighborhoods.

When replacing or installing new lighting, eliminate direct glare through the use of fully-shielded luminaries that direct the light downward.

Lighting fixtures should be positioned, with respect to spatial design and fixture height, to give adequate uniformity of the illuminated area.

Place lighting for signs and/or buildings above and in front of the object to be illuminated and keep the light restricted to that area.

All lights should be directed downward and shielded to create less glare impact to drivers, pedestrians, neighbors and other users.

Placement of light fixtures should not conflict with landscape treatments, especially trees.

PARKING LOT LANDSCAPING

A. Interior Parking Lot Landscaping

When there is a proposed expansion or enlargement of an existing development which involves the addition of 20 or more parking spaces, provide at least 1 shade tree per 8 parking spaces in the new or expanded parking areas and exceed Zoning Ordinance requirements for parking lot landscaping by 5%. To achieve these ratios, the following alternatives or a combination of these alternatives should be considered:

1. Provide a continuous landscape strip between every four rows of parking. This should be a minimum of eight feet in width to accommodate a low hedge and shade trees, and/or
2. Create large planting islands (over 600 square feet) to be located throughout the lot and planted with shade trees, low shrubs, and/or ground cover. These should preferably be located at the ends of parking rows, and/or
3. Provide planting islands (a minimum of nine feet wide) between every 10 to 15 spaces to avoid long rows of parked cars. Each of these islands should provide at least one shade tree having a clear trunk height of at least six feet.

B. Peripheral Parking Lot Landscaping

1. When a parking lot abuts land not in a right of way, provide peripheral parking lot landscaping as follows:

- a. For expansions or enlargements of existing developments which involve the addition of less than 100% of the total gross floor area of all existing buildings on a lot, no peripheral landscaping should be required.
 - b. For redevelopments involving the total removal of all buildings on a lot and the construction of new buildings or the addition of 100% or more of the total gross floor area of all buildings on a lot or new developments on vacant land, a landscaping strip at least four feet in width should be located between the parking lot and the abutting property lines, except where driveways or other openings may necessitate other treatment. Within that landscape strip at least one tree for each fifty linear feet should be planted.
2. For new development and expansions, enlargements or redevelopment of existing developments as described above, and when a parking lot property line abuts the right of way, a landscaping strip ten (10) feet in width on the east side of Richmond Highway and both sides of Kings Highway and seven (7) feet in width on the west side of Richmond Highway, exclusive of sidewalk, trail or parallel utility easements, should be located on the lot where it abuts the right of way. On other streets intersecting Richmond Highway, a five (5) foot parking strip shall be required where a parking lot property line abuts the right of way. This landscaping strip should be planted in accordance with the landscape treatments section recommended in the landscape elements section of these urban design recommendations.

Flexibility in the application of the preceding parking lot landscaping guidance may be necessary if it is not feasible to meet these requirements in the case of expansions or enlargements of existing developments.

C. Structured Parking

The visual impacts of structured parking should be reduced by:

1. Rooftop Landscaping. On the top level, landscape areas should be provided, and planted with shade trees and shrubs. These should be provided at a minimum at the end of each row of parking.
2. Landscaped Setbacks. The perimeter of the parking structure should be landscaped at ground level.
3. Multilevel Plantings. The use of planting boxes and trellises should be considered on the exterior parapet of parking structures.
4. All of the above landscaping applications will need to have special detailed designs developed to ensure proper drainage within the landscaped areas.

D. Parking Lot Entry Landscaping

Provide distinctive landscape treatments at parking lot entry points.

LANDSCAPE ELEMENTS

The provision of well placed, selected and maintained plant materials will improve visual and environmental conditions and make the Richmond Highway corridor more attractive to users.

PLANTINGS WITHIN THE LANDSCAPE CORRIDOR

Tree Planting Patterns within Landscape Strips Along Richmond Highway

Within Community Business Centers, a linear planting pattern along Richmond Highway is recommended within the landscape strips. A minimum of 1 canopy tree per 25-30 linear feet with regular spacing should be provided depending on tree species selected, whether overhead utility lines exist and VDOT requirements.

Within Suburban Neighborhood Areas, a random or clustered planting pattern along Richmond Highway is recommended within landscape strips. A minimum of 3 trees per cluster with clusters spaced at least every 30 to 40 feet should be provided depending on the tree species selected, whether overhead utility lines exist and VDOT requirements.

