



APPLICATION ACCEPTED: June 3, 2010
PLANNING COMMISSION: October 6, 2010
BOARD OF SUPERVISORS: October 19, 2010 @ 3:30 pm

County of Fairfax, Virginia

September 22, 2010

CRD

STAFF REPORT

SPECIAL EXCEPTION APPLICATION SE 2010-LE-011

LEE DISTRICT

APPLICANT: Springfield Plaza, LLC

ZONING: C-6, HC, SC, and CRD

PARCEL(S): 80-3 ((1)) 4A part

ACREAGE: 15,230 square feet (SE Area)

FAR: 0.13 (SE Area)
0.28 (Springfield Plaza)

OPEN SPACE: 7.8 % (SE Area)

PLAN MAP: Retail and Other

SE CATEGORY: Category 6, Use 7 ...Fast Food Restaurant...
in a Highway Corridor Overlay District

Category 6, Waiver of Certain Sign Regulations

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

Kelli-Mae Goddard-Sobers

PROPOSAL:

The applicant seeks a special exception to permit a fast food restaurant without a drive-through in an existing shopping center located in a Highway Corridor Overlay (HC) District and Sign Control Overlay District (SC), waiver of certain sign regulations, and modifications, waivers and increases in a Commercial Revitalization District (CRD).

STAFF RECOMMENDATIONS:

Staff recommends approval of SE 2010-LE-011, subject to the proposed development conditions contained in Appendix 1.

Staff recommends approval of a modification of the loading space requirement.

Staff recommends approval of a waiver of the open space requirement.

Staff recommends approval of a waiver of the peripheral parking lot landscaping requirements.

Staff recommends approval of a modification of the interior parking lot landscaping requirements to that shown on the SE Plat.

Staff recommends approval of a modification of the 10-year tree canopy requirement by the Director of DPWES, UFM.

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

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

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

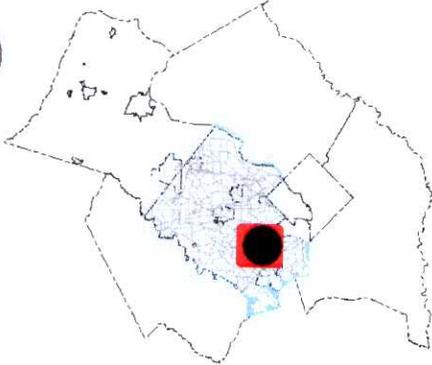
For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

O:\kgodda\SE\Springfield Plaza\Staff Report\cover.doc



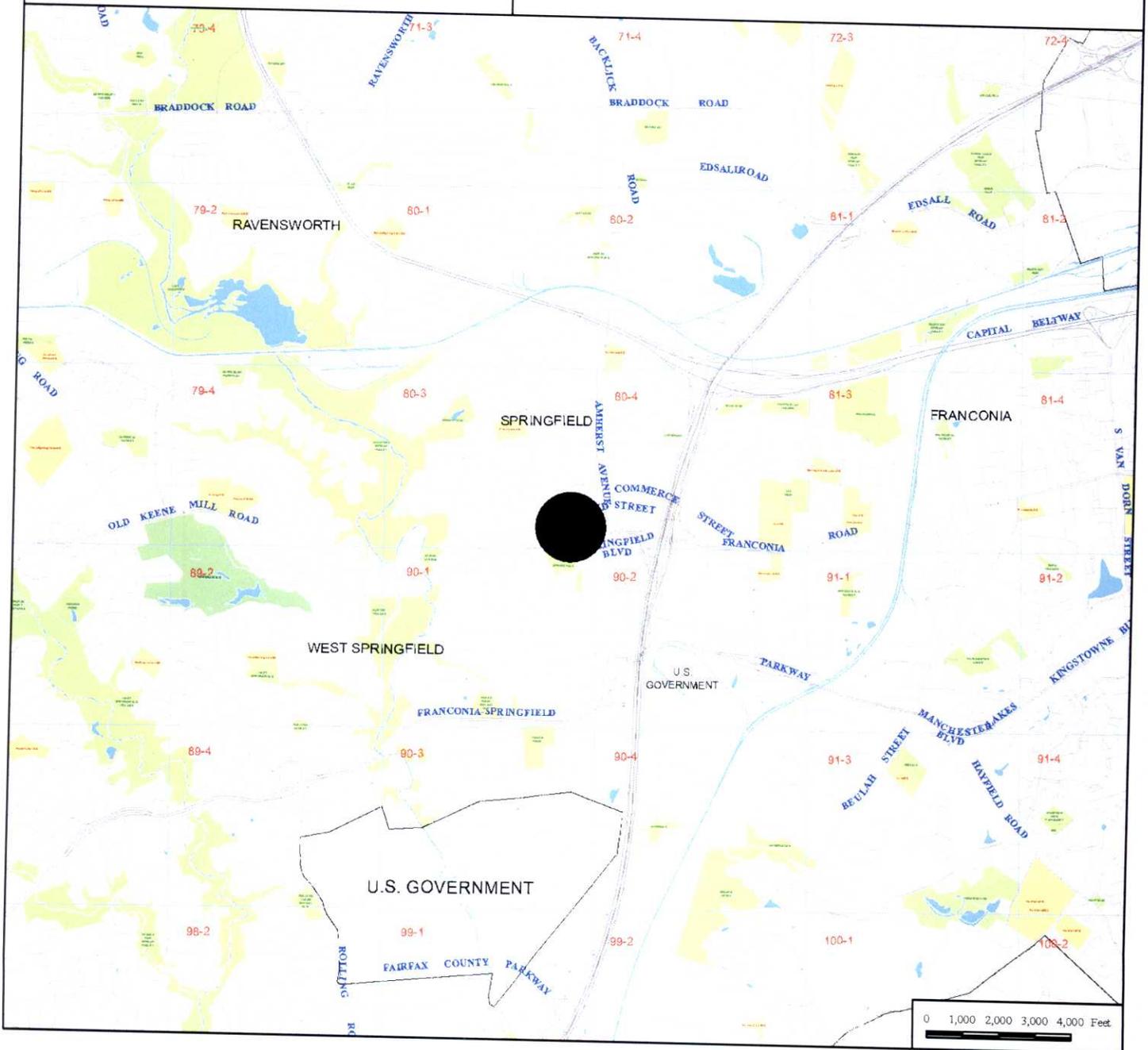
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Exception
SE 2010-LE-011



Applicant: **SPRINGFIELD PLAZA, LLC**
 Accepted: **06/03/2010**
 Proposed: **FAST FOOD RESTAURANT, WAIVER OF CERTAIN SIGN REGULATIONS AND MODIFICATIONS, WAIVERS, INCREASES IN A COMMERCIAL REVITALIZATION DISTRICT**

Area: **15,230 SF OF LAND; DISTRICT - LEE**
 Zoning Dist Sect: **04-0604 09-0622 09-0620**
 Art 9 Group and Use: **5-11 6-19 6-17**
 Located: **7110 OLD KEENE MILL ROAD**
 Zoning: **C- 6**
 Plan Area: **4,**
 Overlay Dist: **CRD SC HC**
 Map Ref Num: **080-3- /01/ /0004A pt.**



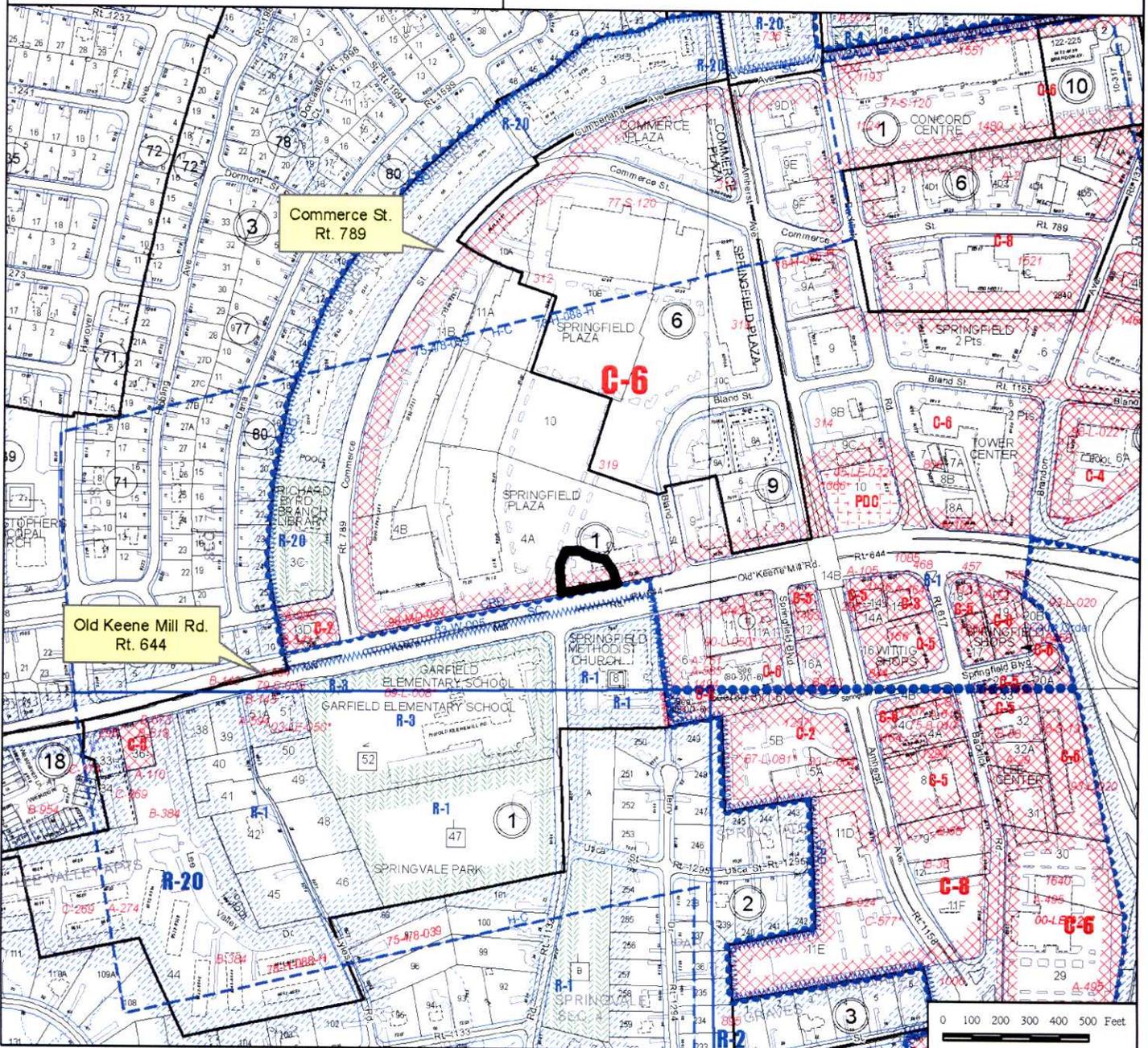
Special Exception

SE 2010-LE-011



Applicant: SPRINGFIELD PLAZA, LLC
 Accepted: 06/03/2010
 Proposed: FAST FOOD RESTAURANT, WAIVER OF CERTAIN SIGN REGULATIONS AND MODIFICATIONS, WAIVERS, INCREASES IN A COMMERCIAL REVITALIZATION DISTRICT

Area: 15,230 SF OF LAND; DISTRICT - LEE
 Zoning Dist Sect: 04-0604 09-0622 09-0620
 Art 9 Group and Use: 5-11 6-19 6-17
 Located: 7110 OLD KEENE MILL ROAD
 Zoning: C-6
 Plan Area: 4,
 Overlay Dist: CRD SC HC
 Map Ref Num: 080-3- /01/ /0004A pt.



