



FAIRFAX COUNTY

APPLICATIONS FILED: September 26, 2002
APPLICATIONS AMENDED: May 7, 2003
PLANNING COMMISSION: June 25, 2003
BOARD OF SUPERVISORS: Not Scheduled

V I R G I N I A

June 11, 2003

STAFF REPORT

**APPLICATIONS RZ 2002-SU-034 and
SE 2002-SU-039**

SULLY DISTRICT

APPLICANTS: Dennis O. and Karen M. Hogge

PRESENT ZONING: R-1: (Lots 65 and 68, 0.90 acre)
C-1: (Lots 66 and 67, 0.89 acre)
HC, SC and WS

REQUESTED ZONING: C-6, HC, SC and WS

PARCEL(S): 54-4 ((1)) 65 - 68

SE CATEGORY: Categories 5 and 6
(Vehicle Light Service Establishment and Fast Food
Restaurant with Drive-through in a Highway Corridor
Overlay District)

ACREAGE: 1.79 Acres

FAR: 0.11

OPEN SPACE: 35.23%

PLAN MAP: Retail and Other

PROPOSAL: Request approval of a rezoning from the R-1 and C-1
Districts to the C-6 District to permit commercial
development of the property. Request approval of a
special exception application to permit development of a
vehicle light service establishment (Midas Mufflers) and a
fast food restaurant with drive-through (Wendy's).

STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 2002-SU-034 subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of SE 2002-SU-039 subject to the proposed development conditions contained in Appendix 2.

Staff recommends a modification of the transitional screening and barrier requirements to the east in favor of the treatment depicted on the GDP/SE Plat.

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.

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.



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

Rezoning Application

RZ 2002-SU-034

Special Exception Application

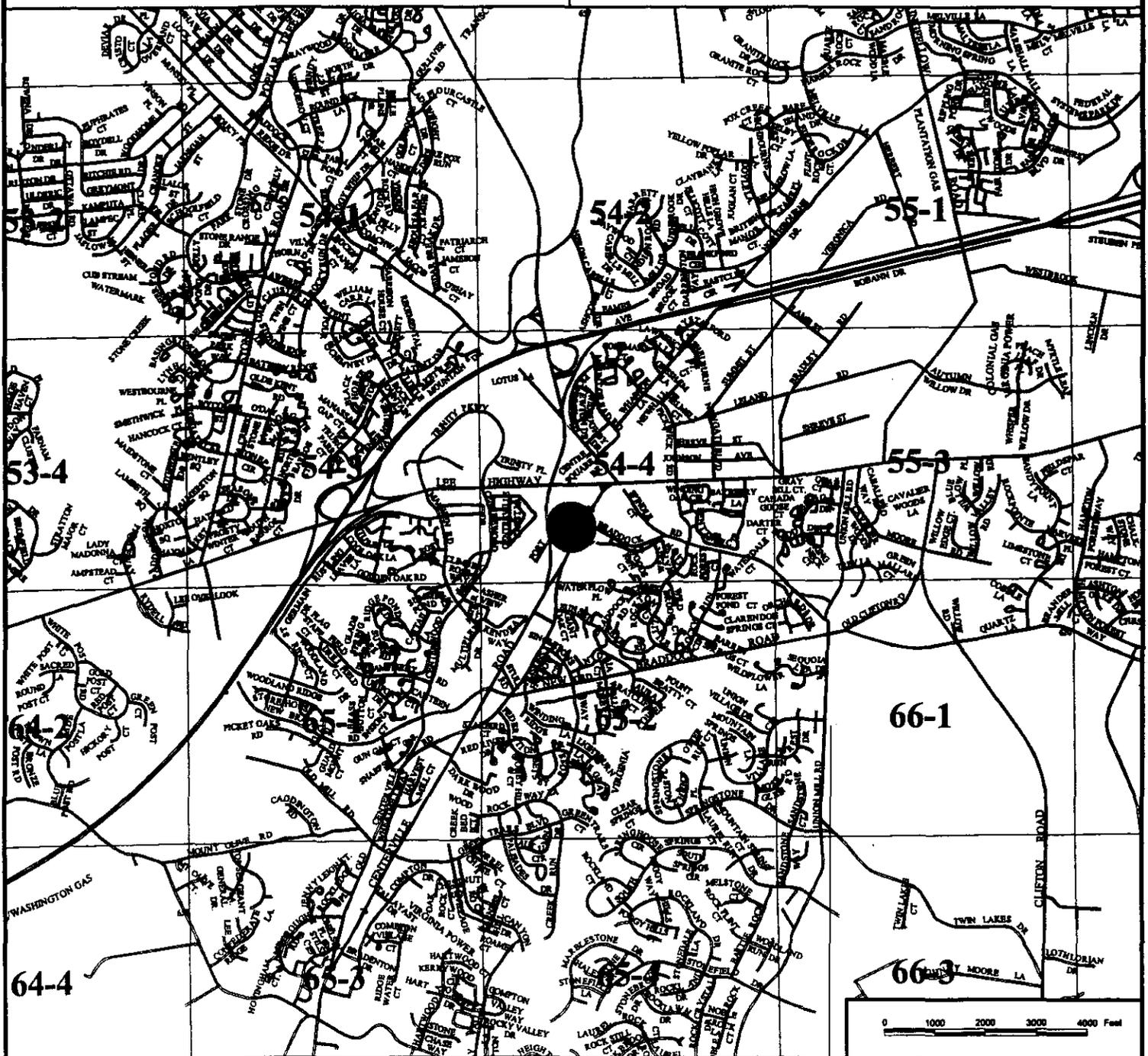
SE 2002-SU-039

Applicant: DENNIS O. HOGGE AND KAREN M. HOGGE
Filed: 09/26/2002 AMENDED 05/07/2003-
Area: 1.79 AC OF LAND; DISTRICT - SPRINGFIELD
Proposed: COMMERCIAL DEVELOPMENT
Located: IN THE N.W. QUADRANT OF THE INTERSECTION OF OLD CENTREVILLE RD. AND WEST VIEW DR.

Zoning: FROM R-1 TO C-6, FROM C-1 TO C-6
Overlay Dist: HC WS SC
Map Ref Num: 054-4- /01/ /0065 /01/ /0066 /01/ /0067 /01 / /0068

Applicant: DENNIS O. HOGGE AND KAREN M. HOGGE
Filed: 09/26/2003 AMENDED 05/07/2003
Area: 1.79 AC OF LAND; DISTRICT - SPRINGFIELD
Proposed: VEHICLE LIGHT SERVICE ESTABLISHMENT AND FAST FOOD RESTAURANT

Zoning Dist Sect: 04-0604 04-0604 07-0607
Art 9 Group and Use: 5-11 5-23 6-07
Located: IN THE N.W. QUADRANT OF THE INTERSECTION OF OLD CENTREVILLE RD. AND WEST VIEW DR.
Zoning: C-6 Plan Area: 3
Overlay Dist: HC WS SC
Map Ref Num: 054-4- /01/ /0065 /01/ /0066 /01/ /0067 /01 / /0068



Rezoning Application

RZ 2002-SU-034

Applicant: DENNIS O. HOGGE AND KAREN M. HOGGE
Filed: 09/26/2002 AMENDED 05/07/2003-
Area: 1.79 AC OF LAND; DISTRICT - SPRINGFIELD
Proposed: COMMERCIAL DEVELOPMENT

Located: IN THE N.W. QUADRANT OF THE INTERSECTION OF OLD CENTREVILLE RD. AND WEST VIEW DR.

Zoning: FROM R-1 TO C-6, FROM C-1 TO C-6

Overlay Dist: HC WS SC

Map Ref Num: 054-4- /01/ /0065 /01/ /0066 /01/ /0067 /01 / /0068

Special Exception Application

SE 2002-SU-039

Applicant: DENNIS O. HOGGE AND KAREN M. HOGGE
Filed: 09/26/2003 AMENDED 05/07/2003
Area: 1.79 AC OF LAND; DISTRICT - SPRINGFIELD
Proposed: VEHICLE LIGHT SERVICE ESTABLISHMENT AND FAST FOOD RESTAURANT

Zoning Dist Sect: 04-0604 04-0604 07-0607

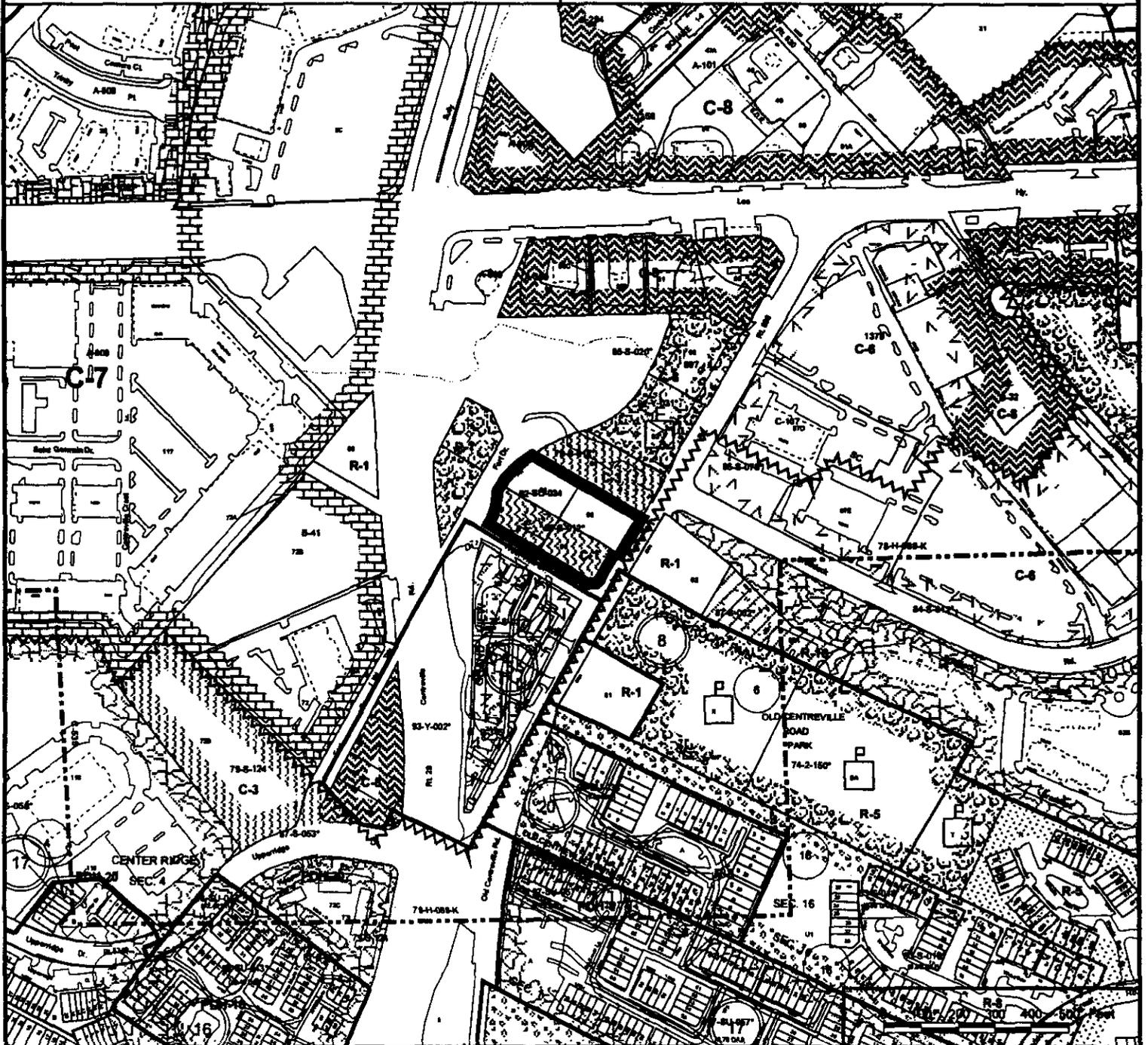
Art 9 Group and Use: 5-11 5-23 6-07

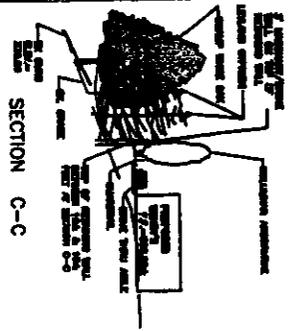
Located: IN THE N.W. QUADRANT OF THE INTERSECTION OF OLD CENTREVILLE RD. AND WEST VIEW DR.

