



APPLICATION ACCEPTED: August 25, 2010
PLANNING COMMISSION: June 23, 2011
BOARD OF SUPERVISORS: July 26, 2011 @ 3:30 p.m.

County of Fairfax, Virginia

June 10, 2011

STAFF REPORT

APPLICATION RZ 2010-MV-011

MOUNT VERNON DISTRICT

CRD

APPLICANT: Memorial Venture, LLC

PRESENT ZONING: PRM, HC, CRD

REQUESTED ZONING: C-8, HC, CRD

PARCEL: 93-1 ((18)) (D) 117, 126, 130 and 138

ACREAGE: 1.23 Acres

FAR: 0.11

PLAN MAP: Office and Retail

RZ PROPOSAL: To rezone from the PRM, HC and CRD District to the C-8, HC and CRD District to permit development of a 6,000 SF shopping center use and modifications and waivers in a CRD.

**REQUESTED WAIVERS/
MODIFICATIONS:**

Modification of the transitional screening and barrier requirements along the eastern and southern property lines

Modification of the peripheral parking lot landscaping requirements along the northern, eastern, and southern property lines

Kelli Goddard-Sobers

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703-324-1290 FAX 703-324-3924
www.fairfaxcounty.gov/dpz/



Modification of the Richmond Highway Commercial Revitalization District streetscape requirements along Richmond Highway and East Lee Avenue in favor of that shown on the Generalized Development Plan (GDP)

Deviation from the tree preservation target requirement to that shown on the GDP

Waiver of the minimum lot width requirement

Waiver of construction of the service drive required along Richmond Highway

STAFF RECOMMENDATIONS:

Staff recommends denial of RZ 2010-MV-011; however, if it is the intent of the Board of Supervisors to approve RZ 2010-MV-011, staff recommends that such approval be subject to the proffers consistent with those contained in Appendix 1.

It should be noted that it is not the intent of the 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.

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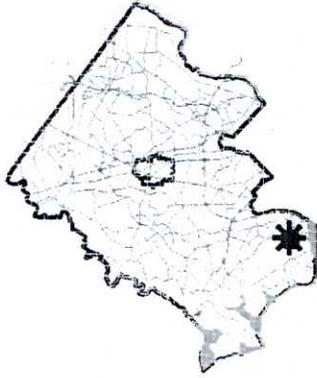


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Rezoning Application

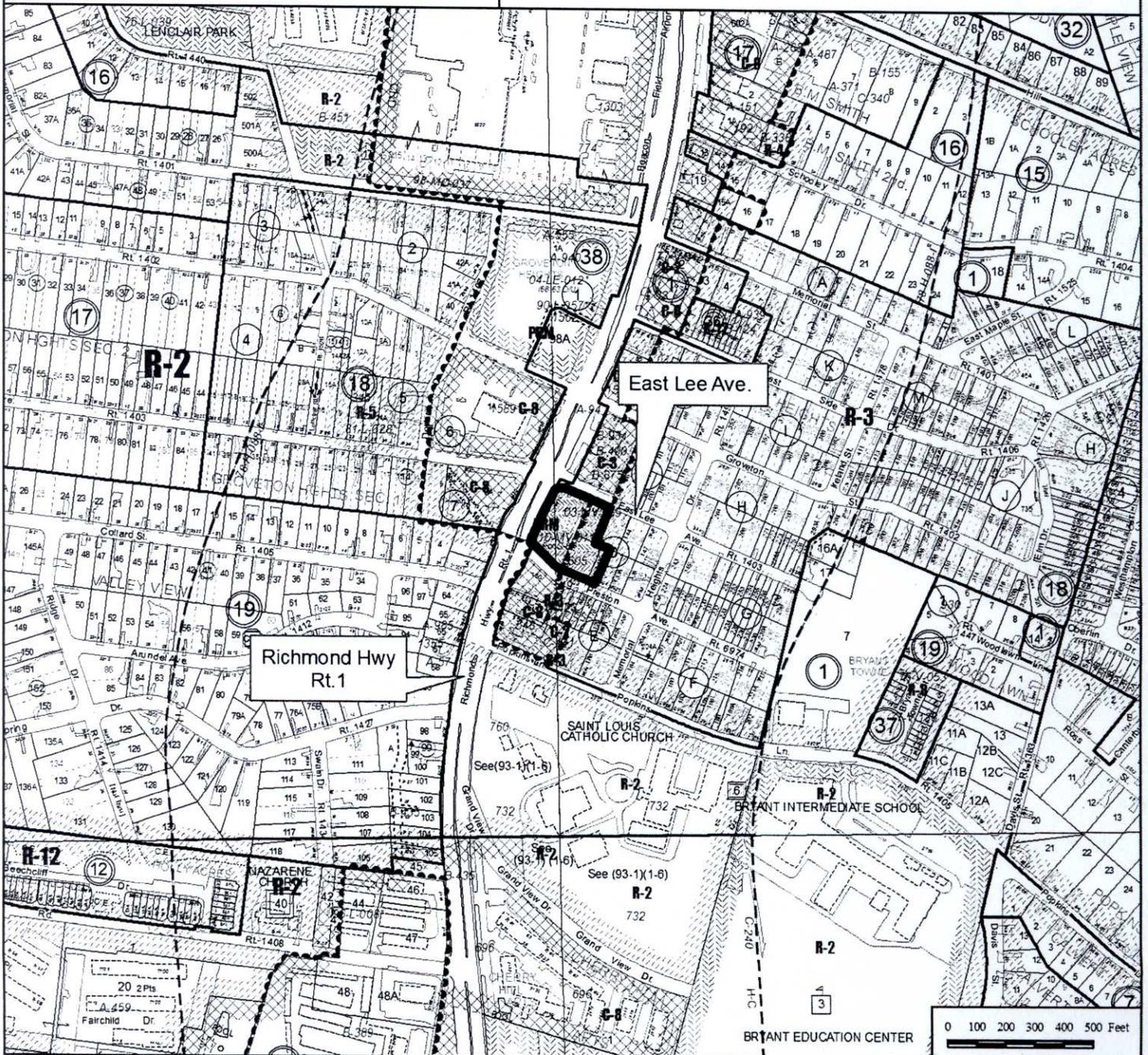
RZ 2010-MV-011

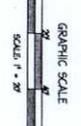
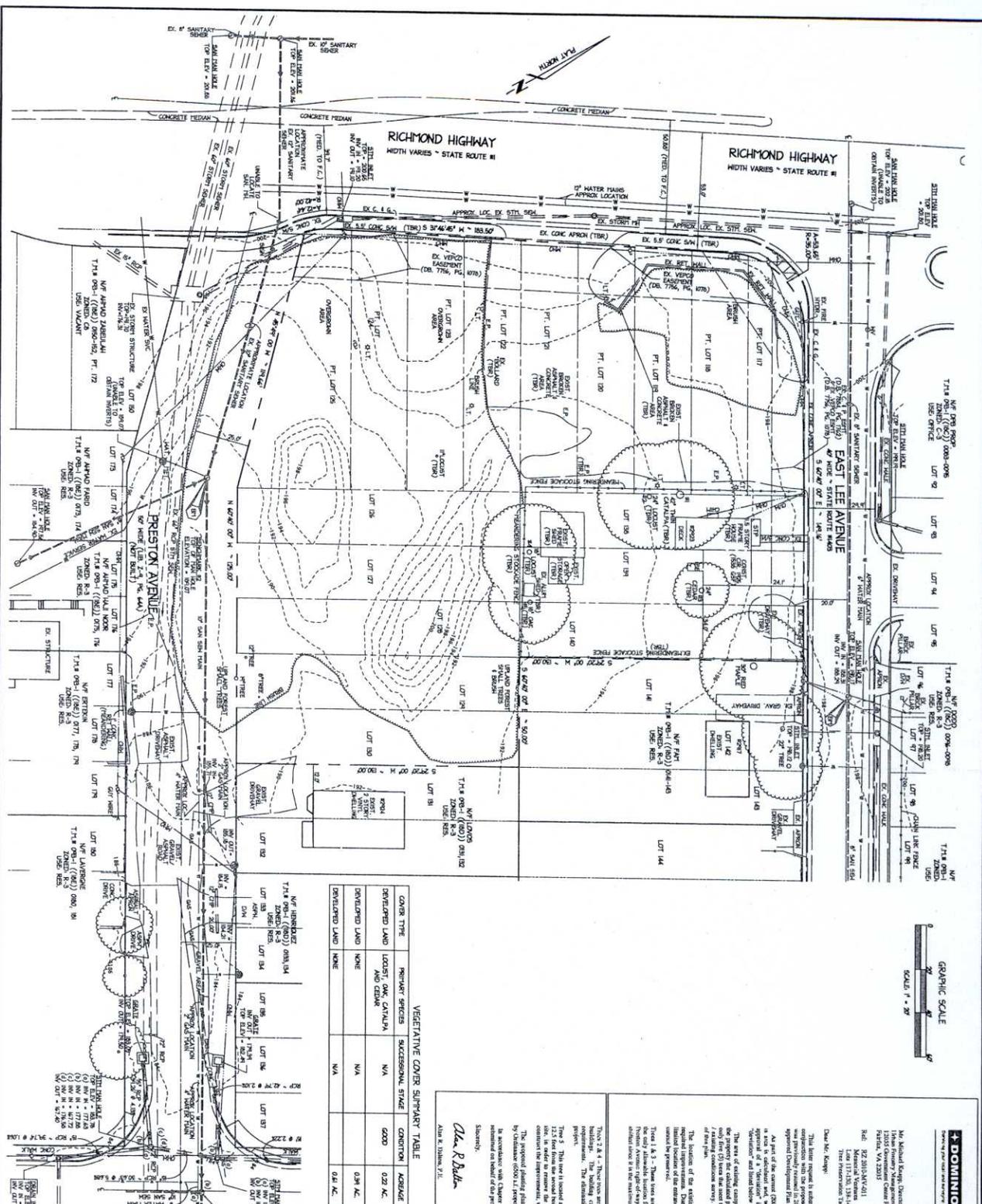
Applicant: MEMORIAL VENTURE, LLC
Accepted: 08/25/2010
Proposed: COMMERCIAL
Area: 1.23 AC OF LAND; DISTRICT - MOUNT VERNON



Located: SOUTHEAST QUADRANT OF THE INTERSECTION OF RICHMOND HIGHWAY AND EAST LEE AVENUE

Zoning: FROM PRM TO C-8
Overlay Dist: CRD HC
Map Ref Num: 093-1- /18/D /0117 /18/D /0126 /18/D /0130 /18/D /0138





VEGETATIVE COVER SUMMARY TABLE

| COVER TYPE | PERMANENT SPECIES | SUCCESSIONAL STAGE | CONDITION | ACREAGE | COMMENTS |
|----------------|--------------------------------|--------------------|-----------|----------|--------------------------------|
| DEVELOPED LAND | LOCUST, OAK, CATALPA AND CEDAR | N/A | GOOD | 0.22 AC. | SHADE AND BERRAN TREES |
| DEVELOPED LAND | NONE | N/A | N/A | 0.59 AC. | NATIVE GRASSES AND UNDERSTORY |
| DEVELOPED LAND | NONE | N/A | N/A | 0.41 AC. | PAVED DRIVEWAYS AND STRUCTURES |

THIS PLAN IS NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE INFORMATION CONTAINED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT TO BE USED AS A BASIS FOR ANY DECISIONS. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED AS A BASIS FOR ANY DECISIONS. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED AS A BASIS FOR ANY DECISIONS.

Alan R. Balle
Alan R. Balle, P.E.

DOMINION Surveyors Inc.
8808-H PEAR TREE VILLAGE COURT
ALEXANDRIA, VIRGINIA 22309
703-619-6555
FAX 703-799-6412

24 May 2011

Mr. Michael Kemp, Director
11400 Frying Pan Road, Suite 100
Falls Church, VA 22044
Tel: 703-281-5000
Fax: 703-281-5001
The Information Trust for Your Satisfaction

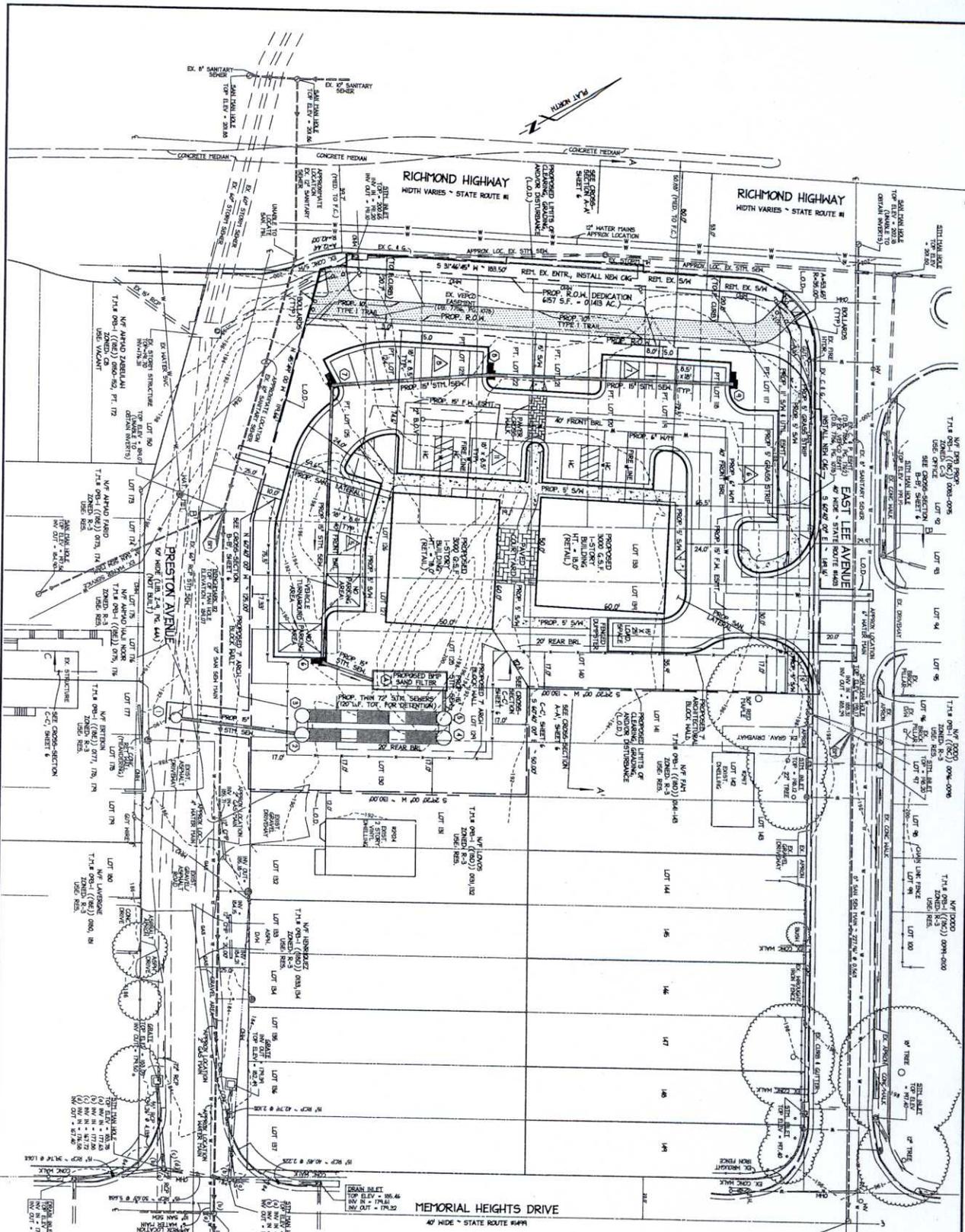
Mr. Michael Kemp, Director
11400 Frying Pan Road, Suite 100
Falls Church, VA 22044
Tel: 703-281-5000
Fax: 703-281-5001
The Information Trust for Your Satisfaction

COMMISSIONED BY:
ALAN R. BALLE
P.E.
5/24/2011
DATE: 24 MAY 2011
DRAWN BY: A.R.D.
DESIGNED BY: A.R.D.
SCALE: 1" = 20'

EXISTING CONDITIONS - EXISTING VEGETATION MAP
LOTS 117 THROUGH 130, 136 THROUGH 140
BLOCK "D"
MEMORIAL HEIGHTS
MOUNT VERNON DISTRICT
FAIRFAX COUNTY, VIRGINIA

| DATE | NO. | DESCRIPTION |
|---------|-----|------------------------------------|
| 8/12/10 | | ORIGINAL PLAN, ACCEPTED FOR REVIEW |
| 2/2/11 | 1 | REVISED PER COUNTY COMMENTS |
| 3/1/11 | 2 | REVISED PER COUNTY COMMENTS |
| 3/22/11 | 3 | REVISED PER COUNTY COMMENTS |
| 4/28/11 | 4 | REVISED PER COUNTY COMMENTS |
| 5/24/11 | 5 | REVISED PER COUNTY COMMENTS |

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703-619-6555
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NOTE:
 THE EXISTING BUILDING, PAINT, TRUSS, AND SIDING, SHOWN AS TO BE REMOVED (TR) ON THE 2) SHEET NOT SHOWN ON THIS PLAN, THIS IS FOR PLAN CLARITY PURPOSES.

GRAPHIC SCALE
 SCALE: 1" = 20'

GENERALIZED DEVELOPMENT PLAN
 LOTS 117 THROUGH 130, 138 THROUGH 140
 BLOCK "D"
 MEMORIAL HEIGHTS
 MOUNT VERNON DISTRICT
 FAIRFAX COUNTY, VIRGINIA

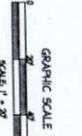
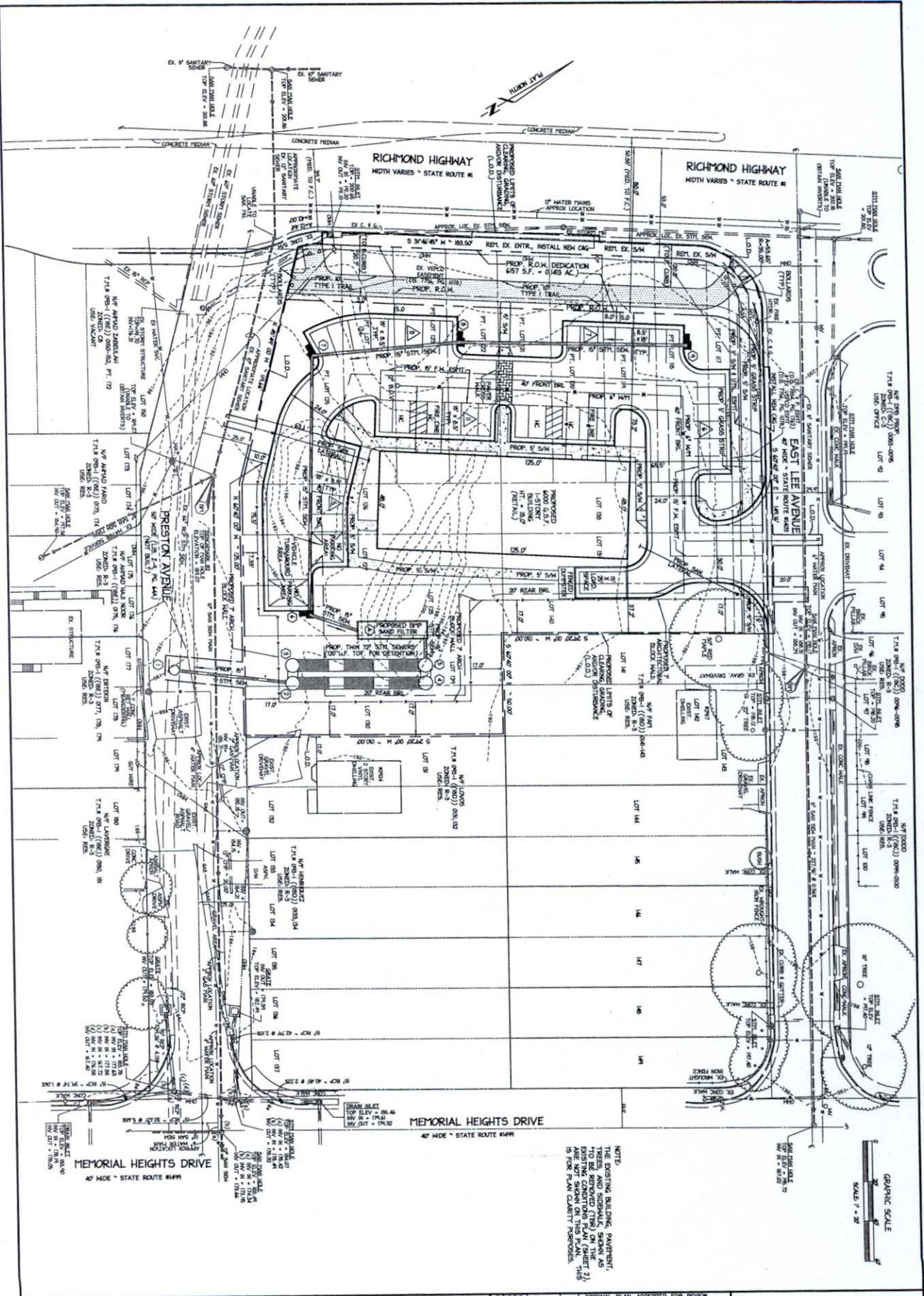
DATE: 24 MAY 2011
 DESIGNED BY: A.R.D.
 DRAWN BY: A.R.D.