STANDARD DRAWING LEGEND

FOR ENTIRE PLAN SET (NOT TO SCALE)		FOR ENTIRE PLAN SET	
EXISTING NOTE	TYPICAL NOTE TEXT	PROPOSED NOTE	PROPOSED NOTE
---	OWNER PROPERTY LINE IN CLIN LINE	---	OWNER PROPERTY LINE IN CLIN LINE
---	PROPERTY LINE	---	PROPERTY LINE
---	INTERIOR PARCEL LINE	---	INTERIOR PARCEL LINE
---	BASEMENT LINE	---	BASEMENT LINE
---	SETRACK LINE	---	SETRACK LINE
---	CONCRETE CURB & GUTTER	---	CONCRETE CURB & GUTTER
---	UTILITY POLE	---	UTILITY POLE
---	POLE LIGHT	---	POLE LIGHT
---	TRAFFIC LIGHT	---	TRAFFIC LIGHT
---	UTILITY POLE	---	UTILITY POLE
---	TYPICAL LIGHT	---	TYPICAL LIGHT
---	AUTOM. LIGHT	---	AUTOM. LIGHT
---	TYPICAL SIGN	---	TYPICAL SIGN
---	PARKING COUNCIL	---	PARKING COUNCIL
---	CONTOUR LINE	---	CONTOUR LINE
---	SPOT ELEVATION	---	SPOT ELEVATION
---	SANITARY LABEL	---	SANITARY LABEL
---	STORM LABEL	---	STORM LABEL
---	SANITARY SEWER LATERAL	---	SANITARY SEWER LATERAL
---	UNDERGROUND WATER LINE	---	UNDERGROUND WATER LINE
---	UNDERGROUND ELECTRICAL LINE	---	UNDERGROUND ELECTRICAL LINE
---	UNDERGROUND GAS LINE	---	UNDERGROUND GAS LINE
---	UNDERGROUND TELEPHONE LINE	---	UNDERGROUND TELEPHONE LINE
---	UNDERGROUND CABLE LINE	---	UNDERGROUND CABLE LINE
---	STORM SEWER	---	STORM SEWER
---	SANITARY SEWER MAIN	---	SANITARY SEWER MAIN
---	SEWER MANHOLE	---	SEWER MANHOLE
---	SANITARY MANHOLE	---	SANITARY MANHOLE
---	STORM MANHOLE	---	STORM MANHOLE
---	WATER METER	---	WATER METER
---	WATER VALVE	---	WATER VALVE
---	GAS VALVE	---	GAS VALVE
---	METER	---	METER
---	TYPICAL END SECTION	---	TYPICAL END SECTION
---	HEADWALL OR ENDWALL	---	HEADWALL OR ENDWALL
---	WALL	---	WALL
---	WATER METER	---	WATER METER
---	MANHOLE	---	MANHOLE
---	OR-LETTER	---	OR-LETTER
---	POINT OF ANALYSIS	---	POINT OF ANALYSIS
---	POINT CURVATURE	---	POINT CURVATURE
---	POINT OF COMPOUND CURVATURE CURB RETURN	---	POINT OF COMPOUND CURVATURE CURB RETURN
---	POINT OF INTERSECTION	---	POINT OF INTERSECTION
---	POINT OF GRADE	---	POINT OF GRADE
---	PROPOSED	---	PROPOSED
---	POINT OF TANGENCY	---	POINT OF TANGENCY
---	POINT OF TANGENCY CURB RETURN	---	POINT OF TANGENCY CURB RETURN
---	WATER METER	---	WATER METER
---	TEST PIT	---	TEST PIT
---	BENCHMARK	---	BENCHMARK
---	BORING	---	BORING

STANDARD ABBREVIATIONS

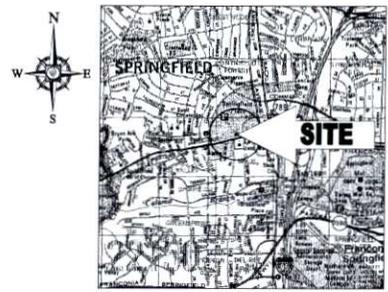
FOR ENTIRE PLAN SET		
AC	ACERS	PVC POLYVINYL CHLORIDE PIPE
ADA	AMERICANS WITH DISABILITY ACT	PVI POINT OF VERTICAL INTERSECTION
ARCH	ARCHITECTURAL	PVT POINT OF VERTICAL TANGENCY
BC	BOTTOM CURB	R RADIUS
BF	BASEMENT FLOOR	RCF REINFORCED CONCRETE PIPE
BK	BLOCK	RW RIGHT OF WAY
BL	BASELINE	S SLOPE
BLDS	BUILDING	SSW SANITARY SEWER
BM	BUILDING BENCHMARK	SF SQUARE FEET
CL	CURB FEET	STA STATION
CL	CENTERLINE	STM STORM
CMP	CORRUGATED METAL PIPE	TBR TO BE REMOVED
CONC	CONCRETE	TC TOP CURB
CY	CUBIC YARDS	TPF TREE PROTECTION FENCE
DEC	DECORATIVE	TN TOP OF WALL
DEP	DEPRESSED	TYP TYPICAL
DF	DUCTILE IRON PIPE	UG UNDERGROUND
ELEV	ELEVATION	UV VERIFY IN FIELD
EP	EDGE OF PAVEMENT	W WEDGE
ES	EDGE OF SHOULDER	W/O W/OUT OR WITH
EW	END WALL	° DEGREE
EXJ	EXISTS	Ø DIAMETER
FF	FINISHED FLOOR	# NUMBER
FG	FINISHED GRADE	
G	GRADE	
GD	GRADE FLOOR AT DOOR	
GH	GRADE HIGHER SIDE OF WALL	
GL	GRADE LOWER SIDE OF WALL	
GR	GRATE	
HDCP	HANDICAP	
HOPE	HIGH DENSITY POLYETHYLENE PIPE	
HP	HIGH POINT	
HOR	HORIZONTAL	
HW	HEADWALL	
INT	INTERSECTION	
IRV	IRV	
LF	LEAF FOOT	
LOC	LIMITS OF CLEARING	
LOD	LIMITS OF DISTURBANCE	
LP	LOW POINT	
MAE	MANHOLE	
MW	METER	
MB	MANHOLE	
OC	OR-LETTER	
PA	POINT OF ANALYSIS	
PC	POINT CURVATURE	
PCCR	POINT OF COMPOUND CURVATURE CURB RETURN	
PI	POINT OF INTERSECTION	
POG	POINT OF GRADE	
PROP	PROPOSED	
PT	POINT OF TANGENCY	
PTCR	POINT OF TANGENCY CURB RETURN	

SPECIAL EXCEPTION PLAT

FOR

PANDA EXPRESS

LOCATION OF SITE
 7040 OLD KEENE MILL ROAD
 SPRINGFIELD
 TAX MAP 80-3, ((1)), LOT 4A (PART)
 FAIRFAX COUNTY, VIRGINIA



REFERENCES

- PARKING EXHIBIT
 WILLIAM H. GORDON ASSOCIATES, INC.
 TITLE: "PARKING EXHIBIT, SPRINGFIELD PLAZA SHOPPING CENTER"
 PROJECT: 17A-0301
 DATE: 11/92
- MINOR SITE PLAN
 WILLIAM H. GORDON ASSOCIATES, INC.
 TITLE: "MINOR SITE PLAN, SPRINGFIELD PLAZA RESTAURATION, SEE DISTRICT FAIRFAX COUNTY VIRGINIA"
 PROJECT: 17A-0301
 DATE: JUNE 2002
- AS-BUILT GARFIELD ASSOCIATES
 TITLE: "SPRINGFIELD PLAZA BLAND STREET AS-BUILT"
 COUNTY NUMBER: 80-1804
 DATE: 1/98
- ALTAIR/ACOM LAND TITLE SURVEY
 WILLIAM H. GORDON ASSOCIATES, INC.
 TITLE: "ALTAIR/ACOM LAND TITLE SURVEY OF THE PROPERTIES OF SPRINGFIELD PLAZA LIMITED PARTNERSHIP"
 PROJECT: 17A-0301
 DATE: 1/2002, REVISED: 1/2002

SHEET INDEX

COVER SHEET	SHEET TITLE	SHEET NUMBER
1	COVER SHEET	1
2	OVERALL WATER MANAGEMENT PLAN	2
3	EXISTING CONDITIONS/DEMOLITION PLAN/VIEW	3
4	SPECIAL EXCEPTION PLAT	4
5	LANDSCAPE PLAN	5

UTILITY CONTACT INFORMATION:

TELEPHONE	ELECTRIC	GAS
VEREOR 2883 FURBER PARK DR 8TH FLOOR FALLS CHURCH VA 22044 CONTACT: ROSE ARANDA (703) 261-8487	DOMINION ENERGY POWER 11133 MAIN STREET FAIRFAX VA 22036 CONTACT: STEVE SULLIVAN (703) 468-3003	WASHINGTON GAS 685 INDUSTRIAL ROAD SPRINGFIELD VA 22151 CONTACT: CARLOS GALVAN (703) 764-6416
SEWER FAIRFAX COUNTY DPWS 1205 GOVERNMENT CENTER PARKWAY SUITE 104 FAIRFAX VA 22035 CONTACT: ROBERT GANTER (703) 241-5815/44514	WATER FAIRFAX COUNTY WATER AUTHORITY 806 ARLINGTON BOULEVARD MCLEANS VA 22108 CONTACT: MIKE DENNIS (703) 293-6750	DRAINAGE & STORMWATER FAIRFAX COUNTY DPWS 1205 GOVERNMENT CENTER PARKWAY SUITE 104 FAIRFAX VA 22035

WAIVERS/MODIFICATIONS ARE HEREBY REQUESTED FOR EACH OF THE REQUIREMENTS LISTED BELOW:

SUMMARY OF WAIVER/MODIFICATION REQUESTS:

Date	Section	Requirement	Proposed
Existing Conditions	4.06.1	40,000 SF Min Lot Area	16,200 SF Lot Area
Existing Conditions	4.06.2	200 Min. Lot Width	147.47 Min Lot Width
Existing Conditions	4.06	10% Open Space	7.0% Open Space
Existing Conditions	11.02	1 Loading Space	1 Loading Space (Shelved Loading Requirement)
Existing Conditions	42.046 (B)	17 Paved Parking (w/ Landscaping Req)	10 New
Public Facilities Manual	1-401.20	80% Paved (70% Reduction in Paved Development)	No New
Public Facilities Manual	12-011.1	10% Meter Parking (w/ Landscaping)	4.7% Meter Parking (w/ Landscaping)