Zoning: C-6 **Plan Area:** 3

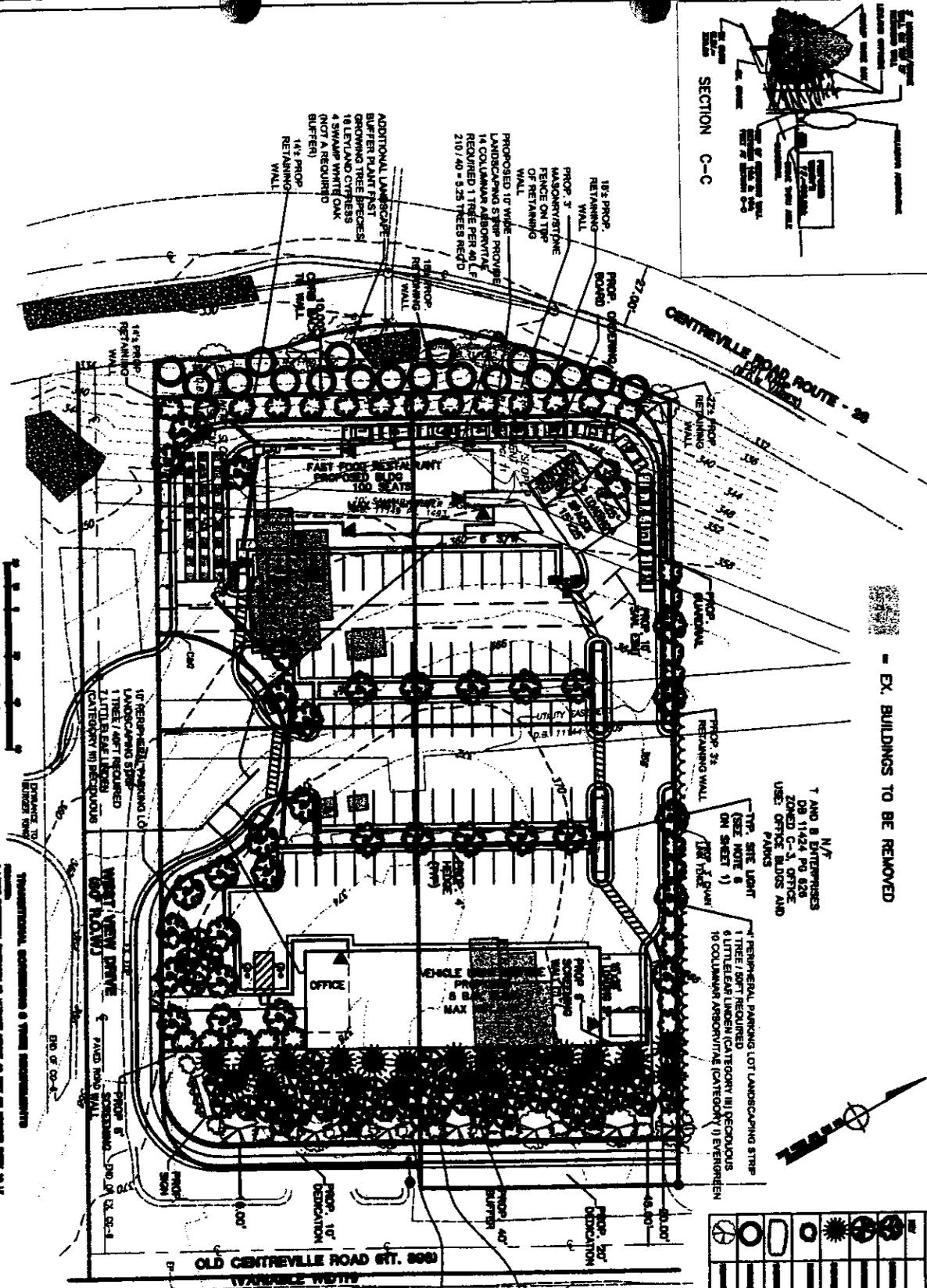
Overlay Dist: HC WS SC

Map Ref Num: 054-4- /01/ /0065 /01/ /0066 /01/ /0067 /01 / /0068





SECTION C-C



EX. BUILDINGS TO BE REMOVED

N/A
1 AND B ENTERPRISES
DB 11424 PG 828
ZONED C-3, OFFICE
USE: OFFICE BLDGS AND
PARKS

1 PERIPHERAL PARKING LOT LANDSCAPING STRIP
1 TREE / 80 FT REQUIRED
6 LITTLELEAF LINDBER (CATEGORY III) DECIDUOUS
10 COLUMBIAN ARBORVITALE (CATEGORY II) EVERGREEN

PLANT LEGEND		SYMBOL	PLANT SPECIES	QUANTITY
1	Tree	(Symbol)	Littleleaf Lindber	6
2	Tree	(Symbol)	Columbian Arborvitale	10
3	Shrub	(Symbol)	Swamp White Oak	4
4	Shrub	(Symbol)	Swamp White Oak	4
5	Shrub	(Symbol)	Swamp White Oak	4
6	Shrub	(Symbol)	Swamp White Oak	4
7	Shrub	(Symbol)	Swamp White Oak	4
8	Shrub	(Symbol)	Swamp White Oak	4
9	Shrub	(Symbol)	Swamp White Oak	4
10	Shrub	(Symbol)	Swamp White Oak	4
11	Shrub	(Symbol)	Swamp White Oak	4



PERIPHERAL PARKING LOT LANDSCAPING REQUIREMENTS
1. A minimum of 10% of the total area of the parking lot shall be landscaped with trees and shrubs.
2. The landscaping shall be installed within 90 days of the start of construction.
3. The landscaping shall be maintained for a period of 12 months after the start of construction.
4. The landscaping shall be replaced if it dies or becomes dormant during the maintenance period.

N/A
TOWER GROUP,
LLC DB 11556 PG
1229 ZONED C-8
USE: RETAIL
TRUCK

10' REPAIR-REPLACE/REWORKING LOT
LANDSCAPING STRIP
1 TREE / 80 FT REQUIRED
2 LITTLELEAF LINDBER
CATEGORY III DECIDUOUS
CATEGORY III DECIDUOUS

TRANSITIONAL SCREENING & VISUAL IMPROVEMENTS
1. Screen wall shall be 6' high and 12' wide.
2. Screen wall shall be constructed of concrete or masonry.
3. Screen wall shall be painted a color matching the surrounding area.
4. Screen wall shall be installed within 90 days of the start of construction.
5. Screen wall shall be maintained for a period of 12 months after the start of construction.

REVISIONS	
NO.	DESCRIPTION
1	REVISION 1-01
2	REVISION 2-01
3	REVISION 3-01
4	REVISION 4-01
5	REVISION 5-01
6	REVISION 6-01
7	REVISION 7-01
8	REVISION 8-01
9	REVISION 9-01
10	REVISION 10-01

N/A
FAIRFAX COUNTY PARK
AUTHORITY DB 08184 PG 1841
ZONED R-5C
USE: RECREATION

N/A
EDWARD LYNN AND MILDRED FARMAN
DB 02760 PG0534
ZONED R-1
USE: RESIDENTIAL

WEST VIEW
COMMERCIAL CENTER
BULLY INDUSTRIAL DISTRICT
FAIRFAX COUNTY, VIRGINIA

SE/GDP
LANDSCAPE PLAN



Bury+Partners
Landscape Architecture and Construction
11111 Lee Blvd, Suite 100
Falls Church, VA 22044
Tel: 703.261.1111
www.bury-partners.com

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

DESCRIPTION OF THE APPLICATIONS

Proposal: **RZ 2002-SU-034** is a request by Dennis O. and Karen M. Hogge to rezone 1.79 acres located at the northwest corner of the intersection of Centreville Road and West View Drive from the R-1, C-1, HC, SC and WS Districts to the C-6, HC, SC and WS Districts to permit commercial development, concurrent with SE 2002-SU-039.

SE 2002-SU-039 is a request for approval of a special exception to permit the development of a vehicle light service establishment (Midas) and a fast food restaurant with a drive-through (Wendy's) in the Highway Corridor Overlay District.

The vehicle light service establishment (Midas) is proposing hours of operation consisting of 7:00 am to 7:00 pm, Monday through Friday; 7:00 am to 5:00 pm on Saturday and 7:00 am to 2:00 pm on Sundays, and proposes a maximum of seven employees on site at any one time.

The fast food restaurant with drive-through (Wendy's) is proposing 100 seats and hours of operation consisting of 6:00 am to 1:00 am, Sunday through Thursday and 6:00 am to 2:00 am on Friday and Saturday, and proposes a maximum of twelve employees on site at any one time.

Proposed FAR: 5,320.14 sq. ft. – Midas
3,244.86 sq. ft. – Wendy's
8,565.00 sq. ft. – Total 0.11 FAR

Waivers Requested: Modification of Transitional Screening and Barrier requirements to the east.

LOCATION AND CHARACTER

Site Description: The application property is located on the west side of Old Centreville Road, to the south of its intersection with Braddock Road and to the north of West View Drive, and is bounded to the west by the interchange access ramp for Route 29 eastbound (this area is still depicted as R-1 on the Tax Maps).

The site is surrounded by commercial development on three sides; an older single family residence and the Old Centreville Road Park are located to the east, across Old Centreville Road. The site is visually prominent; one of the highest spots in Centreville, it is located atop a large retaining wall (approximately twenty two feet in height) adjacent to the interchange ramp. The site currently contains two former residences, both used for commercial purposes and both scheduled to be removed with the redevelopment of the property.

Surrounding Area Description:

Direction	Use	Zoning	Plan
North	Commercial (former residential structure)	C-3	Retail and Other
	Centreville Fire Station	C-8	
South	Commercial (SEA 00-Y-001: Chevy Chase Bank – approved; Burger King – developed)	C-6 with Special Exception	Retail and Other
East	Single Family Residence Old Centreville Road Park	R-1	Residential, 16-20 du/ac and Public Park
West	Route 28/29 Interchange	R-1	Mixed Use
	Mixed commercial and Office Development	C-7	

BACKGROUND

Site History:

On March 10, 1986, the Board of Supervisors approved RZ 85-S-012 (Part A), rezoning parcels 54-4 ((1)) 66 and 67, consisting of approximately 1.0 acre from the R-1 District to the C-1 District (in lieu of the requested C-8 District) to permit the existing 1,600 sq. ft. residence to be utilized for an office, subject to proffers.

On April 3, 2000, the Board of Supervisors approved SE 00-Y-001 in the name of A&R Foods, Incorporated on parcels 54-4 ((5)) 2-4, 4A and 5-9 (located south of West View Drive, adjacent to the property subject to the current requests) to permit development of a fast food restaurant with a drive-through (Burger King), and a second uncommitted pad site.

On June 17, 2002, the Board of Supervisors approved SEA 00-Y-001 in the name of Chevy Chase Bank, to re-design the previously uncommitted pad site to permit a drive-through bank.

COMPREHENSIVE PLAN PROVISIONS (See Appendix 5)

Plan Area:	III
Planning Sector:	Centreville Area and Suburban Center Land Unit C
Plan Map:	Retail and Other

Plan Text: On Pages 20 through 21 of 87 of the Area III volume of the Comprehensive Plan, 2000 Edition, the Plan states:

“Land Unit C (344 Acres)

Land Unit C is generally planned for residential use with C-2, C-6 and C-7 planned for multi-family use at 16-20 dwelling units per acre. Land fronting on Route 29 between Route 28 and Pickwick Road is planned for neighborhood-serving commercial use at an FAR not to exceed .30. The Plan provides for commercial and office uses to be available for residents in the immediate area.

C-1 (38 Acres) Suburban Center

Land Unit C-1 contains neighborhood-serving, highway-oriented retail commercial uses. The Transportation Plan includes a full interchange for the Route 28/Route 29 intersection. As such, redevelopment and land consolidation may become necessary. However, neighborhood-serving retail commercial uses will remain appropriate in this land unit. Limited office use is also appropriate to serve local needs for professional services. . . ."

Additional applicable Plan text may be found in Appendix 5.

ANALYSIS

Combined Generalized Development Plan/Special Exception Plat (GDP/SE Plat) (Copy may be found at the front of this staff report)

Title of GDP/SE Plat: West View Commercial Center, Special Exception/Generalized Development Plan

Prepared By: Bury + Partners

Revision Dates: Revised through May 6, 2003

The combined GDP/SE Plat consists of two sheets. Sheet 1: Includes the plan notes and overall depiction of the development. Sheet 2 is the proposed landscape plan. The subject property is proposed to be re-developed with two uses, oriented to the east and west property lines as described below. West View Drive, located to the south of the subject property, is proposed to be terminated at a point midway along the property, with the cul-de-sac located primarily on the site, with one central entrance drive designed to serve both of the proposed uses, and one western entrance drive to serve the fast food use. A large parking area consisting of 74 parking spaces is located in the central portion of the site, where it will be shared by the two uses. Painted crosswalks for pedestrians are depicted throughout the parking lot, linking with sidewalk along the northern portion of West View Drive, and from the northeastern corner of the parking area, through the landscaped strip along the northern property boundary, to the sidewalk along Old Centreville Road. The site contains a total of 35.23% open space, which is located primarily along the Old Centreville Road frontage and at the southeast corner of the property (adjacent to the intersection

of West View Drive and Old Centreville Road. The remainder of the site's landscaping occurs in narrow strips (ten feet or less in width) around the periphery of the site and within the two parking lot islands. An additional landscaped area is located at the foot of the retaining wall, adjacent to the interchange ramp. A proposed sign, to be shared by both uses, is depicted at the southeast corner of the property; no graphic depiction of this sign has been provided, but the applicant's draft proffers state that it will be a monument sign with a maximum square footage of 40 feet, and will not exceed 10 feet in height.

The eastern parcel, which fronts on Old Centreville Road, is proposed for the vehicle light service use (Midas). This parcel depicts a rectangular building consisting of approximately 5,320 sq. ft., with a maximum building height depicted at forty feet, oriented to the Old Centreville Road frontage. The building is separated from Old Centreville Road by a proposed fifty foot wide buffer, which is proposed to be planted with a mix of evergreen and deciduous trees. The building consists of a small office and eight service bays, all of which enter and exit from the western side of the structure. The proposed loading/dumpster area is located to the north of the building, and two accessible parking spaces are located to the south of the building, along West View Drive.

The western parcel, which fronts on the access ramp for eastbound Route 29 of the Route 28/29 Interchange, is proposed for the fast food use with 100 seats and a drive-through (Wendy's). This parcel depicts a rectangular building consisting of approximately 3,245 sq. ft., with a maximum building height depicted at 17' 4". The building is oriented along the access ramp, and is separated from the western property line by a retaining wall ranging in height from approximately 14 to 22 feet. The area located at the base of the retaining wall, along the access ramp, is proposed to be landscaped with a combination of large evergreen and deciduous trees. Atop, and to the east of the retaining wall is a ten foot wide landscape strip which is depicted to be planted with fourteen columnar arborvitae. A guardrail separates the proposed planting area from the single drive-through lane, which is located adjacent to the western façade of the structure; the applicant's draft proffers specify that the rail will consist of decorative cast aluminum; no graphic depiction of the wall/railing has been submitted. The proposed dumpster and loading spaces are located to the north of the structure; the drive-through stacking spaces are located along the northern property line and continue down the western property line. The drive-through lane widens to two lanes as it exits along the southern edge of the site. No escape lane is provided for the drive-through lane. Stormwater management for the entire site is proposed to be accommodated by an underground facility

of West View Drive and Old Centreville Road. The remainder of the site's landscaping occurs in narrow strips (ten feet or less in width) around the periphery of the site and within the two parking lot islands. An additional landscaped area is located at the foot of the retaining wall, adjacent to the interchange ramp. A proposed sign, to be shared by both uses, is depicted at the southeast corner of the property; no graphic depiction of this sign has been provided, but the applicant's draft proffers state that it will be a monument sign with a maximum square footage of 40 feet, and will not exceed 10 feet in height.