SCALE: 1" = 20'
 DATE: 24 MAY 2011
 FILE NO.: 9801022
 SHEET 3A OF 6

| DATE | DESIGNER NO. | DESCRIPTION |
|---------|--------------|------------------------------------|
| 8/12/10 | | ORIGINAL PLAN, ACCEPTED FOR REVIEW |
| 2/2/11 | A.R.D. | 1 REVISED PER COUNTY COMMENTS |
| 3/3/11 | A.R.D. | 2 REVISED PER COUNTY COMMENTS |
| 3/22/11 | A.R.D. | 3 REVISED PER COUNTY COMMENTS |
| 4/29/11 | A.R.D. | 4 REVISED PER COUNTY COMMENTS |
| 5/24/11 | A.R.D. | 5 REVISED PER COUNTY COMMENTS |

DOMINION Surveyors Inc.

8808-H PEAR TREE VILLAGE COURT
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 703-619-6555
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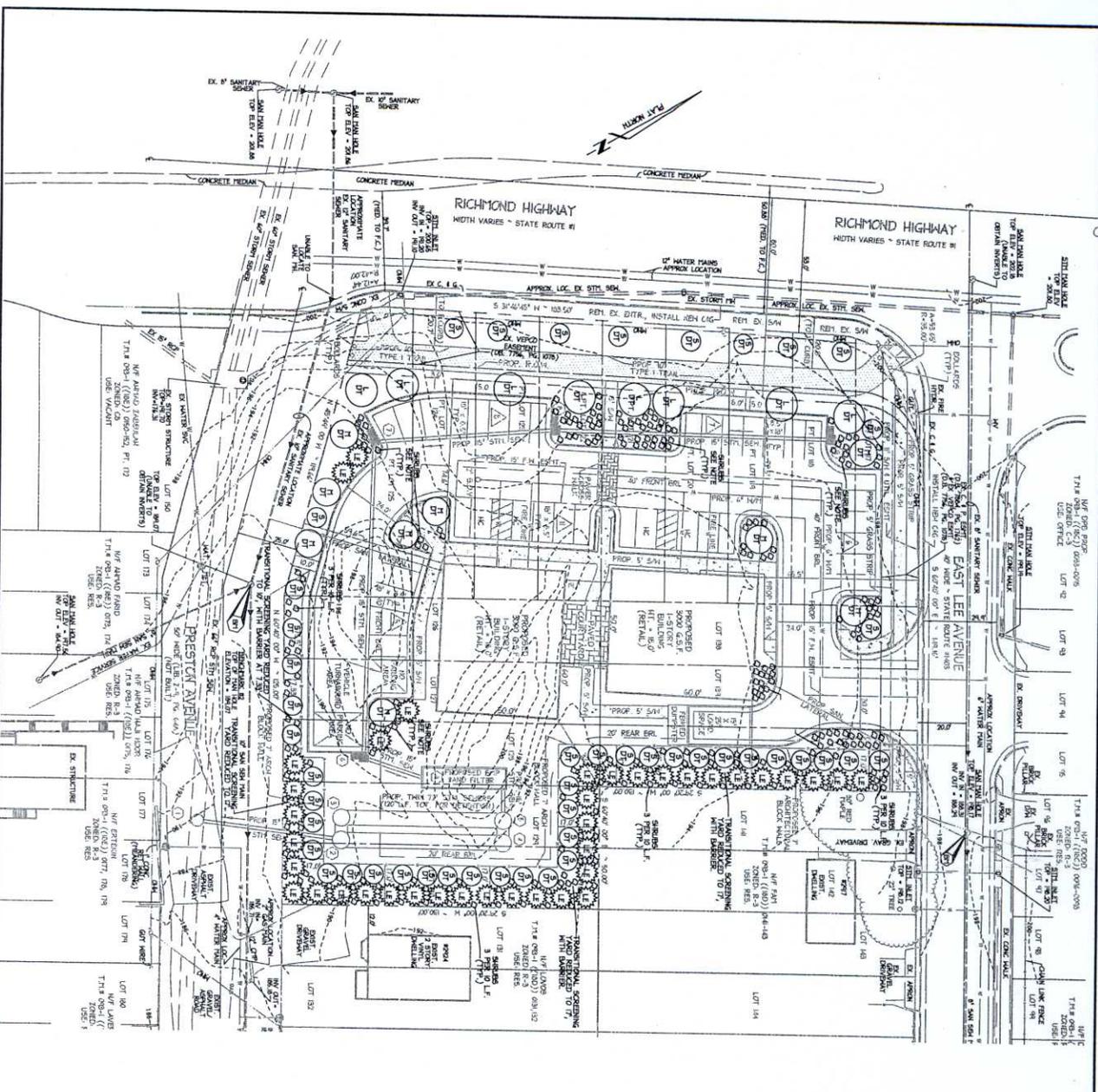


DATE: 24 MAY 2011
 DRAWN BY: A.R.D.
 DESIGNED BY: A.R.D.
 SHEET 30 OF 6

GENERALIZED DEVELOPMENT PLAN - SINGLE BUILDING OPTION
 LOTS 117 THROUGH 130, 138 THROUGH 140
 BLOCK 'D'
 MEMORIAL HEIGHTS
 MOUNT VERNON DISTRICT
 FAIRFAX COUNTY, VIRGINIA

| DATE | NO. | DESCRIPTION |
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| 8/2/10 | 1 | ORIGINAL PLAN, ACCEPTED FOR REVIEW |
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| 3/7/11 | 3 | REVISED PER COUNTY COMMENTS |
| 3/22/11 | 4 | REVISED PER COUNTY COMMENTS |
| 4/29/11 | 5 | REVISED PER COUNTY COMMENTS |
| 5/24/11 | 6 | REVISED PER COUNTY COMMENTS |

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TREE COVER & LANDSCAPING SUMMARY

THIS PLAN PROPOSES TO REMOVE 100 TREES AND PLANT 100 TREES AND 100 SHRUBS. THE PROPOSED LANDSCAPING AND TREE COVER WILL BE IN ACCORDANCE WITH THE ZONING ORDINANCE. THE PROPOSED LANDSCAPING PLAN IS SUBJECT TO THE APPROVAL OF THE COUNTY URBAN FORESTRY DEPARTMENT.

PROPOSED REMOVAL:

- 100 TREES (100% REMOVAL)
- 100 SHRUBS (100% REMOVAL)

PROPOSED PLANTING:

- 100 TREES (100% PLANTING)
- 100 SHRUBS (100% PLANTING)

NET CHANGE:

- 0 TREES (0% NET CHANGE)
- 0 SHRUBS (0% NET CHANGE)

TRANSITIONAL SCENERY & BUFFERING

EXISTING SIDE - BUILDING PROPERTY IS ZONED R-4, USE RESIDENTIAL. ZONING ORDINANCE REQUIRES 10' BUFFERING D.E. ON P. REAR/REAR SIDE. IF EXISTING CENTER IS FAST FOOD - ZONING ORDINANCE REQUIRES 10' BUFFERING D.E. ON G. REAR/REAR SIDE. TO FACILITATE ALLOW A BUFFER AND REDUCED PLANTING SIMILAR TO THE TRANSITIONAL SCENERY BUFFERING IS REQUIRED.

INTERNAL SCENERY & BUFFERING

EXISTING SIDE - BUILDING PROPERTY IS ZONED R-4, USE RESIDENTIAL. ZONING ORDINANCE REQUIRES 10' BUFFERING D.E. ON P. REAR/REAR SIDE. IF EXISTING CENTER IS FAST FOOD - ZONING ORDINANCE REQUIRES 10' BUFFERING D.E. ON G. REAR/REAR SIDE. TO FACILITATE ALLOW A BUFFER AND REDUCED PLANTING SIMILAR TO THE TRANSITIONAL SCENERY BUFFERING IS REQUIRED.

SOUTHERN SIDE - KANSAS PRESIDENT AVENUE

A PORTION OF THE PROPERTY ACROSS PRESIDENT AVENUE IS ZONED R-4, USE RESIDENTIAL. THE PROPERTY ACROSS PRESIDENT AVENUE IS ZONED R-4, USE RESIDENTIAL. THE PROPERTY ACROSS PRESIDENT AVENUE IS ZONED R-4, USE RESIDENTIAL. THE PROPERTY ACROSS PRESIDENT AVENUE IS ZONED R-4, USE RESIDENTIAL.

NORTHERN SIDE - THE PROPERTY ACROSS ROUTE 1 IS ZONED C-4, USE COMMERCIAL.

NO BUFFERING ON SCENERY BUFFERING.

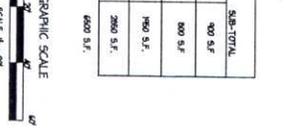
THE CENTER

REAR/REAR SIDE - 10' BUFFERING D.E. ON P. REAR/REAR SIDE. IF EXISTING CENTER IS FAST FOOD - ZONING ORDINANCE REQUIRES 10' BUFFERING D.E. ON G. REAR/REAR SIDE. TO FACILITATE ALLOW A BUFFER AND REDUCED PLANTING SIMILAR TO THE TRANSITIONAL SCENERY BUFFERING IS REQUIRED.

NOTE: THIS PLAN IS SUBJECTIVE AND CONCEPTUAL IN NATURE. IT DOES NOT GUARANTEE COMPLIANCE WITH ALL APPLICABLE ZONING ORDINANCES. THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

TREE PLANTING SUMMARY

| TREE | QUANT. | SIZE | C-78 CANOPY | SUB-TOTAL |
|------|--------|---------|--------------|-----------|
| T1 | 4 | 2" O.C. | 80 S.F. EACH | 320 S.F. |
| T2 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T3 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T4 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T5 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T6 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T7 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T8 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T9 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T10 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T11 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T12 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T13 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T14 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T15 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T16 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T17 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T18 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T19 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T20 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T21 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T22 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T23 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T24 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T25 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T26 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T27 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T28 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T29 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T30 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T31 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T32 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T33 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T34 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T35 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T36 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T37 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T38 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T39 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T40 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T41 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T42 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T43 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T44 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T45 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T46 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T47 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T48 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T49 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T50 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T51 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T52 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T53 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T54 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T55 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T56 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T57 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T58 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T59 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T60 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T61 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T62 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T63 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T64 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T65 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T66 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T67 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T68 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T69 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T70 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T71 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T72 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T73 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T74 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T75 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T76 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T77 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T78 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T79 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T80 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T81 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T82 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T83 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T84 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T85 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T86 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T87 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T88 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T89 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T90 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T91 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T92 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T93 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T94 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T95 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T96 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T97 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T98 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T99 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |
| T100 | 3 | 2" O.C. | 80 S.F. EACH | 240 S.F. |

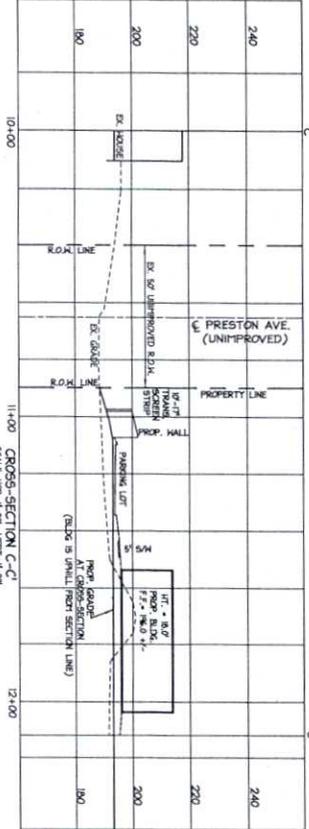
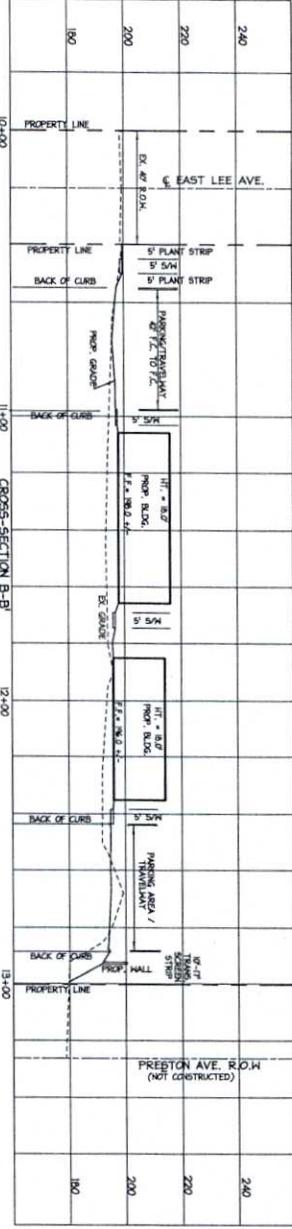
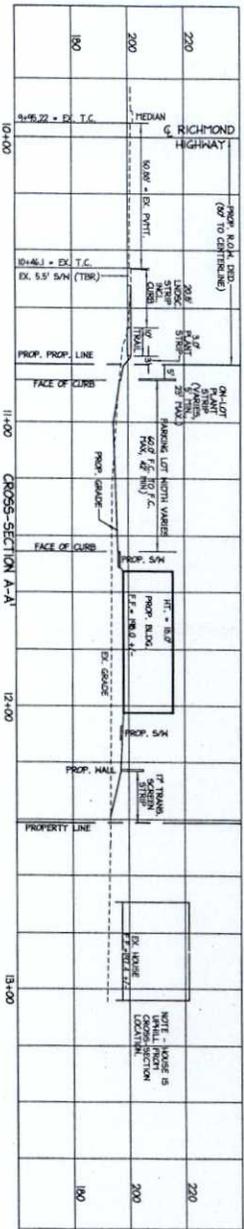


LANDSCAPING / TREE COVER PLAN
LOTS 117 THROUGH 136, 138 THROUGH 140
BLOCK "D"
MEMORIAL HEIGHTS
MOUNT VERNON DISTRICT
FAIRFAX COUNTY, VIRGINIA

| DATE | NO. | DESCRIPTION |
|---------|-----|------------------------------------|
| 5/12/10 | 1 | ORIGINAL PLAN, ACCEPTED FOR REVIEW |
| 2/2/11 | 2 | REVISED PER COUNTY COMMENTS |
| 3/7/11 | 3 | REVISED PER COUNTY COMMENTS |
| 3/3/11 | 4 | REVISED PER COUNTY COMMENTS |
| 4/26/11 | 5 | REVISED PER COUNTY COMMENTS |
| 5/24/11 | 6 | REVISED PER COUNTY COMMENTS |

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8808-H PEAR TREE VILLAGE COURT
ALEXANDRIA, VIRGINIA 22309
703-619-6555
FAX 703-799-6412

SCALE 1" = 20'
DATE: 24 MAY 2011
DRAWN BY: A.R.D.
DESIGNED BY: A.R.D.



SCALE: HORIZ. 1"=20'
VERT. 1"=5'

DATE: 24 MAY 2011

DRAWN BY: A.S.D.

DESIGNED BY: A.S.D.

5/24/2011

AMN & GARDNER

Alan R. Gardner

Professional Engineer

Virginia License No. 55000

101 NO. 900022

712 NO. 96-01

SHEET 6 OF 6

CROSS SECTIONS

LOTS 117 THROUGH 130, 136 THROUGH 140

BLOCK 'D'

MEMORIAL HEIGHTS

MOUNT VERNON DISTRICT

FAIRFAX COUNTY, VIRGINIA

| DATE | NO. | DESCRIPTION |
|---------|----------|-----------------------------|
| 3/22/11 | A.R.D. 3 | ADD SHEET 6 |
| 4/27/11 | A.R.D. 4 | REVISED PER COUNTY COMMENTS |
| 5/24/11 | A.R.D. 5 | REVISED PER COUNTY COMMENTS |

REVISION BLOCK

DOMINION Surveyors Inc.[®]

8808-H PEAR TREE VILLAGE COURT

ALEXANDRIA, VIRGINIA 22309

703-619-6555

FAX 703-799-6412

**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 is proposing to rezone the subject property from the PRM (Planned Residential Mixed) District, HC (Highway Corridor) Overlay District, and CRD (Commercial Revitalization District) to the C-8 (Highway Commercial) District, HC District, and CRD District in order to develop a 6,000 square foot (SF), one-story shopping center comprised of either two 3,000 SF buildings or one 6,000 SF building with a floor area ratio (FAR) of 0.11. The height of the proposed structure(s) is 18 feet. Thirty-seven parking spaces are proposed (26 spaces are required), and 48.5% open space is proposed (15% is required). The proposed shopping center would have access from East Lee Avenue.

A reduced copy of the proposed Generalized Development Plan (GDP) is included in the front of this report. The applicant's draft proffers are included as Appendix 1. The applicant's affidavit is in Appendix 2 and the applicant's statements regarding the application are included as Appendix 3.

Requested Waivers and Modifications:

- a modification of the transitional screening and barrier requirements along the eastern and southern property lines;
- a modification of the peripheral parking lot landscaping requirements along the northern, southern, and western property lines;
- a modification of the Richmond Highway Commercial Revitalization District streetscape requirements along Richmond Highway and East Lee Avenue in favor of that shown on the GDP;
- a deviation from the tree preservation target requirement to that shown on the GDP;
- a waiver of the minimum lot width requirement; and
- a waiver of the requirement to construct a service drive on Richmond Highway.