OWNER
 THE RAPPAHANNOK COMPANIES
 3405 GREENSBORO DRIVE
 SUITE 831
 MALEAN VA 23103
 CONTACT: JOSH GOLDMAN
 PHONE: (878) 382-1237

DEVELOPER
 PANDA RESTAURANT GROUP
 1421 E BROAD STREET
 SUITE 322
 FLOUQUA VIRGINIA 22078
 CONTACT: MARIO FLORES
 PHONE: (916) 557-1191

PREPARED BY

BOHLER ENGINEERING
 22630 DAVIS DRIVE, SUITE 200
 STERLING, VIRGINIA 20164
 Phone: (703) 709-9500
 Fax: (703) 709-9501
 www.BohlerEngineering.com
 CONTACT: AARON BODENSCHATZ

BOHLER ENGINEERING
 CONSULTING ENGINEERS
 22630 DAVIS DRIVE, SUITE 200
 STERLING, VIRGINIA 20164
 Phone: (703) 709-9500
 Fax: (703) 709-9501
 www.BohlerEngineering.com

REVISIONS

REV.	DATE	COMMENT	BY
1	06/10/10	UPDATE SE LINE	ASB
2	07/07/10	PRE-STAFFING	NTG
3	08/19/10	STAFFING	NTG
4	09/15/10	PER COMMENTS	NTG

NOT APPROVED FOR CONSTRUCTION

PROJECT NO: 090200
 DRAWN BY: ASB
 CHECKED BY: AM
 DATE: 10/29/10
 SCALE: N.T.S.
 CADD: ASB

SPECIAL EXCEPTION PLAT
PANDA EXPRESS

LOCATION OF SITE
 7040 OLD KEENE MILL ROAD
 SPRINGFIELD
 FAIRFAX COUNTY VA 22150

BOHLER ENGINEERING
 22630 DAVIS DRIVE, SUITE 200
 STERLING, VIRGINIA 20164
 Phone: (703) 709-9500
 Fax: (703) 709-9501
 www.BohlerEngineering.com

D.B. LOGAN
 PROFESSIONAL ENGINEER
 11111 WOODBURN ROAD
 SUITE 100
 FALLS CHURCH, VA 22044
 Phone: (703) 261-8487

SHEET TITLE
COVER SHEET

SHEET NUMBER
1
 OF 5

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

DESCRIPTION OF THE APPLICATION

Proposal:	The applicant seeks approval of a Category 6 Special Exception to establish a fast food restaurant without a drive-through within an existing vacant structure at the Springfield Plaza shopping center. The site is located in the Springfield Commercial Revitalization District (CRD), in a Highway Corridor (HC) Overlay District and a Sign Control Overlay District (SC). The applicant also requests a waiver of certain sign regulations, and modifications, waivers, and increases in a Commercial Revitalization District (CRD).
Hours of Operation:	10:30 am to 9:30 pm proposed
Number of Employees:	Six (6)
Number of Patrons:	Approximately 250 per day
Requested Waivers and Modifications:	Modification of the loading space requirement; Waiver of the open space requirement; Waiver of the peripheral parking lot landscaping requirements to that shown on the SE Plat.;; Modification of the interior parking lot landscaping requirements to that shown on the SE Plat; Modification of the 10-year tree canopy requirement by the Director of DPWES, UFM.

LOCATION AND CHARACTER

The 15,230 square foot (SF) subject property is a portion of Parcel 4A and is situated within the Springfield Plaza Shopping Center which is located on the north side of Old Keene Mill Road to the west of its intersection with Bland Street. The application property and the remainder of the parcel are currently developed with 254, 508 square feet of retail and other uses that comprise the Springfield Plaza; the special exception area includes approximately 5% of the land area of the shopping

center. The pad site is currently developed with a vacant one-story 1,853 SF retail building and 29 parking spaces. There are two points of access to the parcel. One point of access is from the main driveway leading to Old Keene Mill Road and the second is from Bland Street. Vegetation is limited to the peripheral areas fronting the main driveway from Old Keene Mill Road.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Springfield Plaza	C-6	Retail & Other
South	Garfield Elementary School Springfield Methodist Church	R-3	Public Facilities
		R-1	Residential; 2-3 du/ac
East	Springfield Plaza	C-6	Retail & Other
West	Springfield Plaza	C-6	Retail & Other

BACKGROUND

Site History:

According to County records, the Springfield Plaza was constructed in 1961 and the free standing building in which the proposed use would be located was constructed in 1978. According to County records, the existing structure that is to house the proposed fast food restaurant contains 1,853 SF and was most recently occupied by a travel agency.

On June 29, 1998, the Board of Supervisors approved RZ 1998-MD-037 to establish the boundaries of the Commercial Revitalization District which includes the subject property.

Special Exception SE 01-L-042 was approved by the Board of Supervisors on May 6, 2002 with development conditions, to permit a freestanding shopping center sign with a sign area of 363 SF in a sign control overlay district.

COMPREHENSIVE PLAN PROVISIONS

Plan Area:	Area IV Springfield Planning District
Planning Sector:	S2 Crestwood Community Planning Sector and Springfield Community Business Center
Plan Map:	Retail and Other
Plan Text:	

In the Fairfax County Comprehensive Plan, 2007 Edition, Area IV, Springfield Planning District, Amended through 4-6-2010, S2 Crestwood Community Planning Sector, Page 38 states:

The Crestwood Community Planning Sector is largely developed in stable residential neighborhoods. Infill development should be of a compatible use, type, and density and in accordance with the guidance provided by the Policy Plan under Land Use Objectives 8 and 14.

On Page 38 of the Fairfax County Comprehensive Plan, 2007 Edition, Area IV, Franconia-Springfield Area and Engineer Proving Ground, as amended through April 6, 2010, the Plan states:

Land Unit B

Land Unit B is located west of Amherst Avenue and extends along the northern boundary of the Springfield Community Business Center (CBC) and contains a variety of uses including the Springfield Plaza and Commerce Plaza shopping centers, multifamily residences, the Richard Byrd Library, and an office building. Streetscape design improvements as shown in the Urban Design and Streetscape Guidance, appended to this plan should be incorporated into the area to upgrade existing development and create a harmonious visual appearance. Buildings should be well landscaped, oriented to a public street, and screened from stable residential areas. Lighting should be designed so that it is not intrusive to the surrounding residential areas. Additional guidance concerning urban design, architecture, landscaping, pedestrian circulation, and pedestrian amenities for the land unit is provided in the Urban Design and Streetscape section of the Area-wide recommendations.

ANALYSIS**Special Exception Plat** (Copy at front of staff report)**Title of SE Plat:** Special Exception Plat for Panda Express**Prepared By:** Bohler Engineering**Original and Revision Dates:** May 17, 2010 as revised through
September 15, 2010**Plat Description:**

The SE Plat consists of five sheets:

Special Exception Plat for Panda Express	
Sheet 1	Cover Sheet
Sheet 2	Overall Stormwater Management Plan
Sheet 3	Existing Conditions/Demolition Plan/EVM
Sheet 4	Special Exception Plat
Sheet 5	Landscape Plan

The following features are depicted on the SE Plat:

- Building:** The SE Plat shows an existing one-story, 18-foot tall masonry building with a gross floor area (GFA) of approximately 1,853 SF. The proposed building height is 25 feet, which is due to the addition of an enhanced entryway. The materials to be used for the enhancement of the façade of the existing entryway include wood, brick, glass, and painted stucco. The applicant is proposing three entrances for the building; one primary entrance at the front facing Old Keene Mill Road, a second main entrance on the west side of the building, and the third entrance at the rear of the building. The rear entrance would be for employees only. Some façade modifications are being proposed to allow for an enhanced entryway, which would slightly enlarge the 1,853 SF building by approximately 150 SF in gross floor area (GFA) resulting in a total GFA of approximately 2,003 SF.
- Access:** Vehicular access is provided from two points; one from the main driveway coming from Old Keene Mill Road and the other from Bland Street. Pedestrian access is also provided from these two roadways by existing sidewalks located at the front of the site along Old Keene Mill Road, along the shopping plaza's main driveway, and along Bland Street.

- *Parking:* The SE Plat shows a surface parking lot consisting of 29 spaces and a loading space area within the subject site. A minimum of twenty four (24) parking spaces and one loading space are required. The special exception area is adjacent to a financial institution and its associated parking to the east within the Springfield Plaza.
- *Landscaping:* There is very minimal landscaping on the site. There are a few deciduous trees with shrubbery located in an island along the western property line, and shrubbery in an island in the southwestern corner of the site. As shown on Sheet 5 of the SE Plat, the applicant is proposing to plant additional shrubbery along the property line fronting Old Keene Mill Road, in the planting area located in the southwestern corner where the shopping center's sign is located, around the proposed trash dumpster, in existing islands on-site, and along the proposed outdoor seating area.

Land Use and Environmental Analysis

The property is situated within the Springfield Plaza which is located on the north side of Old Keene Mill Road to the west of its intersection with Bland Street. The Springfield Plaza is planned for retail use up to 0.50 FAR. The Springfield Plaza is located in Land Unit B in the Springfield Community Business Center (CBC). It is recommended that streetscape design improvements as shown in the Urban Design and Streetscape Guidance should be *"incorporated into the area to upgrade existing development and create a harmonious visual appearance. Buildings should be well landscaped, oriented to a public street, and screened from stable residential areas."*

Use and Intensity

The Comprehensive Plan map shows that the subject property is designated for retail and other uses and the Comprehensive Plan text states that the Springfield Plaza is appropriate for community-serving retail uses up to 0.50 FAR. The proposed fast food restaurant use is a community-serving retail use and the proposed FAR is 0.13 which is below the maximum FAR recommended by the Comprehensive Plan. Therefore, the proposed use and intensity are in conformance with the Comprehensive Plan.

Concerns were raised by staff regarding the proposed location of the trash dumpster and loading space on-site. Staff was concerned about the immediate visibility of the dumpster from the main access aisle to the site, and that the proposed area for the loading space would block patrons using the adjacent financial institution's drive-thru facility. To resolve these issues, the applicant has proposed to plant screening around the trash dumpster to make it less visible from the main access aisle and to restrict the hours during which loading activities would occur at the fast food restaurant to reduce traffic conflict between the loading truck and the patrons exiting the financial institution's drive-thru facility. Specifically, the proposed loading hours would be from midnight to 6:00 am.

Landscaping

According to the Comprehensive Plan, streetscape design improvements *should be incorporated into the area to upgrade existing development and create a harmonious visual appearance*. The existing site has very minimal landscaping; it is limited to the peripheral area fronting the main driveway from Old Keene Mill Road, unlike the western side of the shopping plaza, which has substantial landscaping along the Old Keene Mill Road frontage. Staff recommended that the applicant should provide supplemental landscaping on-site and outside the limits of this SE application; specifically along the Old Keene Mill Road frontage, inside the parking lot, within the existing planting area along the western periphery of the site, along the proposed outdoor seating area in front of the building, and around the proposed trash dumpster. Staff believes the additional landscaping would upgrade the existing development and help to create a harmonious visual appearance for the shopping plaza. The applicant has agreed to provide some additional landscaping in the existing planting areas on-site as well as off-site, and to create an additional planting area in front of the building along the proposed outdoor seating area. As stated above, screening is also being proposed around the trash dumpster to make it less visible from the main access aisle.