The eastern parcel, which fronts on Old Centreville Road, is proposed for the vehicle light service use (Midas). This parcel depicts a rectangular building consisting of approximately 5,320 sq. ft., with a maximum building height depicted at forty feet, oriented to the Old Centreville Road frontage. The building is separated from Old Centreville Road by a proposed fifty foot wide buffer, which is proposed to be planted with a mix of evergreen and deciduous trees. The building consists of a small office and eight service bays, all of which enter and exit from the western side of the structure. The proposed loading/dumpster area is located to the north of the building, and two accessible parking spaces are located to the south of the building, along West View Drive.

The western parcel, which fronts on the access ramp for eastbound Route 29 of the Route 28/29 Interchange, is proposed for the fast food use with 100 seats and a drive-through (Wendy's). This parcel depicts a rectangular building consisting of approximately 3,245 sq. ft., with a maximum building height depicted at 17' 4". The building is oriented along the access ramp, and is separated from the western property line by a retaining wall ranging in height from approximately 14 to 22 feet. The area located at the base of the retaining wall, along the access ramp, is proposed to be landscaped with a combination of large evergreen and deciduous trees. Atop, and to the east of the retaining wall is a ten foot wide landscape strip which is depicted to be planted with fourteen columnar arborvitae. A guardrail separates the proposed planting area from the single drive-through lane, which is located adjacent to the western façade of the structure; the applicant's draft proffers specify that the rail will consist of decorative cast aluminum; no graphic depiction of the wall/railing has been submitted. The proposed dumpster and loading spaces are located to the north of the structure; the drive-through stacking spaces are located along the northern property line and continue down the western property line. The drive-through lane widens to two lanes as it exits along the southern edge of the site. No escape lane is provided for the drive-through lane. Stormwater management for the entire site is proposed to be accommodated by an underground facility

located under the exit for the drive-through lanes, in the southwestern corner of the site.

In addition to the GDP/SE Plat, the applicant has submitted three color renderings of the proposed uses. Reductions of these drawings are included as Exhibit A of the applicant's draft proffers. Two of these sheets depict the proposed Midas building; these sheets indicate a one-story building with a primarily brick façade with a stone wainscot and shingled roof; the applicant's draft proffers specify that the same brick material will be utilized for both buildings and that the brick color will be consistent with the brick used on the Centreville Fire Station (located to the north of the subject property). The eastern façade (facing Old Centreville Road) is shown as a blank wall; however, the applicant's draft proffers commit to provide faux window fenestration on this façade. The building is accented in gray, with a stripe of bright fuchsia on all, or a portion of all facades. All signage is located on the western (internal) façade of the Midas building. The primary building-mounted "MIDAS" signage consists of yellow letters, with a red "dot" over the "I". Other building mounted signage located over the bays depicts a Midas logo in yellow with color accents and the words "AUTO SERVICE EXPERTS" in white.

The third detail sheet depicts the proposed Wendy's and indicates a one-story building with a brick façade, containing contrasting masonry accent stripes and yellow detailing along the portions of the roof that back the proposed building-mounted logo signage. Identical building-mounted signage is proposed on three of the building's facades (no signage is proposed on the northern façade). This signage consists of "Wendy's" in red letters, followed by the company logo (white oval with color accents).

Land Use Analysis (See Appendix 5)

The property that is the subject of these applications is located in the Centreville Suburban Center and is planned for neighborhood-serving retail uses at a maximum FAR of 0.30. The current proposal for two auto-oriented uses with a combined FAR of 0.11 is generally in harmony with the use and intensity guidelines of the Comprehensive Plan, provided appropriate design measures are employed.

Issue: Site Design

Although the proposed uses are compatible with other similar uses in the immediate area, the location and visual prominence of the site with respect to the

Route 28/29 interchange, as well as its proximity to the residential development in the Centreville core, necessitates that special care be taken in the site design to ensure that the uses maintain the neighborhood-serving orientation envisioned by the Plan, rather than taking on the appearance and characteristics of highway-oriented commercial uses which are not appropriate for this site. Both uses should be visually screened as much as possible from the residential development along Old Centreville Road. Architecture, building materials, colors and signage should be designed to have a low visual impact and should blend with the surrounding buildings to further ease the transition from residential to commercial uses. Parking areas and stacking lanes should be screened from both adjacent residential areas and from the interchange access ramp. Parcel 64, to the north, remains the last property available for redevelopment in this immediate area; the applicant should attempt to consolidate this parcel to ensure that it is appropriately coordinated with the proposed development and to prevent the future development of additional unrelated pad site(s) which would further the transformation of this area from neighborhood-serving to highway-oriented.

Resolution:

The applicant has re-designed the site in an attempt to address the design concerns raised by staff. Attempts to consolidate Parcel 64 failed; in lieu of consolidation, the applicants eliminated a previously proposed entrance on Centreville Road along the northern property line, and have provided for future interparcel access. Although this does not fully address staff's concerns, it does address major concerns relating to site access and circulation. The applicant has provided architectural elevations of both proposed buildings, as previously described; no sign elevation has been provided. Both buildings have been designed in a manner to reduce their visual impact; both are one story (proposed development conditions will limit the maximum height to 25 feet). Both structures are proposed to be faced primarily with the same brick material, and the applicant has proffered to utilize a material consistent with the color of the fire station to the north. Signage and the use of bright accent colors have been minimized for both buildings. Both buildings will utilize a common monument sign, located at the entrance on West View Drive; this sign is proffered not to exceed forty square feet and a maximum height of ten feet. In addition, the applicant has proffered not to utilize banners, pennants, inflatable signs or exposed neon signage on the site. Proposed development conditions further clarify that the monument sign will be architecturally compatible in design and will be constructed of the same materials and colors as the primary structures, and that any lighting of the sign will be internal. The applicant has also utilized

landscaping to screen the appearance of the proposed uses. Along Old Centreville Road, a fifty foot wide buffer area has been provided. The rear of the proposed Midas building (which faces Old Centreville Road) will be brick, and will be extended to the north and south with a six foot tall brick screening wall; this building façade is also proffered to contain faux window fenestration to increase compatibility with the adjacent residential uses. The fifty foot wide screening yard will include forty feet of landscaping, consisting of deciduous and evergreen trees and shrubs. The entrance area along West View Drive will be landscaped with a combination of deciduous and evergreen trees and two landscaped islands within the proposed shared parking area will be planted with shade trees and hedges. The northern property line is shown to be planted with medium shade trees and small evergreens. The area to the west of the proposed Wendy's will be planted at two levels; at the base of the retaining wall, the applicant is proposing a mix of medium evergreen trees combined with large deciduous shade trees. At the top of the retaining wall, a row of small evergreen trees is proposed to screen the stacking lanes. A proposed development condition would prohibit any signage on the western façade of the Wendy's, and would prohibit signage and bright color accents on the eastern façade of the Midas. Staff believes that, as proffered and conditioned, the proposed development satisfies the majority of the design concerns.

Issue:

Access to the site was initially shown from two points along Old Centreville Road. The guidance for drive-through uses contained in the Policy Plan states that careful consideration should be given to the location of such facilities in order to ensure that safe on-site circulation and access are provided. The applicant was encouraged to eliminate the direct access point on Old Centreville Road to assist in reducing both on- and off-site conflicts, and to provide all access from West View Drive only. In addition, internal pedestrian connections and crosswalks to safely link the two uses were strongly encouraged.

Resolution:

The applicant redesigned the site and eliminated the access point on Old Centreville Road. Internal pedestrian sidewalks and crosswalks have been provided to allow safe pedestrian access throughout the property and to Old Centreville Road. A proposed development condition would ensure that a complete pedestrian connection to the south is also provided. This concern has been addressed.

Issue: Lighting

The applicant's initial submission did not provide any information concerning the location, height or type of lighting proposed. Staff encouraged the applicant to choose luminaires for both parking lot and building security lighting that will be fully cut-off to ensure that no glare projects above the horizontal plane. Staff also discouraged the use of up lighting for either landscaping or architectural illumination.

Resolution:

The applicant's draft proffers specify that all parking lot and building mounted lighting fixtures will be full cut-off and directed downward to prevent off-site glare, and that light poles will not exceed eighteen feet in height. A proposed development condition would also prohibit roof lighting and signage incorporating exposed neon tubing. Staff believes that this concern has been addressed.

Transportation Analysis (See Appendix 6)

The Fairfax County Department of Transportation has reviewed and commented upon these applications. The applicants have extensively re-designed the proposed development during the review process, and have successfully addressed the majority of Staff's initial concerns; those that remain are discussed below.

Issue: Interparcel access to TM 54-4 ((1)) 64 to the north

Parcel 64, to the immediate north of the site, is the only parcel remaining between the application property and the fire station. Staff requested that the applicant seek to consolidate this parcel with the current applications in order to ensure that access points and the resulting traffic conflicts on Old Centreville Road could be minimized. The applicant was unable to consolidate this parcel; however, an access point from this site to Old Centreville Road which was originally proposed was eliminated and an interparcel connection to Parcel 64 has been depicted on the GDP/SE Plat. While the interparcel connection as depicted is ideal, it is preferable to not "pin" the specific location down at this time, as the design of the redevelopment of Parcel 64 is not yet established. Consequently, a commitment to provide an interparcel access point which may be located anywhere between the eastern-most travel aisle on the Midas site and the end of the proposed stacking spaces on the Wendy's site is preferable.

Resolution:

A development condition has been proposed which would address this issue.

Issue: West View Drive

West View Drive is not currently accepted into the State road system.

Resolution:

A development condition has been proposed which would address this issue.

Issue: Need to complete sidewalk connection to the south

The applicant has depicted sidewalk connection and crosswalks throughout the site to access Old Centreville Road and West View Drive; however, it is uncertain if a complete sidewalk connection will exist around the proposed cul-de-sac of West View Drive to the south to the Chevy Chase Bank/Burger King site. If this connection is not being provided, the applicant should commit to complete the sidewalk.

Resolution:

A development condition has been proposed which would address this issue.

Issue: Need to reduce potential conflicts at the proposed site entrance/drive through exit for Wendy's at West View Drive.

As depicted on the GDP/SE Plat, the Wendy's is proposing an extremely narrow, ten foot wide drive-through lane along the northern and western facades of the fast food restaurant building; as the drive-through lane exits to the south, the lane more than doubles in width to twenty-four feet. The two drive-through lanes then exit the site at the thirty-foot wide driveway entrance onto West View Drive which also serves as the primary entrance into Wendy's. The drive-through lane should be narrowed to a single lane at the exit in order to minimize potential conflicts at the West View Drive entrance. The entrance to the drive-through lane for Wendy's should be signed at the eastern-most entrance on West View Drive to minimize potential conflicts with parking; employee parking should be provided off the central travel aisle to further minimize conflicts.

Resolution:

A development condition has been proposed which would address this issue by requiring that the exit lane be narrowed and the eastern-most entrance on West View be signed as the entrance to the drive-through lane.

Issue: Timing of the improvements to the existing median on Old Centreville Road.

The applicant's draft proffers have included a commitment to modify the existing median on Old Centreville Road to allow fire and rescue and other emergency vehicles to continue south on Old Centreville Road, prior to other road improvements and prior to the issuance of the first Non-Residential Use Permit (Non-RUP) for the site. Due to the severity of the problem which currently exists, Fire and Rescue has stated that it is extremely desirable for this improvement to occur as quickly as possible; staff has requested that the timing be modified to "prior to the issuance of building permits for the site".

Resolution:

This issue remains outstanding; staff is continuing to work with the applicant to resolve this concern.

Issue: The applicant should contribute to the Centreville Road Fund per the accepted formula.

Resolution:

The applicant has included a contribution to the Centreville Road Fund in the draft proffers.

Environmental Analysis (See Appendix 5)

There are no environmental issues associated with this request.

Sanitary Sewer Analysis (See Appendix 7)

The property is served by an existing 10-inch sewer line located on the property which is anticipated to be adequate for the proposed use at this time. Centerwood reimbursement charges are applicable.

Water Service Analysis (See Appendix 8)

There are no Water Service issues associated with this request. Adequate domestic water service is available at the site from an existing 16-inch water main located at the property. Depending on the configuration of the on-site water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

Fire and Rescue Analysis (See Appendix 9)

The site currently meets fire protection guidelines; the site is served by the Fairfax County Fire and Rescue Department Station #17, Centreville.

Utilities Planning and Design Analysis (See Appendix 10)

No downstream deficiencies with the County's Master Drainage Plan have been identified and there are no downstream complaints on file. This site is in the "Watershed Restoration Level II" management category as determined by the Stream Protection Strategy Baseline Report 2001. The primary goal of this category is to maintain areas to prevent further degradation and implement measures to improve water quality to comply with regulations and water quality standards. In this regard, this site should be developed with use of innovative BMPs. The Stormwater Planning Division supports the use of an underground system for detention and a below ground infiltration trench, stormceptor or a sand filter for BMP.

Park Authority Analysis (See Appendix 11)

There are no Park Authority issues associated with this request.

ZONING ORDINANCE PROVISIONS (See Appendix 12)

Bulk Standards (C-6 District)		
Standard	Required	Provided
Lot Size	40,000 sq. ft.	77,796 sq. ft.
Lot Width	200 ft.	210 ft+/-

Building Height	40 ft.	17'4" - Wendy's 40' - Midas
Front Yard	45 degree ABP; min. 40 ft.	50 ft. - Old Centreville Rd. 61 ft. - West View Drive
Rear Yard	20 ft.	20 ft.
FAR	0.40	0.11
Open Space	15%	35.23%
Parking Spaces	Fast Food = 1 sp./2 seats (50) Vehicle Light = 2 sp/bay (16) sp/emp. (6) 1 sp/200 sf (4) 76 spaces total	76 spaces total

The applicant is requesting a modification of the transitional screening and barrier requirements to the east to permit the treatment depicted on the GDP/SE Plat (a 40 foot wide landscaped strip with a barrier consisting of a combination of a rear wall of brick and a six foot high masonry wall. Par. 3 of Sect. 13-304 of the Zoning Ordinance provides that

“Transitional screening may be modified where the building, a barrier and/or the land between the building and property line has been specifically designed to minimize adverse impact through a combination of architectural and landscape techniques.”

The proposed development would be required to provide Transitional Screening III and a Barrier E, F or G along the eastern property boundary (a fifty foot wide planting area and a six foot high wall or fence). As previously described, the applicant is providing a brick wall extending from the rear façade of the Midas building, and a densely planted, forty foot wide planting area, within a fifty foot wide yard area. Staff believes that the proposed treatment is effective in this instance, and recommends that the transitional screening and barrier requirements be modified as depicted on the GDP/SE Plat.