LOCATION AND CHARACTER

The subject property is located in the southeast quadrant of the intersection of Richmond Highway and East Lee Avenue. The property is a consolidation of several parcels totaling 1.23 acres, zoned PRM, HC and CRD. A portion of the subject property was the site of a fast food restaurant (Dairy Queen) which has since been demolished. It is mostly vacant, except in the location of a vacant house and three accessory storage structures which are to be removed from site, with some brush, a few trees, and some fairly young vegetation on-site. The subject site slopes steeply away from its frontage on Richmond Highway and flattens out along its eastern edge.



Source: Pictometry

Exhibit 1: Existing Site

| SURROUNDING AREA DESCRIPTION | | | |
|--------------------------------|---|--------|------------------------|
| Direction | Use | Zoning | Plan |
| North | Office Building (DPB Properties Inc.) | C-3 | Mixed Use |
| | Single-family detached (Memorial Heights) | R-3 | Residential; 3-4 du/ac |
| South (across Preston Ave.) | Vacant land | C-8 | Mixed use |
| | Single-family detached (Memorial Heights) | R-3 | Residential; 3-4 du/ac |
| East | Single-family detached (Memorial Heights) | R-3 | Residential; 3-4 du/ac |
| West (across Richmond Highway) | Office parking lot | C-8 | Office |

COMPREHENSIVE PLAN PROVISIONS

| | |
|---------------------------|---|
| Plan Area: | Area IV |
| Planning District: | Mount Vernon |
| Planning Sector: | MV-5 Groveton Community Planning Sector |
| Plan Map: | Mixed Use |

Plan Text:

The site was the subject of a recent Plan Amendment, S09-IV-MV2, which was adopted by the Board of Supervisors on September 28, 2010. The Fairfax County Comprehensive Plan, 2007 Edition Area IV, Mount Vernon Planning District, Amended through 9-28-2010, MV-5 Groveton Community Planning Sector, Pages 148 and 149 in the plan text states:

Richmond Highway Corridor Area

Recommendations and policies for the Richmond Highway Corridor are provided in the Richmond Highway Corridor section of the Plan which addresses land use issues and recommendations for the entire corridor. Recommendations are given in a north to south orientation and include the designated Community Business Centers and areas between these centers. The eastern portions of the Beacon/Groveton and Hybla Valley/Gum Springs Community Business Centers are located in Sector MV5.

....

Residential infill in Memorial Heights is planned for 3-4 dwelling units per acre. Additional guidance for Tax Map 93-1((18)) (D) 130 pt. and 138 is included in Land Unit E of the Beacon/Groveton Community Business Center within the Richmond Highway Corridor.

Fairfax County Comprehensive Plan, 2007 Edition Area IV, Mount Vernon Planning District, Amended through 9-28-2010, Richmond Highway Corridor Area, Page 45 site specific plan text states:

With the full consolidation of Tax Map Parcels 93-1((18))(D)117, 126, 130 and 138 located between East Lee Avenue and Preston Lane, planned for office or retail use without drive thru facilities to include eating establishments and fast food restaurants up to .15 FAR with maximum building height of 25 feet may be developed provided that:

- Buildings and parking are oriented to encourage pedestrian traffic;*
- Development is screened and buffered from the adjacent residential neighborhood in accordance with zoning regulations.*

- *Development provides compatible architecture treatments to avoid creating an adverse visual impact on adjacent residential development.*
- *A stormwater management system is provided that will reduce substantially the contribution of stormwater runoff from the site to stream degradation downstream of the site. The application of Low Impact Development (LID) practices is considered toward this end.*

Limited parking may be considered along the property frontage provided the preceding conditions are addressed and all other applicable Richmond Highway Streetscape elements are met.

ANALYSIS

Generalized Development Plan (Reduction at front of staff report)

Title of GDP: Lots 117 through 130, 138 through 140 Block "D" Memorial Heights

Prepared By: Dominion Surveyors Inc.

Original and Revision Dates: August 12, 2010 as revised through May 24, 2011.

| GDP Lots 117 through 130, 138 through 140 Block "D" Memorial Heights | |
|---|--|
| Sheet # | Description of Sheet |
| 1 of 6 | Cover Sheet - Vicinity Map, Soil Map, Legend, General Notes, and Site/Zoning Tabulations |
| 2 of 6 | Existing Conditions and Existing Vegetation Map |
| 3A of 6 | Generalized Development Plan |
| 3B of 6 | Generalized Development Plan – Single Building Option |
| 3C of 6 | Generalized Development Plan – Right Turn Lane Exhibit |
| 4 of 6 | Landscape/Tree Cover Plan |
| 5 of 6 | Preliminary Stormwater Plan/Outfall Narrative |
| 6 of 6 | Section Exhibits |



Exhibit 3a: Proposed Site Design for Two Buildings

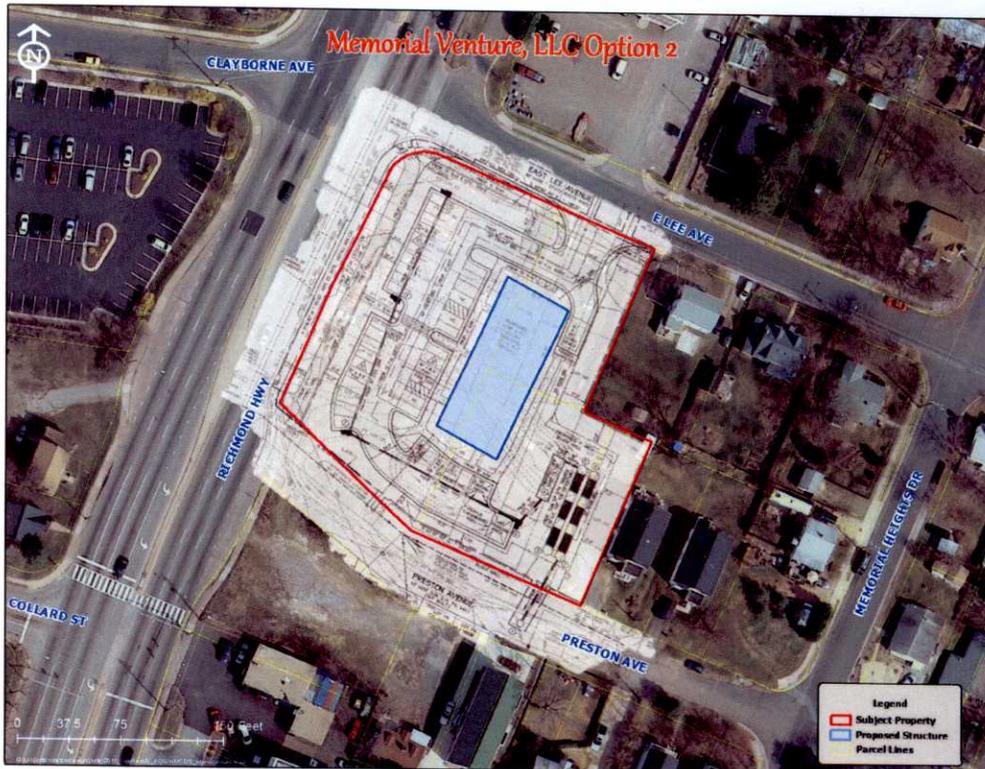


Exhibit 3b: Proposed Site Design for One Building

Site Layout: The GDP depicts a 6,000 SF, one-story shopping center comprised of either two 3,000 SF buildings or an optional design containing one 6,000 SF building (to be determined at site plan) with a floor area ratio (FAR) of 0.11 located towards the rear of the site. In the applicant's third proffer it states that the applicant reserves the right to shift the square footage between the buildings at site plan provided there is no decrease in open space and/or the building setbacks. The architectural exhibit (see Exhibit 4) depicts the building materials for the structure(s) to include brick, glass, metal panels, and precast concrete. Black awnings are depicted above the glass doors and windows. The applicant states that the shopping center would accommodate up to six retail units within the building(s). Thirty-seven parking spaces are depicted on the GDP, with 26 parking spaces proposed at the front of the site between the building and the Richmond Highway frontage; six parking spaces to the north along the Preston Avenue frontage, and five spaces along the south side of the building that faces Preston Avenue.

The GDP depicts 27 feet of additional right-of-way (ROW) to be provided for the widening of Richmond Highway (up to 80 feet ROW from centerline). Currently, the ROW is 53 feet from centerline and accommodates four lanes of traffic. The applicant has requested waivers from the requirements to construct a service drive and a right turn lane along Richmond Highway.

Uses: The proffers state that there would be a maximum of six commercial uses in the shopping center; floor area ratio would not exceed 0.11. The applicant proposes that the following permitted uses could become potential tenants:

- Business service and supply establishments;
- Eating establishments;
- Fast food restaurant with no drive through and a maximum gross floor area of 1,050 SF (2 buildings) or 1,500 SF (1 building);
- Financial institutions without drive through;
- Garment cleaning establishments;
- Health clubs;
- Offices;
- Personal service establishments;
- Public Uses;
- Private schools of special education;
- Quick-service food stores that comply with Section 4-805 of the Zoning Ordinance;
- Repair service establishments; and
- Retail sales establishments.

The proffers also state that a Special Exception approval shall only be requested in the future for a fast food restaurant or quick-service food store use that does not meet the limitations of Section 4-805.

Access: Vehicular access to the site is proposed from East Lee Avenue. No vehicular access is proposed along Richmond Highway or Preston Avenue. It should be noted that Preston Avenue is not fully constructed where it abuts the subject site. The Virginia Department of Transportation (VDOT) has no plans to construct this portion of Preston Avenue.

The required road frontage improvement for East Lee Avenue is a 5-foot wide off-site sidewalk and the required road frontage improvements along Richmond Highway include:

- A 9-foot wide off-site trail;
- A service drive; and
- A right-turn lane.

The applicant is proposing the following required road frontage improvements:

- Construct a five-foot wide on-site sidewalk along East Lee Avenue;
- Dedicate up to 80 feet of right-of-way from the existing centerline on Richmond Highway; and
- Remove the existing concrete sidewalk of substandard width that abuts Richmond Highway and construct a 10-foot wide off-site asphalt trail.

The applicant has requested waivers from the requirements to construct a service drive and right turn lane along Richmond Highway. The waiver request from construction of the right turn lane has been submitted to VDOT for review and approval. If the waiver request is not granted, Sheet 3C in the GDP shows that the right turn lane would be constructed within the 80 feet of right-of-way proposed for dedication. In this design option, the off-site landscaped strip would be reduced from 20 feet to 9 feet to accommodate the right turn lane.

Additionally, the GDP depicts a five-foot wide concrete sidewalk connecting the proposed 10-foot wide trail along the Richmond Highway frontage to a five-foot wide sidewalk that goes around the front and sides of the two buildings. A five-foot wide sidewalk approximately 30 feet long is also proposed at the rear of the northernmost building. On Sheet 3B which depicts the single 6,000 SF building option, the sidewalk at the rear of the building is proposed for almost the full length of the structure.

Open Space and Landscaping: 48.5% open space is proposed. The open space is primarily provided along the periphery of the site in the form of streetscaping and transitional screening, and includes the area above the proposed location for an underground stormwater control facility in the southeastern corner of the site. Landscaping consisting of deciduous trees, evergreen trees, and shrubs is proposed along the boundaries of the subject property and around four corners of the buildings. A 500 SF paved courtyard is also shown between the two buildings with that option.

Streetscaping: The applicant is proposing to provide the following streetscaping:

- A 20-foot wide off-site landscape strip, a 10-foot wide off-site asphalt trail, a three-foot wide off-site separation buffer, and a five-foot wide on-site buffer along the Richmond Highway frontage; and
- A five-foot wide off-site landscape strip, a five-foot wide off-site concrete sidewalk, and a five-foot wide on-site landscaped strip along the East Lee Avenue frontage.

If the applicant's waiver request from construction of a right turn lane along Richmond Highway is not approved by VDOT, then the 20 foot-wide off-site landscape strip will be reduced to nine feet to accommodate the right turn lane.

Stormwater Management Facilities: An underground detention facility and a sand filter are proposed as the stormwater quantity and quality controls to be located in the southeastern corner of the site.

Land Use and Environmental Analysis (Appendix 6)

The site-specific text in the Comprehensive Plan states that with the full consolidation of Tax Map Parcels 93-1((18)) (D) 117, 126, 130 and 138 located between East Lee Avenue and Preston Lane, this site is planned for office or retail use without drive thru facilities to include eating establishments and fast food restaurants up to .15 FAR with a maximum building height of 25 feet provided that the following criteria are met:

- Buildings and parking are oriented to encourage pedestrian traffic;
- Development is screened and buffered from the adjacent residential neighborhood in accordance with zoning regulations;
- Development provides compatible architecture treatments to avoid creating an adverse visual impact on adjacent residential development; and
- A stormwater management system is provided that will reduce substantially the contribution of stormwater runoff from the site to stream degradation downstream of the site. The application of Low Impact Development (LID) practices is considered toward this end.

It also states that limited parking may be considered along the property frontage provided the preceding conditions are addressed and all other applicable Richmond Highway Streetscape elements are met.

Use and Intensity

The proposed 6,000 SF, one-story shopping center with an FAR of 0.11 is in general conformance with the land use (office or retail use without drive thru facilities to include eating establishments and fast food restaurants) and intensity (up to 0.15 FAR)

recommendations of the Comprehensive Plan. The applicant has proposed a proffer which states that there would be a maximum of six retail uses in the shopping center and the floor area ratio would not exceed 0.11. Conformance with the Comprehensive Plan, however, is also contingent on meeting the site specific conditions, identified below.

Criterion 1: Buildings and Parking are Oriented to Encourage Pedestrian Traffic

The buildings and parking as proposed are not oriented to encourage pedestrian traffic. The building is depicted 72.5 feet from the Richmond Highway front lot line, with the majority of the proposed parking located at the front of the site between the building and the Richmond Highway frontage, serving as a visual and physical barrier to pedestrians. Staff advised the applicant to shift the building closer to the front lot line, reduce the amount of parking, and to locate the parking spaces behind the building to make it more attractive for pedestrians to access the building, to reduce the potential for pedestrian and vehicular conflicts, and to create an overall pedestrian-friendly environment. The currently approved site design for the property addresses this criterion better than the subject design proposal as it provides better pedestrian circulation on-site. That building is located approximately 37 feet from the Richmond Highway frontage; the parking is located at the sides and rear of the site; and a substantial amount of streetscaping is provided ranging from 36 feet to 43 feet in width along the Richmond Highway frontage, creating an overall more aesthetically pleasing and urban environment. Staff finds this condition has not been satisfied.

Criterion 2: Development is Screened and Buffered from the Adjacent Residential Neighborhood in Accordance with Zoning Regulations.

The applicant is proposing to provide a 17-foot wide landscaping strip with a seven-foot tall architectural block wall along the eastern and southern property lines to screen the proposed use from the adjacent residential neighborhood. The Zoning Ordinance requires Transitional Screening 3 and either Barrier D, E, or F between retail uses and single-family detached dwellings. Transitional Screening 3 is comprised of a 50-foot wide unbroken landscaped strip, and Barriers D, E, and F require either a 42 to 48 inch chain link fence, a 6-foot high masonry wall, or a 6-foot high solid wood or otherwise architecturally solid fence. The applicant is seeking approval of a modification of the transitional screening and barrier requirements along the southern and eastern property lines.

While the Zoning Ordinance permits a two-third reduction of the required transitional screening if a seven-foot tall barrier is provided, staff believes the intent of the site specific Plan text was not to allow such a large modification in the buffer width adjacent to the residential neighborhood. If the full transitional screening requirement stipulated in the Zoning Ordinance was provided it would be 50 feet wide and fencing would also be provided. The applicant has stated that if the full transitional screening requirement has to be provided on-site, the proposed site design would not fit on-site and they have no intention to reduce the amount of proposed parking or the proposed size of the buildings to facilitate more screening.

Staff recognizes that it would be difficult to accommodate the proposed use on-site if the applicant is required to provide a 50-foot wide buffer. However, the applicant has not demonstrated that the proposed depth of 17 feet for the transitional screening would effectively screen the proposed use from the adjacent residential properties. The applicant has provided staff with cross-sections of the proposed use and the adjacent residential properties. However, staff cannot determine from these cross-sections whether the proposed transitional screening would effectively screen the use, as the proposed vegetation with its height and the sight lines from the adjacent residential properties is not depicted. Further, staff notes that along the eastern property line the property slopes down towards the adjacent residential property away from the proposed 7-foot tall wall. Staff believes that the wall should be shifted inwards to provide a greater distance between the wall and the adjacent single-family detached dwelling, as this would allow for another row of trees to be planted behind the wall in front of the slope to reduce the visibility of the proposed building(s) from the single-family detached dwelling.

Additionally, staff advised the applicant to extend the proposed seven-foot tall barrier along Preston Avenue so that it would screen all of the existing residential lots located across Preston Avenue, and to widen the transitional screening strip to at least 17 feet. The applicant has extended the seven-foot tall architectural block wall along Preston Avenue to face all of the existing residential lots. However, the applicant has not widened a portion of the transitional screening strip from 10 to 17 feet, as there is not enough room to accommodate a wider buffer, travel aisle and turnaround area at the southern end of the site.

Staff finds the proposed depth of the transitional screening is inadequate to serve its intended purpose of buffering the proposed commercial use from the adjacent houses. Therefore, this condition has not been satisfied.

Criterion 3: Development Provides Compatible Architecture Treatments to Avoid Creating an Adverse Visual Impact on Adjacent Residential Development

The third site-specific Plan recommendation the application is required to meet is to provide compatible architecture treatments to avoid creating an adverse visual impact on the adjacent residential neighborhood. Initially, the proposed architectural treatments for the shopping center included reddish-brown brick and metal frame and glass for the storefront windows and doors. The building design resembled an older industrial-style office complex with dark brick and a flat roof and there were no treatments with visual interest to the building's façade. The applicant has revised the building design to include black awnings above the windows and doors and brown precast panels for the parapet walls. The façade of the building is now slightly recessed above the windows and the parapet wall varies in height around the periphery of the roofs. Staff recognizes that the design has been improved.

The GDP also shows two design options for the proposed shopping center; either two 3,000 SF buildings or one 6,000 SF building with a floor area ratio (FAR) of 0.11. The applicant has stated that they will only construct the single 6,000 SF building if by the site plan stage they do not have the required number of tenants to lease commercial space in both buildings. Even though staff requested an exhibit of the single building option, the applicant has not provided staff with such an exhibit. Staff recommends that a proffer be included that stipulates the architectural design for the single building option will resemble the design for the two building option.



Exhibit 4: Proposed Architectural Design

Criterion 4: A Stormwater Management System is Provided that will Reduce Substantially the Contribution of Stormwater Runoff from the Site to Stream Degradation Downstream of the Site. The Application of Low Impact Development (LID) Practices is considered toward this end.

The GDP depicts the location of a proposed underground stormwater management facility and a proposed sand filter to provide stormwater detention and best management practice (BMP) measures. The underground detention facility is comprised of two 72-inch storm sewer pipes. Water quality control will be addressed by a sand filter placed underground next to the detention facility. The applicant has provided an outfall narrative on Sheet 5 of the GDP describing the existing drainage conditions which characterize the subject property to demonstrate that the proposed outfall would be adequate. The outfall narrative states that the stormwater runoff from site would be reduced to below the pre-development rate. The applicant also notes on Sheet 5 that the proposed sand filter would provide a 60% BMP pollutant removal efficiency. However, the notation does not record the percentage of phosphorous

proposed to be removed from the site's stormwater runoff. Subsequently, staff was informed by the applicant that the sand filter would achieve approximately 50% phosphorous removal, which is 10% more than the minimum phosphorous removal requirement of 40%.