Urban Forest Management Analysis (Appendix 5)

Tree Cover

Currently, there is a limited amount of vegetation on the site. There are three (3) deciduous trees with some shrubbery located in an island along the western property line, and some shrubbery in an island in the southwestern corner of the site. The applicant is proposing to plant supplemental landscaping throughout the site which includes forty-nine (49) evergreen shrubs in the landscaping strip fronting Old Keene Mill Road, thirteen (13) evergreen shrubs in front of the building alongside the proposed outdoor seating area, seven (7) evergreen shrubs and one (1) deciduous tree along the western side of the dumpster, four (4) evergreen shrubs in an existing landscape median in the middle of the row of parking spaces fronting Old Keene Mill Road, six (6) evergreen shrubs in an existing island located in the southwestern corner on-site, and twenty-eight (28) evergreen shrubs behind the sign for the shopping plaza which is located in the southwestern corner of the site.

The Zoning Ordinance requires ten percent (10%) of the gross site area to be covered by tree canopy; currently, two percent (2%) of the site is covered. The applicant is proposing to provide 7% of the 10-year tree canopy requirement. Even though the 10% percent tree canopy requirement is not being met, staff understands the constraints of the site and acknowledges the applicant's efforts to provide additional landscaping to improve the site's overall appearance which is in accordance with the Comprehensive Plan which states that streetscape design improvements *should be incorporated into the area to upgrade existing development and create a harmonious visual appearance*. The applicant has also agreed to provide a monetary contribution of \$1,000 to the tree preservation and planting fund.

Therefore, staff supports the applicant's request for a modification of the 10% tree canopy requirement and a development condition has also been included which requires the applicant to provide a monetary contribution to the tree preservation and planting fund. As such, staff believes that the applicant's proposed supplemental landscaping improves the site's visual appearance and serves to upgrade the area surrounding the existing structure.

Transportation Analysis (Appendix 6)

Issue: Bus Shelter and Easement

Fairfax County Department of Transportation (FCDOT) staff has stated that the applicant should provide a bus shelter and easement, along with a concrete pad connecting to the existing sidewalk nearest the site entrance on Bland Street. The applicant has stated that they cannot provide a bus shelter due to the financial constraints of this project. The applicant has also noted, that a bus shelter was added to the shopping center on Bland Street, between Amherst Avenue and Backlick Road, when it was recently renovated. The existing bus shelter is approximately 1,000 feet from where staff would like to see the additional bus shelter located.

Staff acknowledges the scope of the proposed special exception use does not entail new construction and simply proposes to add a fast food restaurant use to a vacant structure. Staff finds the addition of a bus shelter on Bland Street desirable but not mandatory with this application.

Issue: Parking Spaces

FCDOT staff has stated that there are three existing parking spaces located outside the limits of the proposed special exception but in the vicinity of the site's access to the shopping plaza's main travel aisle, which would interfere with vehicles stacking to leave the proposed fast food restaurant's parking area.

Resolution:

The applicant is in the process of inquiring whether or not the shopping plaza owner would be willing to stripe out these parking spaces. It would be desirable for the property owner to address this concern.

Stormwater Management Analysis (Appendix 7)

The Department of Public Works and Environmental Services (DPWES) staff acknowledged that the applicant has provided sufficient justification for a waiver of the stormwater detention requirements. DPWES staff also noted that water quality controls are not required for the proposed development. Finally, DPWES staff noted that the Accotink Creek Watershed Plan is currently under development and that the

applicant could voluntarily provide BMPs. The applicant has chosen not to provide any BMPs at this time.

Park Authority Analysis (Appendix 8)

Park Authority staff has reviewed the subject application and stated that the application has no adverse impact on Park Authority land or resources.

Sanitary Sewer Analysis (Appendix 9)

The property is located in the Cameron Run (I-3) watershed and would be sewered into the Alexandria Sanitation Authority (ASA). The Office of Waste Management states that, based upon current and committed flow, there is excess capacity in the ASA, and an existing 8-inch line is adequate for the proposed use at the present time.

ZONING ORDINANCE PROVISIONS (See Appendix 10)

Bulk Standards (C-6,HC)		
Standard	Required	Provided
Minimum Lot Size	40,000 SF*	15,230 SF
Minimum Lot Width	200 ft*	147.44 ft
Front Yard (Old Keene Mill Road)	20 ft	54.22 ft
Side Yard	No requirement	West – 71.42 ft East – 1.0 ft
Rear Yard	No requirement	1.0 ft
Building Height	50 ft	25 ft
Maximum FAR	0.50	0.28 (Shopping center), 0.24 (Parcel 4A), 0.13 (SE)
Open Space	15%	7.8% (waiver requested)
Tree Cover	10%	3.61% (modification requested)
Parking Spaces	24 (20% parking reduction)	29
Loading Spaces	1	1 (Modification requested)

* The minimum lot size requirements may be waived by the Board in accordance with the provisions of Sect. 9-622.

Floor Area Ratio (FAR)

Some façade modifications are being proposed to allow for an enhanced entryway, which would slightly enlarge the 1,853 SF building by approximately 150 SF in gross

floor area (GFA) resulting in a total GFA of approximately 2,003 SF. The resulting FAR for the overall shopping center (0.28) remains the same.

Transitional Screening and Barriers

There are no transitional screening or barrier requirements.

Waivers/Modifications

- *Waiver of lot size, lot width requirements and open space*

In a Commercial Revitalization District (CRD), the minimum lot size can be waived pursuant to Sec. 9-622 of the Zoning Ordinance. The special exception area is 15,230 SF and 147.44 feet wide which is less than the lot size and lot width requirements for the C-6 district cited in the Bulk Standards table above. However, the pad site is located within the Springfield Plaza parcel, which does exceed the lot size (7.6 acres) and lot width (715.8 feet) requirements. Sect. 9-622 of the Zoning Ordinance states *In a Commercial Revitalization District, the Board may approve, either in conjunction with the approval of a rezoning or as a special exception, the following: A. A modification or waiver of the minimum lot size, minimum yard and/or minimum open space requirements of the underlying zoning district regulations.* Therefore, staff supports the applicant's request as the subject lot qualifies for a waiver of the lot size and lot width requirements.

The open space requirement in a C-6 District is 15%, whereas the applicant is proposing to provide 7.8%. The open space requirement can also be waived in a CRD pursuant to Sect. 9-622. The applicant has stated that no new construction is proposed, and that they are seeking a change in use for an existing building under existing site conditions. Staff acknowledges that due to site constraints, the applicant is unable to provide additional open space. The applicant has however proposed supplemental landscaping to improve the visual appearance of the site. Staff therefore supports the applicant's open space waiver request.

- *Modification of loading space requirement*

Per Section 11-203 of the Zoning Ordinance, fast food restaurants are required to have one (1) loading space for the 1,574 SF building. Par. 3 of Sect. 11-202 permits the number of loading spaces to be waived or modified if other space is available on the site for such a purpose, due to a change in the nature of the use or a reduction in the size of the use, or for an existing structure or for an accessibility improvement. The building was previously used for a travel agency which did not require a loading space. The applicant has designated an area for loading, however, it is not a standard loading space and the proposed location is at the rear of the building where the truck would block the exit of the adjacent financial institution's drive-thru facilities. The applicant has provided staff with two truck turn exhibits; one which demonstrates how the truck would be unable to access any other area on-site due to a lack of space for the truck to turn and enter the drive aisles, while the other exhibit

demonstrates that the truck would be able to successfully access the proposed loading space area shown on the SE Plat. The applicant has agreed to restrict the loading hours outside of the financial institution's hours of operation. Specifically, the proposed hours are midnight to 6:00 am. A development condition has been included to restrict the loading hours and it also requires the lessee to provide a contact name and phone number to the shopping plaza owner, in the event the loading hours are not adhered to. Staff has no objection to this modification request.

o *Waiver of the peripheral parking lot landscaping requirements*

The applicant has requested permission to have the peripheral parking lot landscaping requirements waived. According to the Zoning Ordinance, the Board can approve a modification of the peripheral parking lot landscaping requirement, where such modification will not have any deleterious effect on the existing or planned development of adjacent properties (Par 3B. of Section 13-202).

The Comprehensive Plan does not provide any specific parking lot landscaping recommendations; therefore the peripheral parking lot landscaping requirements under the Springfield Commercial Revitalization District apply. Under the Springfield Commercial Revitalization District, a ten-foot wide landscaping strip is required when the property line abuts the right-of-way of a street, and a four-foot wide landscaping strip is required when the property line abuts land that is not in a right-of-way; except where driveways or other openings may necessitate other treatment.

The applicant has agreed to provide some landscaping in the existing planting areas off-site. Specifically, the applicant is proposing to plant forty-nine (49) evergreen shrubs in the 4-foot wide landscaping strip fronting Old Keene Mill Road. Currently, there is no landscaping provided in this off-site area. The applicant is also proposing to put additional landscaping in the southwestern corner of the site behind the sign for the shopping center. Staff acknowledges the applicant's efforts to meet the intent of the peripheral parking lot landscaping requirement by providing landscaping along the Old Keene Mill Road frontage within the existing grassy strip next to the boundary line of the special exception area and the southwestern corner of the site. Staff finds the proposed landscaping to be adequate and supports the applicant's request for a waiver of the peripheral parking lot landscaping requirement.

o *Modification of the interior parking lot landscaping requirements*

The applicant has requested to have the interior parking lot landscaping requirements modified to the landscaping shown on Sheet 5 of the SE Plat.

Par. 1 of Sect. 13-202 states that any parking lot that has twenty (20) or more parking spaces shall be provided with interior landscaping covering not less than 5% of the total area of the parking lot. Par 6B of Section 13-201 states that the Board can approve a waiver of the interior parking lot landscaping requirement, where such waiver will not have any deleterious effect on the existing or planned development of adjacent properties.

Staff acknowledges that the applicant is providing landscaping in existing planting areas on-site and understands that due to site constraints, the applicant has not been able to provide the full interior parking lot landscaping requirement of 5 %. However, the applicant is providing 4.7%, which consists of supplemental landscaping to be planted in existing medians on-site and along the proposed outdoor seating area at the front of the building. This additional landscaping would enhance the appearance of the existing property which is in accordance with the Urban Design and Streetscape Guidance in the Comprehensive Plan which recommends that streetscape design improvements *should be incorporated into the area to upgrade existing development*. Additionally, the requested modification is very minimal (0.3%) and would not have any deleterious effect on the existing or planned development of the adjacent properties. Staff therefore supports the applicant's request for a modification of the interior parking lot landscaping requirement to that shown on the SE Plat.