It should be noted that no transitional screening or barrier is required to the west. Although the Tax Maps still reflect an area of R-1 zoning to the west of the property; however, this area has been acquired and developed as part of the Route 28/29 interchange and is no longer buildable land.

Other Zoning Ordinance Requirements:

Special Exception Requirements (Appendix 12)

The applicant is proposing to develop a vehicle light service (Midas) and a fast food restaurant with a drive-through (Wendy's) in a Highway Corridor Overlay District. The Vehicle light service use is a Category 5 Special Exception; the Fast food with drive-through is a Category 6 Special Exception Use. Therefore, the following Zoning Ordinance provisions, among others, are applicable:

General Special Exception Standards (Sect. 9-006)

Category 5 Use Standards (Sect. 9-503)

Sign Control (SC) (Sect. 7-500)

Highway Corridor (HC) (Sect. 7-600)

Water Supply Protection (WSPOD) (Sect. 7-800)

Section 9-006:

The first General Standard requires that the proposed uses be in harmony with the adopted comprehensive plan. As previously discussed, it is staff's belief that the development of additional auto-oriented uses in this general location could cause the character of the area to shift from the neighborhood-serving retail uses envisioned by the Plan to highway-oriented uses, if appropriate design measures are not employed. As previously discussed, staff believes that the proposed uses, as conditioned, are in harmony with the Plan.

The second standard requires that the proposed uses be in harmony with the general purpose and intent of the applicable zoning district regulations. As previously discussed, it is staff's belief that the proposed uses are in harmony with the applicable Zoning Ordinance provisions.

The third standard requires that the proposed uses be harmonious with, and not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the Plan. As previously discussed, it would be ideal if the adjacent parcel (Parcel 64) could be consolidated into this development. As this was not possible at this time, the

applicant has provided the necessary interparcel access to address the future redevelopment of this parcel, and staff believes that this standard has been addressed.

The fourth standard states that the proposed uses must provide appropriate pedestrian and vehicular traffic which will not cause hazards or conflicts with existing and anticipated traffic in the neighborhood. The applicant has closed the direct access to Old Centreville Road and has coordinated the on-site travel ways to minimize conflicts. Adequate sidewalk connections and pedestrian crosswalks will be provided. As conditioned, staff believes that this standard has been satisfied.

The fifth standard requires the site to be landscaped in accordance with the provisions of Article 13; as conditioned, staff believes this standard has been satisfied.

The sixth standard requires that open space be provided as specified in the zoning district; the C-6 District requires that 15% of the site be provided as open space; the applicant is providing approximately 35%. This standard is satisfied.

The seventh standard requires that adequate public facilities, parking and loading spaces be provided to serve the proposed uses. As previously discussed, this standard has been satisfied.

The eighth standard states that signs are regulated by the provisions of Article 12, but that the Board may impose more stringent standards if it so desires. Staff believes that the proposed signage, as conditioned, will satisfy this standard.

Staff believes that, as proffered and conditioned, the proposed uses satisfy all applicable provisions of the Zoning Ordinance.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Staff concludes that the subject application is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions with the implementation of the Proffers and imposition of the proposed development conditions.

Staff Recommendations

Staff recommends approval of RZ 2002-SU-034, subject to the execution of proffers consistent with those set forth in Appendix 1.

Staff also recommends approval of SE 2002-SU-039, subject to the imposition of the Proposed Development Conditions as set forth in Appendix 2.

Staff also recommends that the transitional screening and barrier requirements to the east be modified as depicted on the GDP/SE Plat.

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 recommendations of staff; it does not reflect the position of the Board of Supervisors.

APPENDICES

1. Draft Proffers
2. Proposed Development Conditions
3. Affidavit
4. Statement of Justification
5. Plan Citations and Land Use/Environmental Analysis
6. Transportation Analysis
7. Sanitary Sewer Analysis
8. Water Service Analysis
9. Fire and Rescue Analysis
10. Utilities Planning and Design Analysis (DPW)
11. Park Authority Analysis
12. Applicable Zoning Ordinance Provisions Checklist
13. Glossary of Terms

PROFFERS

DENNIS O. HOGGE and KAREN M. HOGGE

RZ 2002-SU-034

June 4, 2003

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Pursuant to Section 15.2-2303(A), Code of Virginia, 1950 as amended, and subject to the Board of Supervisors approving a rezoning to the C-6 District for property identified as Fairfax County Tax Map 54-4 ((1)) Parcels 65, 66, 67, and 68, (hereinafter referred to as the "Application Property"), the undersigned Applicant and Owners in RZ 2002-SU-034 proffer for themselves and their successors and assigns (hereinafter referred to as the "Applicant"), the following conditions:

1. GENERALIZED DEVELOPMENT PLAN

- a. Subject to the provisions of Section 18-404 of the Fairfax County Zoning Ordinance (hereinafter referred to as the "Ordinance"), development of the Application Property shall be in substantial conformance with the Special Exception/Generalized Development Plan (SE/GDP), prepared by Bury+Partners-VA, Inc., dated June 4, 2002, as revised through May 6, 2003.
- b. The elevations of the fast food restaurant and vehicle light service establishment buildings, as shown on Exhibit A, are provided to illustrate the design of the two buildings. The building elevations shall be consistent in terms of character and quality with the illustration and Exhibit A. The specific features such as exact location of windows, doors, and roofline and other architectural details are subject to modification with final engineering and architectural design.
- c. The facades of both buildings shall consist predominately of Brick or Quick Brick™. The brick color shall be consistent with the brick used on the adjacent Centreville Fire House, as determined by DPWES. The Applicant shall submit proposed materials and photographs to DPWES at building permit application to demonstrate consistency.
- d. The rear building wall of the vehicle light service establishment shall include faux window fenestration. The rear facade shall not contain any accent strips or building-mounted signage.
- e. Permitted uses shall consist only of fast food restaurant with drive-thru window and vehicle light service establishment.
- f. The wall which extends from both sides of the vehicle light service establishment building shall be designed with a uniform and consistent appearance with the building, utilizing similar materials and colors.

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2. TRANSPORTATION

- a. At time of site plan approval, or upon demand, whichever occurs first, the Applicant shall dedicate and convey in fee simple to the Board right-of-way along the Application Property's Old Centreville Road frontage as shown on the SE/GDP.
- b. Prior to the issuance of the first Non Residential Use Permit (Non-RUP), the Applicant shall construct the road improvements and sidewalk along the Application Property's Old Centreville Road frontage and the West View Drive cul-de-sac as shown on the SE/GDP. Applicant shall either escrow funds or construct a median, as determined by DPWES. In addition, the Applicant shall simultaneously construct a half section of a four-lane divided roadway along the Fairfax County Park Authority (FCPA) parcel (Tax Map 54-4 ((8)), 6, subject to any necessary right-of-way or easement dedication by FCPA, at no cost to Applicant.
- c. At time of site plan approval, the Applicant shall contribute a sum equivalent to that required by the Centreville Road Fund Policy, as escalated from the date of Board of Supervisors approval of the rezoning to the date of site plan approval as calculated by adjustments to the Consumer Price Index set forth in the Engineering News Record, based upon the cumulative gross square footage of the fast food restaurant and vehicle light service establishment buildings to the Centreville Road Fund
- d. Adequate sight distance shall be provided at the corners of the Subject Property at both the site entrances onto West View Drive and at the intersection of West View Drive and Old Centreville Road.
- e. Applicant shall modify the existing median on Old Centreville Road as determined necessary by DPWES in coordination with Fire and Rescue, to allow emergency vehicles to continue south on Old Centreville Road. This improvement shall occur prior to the improvements outlined in paragraph 2.b. unless already constructed by others.

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3. **LANDSCAPING**

- a. Landscaping in substantial conformance with that shown on the SE/GDP shall be installed by the Applicant prior to the issuance of the first Non-RUP, subject to Urban Forestry Branch approval, except that equivalent plant materials may be substituted as determined appropriate by Urban Forestry Branch.
- b. A decorative retaining wall railing consisting of cast aluminum shall be constructed along the Application Property's Route 28 frontage.
- c. Fast growing, native species trees as depicted on the SE Plat/GDP shall be planted

adjacent to Route 28 both at the bottom and top of the retaining wall, as determined by Urban Forestry Branch.

4. LIGHTING

- a. All parking lot and building mounted lighting fixtures shall be equipped with full cut-off fixtures and directed downward to prevent off-site glare.
- b. Light poles shall not exceed 18 feet in height.

5. SIGNAGE

- a. Both the fast food restaurant and vehicle light service establishment uses shall utilize one freestanding monument sign with a maximum square footage of 40 square feet, and not to exceed 10-feet in height.
- b. Directional signage in conformance with Article 12 of the Ordinance shall be provided in the locations as shown on the SE/GDP.
- c. No pole-mounted signs shall be permitted.
- d. Banners, pennants, inflatable signs and neon signs shall be prohibited.

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6. STORMWATER MANAGEMENT

Unless waived or modified by DPWES, the Applicant shall provide on-site stormwater management (SWM) design with Best Management Practices (BMP) in the facilities shown on the SE/GDP within an underground structure and within open space. The maintenance of the underground facilities shall be the responsibility of the Applicant and its successors. The Applicant shall enter into a private maintenance agreement for the perpetual maintenance of the SWM facility.

7. MISCELLANEOUS

- a. There shall be no exterior loudspeakers used by either use on the Application Property.
- b. Any intercom used by the fast food restaurant drive thru lane shall be set to limit decibel level to 20 at all property lines.
- c. The hours of operation shall be limited to:

Fast Food Restaurant:
Sunday through Thursday: 6:00 a.m. to 1:00 a.m.
Friday and Saturday: 6:00 a.m. to 2:00 a.m.

Vehicle Light Service Establishment:

Monday through Friday	7:00 a.m. to 7:00 p.m.
Saturday	7:00 a.m. to 5:00 p.m.
Sunday	9:00 a.m. to 2:00 p.m.

8. ARCHAEOLOGY

Prior to Site Plan approval, the Applicant shall conduct a Phase I Archaeological Survey of the Application Property. If deemed necessary by the Heritage Resources Branch based upon the results of the Phase I Survey, Applicant shall perform a Phase II Archaeological Survey and remove any significant artifacts and convey them to the Heritage Resources Branch, prior to any site disturbing activities, at a cost not to exceed \$10,000.00.

9. SUCCESSORS AND ASSIGNS

These proffers will bind and inure to the benefit of the Applicant and his or her successors and assigns.

10. COUNTERPARTS

These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original document and all of which taken together shall constitute but one and the same instrument.

[SIGNATURES BEGIN ON FOLLOWING PAGE]

PROFFERS
RZ 2002-SU-034

APPLICANT/TITLE OWNER
of Tax Map 54-4 ((1)) Parcels 65, 66, 67, and 68

Dennis O. Hogge

Karen M. Hogge

(SIGNATURES CONTINUE NEXT PAGE)

PROFFERS
RZ 2002-SU-034

CONTRACT PURCHASER of
Tax Map 54-4 ((1)) Parcels 65, 66, 67, and 68

TRUMP, INC.

BY: _____
T. Kevin Trump

(SIGNATURES CONTINUE NEXT PAGE)

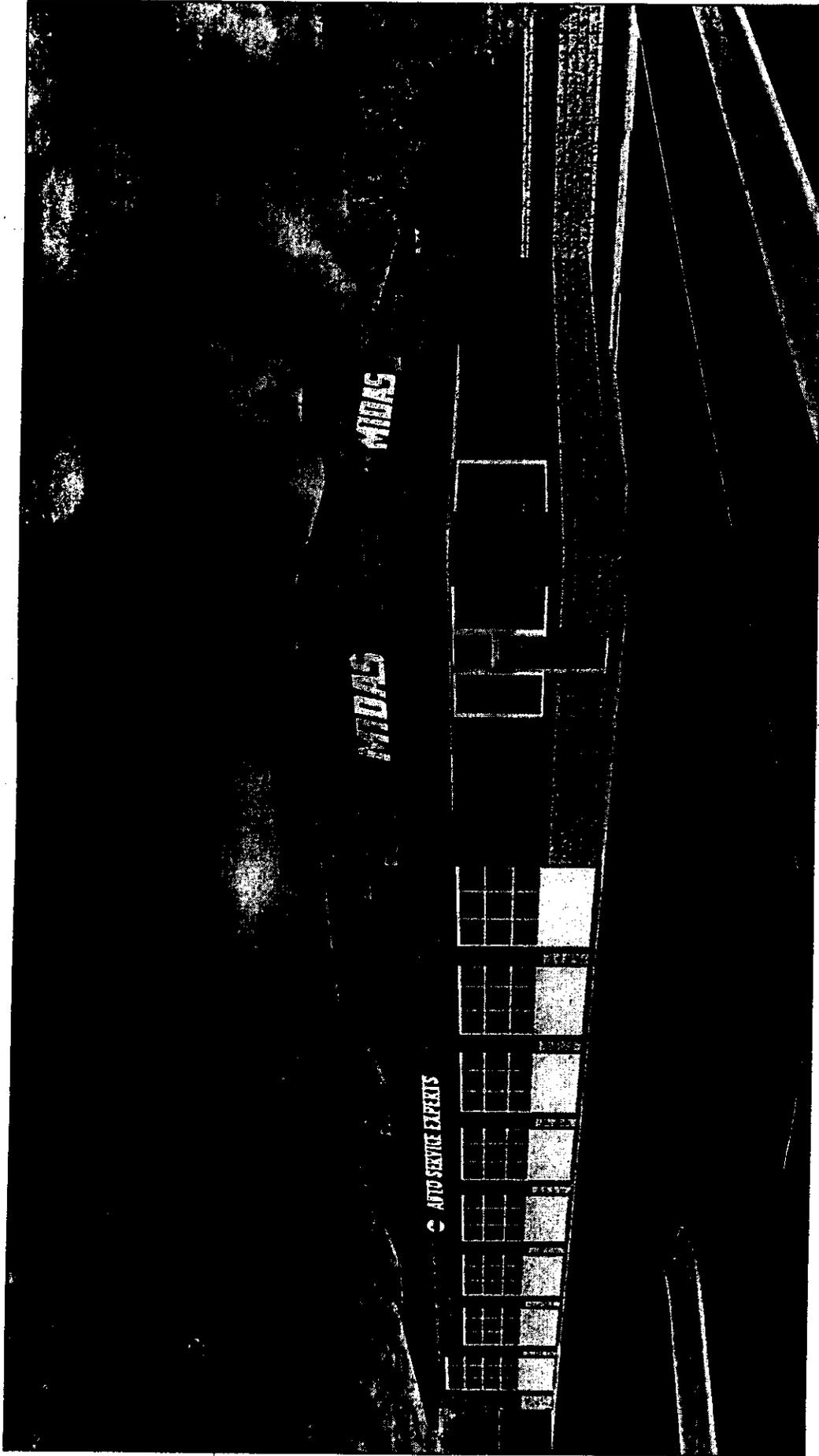
PROFFERS
RZ 2002-SU-034

LESSEE of
Tax Map 54-4 ((1)) Parcels 65, 66, 67, and 68

DAVCO RESTAURANTS, INC.

