



# County of Fairfax, Virginia

---

**2010 Planning  
Commission**

January 14, 2010

**Peter F. Murphy, Jr.**  
Chairman  
*Springfield District*

**Walter L. Alcorn**  
Vice Chairman  
*At-Large*

**Suzanne F. Harsel,**  
Secretary  
*Braddock District*

**Frank de la Fe**  
Parliamentarian  
*Hunter Mill District*

**Jay Donahue**  
*Dranesville District*

**Earl L. Flanagan**  
*Mount Vernon District*

**Janet R. Hall**  
*Mason District*

**James R. Hart**  
*At-Large*

**John L. Litzenberger**  
*Sully District*

**Kenneth A. Lawrence**  
*Providence District*

**Rodney L. Lusk**  
*Lee District*

**Timothy J. Sargeant**  
*At-Large*

**Barbara J. Lippa**  
*Executive Director*

**Sara Robin Ransom**  
*Assistant Director*

**Linda B. Rodeffer**  
*Clerk to the Commission*

**Rob Neuner, Project Manager**  
**ARK Sign Services**  
3622 East Street  
Hyattsville, MD 20785

**RE: CSPA-1999-PR-060-02 – Bertucci's**  
Providence District

Dear Mr. Neuner:

This will serve as your record of the Planning Commission's action on CSPA-1999-PR-060-02, an application by Bertucci's Restaurant in the Providence District.

On Wednesday, January 13, 2010, the Planning Commission voted unanimously (Commissioner Hall not present for the vote; Commissioners Harsel, Litzenberger, and Sargeant absent from the meeting) to approve CSPA-1999-PR-060-02, subject to the development conditions, dated January 11, 2010, as attached.

Also attached for your information is a copy of the verbatim excerpt from the Planning Commission's action on this application. Should you need any additional information on this action, please do not hesitate to contact me at 324-2865.

Sincerely,

**Barbara J. Lippa**  
Executive Director

Attachments (a/s)

cc: Linda Smyth, Supervisor, Providence District  
Ken Lawrence, Commissioner, Providence District  
St. Clair Williams, Staff Coordinator, ZED, DPZ  
January 13, 2010 Date File  
O-8c File

To request special accommodations, call the Planning Commission office at 703-324-2865, TTY 703-324-7951. Please allow seven working days to make the appropriate arrangements.



## **PROPOSED DEVELOPMENT CONDITIONS**

**CSPA 1999-PR-060-02**

**January 11, 2010**

If it is the intent of the Planning Commission to approve CSPA 1999-PR-060-02 to amend the previously approved Comprehensive Sign Plan to modify the signs previously approved for the building located at Tax Map 39-2 ((15)) 30 pursuant to Sect. 12-210 of the Fairfax County Zoning Ordinance, staff recommends that the approval be subject to the following development conditions. These development conditions shall be in addition to the previously approved development conditions for CSPA 1999-PR-060 (attached) which shall remain in full force and effect.

1. This Comprehensive Sign Plan Amendment is granted for and runs with the land indicated in this application and is not transferable to other land. Minor deviations in sign location, design and sign area may be permitted when the Zoning Administrator determines that such deviations are minor and are in substantial conformance with the Comprehensive Sign Plan.
2. This Comprehensive Sign Plan Amendment prepared by ARK Sign Services, Inc., dated January 8, 2010, is approved only for the signs and location indicated on the Comprehensive Sign Plan Amendment approved with the application. Those signs allowed by Article 12-103 are also permitted, as qualified by these development conditions.
3. The sign area for the proposed sign for Bertucci's Italian Restaurant located between the third and fourth floors along the north side of the building shall not exceed 50 square feet.
4. The proposed sign for Bertucci's Italian Restaurant shall be manufactured and installed in conformance with the designs illustrated in the Comprehensive Sign Plan Amendment.

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

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. Sign permits must be obtained from Fairfax County for each and every sign erected pursuant to this Comprehensive Sign Plan. The applicant shall be himself responsible for obtaining the required Sign Permits through established procedures.

Planning Commission Meeting  
January 13, 2010  
Verbatim Excerpt

CSPA 1999-PR-060-02 – BERTUCCT'S C/O ROB NEUNER

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed; Mr. Lawrence.

Commissioner Lawrence: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION APPROVE CSPA 1999-PR-060-02, SUBJECT TO THE DEVELOPMENT CONDITIONS NOW DATED January 11th -- I think it is -- 2010. Is it 11th?

Chairman Murphy: Yes.

Commissioner Lawrence: Thank you. JANUARY 11, 2010.

Commissioner Alcorn: Second.

Chairman Murphy: Seconded by Mr. Alcorn. Is there a discussion of the motion? All those in favor of the motion to approve CSPA 1999-PR-060-02, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: Thank you, Mr. Chairman.