OTHER ZONING ORDINANCE REQUIREMENTS:

Special Exception Requirements (See Appendix 9)

- General Special Exception Standards (9-006)
- Additional Standards for Fast Food Restaurants (9-611)
- Waiver of Certain Sign Regulations (9-620)
- Sign Control Overlay District (7-508)
- Highway Corridor Overlay Special Exception Uses (Sect. 7-607)
- Highway Corridor Overlay District (7-608)

General Standards (Sect. 9-006)

General Standard 1 requires that the proposed use be in harmony with the Comprehensive Plan. The Comprehensive Plan recommends that "Streetscape design improvements as shown in the Urban Design and Streetscape Guidance, appended to this plan should be incorporated into the area to upgrade existing development and create a harmonious visual appearance. Buildings should be well landscaped, oriented to a public street, and screened from stable residential areas. Lighting should be designed so that it is not intrusive to the surrounding residential areas" The applicant is proposing to plant landscaping throughout the site which will improve the site's overall appearance. Currently, there is minimal landscaping, which is unlike the western side of the shopping plaza, which has substantial landscaping along the Old Keene Mill Road frontage. Staff has concluded that the proposed application will contribute to the aesthetic improvement of Old Keene Mill Road due to the proposed landscaping and will help to create a harmonious visual appearance for the shopping plaza. The existing building faces Old Keene Mill Road and there are no nearby residences that would be affected by the building's outdoor lighting. Therefore, this standard has been met.

General Standard 2 requires that the proposed use be in harmony with the general purpose and intent of the applicable zoning district regulations. In staff's opinion, the fast food restaurant is consistent with the purpose of the C-6 District which is to provide locations for retail commercial and service uses which are oriented to serve several neighborhoods or approximately 20,000 persons. The proposed fast food restaurant is a use that would benefit the surrounding neighborhoods, shopping plaza's patrons, and employees in the Springfield Plaza and surrounding commercial areas. Staff is satisfied this standard has been met.

General Standard 3 requires that the proposed use be harmonious with and not adversely affect the use or development of neighboring properties in accordance with applicable zoning district regulations and the adopted Comprehensive Plan. It further states that the location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof. Staff finds that the proposed use is harmonious with the abutting commercial uses, within and surrounding Springfield Plaza, and will not adversely affect the use or development of these neighboring properties in accordance with the applicable zoning district regulations and the adopted Comprehensive Plan. The location, size, and height of the building will not negatively impact nearby developments, and the proposed landscaping will help mitigate any adverse impact the fast food restaurant might have on existing developments. Therefore, this standard has been met.

General Standard 4 states that the proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood. With the proposed development conditions, the pedestrian and vehicular traffic will not be hazardous or conflict with anticipated traffic in the neighborhood. The existing site entrances will be used to access the site and sufficient area for adequate vehicular circulation is provided on-site. There are existing sidewalks on and off site that pedestrians can use to safely walk to the proposed fast food restaurant. Therefore, staff finds this standard has been met.

General Standard 5 states that in addition to the standards which may be set forth in this Article for a particular category or use, the Board may require landscaping and screening in accordance with the provisions of Article 13. As discussed previously in this report, there are no transitional screening or barrier requirements; however, there is a requirement for interior and peripheral parking lot landscaping. As discussed earlier, the applicant has requested a waiver of the peripheral parking lot landscaping requirements and is proposing to plant landscaping throughout the site, including along the peripheral areas of the site. Staff does not object to the requested waiver as it enables landscaping to be provided in the existing grass strip fronting Old Keene Mill Road and also in the existing planting areas along the western boundary of the site. Therefore, staff finds that this standard has been satisfied.

General Standard 6 states that open space should be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located. As discussed earlier in the report, the applicant is requesting a waiver of the open space requirement. The applicant is proposing the fast food restaurant use in an existing building on an existing site. Due to site constraints, the applicant is unable to provide additional open space. Staff supports the applicant's open space waiver request.

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

The number of parking spaces and loading space area being provided meets the minimum required by the Zoning Ordinance in the Springfield CRD. Adequate utilities and drainage are provided on this site. DPWES stated that the applicant provided a sufficient justification to waive stormwater detention requirements. Therefore, staff finds this standard has been met.

General Standard 8 states that signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance. The applicant has provided a graphic which shows the proposed dimensions and location of the building-mounted signs. The signs would be located on the front, the western side, and rear of the building. The applicant is requesting a total sign area of 75 SF whereas by-right the applicant is allowed 72 SF. Staff does not object to the request for additional sign area of three (3) square feet, as it is very minimal and does not drastically affect the scale of the proposed signage to the size of the building. Therefore, staff is satisfied that this standard has been met.

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

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

Additional Standards for a Waiver of Certain Sign Regulations (Sect. 9-620)

Paragraph 1 states that a waiver may be requested for an increase in sign area, but may not allow the erection of a freestanding sign not otherwise permitted. This request seeks only an additional three (3) square feet in sign area. Therefore, this standard is satisfied.

Paragraph 2 requires the applicant to demonstrate that there are unusual circumstances or conditions, which may include unusual size or orientation of the structure on the lot, which impacts the ability to provide for reasonable identification of the use. Paragraph 8 of Section 12-203 allows for one and one-half (1 1/2) square

feet of sign area for each of the first 100 linear feet of building frontage. Under the proposed layout, 72 SF of signage would be allowed by the Zoning Ordinance. The applicant believes that the additional signage of 3 SF is necessary because of the orientation and design of the building. The application is requesting signs on three sides of the building for a total of 75 SF. The applicant has stated that due to the small frontage of the pad site, all three signs are necessary to ensure that patrons coming from the northern and western areas of Springfield Plaza and from Old Keene Mill Road can locate the proposed fast food restaurant. In staff's opinion, the small size of the building qualifies as an "unusual circumstance" under this standard, and the requested building-mounted signage is not excessive for this site.

Paragraph 3 requires that a waiver be in harmony with the policies of the Comprehensive Plan. According to the Comprehensive Plan's Area Wide Recommendations for the Franconia-Springfield Area and Engineer Proving Ground, under the Wayfinding and Signage section, building-mounted signage is encouraged to allow people to easily move through the area. The additional sign area would assist the Springfield Plaza's patrons to locate and navigate to the fast food restaurant on-site. Staff believes that the waiver is in harmony with the policies of the Comprehensive Plan.

Paragraph 4 requires that the signage will not have any deleterious effect on the existing or planned development of adjacent properties and that it is consistent with the purpose and intent of Article 12. The proposed signage would be facing Old Keene Mill Road, the main driveway and other uses within Springfield Plaza. The proposed restaurant would not be facing any residential uses. On the opposite side of Old Keene Mill Road there is the Springfield Methodist church. To the west of the church is the Garfield Elementary School and to the east several retail uses. This standard has been met.

Sign Control Overlay District (Sect. 7-508)

This section states that the signage conform as specified in the underlying zoning district(s), and as qualified for signs by the provisions of Sect. 12-204

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

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

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

Paragraph 1A requires that such a use be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties. As mentioned earlier on the report, sidewalks are provided on-site and along Old Keene Mill Road and Bland Street. The site also provides adequate on-site parking lot two-way drive aisle and

the presence of two existing access points; one from Old Keene Mill Road and the other from Bland Street. Therefore, staff believes this standard is satisfied.

Paragraph 1B requires that such a use shall have access designed not to impede traffic on a public street intended to carry through traffic. The SE Plat depicts the two existing access points; one from the main driveway coming from Old Keene Mill Road and the other access point from Bland Street. The existing access points and the internal circulation pattern of the site will not impede traffic on surrounding public streets. Staff believes that this standard has been satisfied.

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

Summary of Zoning Ordinance Provisions

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

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

In staff's opinion, with the adoption of the proposed development conditions contained in Appendix 1, the Special Exception is in harmony with the Comprehensive Plan and in conformance with all applicable Zoning Ordinance provisions.

Recommendations

Staff recommends that SE 2010-LE-011 be approved subject to the draft development conditions contained in Appendix 1 of the staff report.

Staff recommends approval of a modification of the loading space requirement.

Staff recommends approval of a waiver of the open space requirement.

Staff recommends approval of a modification of the interior parking lot landscaping requirements to that shown on the SE Plat.

Staff recommends approval of a waiver of the peripheral parking lot landscaping requirement.

Staff recommends approval of a modification of the 10-year tree canopy requirement by the Director of DPWES, UFM.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicants/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. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Approved Development Conditions and Reduction of SE Plat for SE 01-L-042
5. Urban Forestry Analysis
6. Transportation Analysis
7. Stormwater Management Analysis
8. Park Authority Analysis
9. Sanitary Sewer Analysis
10. Zoning Ordinance Provisions
11. Glossary of Terms

PROPOSED DEVELOPMENT CONDITIONS

SE 2010-LE-011

September 22, 2010

If it is the intent of the Board of Supervisors to approve SE 2010-LE-011 located at Tax Map 80-3 ((1)) 4A part to permit a fast food restaurant, waiver of certain sign regulations, and modifications, waivers, increases and uses in a CRD, pursuant to Sect(s). 4-604, 7-607, 9-620, and 9-622 of the Zoning Ordinance, then 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 for the purpose(s), structure(s) and/or use(s) indicated on the special exception amendment 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 Special Exception (SE) plat entitled "Special Exception Plat for Panda Express," consisting of five sheets, prepared by Bohler Engineering and dated May 17, 2010 and revised through September 15, 2010, 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. A copy of this Special Exception and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during hours of operation of the permitted use.
5. The maximum number of seats for the fast food restaurant including the outdoor seats shall not exceed 60 seats.
6. The maximum number of full-time employees on-site at any one time shall not exceed six (6).
7. Parking and one (1) loading space shall be provided, as shown on the SE Plat.
8. A maximum of 75 SF of total building-mounted signage shall be permitted on the building. There shall be no balloons or pennants on the roof, and no pole-mounted signs (except for directional signs). There shall be no signs displaying flashing or intermittent lights, or lights of changing degrees of intensity of color or moving copy. This prohibition shall apply to building-mounted signage and any signs located in the windows of the building, internal or external, which are visible from Old Keene Mill Road and from within the shopping center.

9. All exterior lighting shall comply with Part 9, of Article 14 of the Zoning Ordinance.
10. Supplemental landscaping shall be installed on-site and off-site as shown on the SE Plat as determined by Urban Forest Management Division (UFMD) prior to the issuance of the Non-Residential Use Permit. UFMD shall be consulted prior to said installation to ensure that the appropriate size of trees and shrubs and selection of species is made based on existing and proposed site conditions. All landscaping that is installed pursuant to this Special Exception shall be maintained in good health by the applicant or successors.
11. The trash dumpster shall be fully screened with a brick wall or board-on-board fence and a gate, as shown on the SE Plat.
12. There shall be no outdoor storage and the display of goods offered for sale.
13. The loading space hours shall be limited from midnight to 6:00 am. In order to ensure compliance with this condition, the lessee shall provide a contact name and phone number to the owner of Springfield Plaza.

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

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

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: August 17, 2010
(enter date affidavit is notarized)

I, Sara V. Mariska, 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

108797a

in Application No.(s): SE 2010-LE-011
(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.)

Table with 3 columns: NAME, ADDRESS, RELATIONSHIP(S). Contains entries for Springfield Plaza, LLC and Rappaport Management Company.