Parking Lot Planting Strips

In parking lot planting strips that abut a right of way, in addition to the tree plantings recommended in the Parking Elements section above, provide a hedge row underplanting to screen vehicles from view.

Landscape Corridor Trees

Within the landscape corridor landscape and planting strips, if there are no existing or proposed overhead utility lines, there should be at least one (1) large deciduous tree planted in the landscaping strips for each thirty (30) feet of length. If there are overhead utility lines, there should be at least one (1) small to medium deciduous tree planted in the landscaping strips every twenty-five (25) feet of length. Trees planted in the landscaping strips beneath overhead utility lines should be of a shape and character so as not to interfere with the utility lines.

TREE SELECTION CRITERIA

The following criteria should be used in the selection of trees:

- 1) Drought resistant
- 2) Tolerant of site light conditions
- 3) Must not exceed 30' tall at maturity if placed under utility lines
- 4) Minimum 2 1/2" caliper at time of planting
- 5) 5-6' branch clearance, when planted, for street and peripheral parking lot trees
- 6) Requires low maintenance
- 7) Bears no objectionable fruit
- 8) Species is readily available
- 9) Single stemmed along streets and either single stemmed or multi-stemmed in interior parking lots or other appropriate landscape areas
- 10) Road salt tolerant
- 11) Disease resistant
- 12) Insect resistant

RECOMMENDED TREE SPECIES

The following species are choices to consider. Other species may be appropriate as determined by the Urban Forester.

- | | | |
|---|---|---|
| <p>a. Large Deciduous Trees
 red oak
 green ash
 willow oak
 London planetree
 zelkova
 (columnar)
 red maple
 silver linden</p> | <p>b. Medium Deciduous Trees
 Sargent or kwanzan cherry
 goldenrain tree
 crabapples
 downy serviceberry
 kousa dogwood
 saucer/star magnolia
 hedge maple
 flowering plum
 hawthorn</p> | <p>c. Columnar Trees
 hedge maple
 red maple
 gingko (columnar varieties)
 English oak
 varieties)</p> |
| <p>d. Evergreen Trees
 eastern white pine
 eastern red cedar
 leyland cypress</p> | <p>e. Groundcover/Grass
 horizontal juniper species
 lirioppe
 fountain grasses
 red meidiland rose</p> | |
| <p>f. Shrub Hedges</p> | | |

4'-6' at maturity	2'-3' at maturity
Manhattan euonymus	andorra juniper
dwarf burning bush	gold coast juniper
pfitzer juniper	William Penn barberry
densiformis yew	helleri holly
glossy abelia	bonica rosa
sea green juniper	
compact inkberry	

TREE AND PLANT MAINTENANCE Property owners and/or managers shall agree during the development process to maintain and replace plant materials and trees placed in the adjacent right of way and on the property to ensure the long term viability of trees and plants.

BUILDING/SITE DESIGN ELEMENTS

Quality architectural and site design provide a sense of identity to the corridor. Coordinated and compatible architectural and site design are essential to achieve a well-designed corridor.

EXISTING BUILDING IMPROVEMENTS

Replace unsightly elements, including signs, siding and artificial materials with more appropriate features and/or materials.
Where original quality building materials are to be retained, new building materials should match the original as closely as possible in material, color and texture.
Mechanical equipment and other elements located on the roof of a building should be effectively screened.

MASS OF NEW BUILDINGS Create building mass that minimizes adverse impacts on adjacent neighborhoods and is compatible with other surrounding uses through the use of tapered building heights, appropriate setbacks, and transitional screening and barriers.

SCALE AND SITING OF NEW BUILDINGS Where feasible, incorporate architectural features at the street level that relate to human size and increase the pedestrian comfort level. Incorporate urban design elements, such as trees, benches, special pavement treatments, awnings, setbacks, tapered building heights, browsing areas, lighting and plant materials to visually soften the harder architectural features of the building and create an attractive pedestrian-friendly environment that will reinforce retail activities.