The Comprehensive Plan language also states that the application of LID practices should be considered to reduce the stormwater runoff from the site that contributes to stream degradation downstream of the site. The applicant has stated that because the subject property has poor soils for infiltration, it creates an obstacle for the reliance on the use of LID measures. Staff continues to encourage the applicant to consider the use of LID measures such as treebox filtertraps which do not require infiltration.

The draft proffers state that the facilities would be designed in accordance with the Public Facilities Manual (PFM) and the Chesapeake Bay Preservation Ordinance, unless modified by the Department of Public Works and Environmental Services (DPWES). The adequacy of the proposed stormwater management, water quality measures and adequate outfall is subject to review by DPWES at the time of site plan approval. If the applicant modifies the proffer to commit to achieve 50% phosphorus removal, then staff believes this site specific recommendation will be satisfied. This commitment has not been incorporated into the proffers, therefore this plan recommendation has not been satisfied.

Limited Parking

The Comprehensive Plan language stipulates that limited parking may be considered at the front of the site, if all four criteria as analyzed above are met. The applicant is proposing the majority of the parking at the front of the site, contrary to the recommendations of the Comprehensive Plan. The GDP depicts 26 parking spaces at the front, 6 spaces along East Lee Avenue, and 5 spaces along Preston Avenue. The applicant is proposing 11 more parking spaces than required for a 6,000 SF shopping center and 16 more parking spaces than required in the Richmond Highway Commercial Revitalization District, which allows a 20% parking reduction. As stated above, staff advised the applicant to reduce the parking, relocate the parking spaces to the rear of the site, and to shift the building closer to the front. Staff was also willing to consider a single row of parking along the front of the building, if:

- the row of parking abutting the Richmond Highway frontage was eliminated;
- the required streetscaping for Richmond Highway was provided;
- the building was shifted to the front of the site; and
- all four criteria stipulated in the Comprehensive Plan's site specific text were met.

However, the applicant does not wish to reduce the proposed amount of parking, relocate the parking to the rear, or shift the building closer to the front of the site. Further, all four criteria must be met for staff to consider limited parking at the front of the site.

Overall, staff finds that the proposed site design does not meet the four site specific recommendations in the Comprehensive Plan.

Environmental Analysis

The Policy Plan recommends LEED certification or an equivalent when zoning proposals are located in a community business center and are seeking a change in use from what would be allowed under existing zoning. As the applicant is seeking a change in use and the property is located within the Beacon/Groveton Community Business Center, this policy applies to the proposed use. To be in conformance with the Comprehensive Plan and to be consistent with other green building commitments, staff has determined that the applicant should commit to LEED certification or an equivalent rating system for each building under the most current version of New Construction or Core and Shell rating system (whichever is applicable), and prior to site plan approval post a green building escrow at \$12,000, which is based on \$2.00 per square foot.

The applicant has proposed a draft proffer which states that prior to site plan approval for each building, the applicant will execute a separate agreement and post, for that building, a \$12,000 green building escrow, in the form of cash or a letter of credit from a financial institution, which would be released upon demonstration of attainment of certification. Prior to site plan approval, the applicant proposes to designate the Chief of the Environment and Development Review Branch of the Department of Planning and Zoning as a team member in the USGBC's LEED Online system, which would allow him or her to review the project status and monitor the progress of all documents submitted by the project team.

In support of the attainment of LEED certification for each building, staff noted that the applicant's proffers should be modified to include commitments to:

1. Retain a LEED AP who is a professional engineer or architect and will be a part of the project's design and construction team;
2. Include a list of specific credits within the most current version of a LEED rating system as part of the site plan and building plan submission; and
3. Provide certification statements by the LEED AP who is a professional engineer or architect at both the time of site plan and building plan reviews confirming that the items in the list will meet at least the minimum number of points necessary to attain LEED certification of the project.

The applicant has now included commitments to provide items two and three above at site plan, but no commitment has been made to provide these items at the time of building plan submission. Additionally, the applicant has not committed to retain a LEED AP as part of the project's design and construction team. Staff advises the applicant to modify the proffer to include all of the above, as it is critical to have a LEED AP as part of the project's design and construction team and to provide the required documentation at both site plan and building plan submission. This issue remains unresolved.

Office of Community Revitalization and Reinvestment (OCRR) Analysis (Appendix 7)

OCRR staff has reviewed the application and concurs with the conclusion that the application is not in conformance with the Comprehensive Plan. OCRR staff notes the proposed building as presented at the time of this review appeared industrial in nature and would not enhance the image or aesthetic form of the Richmond Highway Corridor. OCRR also notes that the majority of the proposed parking is located in front of the building along Richmond Highway, perpetuating a strip-commercial form of development rather than a more urban form of development. This issue remains unresolved as the applicant's preference is to locate the majority of the parking at the front of the site along Richmond Highway, contrary to the recommendations of the Comprehensive Plan.

Stormwater Analysis (Appendix 8)

As stated in the Land Use Analysis section of the report, the applicant proposes to locate in the southeastern corner of the site an underground detention facility and a sand filter to manage stormwater quantity and quality. The applicant states that stormwater runoff from site would be reduced to below the pre-development rate, and the proposed sand filter would achieve approximately 50% phosphorous removal, which is 10% above the minimum BMP removal requirement of 40%. DPWES staff states that a stream restoration project, Capital Project #LH9264, has been identified downstream of this site. DPWES staff suggests that water quality controls greater than the minimum PFM requirement might be appropriate for this site, and encourages the use of low-impact development controls. The applicant has not proposed the use of LIDs because of the poor infiltration rate of the soil. However, staff continues to encourage the applicant to consider the use of LIDS such as treebox filtertraps which do not require infiltration. To conform with the recommendations of the Comprehensive Plan, staff recommends that the draft proffers commit to a minimum 50% phosphorous removal.

Urban Forestry Analysis (Appendix 9)

Damage to Off-Site Tree

Urban Forest Management Division (UFMD) staff has noted that a tree located on the abutting residential property to the east would be directly impacted by the proposed development as the proposed limits of clearing and grading would remove approximately half of the tree's root system. As a result, the tree may become a hazard to the public at large, as well as to the applicant's and owner's property. Staff advised the applicant to hire an ISA Certified Arborist or an ASCA Registered Arborist to conduct a condition analysis and provide the information for staff to review. The applicant stated that an arborist was hired and it was determined that the tree is in poor health. Staff also advised the applicant to contact the adjacent property owner to inform him of their findings and to determine whether or not the property owner would be agreeable to removal of the tree. Staff was recently informed that the applicant has contacted the adjacent property owner who has agreed to the tree's removal. Staff is

satisfied that this issue can be further addressed at site plan. Therefore, staff finds this issue has been resolved.

Tree Preservation

The applicant proposes no tree preservation on-site. UFMD staff notes there is some quality vegetation on-site that could be preserved. However, preservation of these trees would preclude the site from development as they are located in the center and at the northern end of the site where the buildings, travel aisles, and parking are proposed to be located. Even if the site design is modified by shifting the building(s) towards the front of site, the trees cannot be saved. Staff informed the applicant that a deviation from the tree preservation target requirement could be pursued; the applicant has revised the GDP to include such a request. However, the deviation request is incomplete as no justification has been provided. UFMD staff has stated that they would support the deviation request if the appropriate justification is provided at site plan.

Streetscaping

The streetscape requirements along Richmond Highway are comprised of a 9-foot wide off-site landscape strip; a 9-foot wide off-site trail; a three-foot wide off-site separation buffer; and a five-foot wide on-site buffer. East Lee Avenue requires a 5-foot wide off-site landscape strip; a 5-foot wide off-site sidewalk; and a five-foot wide on-site landscaped strip. UFMD staff notes that large deciduous trees should be planted in the on-site planting strip along the Richmond Highway frontage. Additionally, groundcover, shrubs, and flowers in conformance with the Comprehensive Plan's recommendations for plantings in the Richmond Highway Commercial Revitalization District should be provided within and outside the right-of-way. The applicant has revised the GDP to address these issues. However, UFMD staff was not satisfied with all of the revisions and advises the applicant to provide a well-designed and visually appealing layout of perennial and evergreen shrubs, flowers within bedding, and possibly some low level berming. It was also noted that a proffer needs to be included to execute a license agreement between the applicant and VDOT to ensure that VDOT accepts maintenance responsibility of any and all trees and shrubs within the Richmond Highway right-of-way. The applicant has incorporated proffer language that states the applicant will coordinate the streetscape installation with VDOT. Staff finds this issue has been resolved.

Park Authority Analysis (Appendix 10)

Park Authority staff has noted that the subject property is adjacent to a number of noted sites, including large Civil War Union Camps. Camp Custis, which was occupied by the New Jersey Cavalry and another large Pennsylvania Regimental camp, is just west of the location. Park Authority staff has stated that it is possible that remnants of these camps remain in undeveloped portions of the site. Staff has requested that the applicant provide a proffered commitment to conduct a Phase I

archaeological study of any relatively undisturbed portions of the site, followed by a Phase II archaeological testing if sites are found, and if any sites are determined significant, avoidance or Phase III data recoveries would be conducted. The applicant has now proffered to such a commitment. Therefore, this issue has been resolved.

Transportation Analysis (Appendix 11)

The Fairfax County Department of Transportation staff has reviewed the subject application and raised several issues with the application including overparking, inadequate right-of-way dedication, the need for a right turn lane to East Lee Avenue, and the proposed site entrance not meeting the Virginia Department of Transportation's access management standards.

Parking

As stated previously in the report under both the Land Use and Environmental Analysis and OCRR Analysis, FCDOT staff notes that as the majority of the parking is located at the front of the site, the application does not meet the requirement to create a pedestrian friendly environment along Richmond Highway, and recommends that all parking should be located at the rear of the building and the building should be shifted closer to the street. This issue remains unresolved.

Right-of-Way Dedication

The applicant proposes to dedicate 80 feet in width of right-of-way (ROW) along Richmond Highway. The Richmond Highway Cross-Section in the Transportation Policy Plan section of the Comprehensive Plan requires a dedication of 88 feet of ROW from centerline to accommodate the future road widening. The applicant does not wish to increase the ROW dedication to 88 feet because it would eliminate the proposed row of parking spaces depicted along the Richmond Highway frontage. This issue remains unresolved.

Right Turn Lane

The applicant is proposing 80 feet of ROW to accommodate only a portion of the future road improvements planned for Richmond Highway. The 80 feet of ROW would accommodate a platform or left turn lane; three through lanes; an interim 20-foot wide landscape strip; a 10-foot wide asphalt trail; and a three-foot wide separation buffer.

The Virginia Department of Transportation (VDOT) staff has stated that the applicant should construct a right turn lane along the Richmond Highway frontage at the intersection with East Lee Avenue. The applicant has submitted a waiver request for construction of the right turn lane to VDOT for review and approval. If the waiver request is not approved, the applicant proposes to construct the right turn lane within the 80 feet of ROW, by reducing the 20-foot wide interim landscape strip to nine feet to accommodate the right turn lane.

The Richmond Highway cross-section in the Comprehensive Plan does not require a right turn lane. The Plan requires 88 feet of ROW to accommodate half of a future transit-way (13 feet); a platform or left turn lane (16 feet); three through lanes (38 feet); a nine-foot wide landscape strip including curb; a nine-foot wide asphalt trail; and a three-foot wide separation buffer. At least an additional 11 feet of ROW would be needed to construct a right turn lane. Therefore, the applicant would require at least an additional 18 feet of ROW to accommodate all of the future road improvements planned for Richmond Highway and construction of a right turn lane. Although the Comprehensive Plan does not require a right turn lane, staff cannot support the applicant's waiver request if it is not approved by VDOT.

Site Entrance

The applicant has submitted an Access Management Exception request to VDOT for the proposed site entrance as it has been determined that the proposed site entrance does not meet VDOT's Access Management standards. The exception is currently under review by VDOT staff. Therefore, this issue remains unresolved.

Public Facilities Analysis (Appendices 12-14)

Fairfax Water Analysis

Fairfax Water staff has determined that adequate domestic water is available at the site from existing 12-inch and 8-inch diameter water mains. It was also noted that depending upon final site and water main configurations, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns. Fairfax Water staff also identified the need for a 24-inch transmission main along the Richmond Highway frontage, and stated that they may request the design and construction of the water main be incorporated at site plan. Fairfax Water staff also stated that if they still wish to pursue this option, details of the request would be sent to the developer after formal site plan submittal.

Fire Analysis

The subject property is served by Fairfax County Fire and Rescue Department Station # 411, Penn Daw. The Fires and Rescue Department staff has stated that the application property currently meets fire protection guidelines.

Sanitary Sewer Analysis

The property is located in the Cameron Run (J-3) Watershed and would be sewered into the Alexandria Sanitation Authority (ASA). The Wastewater Planning and Monitoring Division states that, based upon current and committed flow, there is excess capacity in the ASA, and an existing 10-inch line on the property is adequate for the proposed use at the present time.

ZONING ORDINANCE PROVISIONS (Appendix 15)

| Bulk Standards (C-8 Zoning, HC, RHCRD) | | |
|---|--|--|
| Standard | Required | Proposed |
| Lot Size | 40,000 SF | 48,980 SF |
| Lot Width | 200 ft. | 184.41 ft. (Existing) 162.39 ft. (After right-of-way dedication) * ¹ |
| Building Height | 40 ft.; 25 ft. (Comp. Plan) | 18 ft. |
| Front Yard | 20 ft. * ² | 72.5 ft. (Rich. Hwy) 65.5 ft. (East Lee Ave.) 59.6 (Preston Ave.) |
| Side Yard | No requirement | N/A |
| Rear Yard | 20 ft. | 32.1 ft. |
| FAR | 0.50 | 0.11 |
| Open Space | 15% | 48.5% |
| Tree Cover | 10% | 13.77% |
| Parking Spaces | 26 spaces [4.3 spaces per 1,000 GSF] with 20% reduction – 21 spaces | 37 spaces |
| Loading Spaces | 1 | 1 |

*¹The minimum lot area and lot width requirements may be waived by the Board in accordance with the provisions of Sect. A7-406 that is pursuant to Section 9-622.

*²Richmond Highway CRD Standards

| Transitional Screening | Required | Provided |
|--|---|---|
| North (Office) | None | 5 ft. wide grass strip & 18 ft. wide landscaped strip |
| South [Vacant commercial land and single-family detached dwellings] | None for commercial property TS 3 – 50 ft. wide unbroken strip | 10 ft. wide landscaping strip 17 ft. wide landscaping strip (Modification requested) |
| East (Single-family detached) | TS 3 – 50 ft. wide unbroken strip | 17 ft. wide landscaping strip (Modification requested) |
| West (Office parking lot) | None | 11 ft. wide off-site landscaped strip, 10 ft. wide on-site landscaped strip |

| Barrier | Required | Provided |
|--|---|---|
| North (Office) | None | None |
| South [Vacant commercial land and single-family detached dwellings] | None for commercial property Barrier D, E or F | 7 foot tall architectural block wall along portion of property line facing residential properties |
| East (Single-family detached) | Barrier D, E or F | 7 foot tall architectural block wall |
| West (Office parking lot) | None | None |

WAIVERS AND MODIFICATIONS

The applicant has requested the following waivers and modifications:

- A modification of the transitional screening and barrier requirements along the eastern and southern property lines;
- A modification of the peripheral parking lot landscaping requirements along the northern, southern, and western property lines;
- A modification of the Richmond Highway streetscape requirements along Richmond Highway and East Lee Avenue to provide streetscape as shown on the Generalized Development Plan;
- A deviation from the tree preservation target requirement to that shown on the GDP;
- A waiver of the minimum lot width requirement; and
- A waiver of construction of the service drive requirement along Richmond Highway.

Modification of the Transitional Screening and Barrier Requirements along the Eastern and Southern Property Lines

As stated earlier in the report, Transitional Screening 3, which is comprised of a 50-foot wide unbroken landscape strip and either Barrier D, E, or F, is required along the eastern and southern property lines. The applicant is requesting a modification of the transitional screening and barrier requirements along the eastern and southern property lines to permit a 17-foot wide transitional screening strip and a seven-foot tall architectural block wall along the eastern and a portion of the southern property line. The remaining portion of the southern property line would have a ten-foot wide transitional screening strip. According to Section 13-305 paragraph 4, the transitional screening yard width and planting requirements may be reduced by two-thirds where the developer chooses to construct a seven (7) foot brick or architectural block wall instead of the lesser barrier

indicated by the matrix. As stated earlier in the report under the Land Use and Environmental Analysis, staff cannot support the requested modification and advises the applicant to increase the transitional screening to at least 25 feet to allow for another row of trees to be planted.

Modification of the Peripheral Parking Lot Landscaping Requirements along the Northern, Southern, and Western Property Lines

The required streetscaping supersedes the peripheral parking lot landscaping requirement for a ten-foot wide landscape strip under Article 13. As the proposed width of streetscaping along Richmond Highway and East Lee Avenue, exceeds the required peripheral parking lot landscaping requirement, staff does not object to the waiver request.

Modification of the Richmond Highway Streetscape Requirements along Richmond Highway and East Lee Avenue to Provide Streetscape as Shown on the Generalized Development Plan

The Comprehensive Plan guidance for the Richmond Highway Corridor contains specific guidance for urban design and streetscape design. As discussed under the Environmental and Land Use Analysis section of the report, the applicant is requesting a modification of the streetscape guidelines in favor of that shown on the GDP. The Comprehensive Plan notes that "modifications in the application of the streetscape...will likely be necessary to respond to site conditions or roadway design considerations." Staff believes that the proposed landscaping is generally consistent with the streetscape recommendations for the Richmond Highway Corridor; however, it could be improved. If the applicant implements UFMD's staff recommendation, then staff would not object to the approval of this modification request.

Deviation from the Tree Preservation Target Requirement to that shown on the GDP

As stated above under the Urban Forestry Analysis section, the applicant proposes no tree preservation on-site. There are a few trees that UFMD staff note are worth preserving. However, preservation of these trees would preclude the site from development due to their location. Even if the site design is modified by shifting the building(s) towards the front of site, the trees cannot be saved. UFMD staff has stated that they would support the deviation request once the appropriate justification is provided at site plan. Therefore, staff does not object to the approval of this deviation request if the appropriate justification is provided at site plan.

Waiver of the Minimum Lot Width Requirements

The consolidation of parcels results in a lot width of 184.41 feet, which is less than the lot width requirement of 200 feet for the C-8 District. After the proposed right-of-way dedication, the lot width would be reduced to 162.39 feet. According to Section A7-406 in the Zoning Ordinance regarding lot size requirements for the Richmond

Highway Commercial Revitalization District, the minimum lot size requirements may be modified or waived by the Board in accordance with the provisions of Sect. 9-622. Section 9-622 paragraph 3 states that the approval of a requested modification/waiver/increase or use shall be in accordance with and shall further the implementation of the adopted comprehensive plan for the commercial revitalization area. The site specific text in the Comprehensive Plan acknowledges the consolidation of these 4 parcels. It states:

“With the full consolidation of Tax Map Parcels 93-1((18))(D)117, 126, 130 and 138 located between East Lee Avenue and Preston Lane, planned for office or retail use without drive thru facilities to include eating establishments and fast food restaurants up to .15 FAR with maximum building height of 25 feet may be developed provided that...”