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

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Special Exception Attachment to Par. 1(a)

DATE: August 17, 2010
(enter date affidavit is notarized)

108797a

for Application No. (s): SE 2010-LE-011
(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)
Bohler VA, LLC f/k/a Bohler Engineering, P.C.	22630 Davis Drive, Suite 200 Sterling, Virginia 20164	Engineers/Agent

Agents:
Aaron M. Bodenschatz
David B. Nemecek
David B. Logan
Brian J. Ruhl

Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent
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Agents:
Martin D. Walsh
Lynne J. Strobel
Timothy S. Sampson
M. Catharine Puskar
Sara V. Mariska
G. Evan Pritchard
Elizabeth D. Baker
Inda E. Stagg
Kara M. Whisler
Megan C. Shilling
Elizabeth A. McKeeby

(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: August 17, 2010
(enter date affidavit is notarized)

108797a

for Application No. (s): SE 2010-LE-011
(enter County-assigned application number(s))

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

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

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code)
Springfield Plaza, LLC
c/o Rappaport Management Company
8405 Greensboro Drive, #830
McLean, Virginia 22102

DESCRIPTION OF CORPORATION: (check one statement)

- [x] 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)
Springfield Plaza Limited Partnership, Its
Sole Member

(check if applicable) [x] 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: August 17, 2010
(enter date affidavit is notarized)

108797a

for Application No. (s): SE 2010-LE-011
(enter County-assigned application number (s))

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

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

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

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

(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: August 17, 2010
(enter date affidavit is notarized)

108797a

for Application No. (s): SE 2010-LE-011
(enter County-assigned application number (s))

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

Rappaport Management Company
8405 Greensboro Drive, #830
McLean, Virginia 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Gary D. Rappaport

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

The Corby Corporation
4201 Connecticut Avenue, N.W.
Washington, DC 20008

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)

Constance Corby Tompkins
Robert W. Corby

(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: August 17, 2010
(enter date affidavit is notarized)

108797a

for Application No. (s): SE 2010-LE-011
(enter County-assigned application number (s))

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

The Knessi Corporation
4201 Connecticut Avenue, N.W.
Washington, DC 20008

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)

Carl H. Knessi

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: August 17, 2010
(enter date affidavit is notarized)

108797a

for Application No. (s): SE 2010-LE-011
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, and number, street, city, state, and zip code)
Springfield Plaza Limited Partnership c/o Rappaport Management Company
8405 Greensboro Drive, #830
McLean, Virginia 22102

(check if applicable) [X] The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

General Partners:
The Knessi Corporation
The Corby Corporation

(check if applicable) [X] 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: August 17, 2010
(enter date affidavit is notarized)

108797a

for Application No. (s): SE 2010-LE-011
(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:

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

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

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

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: August 17, 2010
(enter date affidavit is notarized)

108797a

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

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

Gary D. Rappaport of Rappaport Management Company, as listed in Section 1(a) and Section 1(b) of the affidavit, donated in excess of \$100 to Pat Herry for Congress, Herry for Fairfax County Board Chair and McKay for Fairfax County Board of Supervisors.

Springfield Plaza LP, the sole member of the applicant, as listed in Section 1(b) of the affidavit, donated in excess of \$100 to McKay for Fairfax County Board of Supervisors.

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:

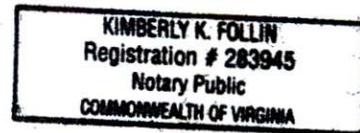
(check one) Sara V. Mariska
 Applicant Applicant's Authorized Agent

Sara V. Mariska, attorney/agent
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 17 day of August, 2010, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K. Follin
Notary Public

My commission expires: 11/30/2011





Sara V. Mariska
 (703) 528-4700 Ext. 5419
smariska@arl.thelandlawyers.com

**WALSH COLUCCI
 LUBELEY EMRICH
 & WALSH PC**

September 15, 2010

Via Hand Delivery

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

Re: Proposed Special Exception Application
 Applicant: Springfield Plaza, LLC

Dear Ms. Coyle:

Please accept this letter as a statement of justification for a Special Exception application on property identified among the Fairfax County tax map records as 80-3 ((1)) 4A pt. (the "Subject Property").

The Subject Property is an existing pad site located on the north side of Old Keene Mill Road to the west of its intersection with Bland Street within the Springfield Plaza Shopping Center in the Lee Magisterial District. Zoned to the C-6, Sign Control Overlay, Highway Corridor Overlay, and the Springfield Commercial Revitalization Districts, the Subject Property has not been the subject of any prior zoning approvals.

The Subject Property is currently a vacant pad site within the Springfield Plaza shopping center. The Applicant requests approval of a Special Exception to permit a fast food restaurant without drive-through facilities to occupy the existing, vacant building. A fast food restaurant use will provide a community-serving use that will be convenient to nearby office uses and neighboring residents. The Applicant proposes façade modifications that will slightly enlarge the building by approximately 150 square feet to allow for an enhanced entryway. The minor building modifications will update and modernize the existing building. No major building modifications are proposed. The Applicant also requests approval of additional sign area with this Special Exception. The Applicant requests three (3) square feet of additional sign area beyond what is permitted under Article 12 of the Fairfax County Zoning Ordinance (the "Zoning Ordinance"). Signage is critical to the marketing and success of new uses. Given the small frontage of the pad site, combined with the fact that location and configuration of the pad site within the shopping center necessitates signage on three (3) sides, a small amount of additional

sign area is necessary. The Applicant also requests several waivers and modifications for a use in the Commercial Revitalization District.

The Applicant proposes to enhance the landscaping on the Subject Property and adjacent to the Subject Property. Plantings are proposed off-site around the Springfield Plaza identification sign. The Applicant has proposed a row of forty-nine (49) evergreen shrubs along the Subject Property's frontage on Old Keene Mill Road. Screening will also be added around the enclosed dumpster in the northwest portion of the Subject Property. The tree canopy requirements will be met through both the provision of trees on the Subject Property and a contribution to the County's tree fund.

The Subject Property is located within Area IV of the Fairfax County Comprehensive Plan (the "Plan"). More specifically, the Subject Property is located within the Springfield Community Business Center, in Land Unit B. The Plan map designates the Subject Property as appropriate for retail and other uses. The Plan text states that Springfield Plaza is appropriate for community-serving retail uses up to 0.50 FAR. The proposed fast food restaurant use, without drive through facilities, is in conformance with the recommendations of the Plan.

In accordance with Section 9-011 of the Fairfax County Zoning Ordinance (the "Ordinance") please accept the following information:

- The type of operation proposed is a fast food restaurant.
- The hours of operation for the fast food restaurant will be 10:30 a.m.–9:30 p.m.
- The estimated number of patrons is approximately 250 persons per day.
- The estimated number of employees is a maximum of six (6) on site at any one time.
- The proposed use will generate approximately 1,000 trips per day, with no trips during the peak A.M. hour and 194 trips during the peak P.M. hour.
- The general area to be served by the use is the greater Springfield/Franconia area.
- The proposed use will occupy an existing building that will be expanded by approximately 150 square feet. The building will be comprised of a total of approximately 2,002 gross square feet. The building design utilizes materials including wood, brick, glass, and painted stucco.
- No known hazardous or toxic substances, as defined in Title 40, Code of Federal Regulations will be utilized and stored on the Subject Property.

- The proposed use conforms to the provision of all applicable ordinances, regulations, adopted standards and conditions, except as noted herein:
 - Pursuant to Section A7-506, a waiver of minimum lot size of 40,000 square feet as required by Section 4-606(1) of the Zoning Ordinance is hereby requested. The area of the Special Exception is 15,230 square feet in size; however, the larger parcel on which the shopping center is located meets the 40,000 square foot lot size requirement.
 - Pursuant to Section A7-507, a waiver of the minimum lot width of 200 feet as required by Section 4-606(2) of the Zoning Ordinance is hereby requested. The area of the Special Exception is 147.44 feet in width; however, the larger parcel on which the shopping center is located meets and exceeds the 200 foot width requirement.
 - Pursuant to A7-508, a modification of the required fifteen percent (15%) open space requirement in Section 4-608 is hereby requested. The area of special exception provides 7.8% open space. No new construction is proposed other than a minor façade enhancement. This Special Exception seeks only approval of a change in use for an existing building under existing site conditions.
 - Pursuant to Section A7-109(3), a modification to the one (1) loading space requirement in Section 11-203 is hereby requested. The proposed fast food restaurant intends to receive the deliveries when the restaurant is closed. Deliveries will occur between 12:00 a.m. and 6:00 a.m. Neither the fast food restaurant, nor other adjacent uses in the shopping center, will be operational during those hours, thus the loading will not adversely impact the operations of the fast food restaurant or adjacent shopping center uses. A specified loading area has been identified on the plat. The proposed loading area meets the intent of the Zoning Ordinance requirement.
 - Pursuant to Section A7-509(5)(B)(3), a waiver of the required ten (10) foot peripheral parking lot landscaping strip between the property line and right-of-way is hereby requested. The area of the special exception provides zero setback between the parking and the limits of the Special Exception. The Applicant is proposing evergreen shrubs on the periphery of the Subject Property adjacent to the right-of-way on Old Keene Mill to comply with the intent of the Zoning Ordinance requirement. The location and configuration of the Subject Property supports the waiver of this requirement as the Subject Property is located in the front of an existing shopping center. Complying with the peripheral parking lot landscaping would block visibility of the proposed fast food restaurant use, thereby

jeopardizing the viability of the use. Additionally, the Subject Property is within an existing shopping center. Requiring a ten (10) foot landscape strip would necessitate the preparation of a site plan, in lieu of a minor site plan. Given that the proposal simply represents the change in use of an existing building, substantial improvements to the existing development are not warranted by the scope of this application. Finally, the Subject Property is with a Commercial Revitalization District which recognizes the need for waivers in order to encourage commercial revitalization in this part of the County.

- A waiver of the required Best Management Practices (BMP) required in Section 6-401.2B of the Public Facilities Manual is hereby requested. The proposed Special Exception will increase the existing impervious surface area by a small amount to accommodate a trash enclosure and there will be a minimal increase in post-development runoff.

- A modification of the 5% interior parking lot landscaping pursuant to Section 12-513.1 of the Public Facilities Manual is hereby requested. The Applicant is providing approximately 4.7% interior parking lot landscaping. The Special Exception area is within an existing shopping center and the Special Exception area offers limited opportunity for providing canopy. Additional landscaping has been added to enhance the appearance of the Subject Property and the application represents a change in use of an existing building and does not include significant new construction. Requiring reconfiguration of the existing parking lot in order to accommodate additional tree canopy would likely necessitate the preparation of a site plan, in lieu of a minor site plan. Given that the proposal simply represents the change in use of an existing building, substantial improvements to the existing development are not warranted by the scope of this application. Finally, the Subject Property is with a Commercial Revitalization District which recognizes the need for modifications in order to encourage commercial revitalization in this part of the County. The Applicant requests only a small modification to the County's required interior parking lot landscaping requirement.

In conclusion, the Applicant's proposal of a fast food restaurant without drive-through facilities will allow the Subject Property to serve as a community-serving use that is convenient to area residents, workers, and visitors to the Springfield Community Business Center. The Applicant's proposal will enhance the appearance of an aging building, thereby contributing to the goals of the Commercial Revitalization District.