BY: _____
Harvey Rothstein
Senior Executive Vice President

(END OF SIGNATURES)



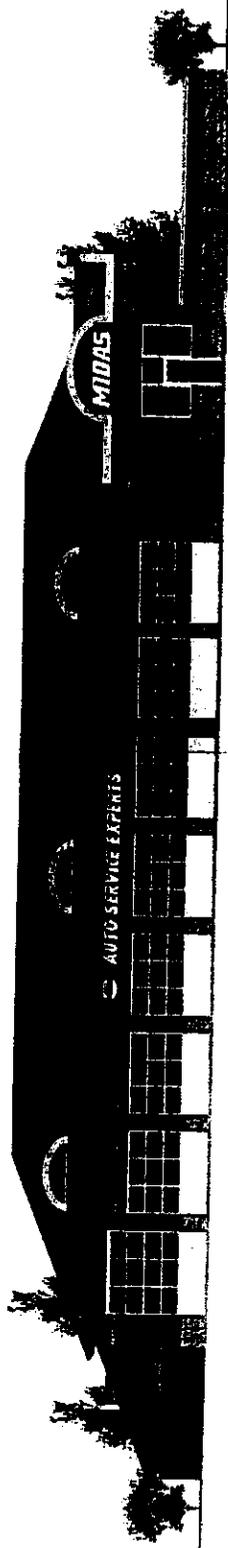
MIDAS Auto Service Experts

Centreville, Virginia - Trump Inc.

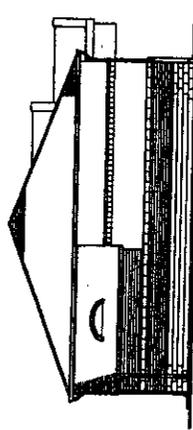
Harrell & Company

Architects • Designers • Planners

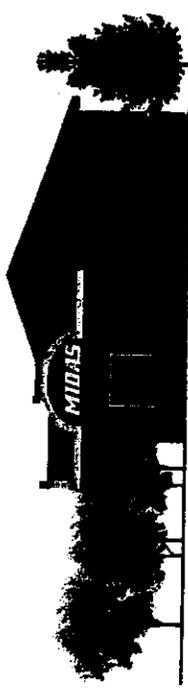
11244 Waples Mill Road Suite E-1 Fairfax Virginia 22030 703.352.4141



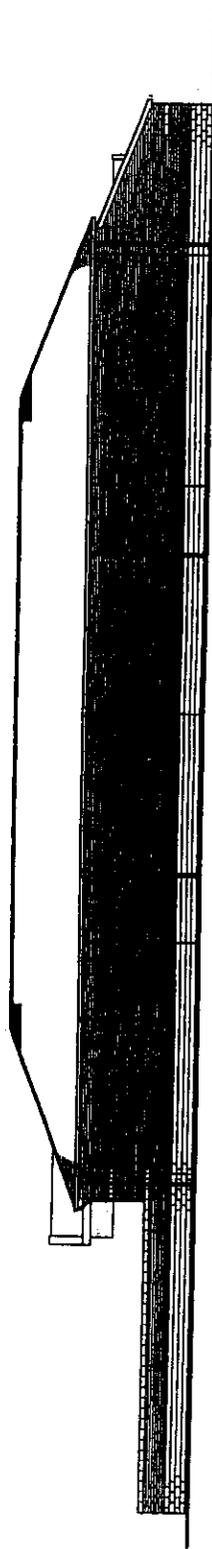
Front Elevation



Left Elevation



Right Elevation



Rear Elevation



Centreville, Virginia - Trump Inc.

Harrell & Company
Architects · Designers · Planners
11244 Waples Mill Road Suite E-1 Fairfax, Virginia 22030 703.352.4141

PROPOSED DEVELOPMENT CONDITIONS

SE 2002-SU-039

June 11, 2003

If it is the intent of the Board of Supervisors to approve SE 2002-SU-039 located at Tax Map 54-4 ((1)) 65 - 68 for use as a vehicle light service establishment and fast food restaurant with drive-through window pursuant to Sect. 4-604 and 7-607 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Generalized Development Plan/Special Exception Plat (GDP/SE Plat) entitled "West View Commercial Center", prepared by Bury + Partners, consisting of two sheets, dated as revised through May 6, (2003), and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. An interparcel access with a public access easement shall be granted to Tax Map 54-4-((1)) 64 as shown on the GDP/SE Plat. However, the final location of the interparcel access connection to the north shall be determined at the time of site plan approval; the location may shift anywhere from the eastern-most travel aisle of the vehicle light service site to the end of the stacking lanes on the fast food restaurant site.
5. West View Drive shall be improved to VDOT standards and accepted into the State system for maintenance and operations; if VDOT will not accept the roadway, adequate documentation shall be presented to DPWES at the time of site plan approval to demonstrate that appropriate attempts have been made. Appropriate easements shall be sought from Fairfax County to permit the landscaping and maintenance of the remaining portion of the West View Drive right-of-way located to the west of the cul-de-sac.

6. If not completed by others, the sidewalk shall be extended along the southwestern side of the cul-de-sac of West View Drive, and shall be extended to connect with the sidewalk to the south
7. Irrespective of that shown on the GDP/SE Plat, the drive-through exit lane for the fast food restaurant shall be narrowed to a twelve foot wide lane to minimize conflicts with traffic entering the site at West View Drive, in coordination with and subject to review by Fairfax County Department of Transportation. In addition, the easternmost entrance on West View Drive shall be signed as the entrance to the drive-through to further minimize conflicts between vehicles entering the site and exiting the drive-through, and to ensure that excess stacking will not block the parking spaces located adjacent to the fast food restaurant.
8. The proposed monument sign shall be constructed of like materials and shall be architecturally compatible with the proposed structures, as depicted on Exhibit A of the proffers for RZ 2002-SU-034; only internal lighting of the sign shall be permitted.
9. Building mounted signage shall be in conformance with that depicted on the building elevations attached to the proffers for RZ 2002-SU-034, except that no building mounted signage shall be permitted on the western façade of the proposed fast food restaurant, and in no event shall roof lighting or the use of exposed neon tubing be permitted on either structure or on the proposed monument sign.
10. No outside storage shall be permitted on the premises.
11. No more than 100 seats shall be provided with the fast food restaurant.
12. The vehicle light service shall have no more than six employees on site at any one time.

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.



REZONING AFFIDAVIT

DATE: December 9, 2002
 (enter date affidavit is notarized)

I, Keith C. Martin, attorney/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

2002-146a

in Application No.(s): RZ 2002-SU-034
 (enter County-assigned application number(s), e.g. RZ 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 must 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)
Dennis O. & Karen M. Hogge	P.O. Box 2000 Centreville, Virginia 20122	Applicants/Title Owner of Tax Map 54-4 ((1)) 65, 66, 67, 68
Trump, Inc. Agents: T. Kevin Trump Craig D. Trump	6151 Fuller Court Alexandria, Virginia 22319	Contract Purchaser of Tax Map 54-4 ((1)) 65, 66, 67, 68
DavCo Restaurants, Inc. Agents: Thomas A. Hughes Harvey Rothstein (nmi) (check if applicable)	1657 Crofton Boulevard Crofton, Maryland 21114	Lessee of Tax Map 54-4 ((1)) 65, 66, 67, 68

There are more relationships to be listed and Par. 1(a) is continued on a "Rezoning Attachment to Par. 1(a)" form.

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

Rezoning Attachment to Par. 1(a)

DATE: December 9, 2002
 (enter date affidavit is notarized)

for Application No. (s): RZ 2002-SU-034
 (enter County-assigned application number (s))

2002-146a

(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)
Bury + Partners—VA, Inc.	4443 Brookfield Corporate Dr. Suite 100 Chantilly, VA 20151	Engineer/ Agent
Agent: Joseph J. Ballato		
Walsh, Colucci, Lubeley, Emrich & Terpak, PC (formerly Walsh, Colucci, Stackhouse, Emrich & Lubeley, P.C.)	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent

Agents:

Martin D. Walsh	Timothy S. Sampson
Lynne J. Strobel	Elizabeth D. Baker
Keith C. Martin	Susan K. Yantis
M. Catharine Puskar	Inda E. Stagg
William J. Keefe	

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

REZONING AFFIDAVIT

DATE: December 9, 2002
(enter date affidavit is notarized)

2002-1469

for Application No. (s): RZ 2002-SU-034
(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, and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:

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

CORPORATION INFORMATION

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

Trump, Inc.
6151 Fuller Court
Alexandria, Virginia 22319

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)

T. Kevin Trump
Craig D. Trump

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice President, Secretary, Treasurer, etc.)

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Rezoning 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.

Rezoning Attachment to Par. 1(b)

DATE: December 9, 2002
(enter date affidavit is notarized)

2002-1429

for Application No. (s): RZ 2002-SU-034
(enter County-assigned application number (s))

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

DavCo Restaurants, Inc.
1657 Crofton Boulevard
Crofton, Maryland 21114

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 SHAREHOLDER: (enter first name, middle initial, and last name)

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g.

President, Vice-President, Secretary, Treasurer, etc.)

Ronald D. Kirstein, Chairman, President & CEO; Harvey Rothstein, Sr. EVP; Joe Cunnane, EVP; Richard H. Borchers, EVP; Thomas A. Hughes, VP; Mac McGuire, VP; Beth Shumway, VP.

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

Bury + Partners—VA, Inc.
4443 Brookfield Corporate Dr., Suite 100
Chantilly, VA 20151

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)

Bury + Partners Holdings, Inc.

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g.

President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

Special Exception Attachment to Par. 1(b)

DATE: December 9, 2002
(enter date affidavit is notarized)

for Application No. (s): RZ 2002-SU-034
(enter County-assigned application number (s))

2002-1469

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

Bury + Partners Holdings, Inc.
3345 Bee Caves Road, Suite 200
Austin, Texas 78746

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)

Paul J. Bury, III	Larry G. Heimer
Gregory S. Strmiska	Mark R. Johnson
James B. Knight	Michael L. Clark
Jaime A. Gallegos	

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

Walsh, Colucci, Lubeley, Emrich & Terpak, 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	Thomas J. Colucci	James P. Downey	Jay du Von
Jerry K. Emrich	William A. Fogarty	John H. Foote	H. Mark Goetzman
Michael D. Lubeley	Keith C. Martin	J. Randall Minchew	John E. Rinaldi
Timothy S. Sampson	Lynne J. Strobel	Nan E. Terpak	Garth M. Wainman
Martin D. Walsh			

(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.

REZONING AFFIDAVIT

DATE: December 9, 2002
(enter date affidavit is notarized)

2002-1469

for Application No. (s): RZ 2002-SU-034
(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, number, street, city, state and zip code)

None

(check if applicable) [] 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)

(check if applicable) [] There is more partnership information and Par. 1(c) is continued on a "Rezoning 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.

REZONING AFFIDAVIT

DATE: December 9, 2002
(enter date affidavit is notarized)

2002-146a

for Application No. (s): RZ 2002-SU-034
(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 "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: December 9, 2002
(enter date affidavit is notarized)

2002-1469

for Application No. (s): RZ 2002-SU-034
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the filing 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 \$200 or more, with any of those listed in Par. 1 above. EXCEPT AS FOLLOWS: (NOTE: If answer is none, either "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 "Rezoning 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:

[Handwritten signature]

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

Keith C. Martin, attorney/agent
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 9 day of December 20 02, in the State/Comm. of Virginia, County/City of Arlington.

[Handwritten signature: Kimberly A. Klemm]
Notary Public
Commissioned as Kimberly A. Klemm

My commission expires: 11/30/2003

SPECIAL EXCEPTION AFFIDAVIT

DATE: December 9, 2002
(enter date affidavit is notarized)

I, Keith C. Martin, attorney/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

2002-144a

in Application No.(s): SE 2002-SU-039
(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)
Dennis O. & Karen M. Hogge	P.O. Box 2000 Centreville, Virginia 20122	Applicants/Title Owner of Tax Map 54-4 ((1)) 65, 66, 67, 68
Trump, Inc. Agents: T. Kevin Trump Craig D. Trump	6151 Fuller Court Alexandria, Virginia 22319	Contract Purchaser of Tax Map 54-4 ((1)) 65, 66, 67, 68
DavCo Restaurants, Inc. Agents: Thomas A. Hughes Harvey Rothstein (nmi)	1657 Crofton Boulevard Crofton, Maryland 21114	Lessee of Tax Map 54-4 ((1)) 65, 66, 67, 68

(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.

* 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 December 9, 2002

(enter date affidavit is notarized)

2002-144a

for Application No. (s):

SE 2002-SU-039

(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)										
Bury + Partners—VA, Inc. Agent: Joseph J. Ballato	4443 Brookfield Corporate Dr. Suite 100 Chantilly, VA 20151	Engineer/ Agent										
Walsh, Colucci, Lubeley, Emrich & Terpak, PC (formerly Walsh, Colucci, Stackhouse, Emrich & Lubeley, P.C.)	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent										
Agents: <table border="0"> <tr> <td>Martin D. Walsh</td> <td>Timothy S. Sampson</td> </tr> <tr> <td>Lynne J. Strobel</td> <td>Elizabeth D. Baker</td> </tr> <tr> <td>Keith C. Martin</td> <td>Susan K. Yantis</td> </tr> <tr> <td>M. Catharine Puskar</td> <td>Inda E. Stagg</td> </tr> <tr> <td>William J. Keefe</td> <td></td> </tr> </table>			Martin D. Walsh	Timothy S. Sampson	Lynne J. Strobel	Elizabeth D. Baker	Keith C. Martin	Susan K. Yantis	M. Catharine Puskar	Inda E. Stagg	William J. Keefe	
Martin D. Walsh	Timothy S. Sampson											
Lynne J. Strobel	Elizabeth D. Baker											
Keith C. Martin	Susan K. Yantis											
M. Catharine Puskar	Inda E. Stagg											
William J. Keefe												

(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: December 9, 2002
(enter date affidavit is notarized)

2002-1449

for Application No. (s): SE 2002-SU-039
(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
Trump, Inc.
6151 Fuller Court
Alexandria, Virginia 22319

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)

T. Kevin Trump
Craig D. Trump

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice President, Secretary, Treasurer, etc.)