However, the proposed site design does not satisfy the additional site specific recommendations of the Plan. Therefore, staff cannot support the requested waiver of the lot width requirement as the application as submitted does not further the implementation of the adopted comprehensive plan for the Richmond Highway commercial revitalization area.

Waiver of the Service Drive Requirement along Richmond Highway

Staff does not object to the applicant's requests for a waiver of the requirement of Section 17-201(3) of the Fairfax County Zoning Ordinance for construction of a service drive, as the Comprehensive Plan does not require a service drive along Richmond Highway.

Waiver of Construction of a Right Turn Lane along Richmond Highway

As noted earlier in the report, VDOT is in the process of reviewing the applicant's request for a waiver of construction of a right turn lane along Richmond Highway. If VDOT does not approve the waiver request, then the right turn lane would have to be built within the 80 feet of right-of-way the applicant is proposing for dedication. Staff could not support this as there would be an insufficient amount of right-of-way for the future road widening of Richmond Highway which requires 88 feet of ROW and to accommodate the construction of a right turn lane.

Other Zoning Ordinance Provisions:

- C-8 District Use Limitations (Sect. 4-805)
- Highway Corridor Overlay District Requirements (7-608)

C-8 District Use Limitations (Sect. 4-805)

In the C-8 District, fast food restaurants, drive-in financial institutions and quick-service food stores are permitted by right in accordance with the following:

Fast food restaurants without drive-through facilities are permitted by-right in the C-8 District when located in a shopping center, and so long as the fast food restaurant does not occupy more than 1,500 square feet of gross floor area and more than thirty-five (35) percent of the gross floor area of the building in which located. Additionally, fast food restaurants, drive-in financial institutions, and quick-service food stores are permitted by right when located within a building of a shopping center, which building contains at least six (6) other uses which are not fast food restaurants, drive-in financial institutions, or quick-service food stores; and all of the uses within that building are connected by party walls or partitions to form one continuous structure. Finally, the Zoning Ordinance notes that no separate business establishment within the shopping center may occupy more than 6,000 square feet of gross floor area, except one drugstore or other store of general merchandise may occupy up to 30,000 square feet, and a food supermarket may occupy up to 30,000 square feet of gross floor area.

To ensure that these Zoning Ordinance provisions are satisfied, the applicant has proposed a proffer which states that there would be a minimum of two and a maximum of six commercial uses in the shopping center and a Special Exception approval shall only be requested in the future for a fast food restaurant or quick-service food store use that does not meet the limitations of Section 4-805.

With the adoption of the proposed proffers, staff finds that the proposed application will meet the use limitations for the C-8 District.

The applicant has also proposed a proffer which states that a Special Exception approval shall only be requested in the future for a fast food restaurant or quick-service food store use that does not meet the limitations of Section 4-805. Section 4-805 limits fast food restaurants and quick-service food stores without drive-thru uses to be allowed by right in the C-8 District only if they are located within a shopping center and the fast food restaurant does not occupy (a) more than 1,500 square feet of gross floor area and (b) more than 35 percent of the gross floor area (GFA) of the building in which located, when the shopping center is less than 25,000 SF in GFA. The applicant proposes to limit a potential fast food restaurant use to no more than one fast food restaurant up to 3,000 SF in GFA.

Highway Corridor Overlay District Requirements (Sect. 7-608)

In addition to the use limitations in the underlying zoning district(s) discussed above, all uses within the Highway Corridor Overlay District (HC) are subject to additional use limitations. An analysis of how the proposal satisfies those limitations is provided below.

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.*

The GDP depicts that the center could accommodate up to six retail units within the building, and access would be provided by internal circulation. Vehicular access to the site is proposed from East Lee Avenue. Staff supports the applicant's waiver request of the service drive requirement. However, VDOT is requiring a right turn lane on Richmond Highway at the intersection with East Lee Avenue; the applicant has requested a waiver of the turn lane and is waiting for VDOT's response. Staff cannot support the applicant's waiver request of frontage improvements until VDOT's response has been received. Therefore, this standard has not been met.

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.

A service station or service station/mini-mart is not proposed with this application, therefore no outdoor storage or display of goods offered for sale will be permitted. Therefore, this standard has been met.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Staff has concluded that the pending application, which proposes to rezone the subject property from the PRM District, HC District, and CRD to the C-8 District, HC District and CRD District in order to develop a 6,000 square foot (SF), one-story shopping center comprised of either two 3,000 SF buildings or one 6,000 SF building with a floor area ratio (FAR) of 0.11, is not in conformance with the recommendations of the Comprehensive Plan and the applicable Zoning Ordinance provisions. Further, the application does not contribute to revitalization efforts along this section of Richmond Highway.

There are several outstanding issues with this application including:

- Buildings and parking are not oriented to encourage pedestrian traffic;
- The development is not adequately screened and buffered from the adjacent residential neighborhood in accordance with zoning regulations;
- The development does not provide compatible architecture treatments to avoid creating an adverse visual impact on adjacent residential development;

- The application does not commit to achieve at least a 50% phosphorous removal to improve stormwater quality;
- A commitment has not been made to retain a LEED AP as part of the project's design and construction team;
- Inadequate dedication of ROW for the future widening of Richmond Highway;
- Outstanding waiver request for construction of a right turn lane on Richmond Highway; and
- Outstanding Access Management Exception request.

Recommendation

Staff recommends denial of RZ 2010-MV-011. However, if it is the intention of the Board of Supervisors to approve RZ 2010-MV-011, staff recommends such approval be subject to the execution of proffers consistent with those found in Appendix 1 of this report.

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.

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

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

APPENDICES

1. Draft Proffer Statement
2. Affidavit
3. Applicant's Statement of Justification
4. Reduction of Approved GDP and Proffers for RZ 2003-MV-059
5. Comprehensive Plan Language
6. Land Use and Environmental Analysis
7. OCRR Analysis
8. Stormwater Management/Best Management Practices Analysis
9. Urban Forest Management Analysis
10. Park Authority Analysis
11. Transportation Analysis
12. Water Service Analysis
13. Fire and Rescue Analysis
14. Sanitary Sewer Analysis
15. Selected Excerpts from the Zoning Ordinance
16. Glossary of Terms

DRAFT PROFFERS**RZ 2010-MV-011****Memorial Venture, LLC****June 1, 2011**

Pursuant to Section 15.2-2303(a) Code of Virginia, 1950, as amended, Memorial Venture, LLC, (hereinafter referred to as the "Applicant"), for itself, successors and assigns in RZ 2010-MV-011 filed for property identified as Tax Map 93-1 ((18)) (D) 117, 126, 130, and 138 (hereinafter referred to as the "Application Property") hereby proffers that the development of the Application Property shall be in accordance with the following proffers, provided that the Board of Supervisors approves RZ 2010-MV-011. These proffers shall supersede and replace all previously approved proffers applicable to the Application Property.

1. GENERAL

- a. Generalized Development Plan. Subject to the provisions of 18-204 of the Fairfax County Zoning Ordinance (hereinafter referred to as the "Zoning Ordinance"), development of the Application Property shall be in substantial conformance with the generalized development plan ("GDP") consisting of eight (8) sheets, prepared by Dominion Surveyors, Inc. dated May 24, 2011.
- b. Minor Modifications. Minor modifications to the GDP may be permitted as determined by the Zoning Administrator. The Applicant reserves the right to modify the layout shown on the GDP at time of site plan based on final engineering and design provided that there is no decrease in the amount or location of open space or landscaping, or distances to peripheral lot lines as shown on the GDP.
- c. Uses. As shown on the GDP, the Application Property shall be developed as a shopping center. Development on the Application Property shall include a maximum of 6,000 square feet of gross floor area ("GFA"). The Applicant shall not exceed a single fast food restaurant use on the Application Property. No more than six (6) tenant spaces shall be permitted on the Application Property.

Permitted uses shall include the following:

- Business service and supply service establishments;
- Eating establishments;
- Fast food restaurant that complies with the provisions of Section 4-805 of the Zoning Ordinance;
- Financial institutions;
- Garment cleaning establishments;
- Health clubs;

- Offices;
- Personal service establishments;
- Public uses;
- Private schools of special education;
- Quick service food stores that comply with the provisions of Section 4-805 of the Zoning Ordinance;
- Repair service establishments;
- Retail sales establishments.

- d. Special Exceptions. The Applicant shall request special exception approval for any fast food restaurant or quick service food store that does not meet the limitations of Section 4-805 of the Zoning Ordinance. A special exception application shall not require a proffered condition amendment provided that there is no decrease in the amount or location of open space, landscaping, distance to peripheral lot lines, or increase in the total square footage as shown on the GDP.
- e. Density Credit. Density credit is reserved consistent with Section 2-308 of the Zoning Ordinance for all eligible dedications described herein or as may be required by Fairfax County or the Virginia Department of Transportation (VDOT) pursuant to the Public Facilities Manual (PFM), at or prior to time of site plan approval.

2. TRANSPORTATION

- a. Richmond Highway. Prior to the site plan approval, the Applicant shall dedicate approximately 6,157 square feet of land on Richmond Highway as shown on the GDP.
- b. East Lee Avenue. Prior to the issuance of a Non-Residential Use Permit (non-RUP), the Applicant shall construct a five (5) foot sidewalk on East Lee Avenue as shown on the GDP.
- c. Right Turn Lane. The Applicant shall request a waiver of the requirement to build a right turn lane from northbound Richmond Highway to East Lee Avenue. In the event that VDOT does not approve the turn lane waiver, the Applicant shall construct a turn lane as shown on Sheet 3C of the GDP, or as otherwise approved by VDOT.

3. DESIGN

The Applicant shall be permitted to develop the Application Property with one (1) building consisting of a maximum of 6,000 square feet or two (2) buildings that total a maximum of 6,000 square feet. The Applicant reserves the right to shift square footage between the buildings provided there is no decrease in open space and/or building setbacks.

4. GREEN BUILDING PRACTICES

a. The Applicant shall include, as part of the site plan submission for the Application Property, a list of specific credits within the project's registered version of the U.S. Green Building Council's Leadership in Energy and Environmental Design—New Construction (LEED®-NC) rating system, or other LEED rating system determined to be applicable by the U.S. Green Building Council (USGBC), or its equivalent (as determined jointly by the Applicant and Fairfax County), that the Applicant anticipates attaining.

b. A LEED or equivalent-accredited professional will provide certification statements at the time of site plan review confirming that the items on the list will meet at least the minimum number of credits necessary to attain LEED-NC certification of the project.

Prior to site plan approval, the Applicant shall submit documentation, to the Environment and Development Review Branch of DPZ, regarding the USGBC's preliminary review of design-oriented credits in the LEED program. This documentation will demonstrate that the project is anticipated to attain a sufficient number of design-related credits that, along with the anticipated construction-related credits, will be sufficient to attain LEED-NC certification

c. Prior to approval of the site plan for each building, the Applicant will execute a separate agreement and post, for that building, a "green building escrow," in the form of cash or a letter of credit from a financial institute acceptable to DPWES as defined in the Public Facilities Manual, in the amount of \$12,000. This escrow will be in addition to and separate from other bond requirements and will be released upon demonstration of attainment of certification, by the U.S. Green Building Council, under the most current version of the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design—New Construction (LEED®-NC) rating system or other LEED rating system determined, by the U.S. Green Building Council, to be applicable to the building. The provision to the Environment and Development Review Branch of DPZ of documentation from the U.S. Green Building Council that each building has attained LEED certification will be sufficient to satisfy this commitment. If the Applicant fails to provide documentation to the Environment and Development Review Branch of DPZ demonstrating attainment of LEED certification within three (3) years of issuance of the non-RUP for the building, the escrow will be released to Fairfax County and will be posted to a fund within the County budget supporting implementation of County environmental initiatives.

d. Prior to site plan approval, the Applicant will designate the Chief of the Environment and Development Review Branch of the Department of Planning and Zoning as a team member in the USGBC's LEED Online system. This team member will have privileges to review the project status and monitor the progress of all documents submitted by the project team, but will not be assigned

responsibility for any LEED credits and will not be provided with the authority to modify any documentation or paperwork.

- e. If the Applicant provides to the Environment and Development Review Branch of DPZ, within three (3) years of issuance of the non-RUP for the building, documentation demonstrating that LEED certification for the building has not been attained but that the building has been determined by the U.S. Green Building Council to fall within three (3) points of attainment of LEED certification, 50% of the escrow will be released to the Applicant; the other 50% will be released to Fairfax County and will be posted to a fund within the county budget supporting implementation of county environmental initiatives.
- f. If the Applicant fails to provide, within three (3) years of issuance of the non-RUP for the building, documentation to the Environment and Development Review Branch of DPZ demonstrating attainment of LEED certification or demonstrating that the building has fallen short of certification by three (3) points or less, the entirety of the escrow for that building will be released to Fairfax County and will be posted to a fund within the County budget supporting implementation of County environmental initiatives.
- g. If the Applicant provides documentation from the USGBC demonstrating, to the satisfaction of the Environment and Development Review Branch of DPZ, that USGBC completion of the review of the LEED certification application has been delayed through no fault of the Applicant, the Applicant's contractors or subcontractors, the proffered time frame may be extended as determined appropriate by the Zoning Administrator, and no release of escrowed funds shall be made to the Applicant or to the County during the extension.

5. STORMWATER MANAGEMENT/BEST MANAGEMENT PRACTICES

The Applicant shall provide Stormwater Management (SWM) and Best Management Practices (BMP) in the locations as generally shown on the GDP. Said facilities shall be designed in accordance with the PFM and the Chesapeake Bay Preservation Ordinance, unless modified by DPWES. All or a portion of the SWM/BMPs may be provided underground, on-site in a location and manner acceptable to DPWES.

6. STREETSCAPE

- a. The Applicant shall install a streetscape generally consisting of landscaping, a trail, and a browsing strip along the Application Property's Richmond Highway frontage as shown on the GDP. Subject to approval by Urban Forest Management (UFM), the Applicant shall install ground cover, shrubs, and flowers along the Richmond Highway frontage. The Applicant shall coordinate the installation of the proposed streetscape with VDOT. The Applicant reserves the right to make minor modifications to landscaping to reasonably accommodate utility lines, provided such relocated landscaping shall retain a generally equivalent number of plantings as shown on the GDP.

- b. The Applicant shall install a streetscape generally consisting of landscaping and a sidewalk along the Application Property's East Lee Avenue frontage as shown on the GDP. The Applicant shall coordinate the installation of the proposed streetscape with VDOT. The Applicant reserves the right to make minor modifications to landscaping to reasonably accommodate utility lines, provided such relocated landscaping shall retain a generally equivalent number of plantings as shown on the GDP.

7. LANDSCAPING AND SCREENING

- a. Peripheral parking lot landscaping shall be provided as generally shown on the GDP.
- b. Transitional screening and barriers shall be provided as generally shown on the GDP.

8. HERITAGE RESOURCES

Prior to any land disturbing activities on the Application Property, Applicant shall conduct a Phase I archaeological study of the undisturbed areas of the Application Property, and provide the results of such study to the Park Authority Cultural Resources Management and Protection Section (CRMPS). The study shall be conducted by a qualified archaeological professional approved by CRMPS, and shall be reviewed and approved by CRMPS within a reasonable time period so as to not delay construction. The Phase I study shall be performed in accordance with a scope provided by CRMPS.

There shall be no land disturbing activities on the Application Property until the Phase I study has been reviewed and approved by CRMPS. If any archeological resources are found by the Phase I study and determined to be potentially significant, then the Applicant shall conduct a Phase II archeological study. The Phase II study data recovery shall be performed in accordance with a scope provided by CRMPS. Archeological reports produced as a result of the Phase I and/or Phase II studies shall be submitted for approval to CRMPS. Said approval process shall be completed within a reasonable time period so as to not delay construction.

9. SUCCESSORS AND ASSIGNS

These proffers shall bind and inure to the benefit of the Applicant and its successors or assigns.

Applicant/Title Owner of Tax Map 93-1 ((18)) (D) 117,
126, 130, 138

MEMORIAL VENTURE, LLC

By: Erik J. Dorn
Its: Managing Member

[SIGNATURE ENDS]

REZONING AFFIDAVIT

DATE: May 24, 2011
 (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

109643c

in Application No.(s): RZ 2010-MV-011
 (enter County-assigned application number(s), e.g. RZ 88-V-001)

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

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

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

| NAME (enter first name, middle initial, and last name) | ADDRESS (enter number, street, city, state, and zip code) | RELATIONSHIP(S) (enter applicable relationships listed in BOLD above) |
|--|--|---|
| Memorial Venture, LLC Agents: Erik J. Dorn Rafat Mahmood | 1200 Chadwick Avenue Alexandria, VA 22308 | Applicant/Title Owner of Tax Map 93-1 ((18)) (D) 117, 126, 130, 138 |
| Dominion Surveyors, Inc. Agents: George M. O'Quinn Alan R. Dalton | 8808-H Pear Tree Village Alexandria, Virginia 22309 | Engineer/Agent |

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

Rezoning Attachment to Par. 1(a)

DATE: May 24, 2011
(enter date affidavit is notarized)

109643c

for Application No. (s): RZ 2010-MV-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) |
|---|--|---|
|---|--|---|

| | | |
|---|---|--------------------------|
| Walsh, Colucci, Lubeley, Emrich & Walsh, P.C. | 2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201 | Attorneys/Planners/Agent |
|---|---|--------------------------|

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. W. Bowyer
 Megan C. Rappolt f/k/a Megan C. Shilling
 Elizabeth A. McKeeby

| | | |
|-------------------------------|--|-------------------------------------|
| M.J. Wells & Associates, Inc. | 1420 Spring Hill Road, Suite 600 McLean, Virginia 22102 | Transportation Consultant/ Agent |
|-------------------------------|--|-------------------------------------|

Agents:
 Robin L. Antonucci
 William F. Johnson

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

REZONING AFFIDAVIT

DATE: May 24, 2011
(enter date affidavit is notarized)

109643c

for Application No. (s): RZ 2010-MV-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, **and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:**

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

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Memorial Venture, LLC
1200 Chadwick Avenue
Alexandria, VA 22308

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Erik J. Dorn, Managing Member
Rafat Mahmood, Managing Member

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

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

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

Rezoning Attachment to Par. 1(b)

DATE: May 24, 2011
(enter date affidavit is notarized)

109643c

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

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

Dominion Surveyors, Inc.
8808-H Pear Tree Village
Alexandria, Virginia 22309

DESCRIPTION OF CORPORATION: (check one statement)

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

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

George M. O'Quinn
Michael A. Clark

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

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

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

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

Rezoning Attachment to Par. 1(b)

DATE: May 24, 2011
(enter date affidavit is notarized)

109643c

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

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

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

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

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)

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

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

REZONING AFFIDAVIT

DATE: May 24, 2011
(enter date affidavit is notarized)

104643c

for Application No. (s): RZ 2010-MV-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, number, street, city, state and zip code)
None

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

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

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

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

REZONING AFFIDAVIT

DATE: May 24, 2011
(enter date affidavit is notarized)

109643c

for Application No. (s): RZ 2010-MV-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:

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

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

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

None

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

REZONING AFFIDAVIT

DATE: May 24, 2011
(enter date affidavit is notarized)

109643c

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

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.)

Rafat Mahmood, a managing member and agent for Memorial Venture, LLC, the applicant, has donated in excess of \$100 to Hyland for Supervisor within the last year.