Should you have any questions regarding this proposal, or require additional information, please do not hesitate to contact me. I would appreciate the acceptance of this application and

the scheduling of a public hearing before the Fairfax County Planning Commission and Board of Supervisors at your earliest convenience.

Very truly yours,

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

A handwritten signature in black ink that reads "Sara V. Mariska". The signature is written in a cursive style with a large, stylized 'S' and 'M'.

Sara V. Mariska

cc: Josh Goldman Aaron Bodenschatz
Mario Flores Lynne J. Strobel
Hector Coronel Martin D. Walsh
Kuan Chen



FAIRFAX COUNTY

OFFICE APPENDIX 4
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

V I R G I N I A

Telephone: 703-324-3151

FAX: 703-324-3926

TTY: 703-324-3903

June 5, 2002

Dean Crowhurst
McGuire Woods, LLP
1750 Tysons Boulevard – Suite 1800
McLean, Virginia 22102

RE: Special Exception Application
Number SE 01-L-042

Dear Mr. Crowhurst:

At a regular meeting of the Board of Supervisors held on May 6, 2002, the Board approved Special Exception Application Number SE 01-L-042 in the name of Springfield Plaza LP, located at 7200 Old Keene Mill Road within the Springfield Shopping Center, Map 80-3 ((1)) 10, 11A, 11B, 4A and 4B for a waiver of certain sign regulations pursuant to Section 9-620 of the Fairfax County Zoning Ordinance, 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 issuance of a Sign Permit(s); any permit issued pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception Plat entitled Springfield Plaza Signage Design, prepared by Rounds Vanduzer Architects dated December 8, 2000 and revised through January 15, 2002, and these conditions. Conformance with the Special Exception Plat by William H. Gordon Associates, Inc. and dated August 2001 shall also be required and these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance.

4. The total sign area shall not exceed three hundred sixty three (363) square feet of sign area as calculated pursuant to Paragraph 3C of Section 12-105 of the Zoning Ordinance, and shall not exceed twenty (20) feet in height.
5. The proposed freestanding sign's design pillars and base shall be constructed of similar brick and stone materials as utilized in the shopping center as indicated on Sheet 2 of the Special Exception Plat with colors of the tenant names consistent with that used in the shopping center. The colors of the tenant identification area shall contain a white background.
6. The freestanding sign shall not obstruct the view of drivers on Old Keene Mill Road or those drivers entering or exiting Springfield Plaza. Adequate sight distance shall be provided in accordance with the Public Facilities Manual.
7. The existing "Springfield Plaza" freestanding pole signs shall be removed prior to issuance of the sign permit for the proposed freestanding sign.
8. Plantings, such as Japanese Holly and low growing azaleas shall be placed around the base of the proposed sign as determined by the Urban Forester.
9. The existing "Hearth USA" freestanding pole sign shall be modified by removing the four round components and supporting structure above the main sign box prior to issuance of the sign permit for the proposed freestanding sign.

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 Sign 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 sign permit has been issued. 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.

SE 01-L-042

June 5, 2002

- 3 -

If you have questions regarding the expiration of this Special Exception or filing a request for additional time they should be directed to the Zoning Evaluation Division in the Department of Planning and Zoning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Sincerely,

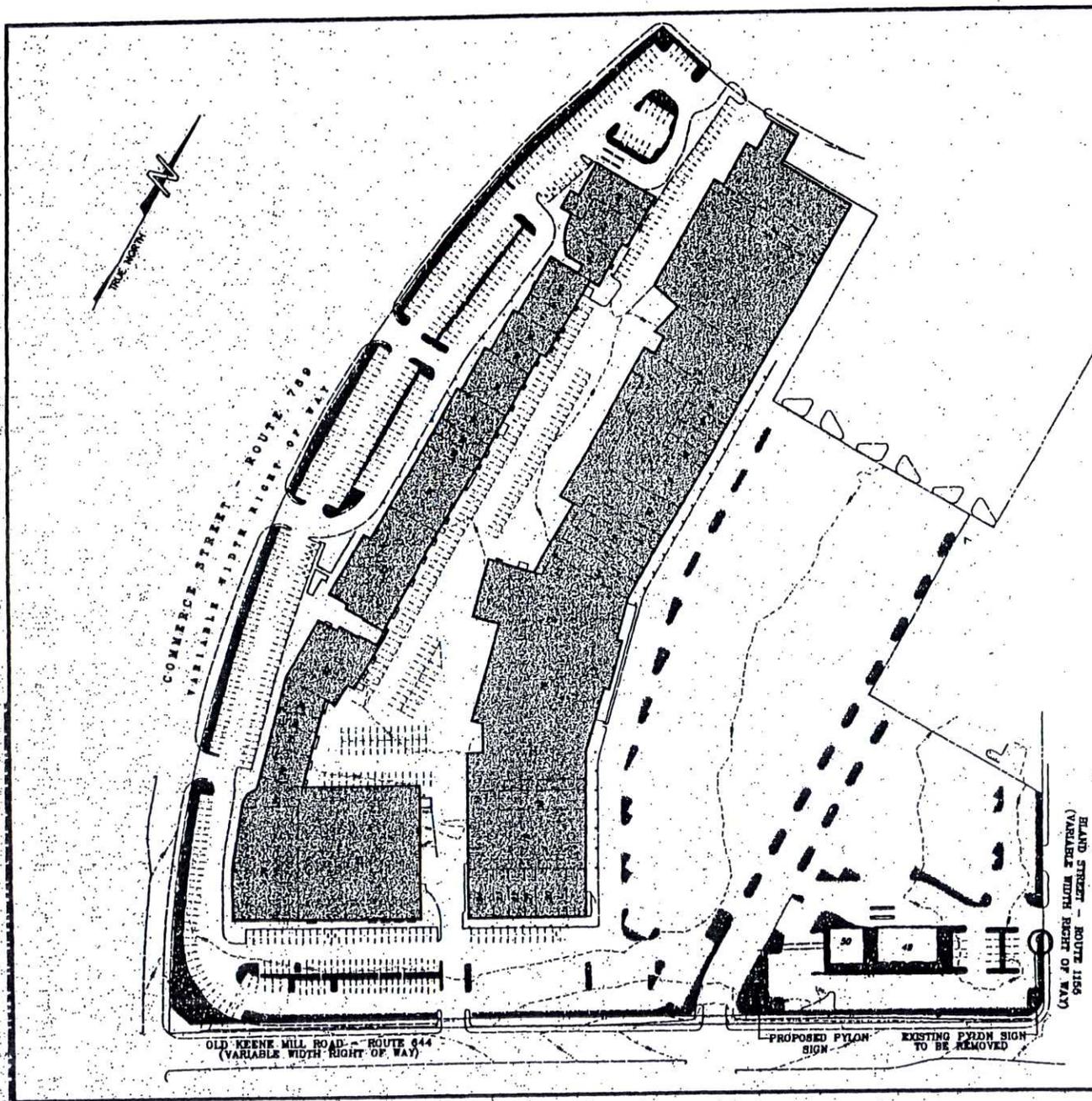


Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

cc: Chairman Katherine K. Hanley
Supervisor - Lee District
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Michael R. Congleton, Deputy Zoning Administrator
John Crouch, Assistant Chief, PPRB, DPZ
Audrey Clark, Director, BPRD, DPWES
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Angela K. Rodeheaver, Section Chief, Trnsprt'n. Planning Div.,
Charles Strunk, Project Planning Section, Department of Transportation
Michelle A. Brickner, Director, Site Development Services, DPWES
DPWES - Bonds & Agreements
Department of Highways, VDOT
Land Acq. & Planning Div., Park Authority
District Planning Commissioner

RECEIVED
Department of Planning & Zoning
JUN 10 2002
Zoning Evaluation Division



INDEX OF STORES

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| 2. VACANT | 43. WEIGHT WATCHES |
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| 4. TA ABC | 45. CREDIT BANK |
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SEE OWNER FOR
SIGN DETAILS



INDEX

SHEET W-10

SCALE 1" = 60'

DATE 1/24/00

PROJECT SPRINGFIELD PLAZA SHOPPING CENTER

CLIENT I. GLEASON

DESIGNER FCA

PREPARED BY [Name]

CHECKED BY [Name]

DATE 1/24/00

SCALE 1" = 60'

PROJECT SPRINGFIELD PLAZA SHOPPING CENTER

CLIENT I. GLEASON

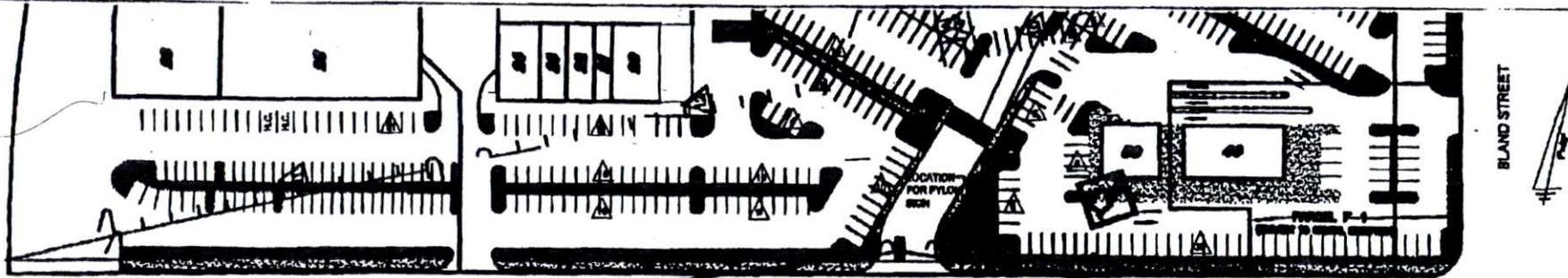
DESIGNER FCA

PREPARED BY [Name]

CHECKED BY [Name]