(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: December 9, 2002
(enter date affidavit is notarized)

2002-144a

for Application No. (s): SE 2002-SU-039
(enter County-assigned application number (s))

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

DavCo Restaurants, Inc.
1657 Crofton Boulevard
Crofton, Maryland 21114

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)

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

Bury + Partners—VA, Inc.
4443 Brookfield Corporate Dr., Suite 100
Chantilly, VA 20151

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)

Bury + Partners Holdings, Inc.

(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: December 9, 2002
(enter date affidavit is notarized)

2002-144a

for Application No. (s): SE 2002-SU-039
(enter County-assigned application number (s))

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

Bury + Partners Holdings, Inc.
3345 Bee Caves Road, Suite 200
Austin, Texas 78746

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)

Paul J. Bury, III	Larry G. Heimer
Gregory S. Strmiska	Mark R. Johnson
James B. Knight	Michael L. Clark
Jaime A. Gallegos	

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

Walsh, Colucci, Lubeley, Emrich & Terpak, 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	Thomas J. Colucci	James P. Downey	Jay du Von
Jerry K. Emrich	William A. Fogarty	John H. Foote	H. Mark Goetzman
Michael D. Lubeley	Keith C. Martin	J. Randall Minchew	John E. Rinaldi
Timothy S. Sampson	Lynne J. Strobel	Nan E. Terpak	Garth M. Wainman
Martin D. Walsh			

(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: December 9, 2002
(enter date affidavit is notarized)

2002-1442

for Application No. (s): SE 2002-SU-039
(enter County-assigned application number(s))

(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)

None

(check if applicable) [] 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)

(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: December 9, 2002
(enter date affidavit is notarized)

2002-1442

for Application No. (s): SE 2002-SU-039
(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.

Application No.(s): SE 2002-SU-039
(county-assigned application number(s), to be entered by County Staff)

SPECIAL EXCEPTION AFFIDAVIT

DATE: December 9, 2002
(enter date affidavit is notarized)

2002-144a

That within the twelve-month period prior to the filing 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 \$200 or more, with any of those listed in Par. 1 above. **EXCEPT AS FOLLOWS: (NOTE: If answer is none, either "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 Applicant's Authorized Agent

Keith C. Martin, attorney/agent
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 9 day of December 2002, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K. Follen
Notary Public
Commissioned as Kimberly A. Klemm

My commission expires: 11/30/2003



**WALSH COLUCCI
LUBELEY EMRICH
& TERPAK PC**

Keith C. Martin
(703) 528-4700 Ext. 19
kcmr@arl.wcsel.com

May 6, 2003

RECEIVED
Department of Planning & Zoning
MAY 07 2003
Zoning Evaluation Division

Via Hand Delivery

Barbara A. Byron
Director, Zoning Evaluation Division
12055 Government Center Parkway
8th Floor
Fairfax, Virginia 22035

Re: Rezoning Application and Special Exception Application
Application Property: Tax Map 54-4 ((1)), 65, 66, 67, 68
Applicants: Dennis O. Hogge and Karen M. Hogge

Dear Ms. Byron:

The following is submitted as a statement of justification for the above-referenced rezoning and special exception applications. The 77,796 square foot Application Property is located on the west side of Old Centreville Road and the north side of West View Drive in Centreville. The rezoning application proposes to rezone the Application Property from the C-1 and R-1 Districts to the C-6 District with a concurrent special exception application for a vehicle light service establishment for a Midas Muffler franchise and a fast-food restaurant with drive-thru window use for a Wendy's franchise. Access to the two proposed uses will be provided from an entrance on West View Drive directly aligned with the entrance to Burger King.

The Special Exception (SE) Plat and Generalized Development Plan (GDP) depict the locations, size and height of the proposed buildings, as well as required parking spaces, stacking spaces and open space. The proposed Wendy's building is a one-story building consisting of approximately 3,244 square feet. The proposed Midas building is also a one-story building consisting of approximately 5,320 square feet. The total gross floor area of approximately 8,564 square feet equates to a proposed floor area ratio of 0.11. The SE plat/GDP proposes approximately 35.23% open space where 15% is required. There are 76 parking spaces provided on site. The proposed fast food restaurant will have 11 stacking spaces.

Pursuant to Article 9 of the Fairfax County Zoning Ordinance, the following is a written statement describing the proposed use, giving all pertinent data, including specifically:

1. TYPE OF OPERATIONS:

- a) Vehicle light service establishment (Midas Muffler) providing transmission repair, general vehicle repairs, oil changes, tire sales and service.
- b) Fast food restaurant with drive-thru window (Wendy's).

2. HOURS OF OPERATION:

- a) Midas Muffler: 7:00 a.m. to 7:00 p.m. Monday to Friday
7:00 a.m. to 5:00 p.m. Saturday
9:00 a.m. to 2:00 p.m. Sunday
- b) Wendy's: 6:00 a.m. to 1:00 a.m. Sunday to Thursday
6:00 a.m. to 2:00 a.m. Friday and Saturday

3. ESTIMATED NUMBER OF PATRONS:

- a) Midas Muffler: 20 to 25 customers per day
- b) Wendy's: 500 customers per day

4. PROPOSED NUMBER OF EMPLOYEES:

- a) Midas Muffler: 7 employees
- b) Wendy's: 12 employees per shift

5. ESTIMATE OF TRAFFIC IMPACT:

- a) Midas Muffler: Approximately 70 vehicular trips per day consisting of approximately 5 vehicular trips in the a.m. and p.m. peak hours.
- b) Wendy's: Approximately 1,000 vehicular trips per day consisting of 10 vehicular trips in the a.m. peak hours and 20 vehicular trips in the p.m. peak hours.

6. VICINITY OR GENERAL AREA TO BE SERVED BY THE USES:

Centreville and western Fairfax County.

7. DESCRIPTION OF BUILDING FACADE AND ARCHITECTURE:

Both buildings will consist primarily of masonry materials and glass. Architecture elevations will be provided during the processing of the applications.

8. TOXIC SUBSTANCES:

The only known hazardous or toxic substances to be generated, utilized, stored, treated and/or disposed of on-site are antifreeze and petroleum products by Midas Muffler. Midas Muffler will utilize a 100 gallon above-ground storage tank for used oil.

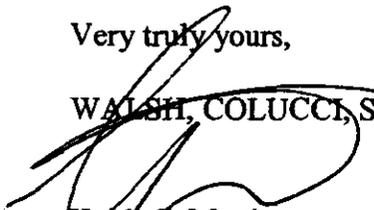
9. CONFORMANCE:

The proposed uses conform to the provisions of all applicable Ordinances. A modification of the transitional screening and barrier requirements of an unbroken strip of open space a minimum of 50-foot wide pursuant to Article 13-302, paragraph 3C, is requested to allow a 40-foot wide landscape strip with a combination of a 6-foot high masonry wall adjacent to the vehicle light service establishment and Old Centreville Road

It is submitted that the proposed uses are in conformance with the recommendations of the Comprehensive Plan. The Application Property is discussed in the Centreville Area Suburban Center section of the Bull Run Planning District of Area III Comprehensive Plan. Land Unit C-1 recommends that neighborhoods serving retail commercial uses will remain appropriate in this Land Unit.

If you have any questions or require additional information, do not hesitate to contact me.

Very truly yours,


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

Keith C. Martin

KCM/jms

cc: Kevin Trump
Thomas Hughes
Joe Ballato
Planning Commissioner Ronald Koch
Supervisor Michael Frey

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Barbara A. Byron, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: Addendum:
Comprehensive Plan Land Use Analysis: RZ 2002-SU-034 and SE 2002-SU-030
Dennis O. and Karen M. Hogge

DATE: 4 June 2003

This addendum is based on the new and revised information submitted for the subject applications and the development plan dated May 6, 2003.

BACKGROUND

The Comprehensive Land Use Analysis dated December 20, 2002, identified several design concerns related to access, circulation, consolidation, landscaping and buffering and architectural compatibility and quality. The applications for two (2) drive-through and auto-oriented uses (Wendy's and Midas) on the subject property were recently amended to modify the land area from 1.87 acres to 1.79 acres and to address the design concerns previously identified.

DISCUSSION

The applicant submitted revised development plans which staff believes have addressed the previously outstanding concerns as follows:

- Inter-parcel access is provided to the north in lieu of consolidation.
- The second entrance into the site from Old Centerville Road was deleted and access has been consolidated to be from West View Drive.
- A densely landscaped screening yard 50 feet in width is provided along the site's Old Centerville Road frontage; a deeper screening yard of approximately 30 feet is provided along the West View Drive frontage near the entrance.
- A commitment for matching brick construction for both of the buildings and a six (6) foot high screening wall is provided which is to be similar to the color of the Centerville Fire House to the north; the rear wall of the Midas building is proposed to be softened with some facade articulation.

- Peripheral landscaping is enhanced, particularly adjacent to Rt. 28 where a combination of a retaining wall, stone fence and evergreen trees are proposed to screen the drive-through lane and stacking vehicles.
- Development conditions and proffers which limit signage, address appropriate lighting, and pedestrian connections have been provided.

Based on the revised plans and design commitments, staff believes that the significant impacts typically associated with clustered, auto-oriented uses have been adequately addressed. In order to enhance pedestrian safety, it would be desirable to provide for a crosswalk between the proposed uses and Old Centreville Road to the east.

PGN: DMJ

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Barbara A. Byron, Director
Zoning Evaluation Division, DPZ

FROM: Fred R. Selden, Director 
Planning Division, Department of Planning and Zoning

SUBJECT: Comprehensive Plan Citations
Land Use and Environmental Analysis: RZ 2002-SU-034 & SE 2002-SU-039
Dennis O. and Karen M. Hogge

DATE: 20 December 2002

This memorandum includes citations from the Comprehensive Plan that provide guidance for the evaluation of the subject rezoning and special exception application and the Generalized Development and Special Exception Plat dated June 4, 2002 as revised through December 10, 2002. The extent to which the proposed use, intensity, and development plans are consistent with the land use guidance contained in the Comprehensive Plan is noted.

DESCRIPTION OF THE APPLICATION

The applicant seeks to rezone a consolidation of four parcels from the R-1 and C-1 Districts to the C-6 District and requests special exception approval to permit development of a vehicle light service establishment (Midas) and a fast food drive-through (Wendy's) on the 1.87 acre site. The vehicle light service is proposed to have 8 service bays within a 5,320 square foot building and 7 employees. The hours of operation proposed are from 7:00 am to 7:00 pm Monday through Friday and 7:00 am to 5:00 pm on Saturday. Sunday hours are proposed to be from 9:00 am until 2:00 pm. The fast food drive-through restaurant building is proposed to contain 3,244 square feet, 106 seats and have a maximum of 12 employees per shift. The proposed hours of operation are from 6:00 am to 1:00 am Sunday through Thursday, and until 2:00 am Friday and Saturday nights. Approximately 500 patrons per day are anticipated. The development will result in an overall Floor Area Ratio (FAR) of .11 with approximately 28% of the site retained in open space. Stormwater management is proposed be accommodated with underground detention. It is noted that a portion of West View Drive is shown to be vacated to accommodate parking.

LOCATION AND CHARACTER OF THE AREA

The application property is located on the west side of Old Centreville Road, immediately south of the intersection of Old Centreville Road and Braddock Road. The site is bounded by Rt. 28 on the west, West View Drive on the south and Old Centreville Road on the east. A commercially zoned parcel that is developed with a house used for a commercial business abuts the site to the north. A Burger King fast food restaurant and drive-through has been developed to the immediate south across West View Drive. A single family residence and Old Centreville Road Park are to the east across Old Centreville Road. The Centreville Crossing Shopping Center is also situated to the northeast of the site. Single family attached residential development has been approved and is developing south of the site on the east side of Old Centreville Road.

COMPREHENSIVE PLAN CITATIONS

Plan Area: III **Planning Sector:** Centreville Area and Suburban Center
Bull Run Planning District

Plan Text: On Pages 20 through 21 of 87 of the Area III volume of the Comprehensive Plan, 2000 Edition, the Plan states:

"Land Unit C (344 Acres)

Land Unit C is generally planned for residential use with C-2, C-6 and C-7 planned for multi-family use at 16-20 dwelling units per acre. Land fronting on Route 29 between Route 28 and Pickwick Road is planned for neighborhood-serving commercial use at an FAR not to exceed .30. The Plan provides for commercial and offices uses to be available for residents in the immediate area.

C-1 (38 Acres) Suburban Center

Land Unit C-1 contains neighborhood-serving, highway-oriented retail commercial uses. The Transportation Plan includes a full interchange for the Route 28/Route 29 intersection. As such, redevelopment and land consolidation may become necessary. However, neighborhood-serving retail commercial uses will remain appropriate in this land unit. Limited office use is also appropriate to serve local needs for professional services.

The realignment of Braddock Road bisects Land Units C-1, C-2, and C-3. If land consolidation is accomplished at the southeast quadrant of Old Centreville Road and Lee Highway, coordinated mixed-use development with neighborhood-serving retail commercial use and low-rise office use would be appropriate on the north side of realigned Braddock Road (Land Units C-1 and C-2), at an FAR not to exceed .30. Multi-family residential use is planned at approximately 15 dwelling units per acre for the south side of realigned Braddock Road (Land Units C-2 and C-3)."

OTHER PLAN CITATIONS:

Page 59 of the Transportation section of the Policy Plan:

"Objective 4: Fairfax County should provide a comprehensive network of trails and sidewalks as an integral element of the overall transportation network.

Policy a: Plan for Pedestrian, bicycle, and bridle path/hiking trail system components in accordance with the Countywide Trails Plan

The following appendices found in the Policy Plan are also applicable.