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

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

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

WITNESS the following signature:

(check one)

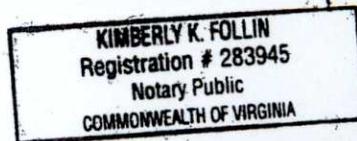
Sara V. Mariska
[] Applicant [x] Applicant's Authorized Agent

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 24 day of May 20 11, in the State/Comm. of Virginia, County/City of Arlington

Kimberly K Follin
Notary Public

My commission expires: 11/30/2011





**WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC**

Lynne J. Strobel
(703) 528-4700 Ext. 5418
lstrobel@arl.thelandlawyers.com

Amended
June 2, 2011

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 Rezoning
Applicant: Memorial Venture, LLC
Fairfax County Tax Map Reference: 93-1 ((18)) (D) 117, 126, 130 and 138

Dear Ms. Coyle:

Please accept this letter as a statement of justification to rezone approximately 1.23 acres from the PRM District to the C-8 District.

The Applicant is the owner of property located in the Mount Vernon Magisterial District that is identified among the Fairfax County tax map records as 93-1 ((18)) (D) 117, 126, 130 and 138 (the "Subject Property"). The Subject Property is located on the east side of Richmond Highway between East Lee Avenue (Route 1403) and Preston Avenue (Route 6974) and zoned to the PRM District. Properties to the east of the Subject Property are primarily developed with single-family homes and zoned to the R-3 District. Properties located to the north and south, and adjacent to Richmond Highway, are zoned to the C-8 and C-3 Districts.

The Subject Property was rezoned by the Board of Supervisors (the "Board") from the C-8 and R-3 Districts to the PRM District on December 6, 2004. The rezoning was approved subject to a Conceptual/Final Development Plan (CDP/FDP) that permits the construction of twenty-two (22) multi-family dwelling units located within a three (3) story building. The residential building was approved with a maximum height of forty-five (45) feet. In addition to the residential development, the CDP/FDP permits up to 8,700 square feet of non-residential uses within the same building. Parking is provided in a combination of structured garage parking and surface parking spaces. Given current economic conditions, the construction of the mixed-use building as approved is not feasible. The title to the Subject Property was held by a lending institution prior to its transfer to the Applicant.

The Applicant proposes a rezoning of the Subject Property to the C-8 District. As illustrated on the Generalized Development Plan (GDP), the Applicant proposes two (2) one-story buildings to be occupied by retail tenants. The Applicant proposes some flexibility with

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

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

ATTORNEYS AT LAW

regard to the building footprint and the proposed tenants. The Applicant proposes that the two (2) buildings may be combined into a single building as long as the square footage is not increased and the open space and building setbacks are not decreased. The use of the buildings may include community-serving uses, such as a coffee shop or eating establishment, as well as more typical retail uses. A coffee shop, based on the Fairfax County Zoning Ordinance (the "Zoning Ordinance"), is defined as a fast food restaurant. Therefore, the Applicant proposes to include a fast food restaurant as a possible use, however, for this and other contemplated uses, there will be no drive-through service. The Applicant proposes to limit a fast food restaurant use, which would include a coffee shop use, to a maximum of 3,000 square feet. In other words, a maximum of one (1) fast food restaurant use is proposed.

The buildings are designed to lessen the impacts of the existing approval on the adjacent residential neighborhood. The one (1) story building(s) will have a maximum height of eighteen (18) feet, which is significantly reduced from the previously approved building height of forty-five (45) feet. Further, the total gross square footage of 6,000 square feet results in an FAR of approximately 0.113. The proposed FAR is well below the 0.5 FAR permitted by the Zoning Ordinance for commercial uses in the C-8 District, and is significantly less intensity than the 0.78 FAR approved pursuant to the previous rezoning.

The layout proposed on the GDP complements existing conditions. The Applicant has carefully designed the development to be sensitive to the residential development located to the east of the Subject Property. Access to the Subject Property will be solely from East Lee Avenue as Preston Avenue is currently unimproved. A total of thirty-seven (37) parking spaces are shown on the GDP. The number of parking spaces may be slightly adjusted depending upon the final uses established on the Subject Property. The location of the parking will ensure successful retail development, while maintaining an appropriate distance to the adjacent residential community. An architecturally solid seven (7) foot high wall at the rear of the Subject Property will provide a visual and acoustical barrier to the adjacent community. In addition, a seventeen (17) foot wide planting strip of trees will be provided between the wall and the property line. In addition, the Richmond Highway streetscape recommendations have been incorporated into the GDP to the extent feasible. The Applicant proposes a five (5) foot sidewalk on East Lee Avenue and a ten (10) foot trail on Richmond Highway. Landscaping will also be provided on both East Lee Avenue and Richmond Highway to meet the intent of the recommendations of the Comprehensive Plan (the "Plan").

The Subject Property is located within the Beacon/Groveton Community Business Center of the Mount Vernon Planning District of the Richmond Highway Corridor Area in the Area IV Plan. Specifically, the Subject Property is located within Land Unit E. The Subject Property was the subject of an out-of-turn Plan amendment that was adopted by the Board of Supervisors on September 28, 2010 as part of the South County Area Plans Review (APR) process. The adopted Plan text was endorsed by the Mount Vernon APR Task Force and recommends townhouse-style office and retail to include an eating establishment and coffee house style fast food restaurant up to 0.15 FAR with a maximum building height of twenty-five (25) feet. The Applicant's proposal meets the proposed Plan recommendation. The proposed Plan text continues with the identification of four (4) criteria for retail development. The Applicant's proposal meets the criteria for full consolidation of the Subject Property. Further, the placement of the buildings at the front of the Subject Property and proposed ten (10) foot trail will

encourage pedestrian traffic as required by the Plan text. The Applicant's proposal meets the criteria for screening and buffering to the adjacent neighborhood with the provision of an architecturally solid wall and landscaping. Finally, the development will have compatible architecture to mitigate impacts on adjacent residential development. The Plan text notes that limited parking proposed along the property's frontage is appropriate if the proposed conditions and intent of all streetscape elements are met. The Applicant will meet the proposed conditions and the intent of all streetscape elements. Based on the proposed changes to the Plan text, the Applicant's proposal will be in conformance with the Plan recommendations and ensure a viable community-serving retail development.

The Applicant's proposal represents a significantly less intense development than previously approved by the Board. The retail uses are intended to be community-serving and will benefit the adjacent residential development without significantly increasing traffic to the area. Retail uses are appropriate adjacent to Richmond Highway, which is a heavily traveled roadway. The lower building height and decreased intensity, coupled with a barrier and transitional screening will result in lesser impacts to the adjacent residential community. The Applicant's proposal represents an opportunity to provide community-serving retail uses in a manner that is harmonious with existing development. The Applicant's proposal conforms to all applicable ordinance, regulations, adopted standards and conditions, except as noted herein:

- Pursuant to Section A7-406, a modification of the minimum lot width of 200 feet as required by Section 4-806(2) of the Zoning Ordinance is hereby requested in favor of a lot width of 162.39 feet. The proposed rezoning consolidates four (4) lots that are currently only twenty-five (25) feet in width. The lot sizes have not been reduced since the effective date of the Zoning Ordinance. The Subject Property is within the Richmond Highway Commercial Revitalization District (CRD) that recognizes the need for modifications to facilitate and encourage revitalization within the Richmond Highway corridor, particularly on smaller nonconforming parcels. The modification will facilitate redevelopment of a site that is currently in poor condition. More specifically, stormwater management controls will be improved, right-of-way dedication will be provided, and streetscaping and landscaping will be provided with the proposed redevelopment. The modification of the lot width will not have any deleterious effects on adjacent properties.
- A modification of the Richmond Highway Streetscape Requirements as depicted in the Richmond Highway Corridor (Area IV) Section of the Plan, beginning on Page 79 is hereby requested in favor of streetscaping that is generally consistent with the section illustrated in the Policy Plan, Transportation – Appendix, Page 32 and as shown on the GDP. The Applicant's proposed generally conforms to the section depicted on Page 32. The Applicant proposes a five (5) foot landscape strip, five (5) foot sidewalk, and five (5) foot landscape strip on East Lee Avenue. On Richmond Highway, the Applicant proposes a landscape strip of twenty (20) feet if no turn lane is provided and approximately nine (9) feet if a turn lane is provided, plus a ten (10) foot trail, and three (3) foot planting strip. No streetscaping is provided on Preston Avenue, given that it is an unimproved right-of-way that is not planned for improvement.

- Pursuant to Section A7-409(5)(B), a modification of the required ten (10) foot peripheral parking lot landscaping strip between the property line and right-of-way is hereby requested along the northern, western, and southern property lines in favor of the landscaping shown on the GDP. Along the northern property line, the Applicant is proposing a five (5) foot planting strip, five (5) foot sidewalk, and (5) foot planting strip in accordance with the streetscape recommendations of the Plan. On the western side of the Subject Property, the Applicant is proposing up to twenty (20) feet of landscaping with street trees if no turn lane is provided and approximately 9 feet of landscaping if a turn lane is provided, a ten (10) foot trail, and three (3) foot planting strip in accordance with the streetscape recommendations for Richmond Highway. Along the southern side of the Subject Property, the Applicant proposes ten (10) foot to seventeen (17) foot planting strip and seven (7) foot wall. The proposed landscaping along the northern, eastern, and southern property boundaries have been designed to enhance the Subject Property while also meeting the intent of the Richmond Highway streetscape recommendations of the Plan. The Subject Property is also within the Richmond Highway CRD which recognizes the need for modification of the strict requirements of the Ordinance to encourage and facilitate revitalization and development in this part of Fairfax County. Finally, the proposed modifications will have no deleterious effect on surrounding properties.

- Pursuant to Section A7-409(5)(C), a modification of the required transitional screening and barrier requirements on the southern and eastern property boundaries is hereby requested in favor of the transitional screening and barriers shown on the GDP. On the eastern side of the Subject Property, the Applicant proposes seventeen (17) feet of screening and a seven (7) foot barrier wall. On the southern property line, the landscaping ranges from seventeen (17) feet adjacent to the residentially-zoned parcels to ten (10) feet adjacent to the commercially-zoned parcels. A seven (7) foot wall is proposed in front of the residentially-zoned parcels. The proposed screening and barriers will shield the adjacent residences from light and sound from the proposed development. The site has also been designed so that parking and the travel aisle is placed in the front of the Subject Property away from the residences on the eastern side of the Subject Property. On the southern side of the Subject Property, the building(s) are separated from the residences by Preston Avenue, an unimproved right-of-way, further separating the residences from the commercial development. The Subject Property is within the Richmond Highway CRD which recognizes the need to modify the strict requirements of the Zoning Ordinance to facilitate revitalization. The Zoning Ordinance states that provision of a seven (7) foot wall allows for a reduction in the required screening yard by up to two-thirds. Finally, without a modification of the transitional screening and barrier requirements, the usable area of the lot would be extremely small and would render development economically infeasible.

- Pursuant to Section 17-201 of the Zoning Ordinance, a waiver of the requirement to construct the full frontage improvements along Richmond Highway is hereby requested. The Applicant proposes to dedicate eighty (80) feet from centerline to

Fairfax County in furtherance of the proposed transportation improvements along Richmond Highway. This dedication will allow for landscaping and construction of a ten (10) foot trail. The Applicant is requesting a waiver from VDOT of the requirement to provide a right turn lane from northbound Richmond Highway onto East Lee Avenue. In the event that this turn lane waiver is not granted, the Applicant has shown an option for provision of a right turn lane. Given that the Applicant proposes only 6,000 square feet of retail uses on approximately 1.23 acres of land, the size and scope of the Applicant's proposal does not justify the cost necessary to construct full frontage improvements along Richmond Highway.

- A modification of the Plan recommendation for provision of eighty-eight (88) feet of right-of-way is hereby requested. The Subject Property is only 1.23 acres of land area with a shallow depth. The currently approved zoning on the Subject Property commits to seventy-five (75) feet of right-of-way. The Applicant has increased the proposed right-of-way dedication to eighty (80) feet; however, any additional right-of-way dedication would make redevelopment of the Subject Property infeasible. The Subject Property's location within the Richmond Highway CRD also recognizes the need for modification of the strict requirements of the Zoning Ordinance and Plan in order to facilitate revitalization and economic development.
- Pursuant to Section 17-201(3), a waiver of the service drive requirement is hereby requested. No service drive is necessary with the development of the Subject Property given that there are no adjacent service aisles that would connect to the Subject Property and adjacent properties to the east and south are developed with single family dwellings.

Should you have any questions regarding the above, or require additional information, please do not hesitate to give me a call. I would appreciate the acceptance of this application and the scheduling of a public hearing before the Fairfax County Planning Commission at your earliest convenience. As always, I appreciate your cooperation and assistance.

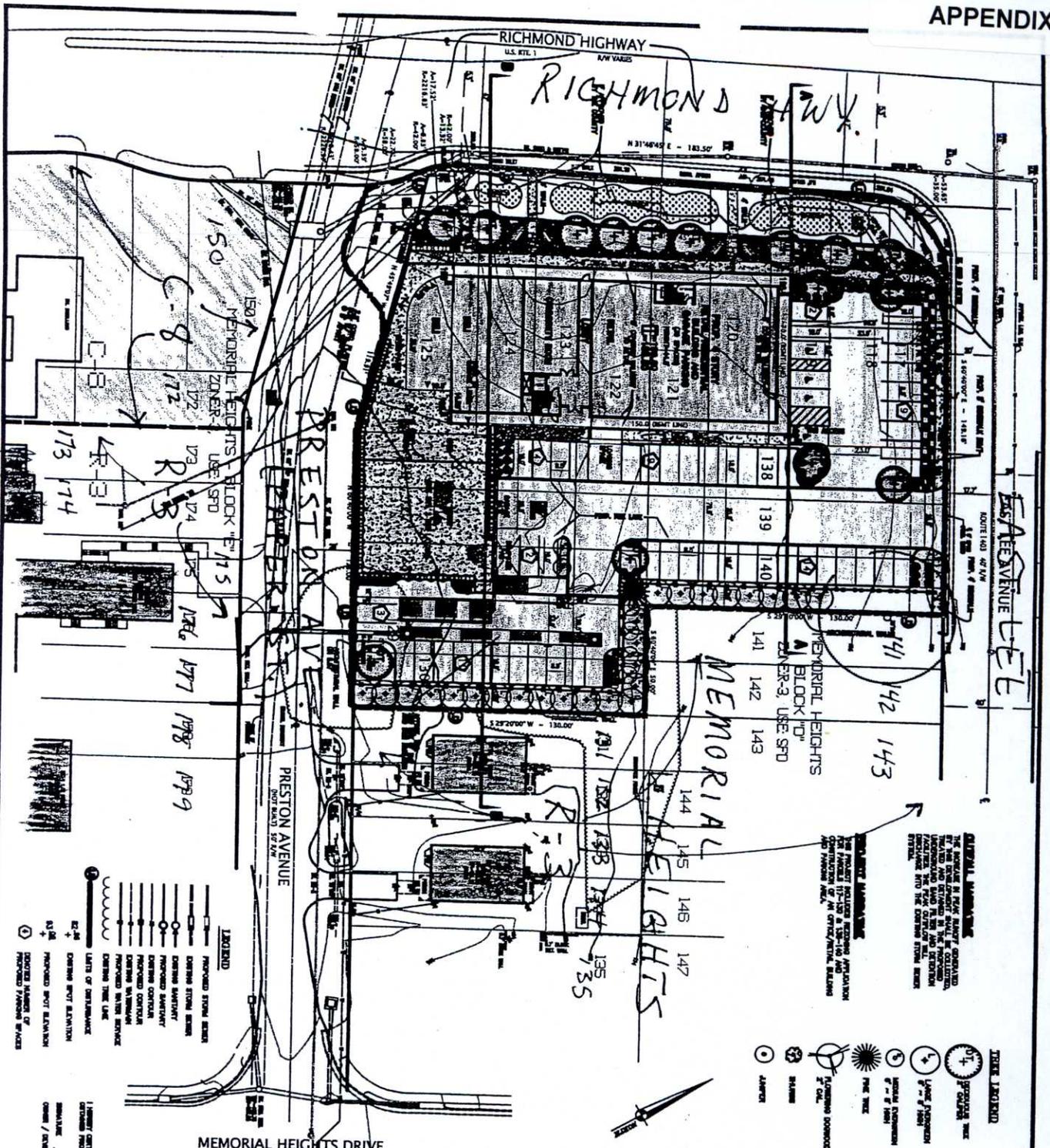
Very truly yours,

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


Lynne J. Strobel

LJS/kae

cc: Erik Dorn
Alan Dalton
Martin D. Walsh



GENERAL NOTES:

1. THE ABOVE IS A PRELIMINARY CONCEPTUAL DEVELOPMENT PLAN. IT IS NOT TO BE USED FOR THE DESIGN OF ANY STRUCTURE OR FOR THE OBTAINING OF ANY PERMITS OR LICENSES.

2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND LICENSES FROM THE APPROPRIATE AGENCIES.

3. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY EASEMENTS AND RIGHTS-OF-WAY FROM THE ADJACENT PROPERTY OWNERS.

4. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES AND SERVICES FROM THE APPROPRIATE UTILITIES AND SERVICE PROVIDERS.

- LEGEND:**
- PROPOSED STORM SEWER
 - EXISTING STORM SEWER
 - PROPOSED SANITARY
 - EXISTING SANITARY
 - PROPOSED GAS
 - EXISTING GAS
 - PROPOSED WATER
 - EXISTING WATER
 - PROPOSED FIBER OPTIC
 - EXISTING FIBER OPTIC
 - EXISTING TRAIL LINE
 - LIGHTS OF DISTURBANCE
 - EXISTING SHOT ELEVATION
 - PROPOSED SHOT ELEVATION
 - EXISTING SHOT ELEVATION
 - PROPOSED SHOT ELEVATION
 - EXISTING SHOT ELEVATION

- OTHER LEGEND:**
- PROPOSED TRAIL
 - EXISTING TRAIL
 - PROPOSED BIKEWAY
 - EXISTING BIKEWAY
 - PROPOSED BIKEWAY
 - EXISTING BIKEWAY
 - PROPOSED BIKEWAY
 - EXISTING BIKEWAY
 - PROPOSED BIKEWAY
 - EXISTING BIKEWAY

PROPERTY OWNERS:

| NAME | ADDRESS | PHONE |
|------------------------------------|---|----------------|
| MEMORIAL HEIGHTS DEVELOPMENT, INC. | 1000 MEMORIAL DRIVE, SUITE 100, MEMPHIS, TN 38103 | (901) 525-1234 |
| MEMORIAL HEIGHTS DEVELOPMENT, INC. | 1000 MEMORIAL DRIVE, SUITE 100, MEMPHIS, TN 38103 | (901) 525-1234 |
| MEMORIAL HEIGHTS DEVELOPMENT, INC. | 1000 MEMORIAL DRIVE, SUITE 100, MEMPHIS, TN 38103 | (901) 525-1234 |



CONCEPTUAL DEVELOPMENT PLAN/
FINAL DEVELOPMENT PLAN
ON
LOTS 117 THRU 130, 138 THRU 140
BLOCK "D"
MEMORIAL HEIGHTS
MOUNT VERNON DISTRICT
FAIRFAX COUNTY, VIRGINIA
SCALE: 1" = 20'
JANUARY 30, 2003



MEMORIAL HEIGHTS DEVELOPMENT, INC.
1000 MEMORIAL DRIVE, SUITE 100
MEMPHIS, TN 38103
TEL: (901) 525-1234
FAX: (901) 525-1234
WWW.MEMORIALHEIGHTS.COM

| No. | DESCRIPTION | DATE |
|-----|-----------------------------|---------|
| 1 | CONCEPTUAL DEVELOPMENT PLAN | 1/30/03 |
| 2 | FINAL DEVELOPMENT PLAN | 1/30/03 |



FAIRFAX COUNTY

ZED

OFFICE OF THE CLERK BOARD OF SUPERVISORS

12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

Tel: 703-324-3151 • Fax: 703-324-3926 • TTY: 703-324-3903

V I R G I N I A

www.fairfaxcounty.gov/gov/bos/clerkhomepage.htm

Email: clerktothebos@fairfaxcounty.gov

December 22, 2004

Jane Kelsey
Jane Kelsey & Associates, Inc.
4041 Autumn Court
Fairfax Virginia 22030

RE: Rezoning Application Number RZ 2003-MV-059

Dear Ms. Kelsey:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on December 6, 2004, granting Rezoning Application Number RZ 2003-MV-059 in the name of Anastasios and Anna Grypeos to rezone certain property in the Mount Vernon District from C-8, R-3 Districts, CRD (Commercial Revitalization) and HC (Highway Corridor Overlay) Districts to the PRM (Planned Residential Mixed-Use), CRD and HC Districts, located east of Richmond Highway, south of East Lee Avenue and north of Preston Avenue (Tax Map 93-1 ((18)) (D) 117, 126, 130 pt. and 138), consisting of approximately 1.23 acres, subject to the proffers dated November 8, 2004, and subject to the conceptual development plan conditions dated December 6, 2004.