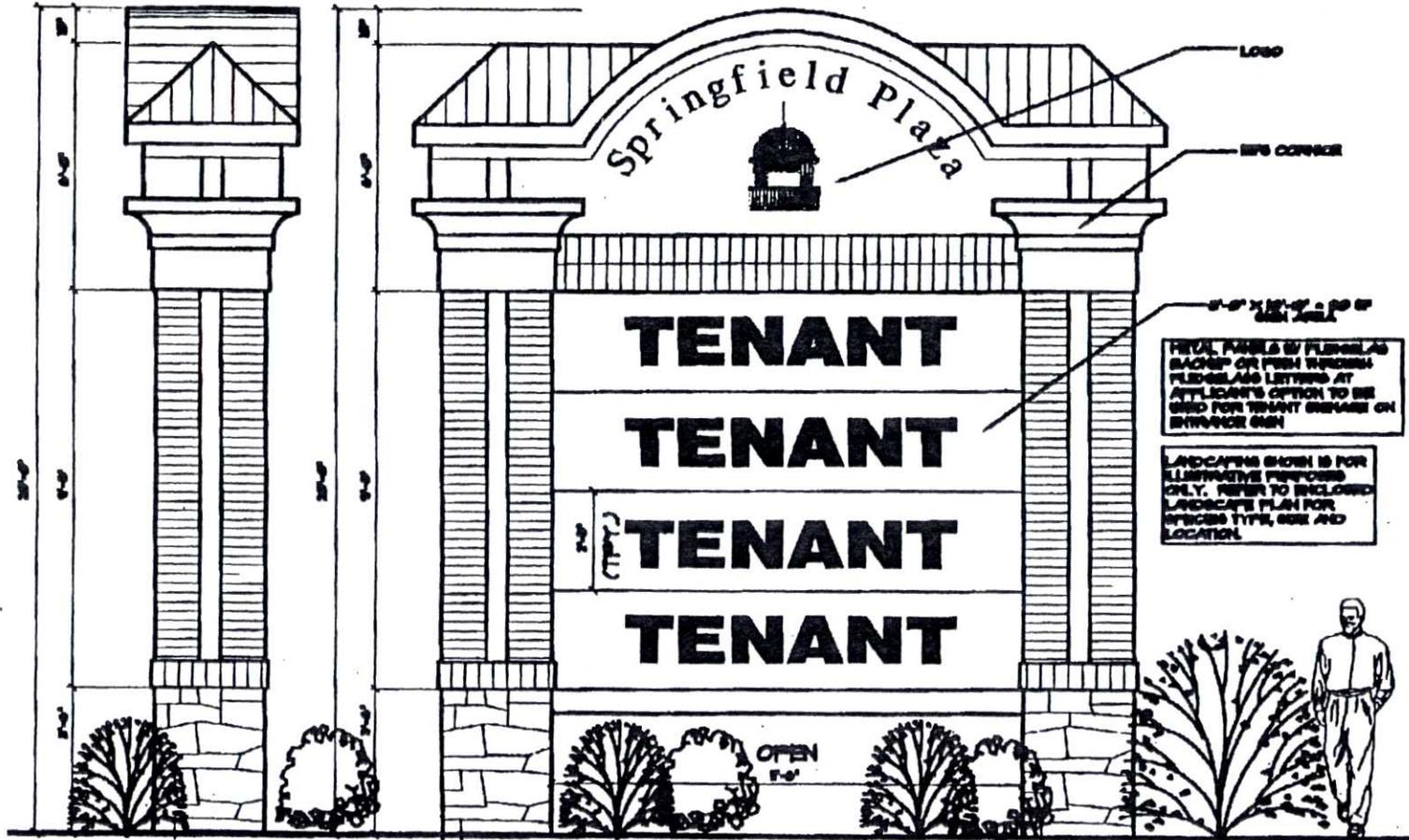
DATE 1/24/00

SCALE 1" = 60'



OLD KEENE MILL ROAD

PARTIAL SITE PLAN
L.P.



PLYON SIGN SIDE VIEW

PLYON SIGN FRONT & BACK VIEW
L.P.

ROUNDS YARD
ARCHITECTS
1000 N. 10TH ST.
SUITE 200
DALLAS, TEXAS 75201
TEL: 214.751.1111
FAX: 214.751.1112

PLYON SIGN
RAPAPORT MANAGEMENT COMPANY

SPRINGFIELD PLAZA
SIGNAGE DESIGN



P-5



County of Fairfax, Virginia

MEMORANDUM

September 1, 2010

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

FROM: Craig Herwig, Urban Forester II *CSH*
Forest Conservation Branch, DPWES

SUBJECT: Panda Express, SE 2010-LE-011

RE: Request for assistance dated August 30, 2010

This review is based upon the Special Exception Plat (SE) 2010-LE-011. A site visit was conducted on July 13, 2010.

- 1. Comment:** An existing vegetation map, to include information about the general health and composition and extent of the existing vegetation within the area of the Special Exception has not been provided.

Recommendation: Provide an EVM that depicts the location of any of the cover types in PFM Table 12.2 within the area of the Special Exception that meets the requirements of the Zoning Ordinance Chapter 112, Article 20 and PFM 12-0505. The EVM submitted with the SE must accurately delineate all cover types, and include all other required elements of the Zoning Ordinance and Public Facilities Manual.

- 2. Comment:** A modification to the 10-year Tree Canopy Requirements has been requested.

Recommendation: The Applicant should apply to the Director for a modification to the 10-year Tree Canopy Requirement. The Director may approve the reduction of the 10-year Tree Canopy Requirements where development is proposed on property previously used for agriculture or other permitted uses of a similar nature that resulted in the suppression of tree canopy. In these cases the 10-year Tree Canopy Requirement may be reduced by up to 25% if it is determined by the Director that the proposed design meets the criteria listed in PFM 12-0512.1A, 12-0512.1B and 12-0512.1C.

Please feel free to contact me at 703-324-1770 if you have any questions or concerns

CSH/
UFMID #: 151320

cc: RA File
DPZ File



County of Fairfax, Virginia

MEMORANDUM

DATE: September 15, 2010

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

FROM: Angela Kadar Rodeheaver, Chief
Site Analysis Section
Department of Transportation

FILE: 3-5 (SE 2010-LE-011)

SUBJECT: Transportation Impact Addendum

REFERENCE: SE 2010-LE-011; Springfield Plaza, LLC.
Traffic Zone: 1496 (Panda Express)
Land Identification Map: 80-3 ((01)) 4A

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the revised plat dated August 16, 2010.

The applicant requests a special exception to permit a fast food restaurant to occupy the existing vacant building. The applicant also proposes a façade modification along with a sign area increase.

This department has reviewed the subject application and offers the following comments:

- The applicant should provide a bus shelter and easement, along with a concrete pad connecting to the existing sidewalk nearest the site entrance on Bland Street.
- It is advisable to remove the three existing parking spaces along the site's access to the Springfield Plaza main travel aisle. These adjacent three parking spaces interfere with the vehicles stacking to leave the parking area.

AKR/AK C:SE2010LE011SpringfieldPlaza(PandaExpress)
CC: Michelle Brickner, Director, Design Review, DPW & ES

Fairfax County Department of Transportation
4050 Legato Road, Suite 400 Fairfax, Virginia,
22033-2895
phone: (703) 877-5600 TTY: (703) 877-5602
Fax: (703) 877 5723
www.fairfaxcounty.gov/fcdot





County of Fairfax, Virginia

MEMORANDUM

DATE: August 6, 2010

TO: Kelli Goddard-Sobers, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Beth Forbes, Stormwater Engineer *BF*
Environmental and Site Review Division
Department of Public Works and Environmental Services

SUBJECT: Special Exception Application #SE 2010-LE-011, Springfield Plaza, Special Exception Plat dated July 20, 2010, LDS Project #3108-ZONA-001-2, Tax Map #80-3-01-0004A, Lee District

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

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on this site. Water quality controls are not required for this redevelopment provided the land disturbance does not exceed 2500 square feet (CBPO 118-5-3(b)).

Floodplain

There are no regulated floodplains on the property.

Downstream Drainage Complaints

There are no downstream drainage complaints on file.

Stormwater Detention

Stormwater detention is required, if not waived (PFM 6-0301.3). No detention facilities are shown on the plat. The applicant has supplied sufficient justification for a waiver. Such a request is likely to be approved provided adequate outfall exists.

Site Outfall

An outfall narrative has been provided.

Stormwater Planning Comments

The Accotink Creek Watershed Plan is currently under development. It is suggested the applicant provide BMPs voluntarily. A tree box filter could be added next to the storm drain inlet in the southwestern corner of the parking area without exceeding the 2500 sf limit of a minor site plan. A bioretention filter might also be placed in a grassy area near this inlet connected to the nearby storm drain system via an underdrain.

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

BF/

cc: Craig Carinci, Director, Stormwater Planning Division, DPWES
Jeremiah Stonefield, Chief, Stormwater & Geotechnical Section, ESRD, DPWES
Zoning Application File

Department of Public Works and Environmental Services
Land Development Services, Environmental and Site Review Division
12055 Government Center Parkway, Suite 535
Fairfax, Virginia 22035-5503
Phone 703-324-1720 • TTY 711 • FAX 703-324-8359





FAIRFAX COUNTY PARK AUTHORITY



M E M O R A N D U M



TO: Regina M. Coyle, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Sandy Stallman, Manager, 
Park Planning Branch, PDD

DATE: June 25, 2010

SUBJECT: SE 2010-LE-011, Springfield Plaza / Panda Express
Tax Map Number: 80-3 ((1)) 4A (part)

The Park Authority staff has reviewed the above referenced plan. Based on that review, staff has determined that this application bears no adverse impact on land or resources of the Park Authority.

FCPA Reviewer: Gayle Hooper
DPZ Coordinator: Kelli-Mae Goddard-Sobers

Copy: Cindy Walsh, Director, Resource Management Division
Chron Binder
File Copy



County of Fairfax, Virginia

MEMORANDUM

DATE: August 4, 2010

TO: Staff Coordinator
Zoning Evaluation Division
Department of Planning & Zoning

FROM: Lana Tran (Tel: 703 324-5008)
Wastewater Planning & Monitoring Division
Department of Public Works & Environmental Services

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. SE2010-LE-011
Tax Map No. 080-3-/01/0004A

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

1. The application property is located in the Cameron Run (I-3) watershed. It would be sewerred into the Alexandria Sanitation Authority (ASA).
2. Based upon current and committed flow, there is excess capacity in the ASA at this time. For purposes of this report, committed flow shall be deemed that for which fees have been 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.
3. An existing 8" inch line located in the street is adequate for the proposed use at this time.
4. 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>

5. Other pertinent information or comments:



7-508 Use Limitations

As specified in the underlying zoning district(s), and as qualified for signs by the provisions of Sect. 12-204.

7-607 Special Exception Uses

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

7-608 Use Limitations

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

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

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

9-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

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

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

9-620 Waiver of Certain Sign Regulations

The purpose of this special exception is to provide some relief where appropriate for those signs in the C and I districts which, because of certain unusual circumstances as specified below, do not provide identification as intended by the sign regulations. In the C and I districts, the Board may approve, either in conjunction with the approval of a rezoning or as a Category 6 special exception, a modification or waiver of the sign regulations in accordance with the following:

1. Such waiver may be for an increase in sign area, increase in sign height or different location of a sign, not otherwise provided by Sect. 12-304. Such waiver shall not allow the erection of a freestanding sign or off-site sign, not otherwise permitted by this Ordinance, or the establishment of any sign prohibited by the provisions of Sect. 12-104.
2. Such waiver may be approved only when it is demonstrated by the applicant that there are unusual circumstances or conditions in terms of location, topography, size or configuration of the lot; access to the lot; unusual size or orientation of the structure on the lot; or other unique circumstance of the land or structure that impacts the applicant's ability to provide for a reasonable identification of the use.
3. It is determined that such waiver will be in harmony with the policies of the adopted comprehensive plan.
4. A waiver of the sign provisions may be approved only in those locations where, based upon a review of the relationship of the sign to the land, buildings and conforming signs in the neighborhood, it is determined that the sign will not have any deleterious effect on the existing or planned development of adjacent properties and that it is consistent with the purpose and intent of Article 12.

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 by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		