**"APPENDIX 5
DRIVE-THRU FACILITIES**

Drive-thru windows for commercial establishments and other drive-thru facilities have the potential to cause serious on-site and off-site traffic circulation problems. To address these potential problems, drive-thru windows and other drive-thru facilities should be approved only if the size and configuration of the lot are adequate to achieve a safe drive-thru facility, parking circulation and pedestrian system. All activity generated by the use must be accommodated on the site. Noise, glare and other nuisance aspects related to drive-thru facilities must not adversely affect adjacent properties."

**"APPENDIX 7
GUIDELINES FOR CLUSTERING OF AUTOMOBILE-ORIENTED
COMMERCIAL USES**

Consideration should be given during the development review process to encourage the clustering of automobile-oriented commercial uses. By allowing such clusters, the following benefits may accrue: higher quality design; increased landscaping and buffering; increased vehicular safety; and increased energy efficiency.

Uses that should be considered for clustering include, but are not limited to, automobile sales and service, banks, convenience stores and fast food restaurants..."

The following citations from the Environment section of the Policy Plan are also applicable:

"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."

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

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

PLAN MAP: Retail and other

ANALYSIS

The Plan indicates that the site is appropriate for neighborhood serving retail uses at an intensity of up to .30 FAR. The application proposes two auto-oriented uses including a drive-through associated with the fast food restaurant. Both uses would result in development of the site at an intensity of .11 FAR. The proposed use and FAR are in harmony with Comprehensive Plan use and intensity guidelines and are also compatible with the adjacent fast food restaurant and other commercial development which generally surrounds the site. There are no outstanding environmental concerns with the application. The adequacy of the underground stormwater management system proposed will be evaluated by DPW&ES at the time of site plan review. However, the initial application raised several issues related to circulation, access and design as noted below.

Issue: Access and Circulation. Access in and out of the site is shown in two locations along Old Centreville Road. The guidance for drive-through uses contained in the Policy Plan states that careful consideration should be given to such facilities in order to ensure safe on-site circulation and access. Although this issue is discussed in detail in the Transportation Analysis, it is recommended that the applicant consider reducing the entrances into the site and provide access from West View Drive only. Internal pedestrian connections and crosswalks to safely link the two uses are strongly encouraged. Sidewalks are provided along Old Centreville Road and West View Drive.

Issue: Design and Quality. The proposal slightly exceeds the open space requirement and provides approximately 50 feet of buffering and screening and a landscaped screening wall along the Old Centreville Road site frontage to buffer the commercial use from the adjacent park and residential lot. Substantial landscaping is generally shown to be provided along the periphery and in internal to the site. It would be desirable to continue the stone landscaping wall theme developed on the nearby Centreville Crossing Shopping Center by incorporating a similar design in the landscape and retaining wall systems depicted on the RZ/SE plat.

It would be desirable for the applicant to provide both building and sign elevations to ensure that the design, colors, building materials and architecture are compatible with and do not detract from the surrounding residential and commercial areas.

Issue: Lighting. No information is provided regarding the height of parking lot lighting or type of lighting proposed. The applicant is encouraged to choose luminaires for parking lot lighting and building security lighting which will be fully cut-off to ensure that no glare projects above the horizontal plane. Uplighting for landscaping and architectural illumination is discouraged. In addition, light trespass at the property line is to be avoided. Guidance for good lighting practices may be found in the handbook entitled "Lighting for Exterior Environments" by the *Illuminating Engineers Society of North America (IESNA)* also referred to as RP- 33-99.

FS: DMJ

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Barbara A. Byron, Director
Zoning Evaluation Division, DPZ

FROM: Angela Kadar Rodeheaver, Chief *AKR by CAA*
Site Analysis Section, DOT

FILE: 3-4 (RZ 2002-SU-034)
3-5 (SE 2002-SU-039)

SUBJECT: Transportation Impact

REFERENCE: GDP 2002-SU-034, SE 2002-SU-030; Dennis and Karen Hogge
Traffic Zone: 1670
Land Identification Map: 54-4 ((1)) 65 - 68

DATE: June 2, 2003

The following comments reflect the analyses of the Department of Transportation. These comments are based on the generalized development plan/special exception plat revised to May 5, 2003 and draft proffers revised to May 6, 2003.

The applicant is proposing to redevelop the site with two uses. The proposed uses are a fast food restaurant with drive through window, and a vehicle repair shop. Numerous transportation issues were identified when the application was first submitted. Most of these issues have been adequately addressed, but the following concerns remain outstanding and should be adequately resolved prior to a favorable consideration of the application.

1. *Provision of interparcel access options to and from parcel 54-4 ((1)) 64.* The commercial property (parcel 64) located north of the subject site has not been consolidated with the proposed retail uses. In order to improve traffic flow and commercial access along Old Centreville Road, the applicant should commit to permit the establishment of an interparcel connection at any location along the northern property line between the end of the proposed fast food stacking spaces and the proposed loading space for the vehicle repair center. The location of the connection would depend upon the geometric design of any redevelopment or use of parcel 64. The applicant should also commit to provide access easements between parcel 64 and West View Drive as dictated by the point of access.

2. *Modification of the driveway exit from the drive through window.* The exit lane from the drive through window is proposed to be 24 feet wide and will exit onto the proposed West View Drive cul-de-sac immediately adjacent to a north/south travel aisle on the site. In order to reduce

vehicle conflict points at this location, the exit lane from the drive through should be narrowed and modified so as to exit onto the travel aisle - not the cul-de-sac.

3. *Placement of West View Drive into the VDOT system for maintenance and operations.* West View Drive, is located within a public right-of-way, but is not to VDOT standards and has not been accepted into the VDOT system for maintenance and operations. The southern portion of the roadway was improved with construction of the retail uses located south of the roadway. The improvements proposed with the current application would appear to complete the roadway to VDOT standards. However, the applicant should commit to upgrade or modify the existing roadway as needed in order to meet VDOT standards, and to diligently pursue obtaining acceptance of the roadway by VDOT.

4. *Extension of the sidewalk around the western portion of the cul-de-sac on West View Drive.* In order to enhance pedestrian safety and access, it would be desirable for the applicant to extend the proposed sidewalk around the cul-de-sac to the existing entrance on the south side of the roadway.

AKR/CAA

cc: Michelle Brickner, Director, Office of Site Development Services, Department of Public Works and Environmental Services



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)

PHILIP A. SHUCET
COMMISSIONER

THOMAS F. FARLEY
DISTRICT ADMINISTRATOR

May 30, 2003

Ms. Barbara A. Byron
Director of Zoning Evaluation
Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5511

Re: RZ 2002-SU-034/SE 2002-SU-039, West View Commercial Center
Tax Map No.: 054-4 ((1)) 65-68

Dear Ms. Byron,

This office has reviewed the special exception/generalized development plan relative to the above-mentioned applications and offers the following comments.

The applicant should provide frontage improvements along Old Centreville Road in front of the Park Authority.

For additional information please contact this office.

Sincerely,

A handwritten signature in cursive script, reading "Noreen H. Maloney".

Noreen H. Maloney
Transportation Engineer

cc: Ms. A. Rodeheaver

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Staff Coordinator DATE: November 8, 2002
 Zoning Evaluation Division, OCP

FROM: Gilbert Osei-Kwadwo (Tel: 324-5025) *gok*
 System Engineering & Monitoring Division
 Office of Waste Management, DPW

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. RZ 2002-SU-034/SE 2002-SU-039
 Tax Map No. 054-4- /01/ /0065, 0066, 0067

The following information is submitted in response to your request for a sanitary sewer analysis for above referenced application:

- The application property is located in the CUB RUN (T5) Watershed. It would be sewered into the UOSA Treatment Plant.
- Based upon current and committed flow, excess capacity is available in the Upper Occoquan Sewer Authority Treatment Plant at this time. For purposes of this report, committed flow shall be deemed as for which fees have been previously paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
- An existing 10 inch line located in AN EASEMENT_ and ON the property is adequate for the proposed use at this time.
- The following table indicates the condition of all related sewer facilities and the total effect of this application.

<u>Sewer Network</u>	<u>Existing Use + Application</u>		<u>Existing Use + Application + Previous Rezonings</u>		<u>Existing Use + Application + Comp. Plan</u>	
	<u>Adeq.</u>	<u>Inadeq.</u>	<u>Adeq.</u>	<u>Inadeq.</u>	<u>Adeq.</u>	<u>Inadeq.</u>
Collector	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>
Submain	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>
Main/Trunk	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>	<u>X</u>	<u> </u>
Interceptor	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Outfall	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

- Other pertinent information or comments: CENTERWOOD REIMBURSEMENT

CHARGES ARE APPLICABLE.

FAIRFAX COUNTY WATER AUTHORITY

8570 EXECUTIVE PARK AVENUE – P.O. BOX 1500

MERRIFIELD, VIRGINIA 22116-0815

PLANNING AND ENGINEERING DIVISION
C. DAVID BINNING, P.E., DIRECTORTELEPHONE
(703) 289-6325FACSIMILE
(703) 289-6382

November 4, 2002

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

Re: RZ 02-SU-034
SE 02-SU-039
Water Service Analysis

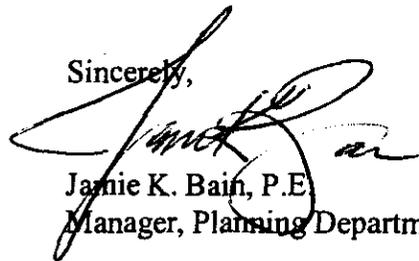
Dear Ms. Byron:

The following information is submitted in response to your request for a water service analysis for the above application:

1. The property is located within the Fairfax County Water Authority service area.
2. Adequate domestic water service is available at the site from an existing 16-inch water main located at the property. See the enclosed property map. The Generalized Development Plan has been forwarded to Plan Control for distribution to Engineering Firm.
3. Depending upon the configuration of the onsite water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

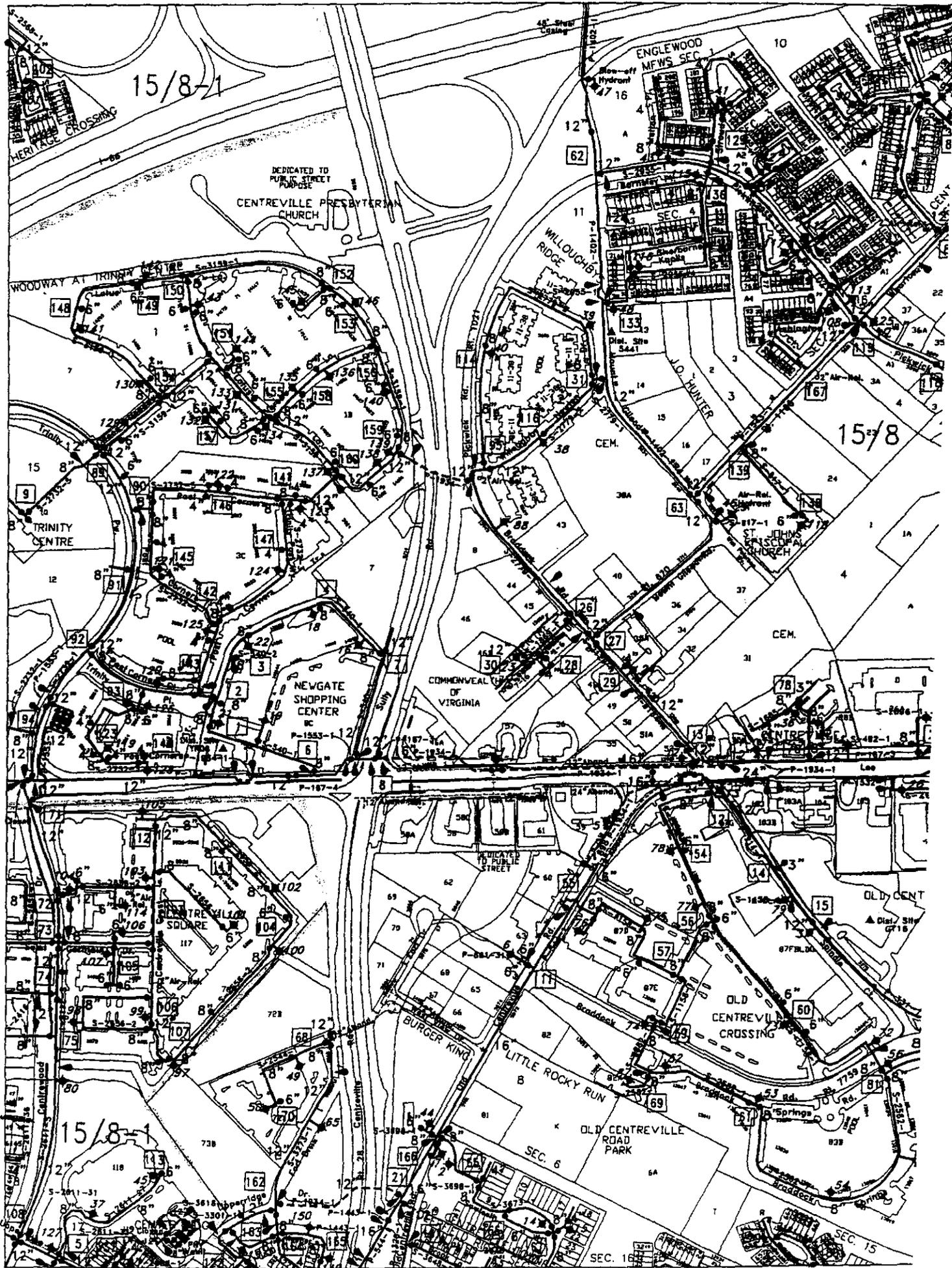
If you have any questions regarding this information please contact me at (703) 289-6302.