The Planning Commission previously approved Final Development Plan Application FDP 2003-MV-059 on July 21, 2004, subject to the development conditions dated July 15, 2004, subject to the Board's approval of RZ 2003-MV-059.

The Board also:

- **Waived the minimum district size of two acres for the PRM District.**
- **Waived the service drive requirement along Richmond Highway.**
- **Modified the transitional screening along the southeastern property line to that shown on the Conceptual Development Plan/Final Development Plan (CDP/FDP).**

RZ 2003-MV-059
December 22, 2004

- 2 -

- **Waived the peripheral parking lot landscaping and transitional screening requirements along the southwestern property line.**
- **Waived the limitation on fence height, per Paragraph 8 of Section 16-401, in order to permit the proposed wall on Preston Avenue to be seven feet in height.**
- **Waived Section 6-0303.8 of the Public Facilities Manual requirements to permit underground detention facilities in a multifamily residential development, subject to development conditions recommended by the Department of Public Works and Environmental Services.**
- **Modified the Richmond Highway CRD streetscape requirements on Richmond Highway, East Lee Avenue, and Preston Avenue to that shown on the CDP/FDP.**
- **Modified the front setbacks along Richmond Highway and Preston Avenue to that shown on the CDP/FDP, per Section 9-622 of the Zoning Ordinance.**

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

RECEIVED
Department of Planning & Zoning
DEC 27 2004
Zoning Evaluation Division

RZ 2003-MV-059
December 22, 2004

- 3 -

cc: Chairman Gerald E. Connolly
Supervisor Gerald W. Hyland, Mount Vernon District
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Leslie B. Johnson, Deputy Zoning Administrator for Zoning Permit Review Branch
Thomas Conry, Dept. Mgr. – GIS - Mapping/Overlay
Angela K. Rodeheaver, Section Chief, Trnsprt'n. Planning Div.,
Charles Strunk, Project Planning Section, Dept. of Transportation
Michelle Brickner, Deputy Director, DPWES
Marie Langhorne, Plans & Document Control, OSDS, DPWES
Deloris Harris, DPWES
Department of Highways - VDOT
Kirk Holley, Park Planning branch Mgr., FCPA
District Planning Commissioner
Barbara J. Lippa, Executive Director, Planning Commission
James Patteson, Director, Facilities Mgmt. Div., DPWES
Gary Chevalier, Office of Capital Facilities, Fairfax County Public Schools

**RZ 2003-MV-059
PROFFERS**

November 8, 2004

Pursuant to Section 15.2-2303(A), *Code of Virginia*, 1950 as amended, Anastasios Grypeos and Anna Grypeos, for the owners, themselves, their successors and assigns in RZ 2003-MV-059 filed for property identified as Tax Map 93-1((18))(D)117, 126, pt. 130, and 138 (hereinafter referred to as the Property), hereby proffer for themselves and their successors and assigns that the development of the Property will be subject to the following terms and conditions provided that the Board of Supervisors (BOS) approves the rezoning application from the C-8 and R-3 Zoning District to the PRM Zoning District.

I. Conceptual/Final Development Plan (CDP/FDP)

I. 1. Substantial Conformity. Development of the property shall be in substantial conformance with the plan entitled "Conceptual Development Plan/Final Development Plan Memorial Heights" (CDP/FDP), consisting of four (4) sheets prepared by Alexandria Surveys International, LLC, dated January 30, 2003, as revised through October 11, 2004. The CDP portion of the CDP/FDP shall constitute the entire plan relative to the FAR, minimum required open space, points of access, height, the maximum number of units, type of units, general location, and orientation of the building, parking, and setbacks. The Applicant shall have the option to request Final Development Plan Amendments (FDPAs) from the Planning Commission for portions of the plan in accordance with the provisions set forth in Section 16-402 of the Zoning Ordinance.

I. 2. Landscaping and Design Amenities. A landscape plan shall be submitted as part of the first and all subsequent site plan submissions for review and approval by the Urban Forest Management Branch. Landscaping shall be provided along Richmond Highway and East Lee Avenue in substantial conformance with the CDP/FDP. Actual types and species of vegetation shall generally meet the guidelines recommended by the Richmond Highway Streetscape Plan as approved by the Urban Forest Management Branch. All new shade trees provided as a part of the streetscape shall be minimum of two (2) inches in caliper at the time of planting; all new flowering trees shall be a minimum of 2 inch caliper at the time of planting; and all new evergreen trees shall be a minimum of six to eight (6 to 8) feet in height at the time of planting. The evergreen trees shall be Leyland Cyprus unless the Urban Forest Management Branch determines that species tree does not have a good chance of survival, in which case the type tree shall be determined by the Urban Forest Management Branch.

All efforts, as determined by the Urban Forestry Division of the Department of Public Works and Environmental Services (DPWES), shall be made to prevent disturbance to the 30" oak tree located off site on lot 141 including the pruning and trimming of said tree if the owner of the tree agrees. These efforts shall include substituting a wood fence instead of architectural block wall in that area. If parking spaces must be removed, the parking reduction which has been requested shall address this reduction but shall not exceed the allowable 20% reduction. The landscaping plantings shall be modified if deemed necessary by the Urban Forest Management Branch to ensure that the roots of any plantings will not adversely affect said tree. Good faith efforts shall be made to obtain approval from the appropriate party(s), government entities, owner(s), but not to include vacation of undeveloped Preston Avenue, to plant evergreen trees/shrubs within the twenty-five (25) feet of undeveloped Preston Avenue that is adjacent to the subject property and across from residentially zoned land. The purpose of these plantings will be to enhance the view of the proposed development from adjacent residential properties. If such approvals are secured, the applicant shall plant within that area plantings approved by the Urban Forest Management Branch; if such approval is not secured, the applicant shall demonstrate to DPWES such failed attempts to plant to secure permission.

Notwithstanding the proposed Garden Area shown on the CDP/FDP, the proposed Garden Area will not be planted in the VDOT right-of-way since that area will be used for frontage improvements in accordance with Proffer V 2.

- I. 3. Building Design and Building Materials. The design and architecture of the proposed building shall be in substantial conformance with the illustrative elevations submitted with the application, except that all or a portion of the balconies may be deleted at the option of the developer to address noise issues. Modifications may be made with the final architectural design if they are determined to be in substantial conformance with the elevations. The exterior building materials will be a combination of materials to include concrete, siding, glass, metal panels, masonry, cementitious panel, or stucco or brick.
- I. 4. Maximum Density and Permitted Uses. A maximum of Twenty-Two (22) multiple family dwelling units and a maximum of 7,050 square feet of non-residential uses (retail and/or office) and the community room shall be provided on the first floor in the main building. The Floor Area Ratio (FAR) for the site shall not exceed 0.78. The primary uses shall be multiple family dwelling units. The following secondary uses may be located on the first floor of the building but only if the combined parking requirement for the uses can be met on site taking into account a 20%

reduction in required parking permitted in the Richmond Highway Commercial Revitalization District:

- A. Accessory uses and accessory service uses.
- B. Business service and supply service establishments.
- C. Eating establishments (not drive through).
- D. Fast food restaurants (not drive through), such as a deli, ice cream parlor, or coffee shop.
- E. Financial institution (not drive through).
- F. Garment cleaning establishment (not drive through).
- G. Health clubs.
- H. Personal service establishment.
- I. Private club and public benefit associations.
- J. Public uses.
- K. Quick service food store.
- L. Unmanned bank teller machines (not drive through).
- M. Offices.
- N. Retail sales establishments.
- O. Repair service establishments for minor appliances, bicycles, and computers.
- P. Private schools of special education (which do not require outdoor recreation areas) -- such as ballet studio.

II. General

- II. 1. Signs. Signage shall be provided in accordance with Article 12 of the Zoning Ordinance. If lighted, signage shall be internally lit only. The Applicant reserves the right to make application for a comprehensive signage plan in accordance with the provisions set forth in Sect. 12-210 of the Zoning Ordinance. No temporary signs (including "popsicle" paper or cardboard signs) which are prohibited by Article 12 of the Zoning Ordinance, and no signs which are prohibited by Chapter 7 of Title 33.1 or Chapter 8 of Title 46.2 of the Code of Virginia shall be placed on or off-site by the Applicant or by any builder or at the Applicant's or any builder's direction to assist in the initial and future marketing and/or sale/rental of dwelling units on the subject property. The Property Owner or Developer shall direct agents and employees involved in marketing the Property to adhere to this Proffer.
- II. 2. School Contributions. After the approval of the site plan and prior to approval of the first Building Permit for the approved development, the Applicants shall contribute the sum of \$22,500 to the Board of Supervisors for capital projects related to Bucknell Elementary, Sandburg Middle, and/or West Potomac High School.

- II. 3. Density Credit. Advanced density credit is reserved consistent with Sect. 2-308 of the Fairfax County Zoning Ordinance for all eligible dedications described herein or as may be required by Fairfax County or VDOT pursuant to the Public Facilities Manual (PFM), at the time of site plan approval for the Property.
- II. 4. Affordable Dwelling Units (ADUs). After the approval of the site plan and prior to the issuance of the first Building Permit, the Applicant shall contribute to the Fairfax County Housing Trust Fund a sum equal to one-half of one percent (0.5%) of the projected sales price of the new residential condominiums to be built on-site, as determined by the Department of Housing and Community Development (HCD) and DPWES in consultation with the Applicant to assist the County in its goal to provide affordable dwellings elsewhere in the County.
- II. 5. Administrative Review. Concurrent with the submission of site plans to DPWES, the Applicant shall submit copies of the site plans and all revisions to the Mt. Vernon District Supervisor and Planning Commissioner for the purpose of administrative review and comment.
- II. 6. Construction Hours: Outdoor construction activity will be limited to between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday and 8:00 am and 5:00 pm on Saturdays. No outdoor construction activities will be permitted on Sundays.
- II. 7. Construction Parking and Equipment: There shall be no construction parking or construction equipment on Preston Avenue, except that which is necessary to construct the frontage improvements for Richmond Highway. If permission is granted to allow planting in the undeveloped portion of Preston Avenue, equipment appropriate to prepare the soil for plantings shall be allowed in that area. All parking by construction employees shall be on site and the construction dumpster shall be on site. There shall be no parking by employees engaged in the construction activities on East Lee Street, Memorial Heights Drive and/or Preston Avenue. There shall also be a temporary construction fence around the perimeter of the site abutting Preston Avenue, adjacent to the limits of disturbance indicated on the development plan and along the rear of the property abutting the residentially zoned and developed land.

III. Recreation

- III. 1. Recreation Contribution: At the time of site plan review, the Applicants shall demonstrate that the value of the amenities within the community room/exercise facility and community deck designated for the residents is equivalent to a minimum of \$955.00 per residential unit as required by Section 6-409 of the Zoning Ordinance. Pursuant to Section 16-404 of the

Zoning Ordinance, in the event it is demonstrated that these recreational facilities as described therein do not have sufficient value as defined above, the Applicants shall, prior to the issuance of the first residential building permit, provide additional recreational amenities for the condominium units or shall contribute the remaining amount per unit to the Fairfax County Park Authority ("Park Authority") for use of recreational facilities for one of its parks within the service area of the Subject Property.

- III. 2. Landscaped Deck: The Applicants also proffer that the proposed deck which is to the east of the community/exercise room shall be landscaped and designed to provide an amenity to the residents of the building in accordance with the CDP/FDP. The portion of the deck between the community outdoor area and contiguous to the main building shall be landscaped in accordance with the CDP/FDP and shall be utilized by patrons of the non-residential uses in the building. The landscaping shall consist of the combination of shrubs and ornamental trees planted in the planters around the outside perimeter of the deck.
- III. 3. Benches and Outdoor Spaces: A minimum of four (4) benches shall be provided on the subject property along the Richmond Highway frontage, together with landscaping to encourage the gathering of people. The design of the benches and landscaping shall conform to the Richmond Highway Streetscape Guidelines.
- III. 4. Community Room: The amenities provided to the residents within the community room may include the following: television and other electronic entertainment facilities with seating arrangements, billiard and/or ping pong table, exercise equipment, card tables and chairs with appropriate lighting, bar/kitchen area for serving food prepared elsewhere, such furnishings to be determined and purchased by the Condominium Owners Association (COA) or the developer.

IV Environmental:

- IV. 1. Stormwater Management (SWM) and Best Management Practices (BMP): In accordance with County engineering requirements and subject to approval by the County DPWES, stormwater management/Best Management Practices (BMPs) shall be provided on-site in an underground facility(s), as approved by DPWES. The stormwater management facility shall be part of the common elements of the condominium and shall be maintained by the Condominium Unit Owners Association (COA). The applicants/developers shall deposit in the reserves of the COA an amount as determined by the DPWES to cover maintenance of the Underground Stormwater Management Facility as agreed to by the Applicant's engineer and DPWES.

IV.2. Energy Conservation. The Residential Units shall meet the thermal standards of the CABO Model Energy Program for energy efficient homes, or its equivalent, as determined by DPWES for either electric or gas energy dwellings as applicable.

IV.3. Noise Attenuation. The Applicants shall provide the following noise attenuation measures:

A. In order to reduce the maximum interior noise to a level of 45 dBA Ldn or less, the Applicant proffers that the front and side walls of all residential units facing Richmond Highway shall have the following acoustical attributes:

- (1) Exterior walls shall have a laboratory sound transmission class (STC) rating of at least 45;
- (2) Windows shall have a STC of 35, exterior doors shall have a STC of 34 and sliding doors shall have a STC of 36. If glazing constitutes more than 20% of any facade it shall have the same laboratory STC rating as walls; and
- (3) Measures to seal and caulk between surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.

B. In order to reduce the maximum interior noise to a level of 45 dBA Ldn or less, the applicants proffer that the front wall of all residential units facing the rear of the property shall have at least the following acoustical attributes:

- (1) Exterior walls shall have a laboratory sound transmission class (STC) rating of 45;
- (2) Windows shall have a STC of 31, exterior doors and sliding doors shall have a STC of 30. If glazing constitutes more than 20% of any façade, it shall have the same laboratory STC rating as walls; and
- (3) Measures to seal and caulk between surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.

IV 4. Lighting. All on-site outdoor and parking garage lighting shall comply with the Outdoor Lighting Standards set forth in Part 9 of Article 14 of the Zoning Ordinance. Street lights shall be full cut off. Parking lot lights shall conform to the Richmond Highway Urban Design Recommendations of the Comprehensive Plan (preferably bollard type) unless light poles are required for safety considerations. Pedestrian lights shall be provided along the Richmond Highway frontage of the property in conformance with the Richmond Highway Streetscape requirements.

IV. 5. Pedestrian Facilities. The pedestrian facilities and related streetscape design for Richmond Highway and East Lee Avenue, including the browsing plazas, shall be in substantial conformance with the CDP/FDP except for the following: If at the time of site plan review, it is determined that the public sidewalk cannot be constructed within the 75 foot of dedicated area, public access easements shall be established over the proposed sidewalk in the front of the building and the connection sidewalks to East Lee Avenue and the three proposed sidewalks that connect to the existing sidewalk along Richmond Highway.

Transportation.

- V. 1. Transportation Management Strategies. Mass transit, ride-sharing, and other transportation strategies will be utilized to attempt to reduce single occupancy vehicular (SOV) traffic during peak hours. Residents and employees of the residential development shall be advised of this transportation strategy. The following is a list of strategies that shall be implemented:
- A. Dissemination of information by the COA regarding Metrorail, Metrobus, ridesharing, and other relevant transit options in residential sale/lease packages;
 - B. Making Metro maps, schedules and forms, ridesharing and other relevant transit option information available to owners/tenants and employees in a common area(s) of property ;
 - C. Maintaining a safe sidewalk system designed to encourage/facilitate pedestrian circulation and to clear the sidewalk of snow as required by law.
- V. 2. Right of Way Dedication and Frontage Improvements. The Applicants shall dedicate a maximum of seventy-five (75) feet from existing center line of Richmond Highway as shown on the CDP/FDP. This right-of-way shall be dedicated and conveyed in fee simple to the Board of Supervisors upon demand by the VDOT or Fairfax County, or at the time of site plan approval, whichever occurs first. The applicant shall provide for frontage improvements along the Richmond Highway frontage of the site.

VI. Miscellaneous.

- VI. 1 The Condominium Owners Association:

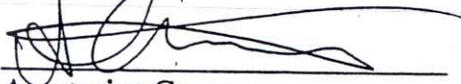
- A. Condominium Owners Associations. The Condominium Owners Association shall be created upon substantial completion of the units as required by the Condominium Act of the Commonwealth of Virginia and prior to the sale of the first unit. The COA shall consist of all of the residential and non-residential units within this development.
- B. The public offering statement shall be made available to potential purchasers in accordance with the Condominium Act of the Commonwealth of Virginia. Maintenance of all common elements contained in the condominium shall be included in the Public Offering Statement. All potential purchasers shall be notified in writing prior to purchase that the COA is responsible for maintenance and replacement of all common elements and areas within the condominium development. The Condominium documents shall disclose that parking in the garage and within the gated area shall be for residents and employees of the retail units. In addition, it shall also be disclosed that the residents may share the use of the parking spaces for the retail uses during the hours the retail businesses are closed. This notification shall also be included in the COA documents. Potential purchasers shall also be notified in writing prior to purchase that: Richmond Highway shall be widened along the property's frontage; that this property is within the noise impacts of Richmond Highway; and that the outside balconies will be impacted by this noise.

VI. 2. Dumpster Pad. If it is determined that the dumpster pad interferes with safe ingress and egress of emergency vehicles or turnaround of those vehicles, the dumpster pad, the adjacent two parking spaces, and the adjacent proposed fire lane may be switched or the two parking spaces removed to shift back toward the proposed retaining wall to provide more maneuvering room for the trash vehicle and/or the emergency vehicles.