Chairman Murphy: Thank you.

//

(The motion carried unanimously with Commissioner Hall not present for the vote; Commissioners Harsel, Litzenberger, and Sargeant absent from the meeting.)

KAD



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

APPLICATION No: CSPA 2009-0158

RECEIVED  
 Department of Planning and Zoning  
 JUN 16 2009  
 (Assisted by staff)  
 Zoning Evaluation Division

**AMENDMENT TO A CSP**  
**APPLICATION FOR A ~~REZONING~~**  
 (PLEASE TYPE or PRINT IN BLACK INK)

**PETITION**

TO: THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA

I (We), Bertucci's c/o Rob Neuner, the applicant (s) petition you to adopt an ordinance amending the Zoning Map of Fairfax County, Virginia, by reclassifying from the CS, H, SC District to the CS, H, SC District the property described below and outlined in red on the Zoning Section Sheet(s) accompanying and made part of this application. RTN 7/23/09

APPLICATION TYPE(S):  PCA  CDP  FDP  CDPA  FDPA

LEGAL DESCRIPTION: Worthington Heights

Lot(s)	Block(s)	Subdivision	Deed Book	Page No.
<u>30</u>				

**TAX MAP DESCRIPTION:**

<u>0392</u>	<u>15</u>		<u>0030</u>	<u>17,050 sq. ft. incl. for A.N.</u>
Map No.	Double Circle No.	Single Circle No.	Parcel(s)/Lot(s) No.	Total Acreage

**POSTAL ADDRESS OF PROPERTY:**

1934 Old Gallows Rd.

**ADVERTISING DISCRIPTION: (Example - North side of Lee Highway approx. 1000 feet west of its intersection with Newgate Blvd.)**

West side of Old Gallows Rd  
 PRESENT USE: Restaurant RTN 7/23/09 PROPOSED USE: Restaurant  
 MAGISTERIAL DISTRICT: Providence OVERLAY DISTRICT (S): SC, HC

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

Rob Neuner  
 Type or Print Name

Rob Neuner  
 Signature of Applicant or Agent

3622 East St., Hyattsville, MD 20785  
 Address

(Work) 301-384-1300 (Mobile) 301-938-4176  
 Telephone Number

Please provide name and telephone number of contact if different from above:

CSPA 2009-0158 w/7/23/09

**DO NOT WRITE BELOW THIS SPACE**

Date application accepted: 7/30/09 Virginia Ruffner

Fee Paid \$1,335.<sup>00</sup>

ZAPS USER GENERATED REPORTS  
**ZONING APPLICATION SUMMARY REPORT**  
**APPLICATION NUMBER: CSPA 1999-PR-060-02**

DECISION DATE: 1-13-2010

HEARING BODY: PC

CRD: NO

MAGISTERIAL DISTRICT: PROVIDENCE

APPLICANT NAME BERTUCCI'S C/O ROB NEUNER

STAFF COORDINATOR: SWILLI

ACTION: APPROVE

**DECISION SUMMARY:**

ON JANUARY 13, 2010 THE PLANNING COMMISSION UNANIMOUSLY  
 APPROVED CSPA 1999-PR-060-02 ON A MOTION BY COMMISSION  
 ER LAWRENCE, SUBJECT TO DEVELOPMENT CONDITIONS DATED JA  
 NUARY 11, 2010.

**ZONING INFORMATION****EXISTING ZONING**

<u>DISTRICT</u>	<u>AREA</u>
PDC	17,050.00 SQ FEET
<b>TOTAL</b>	<b>0.39 ACRES</b>

**APPROVED AREA**

<u>DISTRICT</u>	<u>AREA</u>
PDC	17,050.00 SQ FEET
<b>TOTAL</b>	<b>0.39 ACRES</b>

**TAX MAP NUMBERS**

039-2- /15/ /0030-

**DEVELOPMENT CONDITION INFORMATION**

DEVELOPMENT CONDITION STATEMENT DATE: 01-11-2010

<u>ITEM</u>	<u>DUE DATE</u>	<u>TRIGGER NO.</u>	<u>TRIGGER EVENT</u>	<u>CONTRIB AMT</u>	<u>EXPIRATION DATE</u>
MINOR MODIFICATIONS	01-01-0001	0	N/A	\$	01-01-0001
SIGNAGE	01-01-0001	0	N/A	\$	01-01-0001
CONDITION - DEVELOPMENT PLAN	01-01-0001	0	N/A	\$	01-01-0001

**WAIVERS/MODIFICATIONS**

APPROVED WAIVERS/MODIFICATIONS

**SUPPLEMENTAL MOTIONS**

SUPPLEMENTAL MOTIONS APPROVED