Sincerely,



Jamie K. Bain, P.E.
Manager, Planning Department

Enclosures (as noted)



15/8-1

DEDICATED TO PUBLIC STREET PURPOSE
CENTREVILLE PRESBYTERIAN CHURCH

ENGLEWOOD MFWS SEC. 1

WILLOUGHBY RIDGE

JO HUNTER

15/8

NEWGATE SHOPPING CENTER
P-1883-12

COMMONWEALTH OF VIRGINIA

OLD CENTREVILLE CROSSING

BURGER KING

LITTLE ROCKY RUN

OLD CENTREVILLE ROAD PARK

15/8-1

SEC. 16

SEC. 15

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

October 11, 2002

TO: Barbara Byron, Director
Zoning Evaluation Division
Office of Comprehensive Planning

FROM: Ralph Dufaney (246-3868)
Planning Section
Fire and Rescue Department

SUBJECT: Fire and Rescue Department Preliminary Analysis of *Rezoning application RZ 2002-SU-034 and Special Exception Application SE 2002-SU-039*

The following information is submitted in response to your request for a preliminary Fire and Rescue Department analysis for the subject:

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #17, Centreville
2. After construction programmed for FY 20___, this property will be serviced by the fire station planned for the _____.
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
 - a. currently meets fire protection guidelines.
 - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
 - c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
 - d. does not meet current fire protection guidelines without an additional facility. The application property is ___ of a mile outside the fire protection guidelines. No new facility is currently planned for this area.

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Barbara Byron, Director
Zoning Evaluation Division
Department of Planning and Zoning

DATE: 6/3/2003

FROM: Carl Bouchard, Director
Stormwater Planning Division
Department of Public Works & Environmental Services

SUBJECT: Rezoning Application Review

Name of Applicant/Application: Dennis O and Karen M Hogge

Application Number: RZ2002-SU-034 and SE2002-SU-039

Information Provided: Application - Yes
Development Plan - Yes
Other - Statement of Justification

Date Received in SWPD: 10/15/2002

Date Due Back to DPZ: 11/6/2002

Site Information: Location - 054-6-01-00-0065, 66 and 67
Area of Site - 1.78 acres
Rezone from - R-1 to C-6
Watershed - Cub Run

Stormwater Planning Division (SWPD), Maintenance and Stormwater Management Division (MSMD), and Planning and Design Division (PDD) Information:

I. Drainage:

- MSMD/PDD Drainage Complaints: **There are no downstream complaints on file with PDD, relevant to this proposed development.**
- Master Drainage Plan, proposed projects, (SWPD): **No downstream deficiencies are identified in the Fairfax County Master Drainage Plan.**
- Ongoing County Drainage Projects (SWPD): **None.**
- Other Drainage Information (SWPD): **The SWPD is currently engaged in developing watershed management plans for all areas of the County. As part of this effort, a comprehensive stream physical/habitat assessment was conducted and the data will be available later this year. The results of this assessment may or may not indicate severe stream channel conditions warranting some immediate measures to alleviate existing and/or anticipated future degradation. Please consult with SWPD for additional information as needed.**

Application Name/Number: Dennis O and Karen M Hogge / RZ2002-SU-034

******* SWPD AND PDD, DPWES, RECOMMENDATIONS*******

Note: The SWPD and PDD recommendations are based on the SWPD and PDD involvement in the below listed programs and are not intended to constitute total County input for these general topics. It is understood that the current requirements pertaining to Federal, State and County regulations, including the County Code, Zoning Ordinance and the Public Facilities Manual will be fully complied with throughout the development process. The SWPD and PDD recommendations are to be considered additional measures over and above the minimum current regulations.

DRAINAGE RECOMMENDATIONS (SWPD): The SWPD supports the use of an underground system for detention and a below ground infiltration trench, stormceptor or a sand filter for BMP.

STREAM PROTECTION STRATEGY (SPS) RECOMMENDATIONS, (SWPD): This site is in the "Watershed Restoration Level II" management category as determined by the Stream Protection Strategy baseline Report 2001. The primary goal of this category is to maintain areas to prevent further degradation and implement measures to improve water quality to comply with regulations and water quality standards. In this regard, this site should be developed with the use of innovative BMPs and a reduction in imperviousness and if appropriate, sections of on site streams that need stabilizing should be restored or stabilized.

TRAILS RECOMMENDATIONS (PDD): None.

SCHOOL SIDEWALK RECOMMENDATIONS (PDD): None.

SANITARY SEWER E&I RECOMMENDATIONS (PDD): None.

Yes NOT REQUIRED Extend sanitary sewer lines to the development boundaries on the _____ sides for future sewer service to the existing residential units adjacent to or upstream from this rezoning. Final alignment of the sanitary extension to be approved by Department of Public Works and Environmental Services during the normal plan review and approval process.

Other E&I Recommendations (PDD): None.

OTHER SWPD and PDD PROJECT/PROGRAM RECOMMENDATIONS: None.

SWPD and PDD Internal sign-off by:
Planning Support Branch (Ahmed Rayyan) ab
Utilities Design Branch (Walt Wozniak) mg
Transportation Design Branch (Larry Ichter) nc
Stormwater Management Branch (Fred Rose) _____

CEB/RZ2002-SU-034

cc: Gordon Lawrence, Coordinator, Office of Safety, Fairfax County Public Schools (only if sidewalk recommendation made)

**FAIRFAX COUNTY PARK AUTHORITY****MEMORANDUM**

TO: Barbara A. Byron, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Lynn S. Tadlock, Director
Planning and Development Division

DATE: October 18, 2002

SUBJECT: RZ 2002-SU-034
West View Commercial Center
Loc: 54-4((1)) 65-68

The Fairfax County Park Authority (FCPA) staff has reviewed the above referenced application. Based upon that review, staff has determined that this application bears no adverse impact on land or resources of the Fairfax County Park Authority.

cc: Kirk Holley, Manager, Planning and Land Management Branch
Chron file
File Copy

FAIRFAX COUNTY ZONING ORDINANCE

- C. For all approved special exception uses, any request for an addition shall require the provision of written notice by the requester in accordance with the following:
- (1) the notice shall include the letter of request with all attachments as submitted to the Zoning Administrator, a statement that the request has been submitted, and where to call for additional information; and
 - (2) the notice shall be sent to the last known address of the owners, as shown in the real estate assessment files of the Department of Tax Administration, of all property abutting and across the street from the site, or portion thereof, which is the subject of the request, and shall be delivered by hand or sent by certified mail, return receipt requested.

The request for an addition submitted to the Zoning Administrator shall include: an affidavit from the requester affirming that the required notice has been provided in accordance with the above; the date that the notice was delivered or sent; the names and addresses of all persons notified; and the Tax Map references for all parcels notified. No request for an addition shall be considered by the Zoning Administrator unless the affidavit has been provided in accordance with this paragraph.

When it is determined by the Zoning Administrator that a modification is not in substantial conformance with the approved special exception, such modification shall require the approval of an amendment to the special exception in accordance with Sect. 014 below or a new special exception.

9-005 Establishment of Categories

For purposes of applying specific conditions upon certain types of special exception uses, and for allowing special exception uses to be established only in those zoning districts which are appropriate areas for such uses, all special exception uses are divided into categories of associated or related uses, as hereinafter set forth in this Article 9.

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

SPECIAL EXCEPTIONS

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.

9-007

Conditions and Restrictions

In addition to those standards set forth in this Article, the Board, in approving a special exception, may impose such conditions and restrictions upon the proposed use as it may deem necessary in the public interest to secure compliance with the provisions of this Ordinance and to protect the viability of the implementation of the adopted comprehensive plan. Such conditions or restrictions may include but need not be limited to a time limitation on the length of the exception in accordance with the provisions of Sect. 008 below and may require the posting of a guarantee or bond in a reasonable amount by the applicant.

9-008

Time Limitations, Extensions, Renewals

In addition to the time limits set forth in this Article, the Board may require, as a condition of the approval of any special exception, that it shall be approved for a specified period of time; that it may be subsequently extended for a designated period by the Zoning Administrator; or that it may be periodically renewed by the Board. The procedure of granting an extension or renewal shall be as presented in Sections 012 and 014 below.

Unless otherwise stipulated by the Board, a specified period of time shall commence on the date of approval of a special exception.

9-009

Application for a Special Exception

1. An application for a special exception may be made by any property owner, owner of an easement, possessor of the right of entry under the power of eminent domain, lessee, contract purchaser, official, department, board or bureau of any government or their agent.
2. The application shall be filed with the Zoning Administrator on forms provided by the County. The application shall be complete, and shall be accompanied by those

SPECIAL EXCEPTIONS

R-5, R-8 Districts: Limited to uses 5, 12, 15, 17, 27 and 38

R-12, R-16, R-20 Districts: Limited to uses 12, 15, 27 and 38

R-30 District: Limited to uses 12, 15, 17, 27 and 38

R-MHP District: Limited to uses 12, 15, 27 and 38

PDH District: Limited to uses 11, 27 and 35

PDC District: Limited to uses 11 and 27

PRC District: Limited to uses 27 and 35

C-1 District: Limited to uses 10, 27 and 38

C-2 District: Limited to uses 6, 9, 10, 27 and 38

C-3 District: Limited to uses 6, 9, 10, 14, 18, 21, 22, 25, 27 and 38

C-4 District: Limited to uses 6, 9, 10, 14, 21, 22, 25, 27 and 38

C-5 District: Limited to uses 2, 3, 6, 11, 15, 17, 20, 21, 23, 27, 33, 34, 36, 37, 38, 39 and 41

C-6 District: Limited to uses 2, 3, 4, 6, 11, 14, 15, 17, 20, 21, 23, 25, 27, 30, 33, 34, 36, 37, 38 and 39

C-7 District: Limited to uses 2, 3, 4, 6, 7, 8, 10, 11, 15, 17, 20, 21, 23, 25, 26, 27, 30, 33, 34, 36, 37, 38 and 39

C-8 District: Limited to uses 2, 3, 4, 6, 7, 10, 11, 15, 16, 17, 20, 21, 23, 24, 25, 27, 30, 33, 34, 36, 37, 38 and 39

C-9 District: Limited to uses 2, 3, 4, 6, 10, 11, 17, 18, 20, 21, 23, 25, 26, 27, 33, 36 and 37

I-I District: Limited to use 27

I-1 District: Limited to uses 27 and 38

I-2 District: Limited to uses 9, 14, 15, 18, 22, 27 and 38

I-3 District: Limited to uses 3, 6, 9, 14, 15, 16, 18, 21, 22, 25, 26, 27, 29, 37, 38, 39 and kennels (outdoor)

I-4 District: Limited to uses 3, 6, 9, 14, 15, 18, 19, 21, 22, 25, 27, 28, 32, 37, 38, 39 and kennels (outdoor)

I-5 District: Limited to uses 3, 6, 7, 9, 11, 14, 18, 19, 20, 21, 23, 25, 27, 32, 33, 37, 38, 39 and kennels (outdoor)

I-6 District: Limited to uses 3, 6, 7, 11, 13, 18, 19, 20, 21, 23, 27, 31, 33, 37, 38, 39 and kennels (outdoor)

9-503 Standards for all Category 5 Uses

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

1. Except as qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

OVERLAY AND COMMERCIAL REVITALIZATION DISTRICT REGULATIONS

PART 6 7-600 HIGHWAY CORRIDOR OVERLAY DISTRICT

7-601 Purpose and Intent

In furtherance of the purposes set forth in Sections 15.2-2200, 15.2-2283, 15.2-2284 and 15.2-1200 of Va. Code Ann. and, in general, to protect and promote the health, safety and general welfare of the public by the prevention or reduction of traffic congestion and/or danger in the public and private streets, a limitation is placed on certain automobile oriented, fast service, or quick turn-over uses by the imposition of the Highway Corridor Overlay District. Except as allowed by right or except as qualified by Sections 607 and 608 below, the following uses shall be regulated in the Highway Corridor Overlay District:

1. Drive-in banks.
2. Fast food restaurants.
3. Quick-service food stores.
4. Service stations.
5. Service station/mini-marts.

Nothing herein shall be construed so as to impair a vested right.

7-602 District Boundaries

1. Highway Corridor Overlay District boundaries shall be as established on the Official Zoning Map.
2. In lieu of a metes and bounds description, the District boundaries may be described by fixing the points of beginning and end in the centerline of a street and the distance on one or both sides from the centerline to which this district shall extend.

7-603 Establishment of Districts

1. The Board of Supervisors may apply the Highway Corridor Overlay District to the land along any street or highway upon concluding that:
 - A. A major purpose of the street or highway is to carry through traffic; and
 - B. The construction and/or utilization of regulated uses would have an adverse impact on level of service, increase danger and/or congestion in the streets, impair the public health, safety, convenience and welfare and/or impede the maintenance or creation of a convenient, attractive and harmonious community.
2. The Highway Corridor Overlay District shall be in addition to and shall overlay all other zoning districts where it is applied so that any parcel of land lying in a Highway Corridor Overlay District shall also lie within one or more of the other zoning districts provided for by this Ordinance. The effect shall be the creation of new zoning districts consisting of

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the regulations and requirements of both the underlying district(s) and the Highway Corridor Overlay District.

3. Such districts may be amended in accordance with the provisions of Part 2 of Article 18.

7-604 Administration

The administration of the provisions of the Highway Corridor Overlay District shall be as provided for in Article 9 for drive-in banks, fast food restaurants, quick-service food stores, service stations and service station/mini-marts and as provided for in Article 18 for all other uses.

7-605 Permitted Uses

All uses permitted by right in the underlying zoning district(s)

7-606 Special Permit Uses

All uses permitted by special permit in the underlying zoning district(s)

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 banks, 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 banks, 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

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted in the zoning district if the site were developed as a conventional subdivision. See 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	PD	Planning Division
ADU	Affordable Dwelling Unit	PDC	Planned Development Commercial
ARB	Architectural Review Board	PDH	Planned Development Housing
BMP	Best Management Practices	PFM	Public Facilities Manual
BOS	Board of Supervisors	PRC	Planned Residential Community
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	SP	Special Permit
DP	Development Plan	TDM	Transportation Demand Management
DPWES	Department of Public Works and Environmental Services	TMA	Transportation Management Association
DPZ	Department of Planning and Zoning	TSA	Transit Station Area
DU/AC	Dwelling Units Per Acre	TSM	Transportation System Management
EQC	Environmental Quality Corridor	UP & DD	Utilities Planning and Design Division, DPWES
FAR	Floor Area Ratio	VC	Variance
FDP	Final Development Plan	VDOT	Virginia Dept. of Transportation
GDP	Generalized Development Plan	VPD	Vehicles Per Day
GFA	Gross Floor Area	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	ZAD	Zoning Administration Division, DPZ
Non-RUP	Non-Residential Use Permit	ZED	Zoning Evaluation Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZPRB	Zoning Permit Review Branch
PCA	Proffered Condition Amendment		