The following guidelines should be used to determine the appropriate scale and site location of new buildings:

1. Where feasible, orient commercial buildings toward the road with parking lots to the side and rear to create an urban atmosphere. Where buildings are oriented to the road, no minimum front yard is required except as needed for the streetscape treatments described above.
2. Site buildings to discourage large expanses of parking adjacent to and visible from roadways.
3. Cluster buildings to reinforce a neighborhood style or ambience, where appropriate.
4. Site buildings with respect to natural topography and other environmental and historic features



County of Fairfax, Virginia

MEMORANDUM

DATE: October 5, 2009

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

FROM: 
Barbara A. Byron, Director
Office of Community Revitalization and Reinvestment

SUBJECT: McDonald's - Comments on Revised SEA 79-V-093-02

The Office of Community Revitalization and Reinvestment (OCRR) has reviewed the above referenced Special Exception plat date stamped as "Received Department of Planning and Zoning, September 25, 2009".

The applicant has made sufficient improvements to its development plat, most notably the addition of trees and landscaping to the site by creating two (2) landscape islands using (2) of the on-site parking spaces along the Cooper Road frontage. These landscaped islands with trees will mitigate some of the adverse impacts for which a waiver is being requested. Additionally, the applicant is proving for future inter-parcel access for the site should the service road be eliminated in any future widening of Richmond Highway. Finally, the proposed building's architecture is a substantial improvement over the existing building's architecture and will have a beneficial effect on revitalization efforts along Richmond Highway.





County of Fairfax, Virginia

MEMORANDUM

October 8, 2009

TO: Kelli-Mae Goddard-Sobers, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Jessica Strother, Urban Forester II
Forest Conservation Branch, UFMD, LDS, DPWES

SUBJECT: McDonald's 8735 Richmond Highway, SEA 79-V-093-02

RE: Your Request for Comments and Recommendations

This review is based on the Special Exception Plat (SEP) stamped as received by the Department of Planning and Zoning on September 25, 2009. Previous comments were provided to you in July 2009, based on an earlier SEP. An SEP dated August 21, 2009, was submitted to you, but due to time constraints, comments and recommendations were not provided at that time.

- Comment:** The proposed 4' wide peripheral parking lot landscaping buffer area along the western boundary of the site indicates Category III trees to be planted within it. The width should be 8' in order to support a Category III or IV tree, per the Public Facilities Manual. Additionally, another Category IV tree is proposed in the southern portion of the property within a 4' wide planting area.

Recommendation: Preferably widen the peripheral buffer area to 8' feet in width or provide only Category II trees. Revise the SEP and associated landscape and calculations to reflect one or the other recommendations above.

- Comment:** The Category IV tree proposed in the far northwestern corner of the property is too close to the proposed sidewalk, and will create infrastructure problems as well as safety issues. Re-locate this tree, and change the category of tree to II instead of IV.

Recommendation: It appears there may be room for a Category II tree in the southerly portion of the property. Revise the SEP.

- Comment:** Additional perennial flowers would be beneficial along the western boundary of the site, in between the proposed trees.

Recommendation: Revise the SEP.

JGS/
UFMID #: 146623

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





County of Fairfax, Virginia

MEMORANDUM

DATE: September 17, 2009

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

FROM: Angela Kadar Rodeheaver: *AKR by CAA*
Site Analysis Section
Department of Transportation

FILE: 3-5 (SE 79-V-093)

SUBJECT: Transportation Impact

REFERENCE: SEA 79-V-093-2
McDonald's 8735 Richmond Highway
Traffic Zone: 1554
Land Identification Map: 109-2 ((2)) 3A

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 12, 2008, and revised through August 20, 2009. The Applicant proposes to replace an existing fast food restaurant and drive through with a new fast food restaurant and drive through. The hours of operation are 5:00 a.m. to 12:00 midnight Sunday to Thursday and 5:00 a.m. to 1:00 a.m. Friday and Saturday. The drive through is open 24 hours a day seven days a week. Estimated number of patrons per day is 500 at the counter inside and 800 at the drive through. The applicant should:

- Provide pedestrian access from the service drive into the site.
- Provide a 5-foot sidewalk to VDOT standards (4.5 feet from face of curb, 5-foot sidewalk, 1 foot to property line) along the Cooper Road frontage.
- Commit to providing future interparcel access to the south at such time as Route 1, Richmond Highway, is widened.
- Provide bike racks on site.

It would be desirable for the applicant to commit to add pedestrian signals at the Cooper Road/Route 1 intersection, subject to VDOT's approval.

AKR/LAH/lah



County of Fairfax, Virginia

MEMORANDUM

DATE: February 17, 2010

TO: Kelli Goddard-Sobers, 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 Amendment Application #SEA 79-V-093-02, McDonald's at 8735 Richmond Highway, Special Exception Plat dated February 2, 2010, LDS Project #6170-ZONAV-001-C-1, Tax Map #109-2-02-0003A, Mount Vernon District

We have reviewed the subject application and offer the following stormwater management comments.

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on this site.

Water quality controls are required for this redevelopment (PFM 6-0401.2B). The use of Stormfilters has been specified in the water quality calculations; they have not been located on the plan. The engineer has indicated the Stormfilter will be located in conjunction with the underground storage.

Floodplain

There are no regulated floodplains on the property.

Downstream Drainage Complaints

There are no downstream drainage complaints on file.

Stormwater Detention

Stormwater detention is required; an underground facility is shown on the plan. Before site plan approval, a PFM modification will be required for an underground detention facility less than 72 inches high (PFM 6-1306.3H). The plan drawing shows the height of the detention facility to be 3 to 4 feet and the profile view of the detention facility shows the height to be 2.5 feet. Facilities less than 5 feet in height will be required to be a arch-type facility and not constructed with circular pipe as shown on the cross-section diagram. There might insufficient elevation difference on the site to handle the required drop across a Stormfilter and the height of the underground storage.

Site Outfall

An outfall narrative has been provided.

Please contact me at 703-324-1720 if you require additional information.

cc: 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



7-607 Special Exception Uses

1. All uses permitted by special exception in the underlying zoning district(s) except as qualified by Sect. 601 above.
2. Except as permitted by right pursuant to Sections 4-502, 4-602, 4-702, 4-802, 4-902 and 10-202, drive-in financial institutions, fast food restaurants, quick-service food stores, service stations and service station/mini-marts subject to the provisions of Part 6 of Article 9 and Sect. 608 below.

7-608 Use Limitations

All uses shall be subject to the use limitations set forth in the underlying zoning district(s), and, in addition, drive-in financial institutions, fast food restaurants, quick-service food stores, service stations and service station/mini-marts shall be subject to the following use limitations:

1. In any Highway Corridor Overlay District:
 - A. Such a use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties.
 - B. Such a use shall have access designed so as not to impede traffic on a public street intended to carry through traffic. To such end, access via the following means may be given favorable consideration:
 - (1) Access to the site is provided by a public street other than one intended to carry through traffic, and/or
 - (2) Access to the site is provided via the internal circulation of a shopping center, which center contains at least six (6) other commercial uses, or an office complex having a limited number of well-designed access points to the public street system and no additional direct access is provided to the site from a public street intended to carry through traffic over and above those entrances which may exist to provide access to the shopping center, and/or
 - (3) Access to the site is provided by a functional service drive, which provides controlled access to the site.
 - C. 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.
2. Where the underlying district is C-2, C-3 or C-4, in addition to Par. 1 above:
 - A. Service stations shall not include any uses such as vehicle or tool rental.

- B. Service stations shall not be used for the performance of major repairs, and shall not include the outdoor storage of more than two (2) abandoned, wrecked or inoperable vehicles on the site for more than seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, in no event shall any one (1) abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding seventy-two (72) hours.
- 3. Where the underlying district is C-5 or C-6, in addition to Par. 1 above:
 - A. Service stations and service station/mini-marts shall not be used for the performance of major repairs, and shall not include the outdoor storage of more than two (2) abandoned, wrecked or inoperable vehicles on the site for more than seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, in no event shall any one (1) abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding seventy-two (72) hours.
- 4. Where the underlying district is C-7, C-8, C-9, I-3 or I-4, in addition to Par. 1 above:
 - A. 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.
- 5. Where the underlying district is I-5 or I-6, in addition to Par. 1 above: A. Service stations and service station/mini-marts shall not be used for the performance of major repairs.

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.

9-611 Provisions for Approving Drive-In Financial Institutions, Fast Food Restaurants, Quick-Service Food Stores, Service Stations and Service Station/Mini-Marts in a Highway Corridor Overlay District

The Board may approve a special exception for the establishment or for the enlargement, extension, relocation or increase in intensity of a drive-in financial institution, fast food restaurant, quick-service food store, service station or service station/mini-mart in a Highway Corridor Overlay District, but only in accordance with the provisions of Part 6 of Article 7.

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.

BANDONMENT: 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
DUI/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		