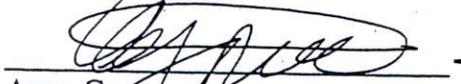
VI. 3. Successors and Assigns. These proffers will bind and inure to the benefit of the Applicant and his successors and assigns. Each reference to "Applicant" in this proffer statement shall include within its meaning and shall be binding upon Applicants successor(s) in interest and/or developer(s) of the site or any portion of the site.

TITLE OWNERS SIGNATURE TO FOLLOW:

TITLE OWNERS:



Anastasios Grypeos



Anna Grypeos

PROPOSED CONCEPTUAL PLAN DEVELOPMENT CONDITIONS
RZ 2003-MV-059

December 6, 2004

1. A copy of the landscape plan submitted as part of the first and all subsequent site plan submissions shall be provided to the Mount Vernon Supervisor for the purpose of community review and comment.
2. Leyland Cyprus trees at least six (6) to eight (8) feet in height, planted five (5) to six (6) feet on center, shall be provided along the southeastern property line contiguous to Lot 131 and portion of Lot 141, as shown on the conceptual/final development plan (CDP/FDP).
3. The ornamental trees and shrubs planted along Richmond Highway shall be planted in accordance with the Comprehensive Plan guidelines for Richmond Highway Revitalization Plan guidelines for streetscape trees, as reviewed and approved by the Urban Forest Management Branch, Department of Public Works and Environmental Services. The deciduous and ornamental trees shall be at least 2 1/2 to 3 inches in caliper and shall be of a variety that will survive southwest exposure, such as ornamental purple plum, crabapple, preferably sterile, (i.e. Malus Liset, Malus Profusion, Malus Royalty) or ornamental cherry, if available, and, if not, these may be substituted with another species as reviewed and approved by the Urban Forest Management Branch, Department of Public Works and Environmental Services (DPWES). Shrubbery shall be a mixture of broadleaf evergreens such as holly, bayberry, and euonymus, as reviewed and approved by the Urban Forest Management Branch, DPWES.
4. All plantings shall be maintained by the applicant.
5. Notwithstanding the notation on the CDP/FDP, the architectural screening wall along the southwest and southeast sides of the property (adjacent to a portion of Preston Avenue and Lot 131 and a portion of Lot 141) shall be constructed of brick. This brick shall be the same color as the brick used on the building. The wall shall be seven (7) feet in height.
6. The proposed wood fencing shall be board and batten style fencing.

1. Residential infill in Memorial Heights is planned for 3-4 dwelling units per acre. Additional guidance for Tax Map 93-1((18))(D)130 pt. and 138 is included in Land Unit E of the Beacon/Groveton Community Business Center within the Richmond Highway Corridor.
2. Development is planned to conform with the recommendations cited in the Hybla Valley Farms, Gum Springs, Bucknell Heights, Calvert Park and Memorial Heights Community Improvement Plans and the Gum Springs Conservation and Redevelopment Plans as adopted by the Board of Supervisors. [Not shown.]
3. The vacant lots located between Hybla Valley Farms and Milway Meadows are planned for residential use at 2-3 dwelling units per acre.

Transportation

Transportation recommendations for this sector are shown on Figure 53. In some instances, site-specific transportation recommendations are included in the land use recommendations section. The figures show access orientation, circulation plans, interchange impact areas and generalized locations of proposed transit facilities. The recommendations contained in the Area Plan text and maps, the Policy Plan and Transportation Plan map, policies and requirements in the Public Facilities Manual, the Zoning Ordinance, and other standards will be utilized in the evaluation of development proposals.

Heritage Resources

The early and mid 20th century and more dispersed neighborhoods and open spaces in this sector may contain significant heritage resources. In particular is Gum Springs, 19th century Free Black community. Survey work should be undertaken to locate and preserve significant heritage resources. Additionally, preservation of the Hollin Hills subdivision is encouraged.

Any development or ground disturbance in this sector, both on private and public land, should be preceded by heritage resource studies, and alternatives should be explored for the avoidance, preservation or recovery of significant heritage resources that are found. In those areas where significant heritage resources have been recorded, an effort should be made to preserve them. If preservation is not feasible, then, in accordance with countywide objectives and policies as cited in the Heritage Resources section of the Policy Plan, the threatened resource should be thoroughly recorded and in the case of archaeological resources, the artifacts recovered.

Public Facilities

Expand the Martha Washington Community Library consistent with the Policy Plan standards for community libraries.

Parks and Recreation

Park and recreation recommendations for this sector are shown on Figure 54. The column "Park Classification" includes existing park facilities. The "Recommendations" column includes entries for both existing and proposed facilities. Prior to developing parkland, the Fairfax County Park Authority initiates a master planning process to determine the appropriate facilities and design for that park. This process involves extensive citizen review and participation. If an existing park is listed but no recommendation appears on that line, it means the park has been developed in accordance with its master plan.



County of Fairfax, Virginia

MEMORANDUM

DATE April 20, 2011

TO: Barbara Berlin, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: **Land Use Analysis and Environmental Assessment:** RZ 2010-MV-011
Memorial Venture, LLC

The memorandum, prepared by John Bell, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the special exception plat as revised through March 22, 2011. The extent to which the application conforms to the applicable guidance contained in the Comprehensive Plan is noted. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

DESCRIPTION OF THE APPLICATION

The approximately 1.23-acre subject property is located at the corner of Richmond Highway and East Lee Avenue. The application seeks approval of a rezoning from the PRM to the C-8 zoning district to permit the development of two one-story retail buildings or one larger retail building. A number of possible uses are proposed, but fast food is limited to no more than 3,000 square feet with no drive-through. The Comprehensive Plan recommends a floor area ratio (FAR) of up to 0.15 for retail uses at this location with the proposed development noted as an FAR of 0.11. The proposed building height is 18 feet. The applicant is proposing to provide 26 parking spaces. Proposed open space is approximately 48% of the site, while the C-8 zoning requires 15% open space. Stormwater detention will be managed through an underground facility.

LOCATION AND CHARACTER OF THE AREA

The subject property is located in Area IV, MV5 Groveton Community Planning Sector, Mount Vernon Planning District. The property is currently zoned C-8. Properties to the north are zoned C-3 and R-3 with existing office and residential uses respectively and planned for mixed use and residential use at 3-4 dwelling units per acre (du/ac). Properties to the south are zoned C-8 and R-3 with the C-8 portion currently vacant and residential use on the R-3 portion. This area is also planned for mixed use and residential at 3-4 du/ac. Single-family residential development is

Department of Planning and Zoning
Planning Division
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located to the east in an area zoned R-3 and planned 3-4 du/ac. On the west side of Richmond Highway is land zoned C-8 with an existing office parking lot, which is planned for office.

COMPREHENSIVE PLAN CITATIONS:

Land Use

Fairfax County Comprehensive Plan, Area IV, 2007 edition, Mount Vernon Planning District as amended through February 22, 2011, MV5 Groveton Community Planning Sector, Land Use, pages 46 and 47:

“Lots on the east side of Richmond Highway from East Side Street to Popkins Lane are planned for townhouse-style office and/or retail use up to .30 FAR with maximum building heights of 35 feet. The following conditions should be met with any development proposal:

- Commercially-zoned lots along Richmond Highway between Groveton Street and East Lee Avenue or East Lee Avenue and Preston Avenue or Preston Avenue and Popkins Lane are consolidated;
- Buildings are oriented to Richmond Highway with parking located at the rear of the property; and
- Effective screening and buffering are provided and maintained between the proposed development and the adjacent residential neighborhood.

With the full consolidation of Tax Map Parcels 93-1((18))(D)117, 126, 130 and 138 located between East Lee Avenue and Preston Lane, planned for office or retail use without drive thru facilities to include eating establishments and fast food restaurants up to .15 FAR with maximum building height of 25 feet may be developed provided that:

- Buildings and parking are oriented to encourage pedestrian traffic;
- Development is screened and buffered from the adjacent residential neighborhood in accordance with zoning regulations.
- Development provides compatible architecture treatments to avoid creating an adverse visual impact on adjacent residential development.
- A stormwater management system is provided that will reduce substantially the contribution of stormwater runoff from the site to stream degradation downstream of the site. The application of Low Impact Development (LID) practices is considered toward this end.

Limited parking may be considered along the property frontage provided the preceding conditions are addressed and all other applicable Richmond Highway Streetscape elements are met.”

In the Fairfax County Comprehensive Plan, 2007 Edition, Area IV, Mount Vernon Planning District as amended through September 28, 2010, Richmond Highway Corridor Area, Hybla Valley/Gum Springs Community Business Center , “Planning Objectives for the Richmond Highway Corridor,” pages 26-27, the Plan states:

The following objectives are intended to guide general land use decisions for the portion of the Richmond Highway Corridor within the Mount Vernon Planning District:

Land Use

....

- Reduce adverse impacts, such as noise, glare and incompatible building forms, on adjacent residential communities by establishing effective transitions, buffering and screening, and by designing buildings of appropriate scale and height. Within designated Community Business Centers, mid-rise buildings are generally appropriate as long as there is no other site-specific Plan language regarding height limits. In the core areas of the Community Business Centers, high-rise buildings may be appropriate in order to create an urban environment. Building heights should taper down to adjacent residential neighborhoods and special care should be given to screening and buffering these neighborhoods. . . .
- Encourage better access and functional amenities through improvements to and integration of the pedestrian, bicycle and vehicular traffic systems by visually enhancing intersections, reducing curb cuts and providing better signage and access to commercial facilities and adjacent, non-commercial uses. Provide for a safe, harmonious, barrier-free network of appropriately-sized pedestrian connections between existing and new uses and leading to bus/transit stops and covered waiting areas. This pedestrian network should provide traffic-sheltered, well-identified and pleasant-to-use access to shopping, employment, and transit opportunities for residents living in close proximity to Richmond Highway as well as for adjacent communities.
- Encourage aesthetic and design excellence in all public and private improvements and developments. Detailed guidance regarding aesthetic and design excellence is found in the urban design recommendations located at the end of this Plan. In addition, the provision of landscaping/open space which exceeds by more than 5% of that required in the Zoning Ordinance shall be considered highly desirable.
- Encourage revitalization and redevelopment of the Richmond Highway Corridor to create more attractive, commercially-viable, and functionally-efficient business centers and community focal points. . . .

- Encourage development approaches that serve to reduce imperviousness and achieve better control over stormwater runoff in the Richmond Highway Corridor. Encourage the application of low impact development practices of stormwater management (e.g., bioretention facilities; vegetated swales) toward this end. Consideration should be given to reducing the impervious footprints of redevelopment sites and to integrating LID practices within landscaping strategies. . .

The following objectives are the policy framework for the urban design recommendations. Together, the objectives and recommendations support the creation of a unifying and consistent identity for Richmond Highway. In order to achieve these objectives, adherence to the urban design recommendations is strongly encouraged in all public infrastructure and private development activity that occurs along Richmond Highway.

The urban design objectives are intended to:

- **Establish Visual Continuity** - Provide a uniform right-of-way and a consistent or compatible highway edge treatment to create a unified, attractive visual appearance along the corridor. Place utilities underground in conjunction with all public and private development projects being carried out in the Richmond Highway Area. Place emphasis on signage, including block numbers and cross streets, landscaping, intersection and service drive definition.
- **Provide User Orientation** - Provide a sense of orientation through the use of landmarks, public facilities, open space and design centers. Improve street and transportation identification to orient shoppers and visitors within the corridor.
- **Establish a Clear Corridor Image** - Develop two well-defined vehicular entry point "gateways" to the corridor at the Occoquan River and the Capital Beltway to establish a strong overall image and help define the corridor.
- **Improve Access and Functional Amenities** - Provide visual improvements to pedestrian and vehicular traffic systems to enhance intersections and safety, reduce curb cuts, and provide better signage including block numbering and cross streets and access to commercial facilities and adjacent, non-commercial uses.
- **Reduce Impact on Adjacent Residential Communities** - Mitigate adverse impacts of commercial activity such as noise, glare and incompatible building forms on adjacent residential and non-commercial uses by effective buffering and screening and by designing buildings of appropriate scale and height.

Environment

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through July 27, 2010, page 19:

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

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

- Environmentally-sensitive siting and construction of development.
- Application of low impact development practices, including minimization of impervious cover (See Policy k under Objective 2 of this section of the *Policy Plan*).
- Optimization of energy performance of structures/energy-efficient design.
- Use of renewable energy resources.
- Use of energy efficient appliances, heating/cooling systems, lighting and/or other products.
- Application of water conservation techniques such as water efficient landscaping and innovative wastewater technologies.
- Reuse of existing building materials for redevelopment projects.
- Recycling/salvage of non-hazardous construction, demolition, and land clearing debris.
- Use of recycled and rapidly renewable building materials.
- Use of building materials and products that originate from nearby sources.
- Reduction of potential indoor air quality problems through measures such as increased ventilation, indoor air testing and use of low-emitting adhesives, sealants, paints/coatings, carpeting and other building materials.

Encourage commitments to implementation of green building practices through certification under established green building rating systems (e.g., the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED®) program or other comparable programs with third party certification). Encourage commitments to the attainment of the ENERGY STAR® rating where applicable and to ENERGY

STAR qualification for homes. Encourage the inclusion of professionals with green building accreditation on development teams. Encourage commitments to the provision of information to owners of buildings with green building/energy efficiency measures that identifies both the benefits of these measures and their associated maintenance needs. . . .

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

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

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

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

In the Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through July 27, 2010, on page 7 - 9, the Plan states:

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

Policy k. For new development and redevelopment, apply better site design and low impact development techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County's streams, some or all of

the following practices should be considered where not in conflict with land use compatibility objectives:

- Minimize the amount of impervious surface created. . . .
- Encourage the use of innovative BMPs and infiltration techniques of stormwater management where site conditions are appropriate, if consistent with County requirements.
- Apply nonstructural best management practices and bioengineering practices where site conditions are appropriate, if consistent with County requirements. . . .
- Maximize the use of infiltration landscaping within streetscapes consistent with County and State requirements. . . .

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

Programs to improve water quality in the Potomac River/Estuary, and Chesapeake Bay will continue to have significant impacts on planning and development in Fairfax County. There is abundant evidence that water quality and the marine environment in the Bay are deteriorating, and that this deterioration is the result of land use activities throughout the watershed.”

COMPREHENSIVE PLAN MAP: Alternative Uses and Residential Use at 3-4 dwelling units per acre

LAND USE ANALYSIS

The applicant is proposing to develop the subject property with a 6,000 square-foot retail sales establishment. The proposed development will be one-story with either a single building or two 3,000 square foot structures connected by an open area adjoining the two structures. The proposed uses may include a fast food use with no drive-through. The proposed development will have as few as two uses or up to six uses. The proposed retail use at .11 FAR is below the .15 FAR maximum limit recommended by the Comprehensive Plan guidance; however, this use and intensity is contingent upon meeting several site-specific conditions of the Comprehensive Plan. The Comprehensive Plan’s Richmond Highway Urban Design guidelines, which are intended to foster attractive and coordinated new development and redevelopment, also apply to the proposed development. The extent of the application’s conformance to the land use recommendations of the Comprehensive Plan is discussed below.

Richmond Highway, a waiver of the peripheral parking lot landscaping requirements and a modification of the Richmond Highway streetscape requirements to provide streetscape as shown on the development plan. While some waivers and modifications may be acceptable in some instances, some of the proposed waivers and modifications appear to be in conflict with adopted Comprehensive Plan text for the subject property. The Plan specifies that the "development is screened and buffered from adjacent residential neighborhood in accordance with zoning regulations." While the zoning ordinance permits such modifications, it is not clear that this was the intent of the adopted Plan text. While the proposed modification of the transitional screening and barrier is generally consistent with other similar projects, staff feels that the barrier should be extended to the area along Preston Avenue opposite existing residential lots. Staff does not propose extending the barrier to Richmond Highway where it would screen the property from commercially zoned property on the opposite side of Preston Avenue.

The proposed buildings and parking are not clearly oriented to encourage pedestrian traffic as recommended in the Comprehensive Plan. The Comprehensive Plan specifies that limited parking may be located in front of the buildings. In this instance the applicant proposes to place all of the parking in front of the building(s). Staff generally does not support any parking along Richmond Highway. However, in this particular situation, staff feels that limited parking in front of the proposed building could be provided as a single row of spaces immediately in front of the proposed structure(s). This should allow for an adequate travel aisle and streetscape area at the front of the property.

The proposed building height of 18 feet is below the Comprehensive Plan's specified limit of 25 feet. However, the proposed building(s) should be architecturally compatible with surrounding uses. The drawing provided by the applicant appeared to show a building more consistent with an older warehouse-style office complex and not commercial retail adjacent to a residential area. A single building with improved architecture would better facilitate reduced impervious surface areas, opportunities for open space and landscaping, as well as on-site circulation. This retail building should also include ample window and display space to promote pedestrian activity.

The Fairfax County Department of Transportation has indicated that the right-of-way depicted for the proposed development does not provide sufficient dedication for future improvements on this portion of Richmond Highway. It was also noted that a turn lane should be provided for East Lee Avenue. Staff feels that these issues should be corrected in a manner which results in appropriate streetscaping and trail provisions consistent with the recommendations of the Comprehensive Plan. The latest plan depicted streetscaping which did not appear to meet the current Plan expectation along Richmond Highway. Proposed streetscaping along East Lee Avenue appeared to be adequate. Any revised plans should place the streetscaping on the subject property outside of the proposed VDOT right-of-way between the 10-foot wide trail and the parking area and travel aisle.

Based on the preceding analysis, the Planning Division staff finds that the use, as currently proposed, does not fully conform to the land use recommendations of the Comprehensive Plan.

ENVIRONMENTAL ANALYSIS

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed development. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions.

Green Building

The Policy Plan incorporates guidance in support of the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment. The Policy Plan further recommends the attainment of Leadership in Energy and Environmental Design (LEED) certification through the U.S. Green Building Council (USGBC) or an equivalent green building program with third party certification for developments meeting certain criteria. For instance, the Policy Plan recommends LEED certification or an equivalent when zoning proposals are located in a community business center and are seeking a change in use from what would be allowed under existing zoning. This criterion applies to the case as the applicant is seeking a change in use and the subject property is located within the Beacon/Groveton Community Business Center.

The applicant is currently providing no specific commitments for LEED certification for each building. Without a commitment to LEED certification, the proposal is not in conformance with the Comprehensive Plan's green building policy. To be in conformance with the Comprehensive Plan and to be consistent with other green building commitments, the applicant should commit to LEED certification for each building under the most current version of New Construction or Core and Shell rating system (whichever is applicable) and post a green building escrow at \$12,000 (which is based on \$2.00 per square feet x 6,000 gross square feet of building space) prior to site plan approval.

In support of the attainment of LEED certification for each building, the applicant is encouraged to:

- Retain a LEED AP who is a professional engineer or architect and will be a part of the project's design and construction team;
- Include a list of specific credits within the most current version of a LEED rating system as part of the site plan and building plan submission; and
- Provide certification statements by the LEED AP who is a professional engineer or architect at both at the time of site plan and building plan reviews confirming that the items on the list will meet at least the minimum number of points necessary to attain LEED certification of the project.

Water Quality

While the applicant is proposing to meet stormwater management and water quality control requirements with a sand filter and underground detention facilities, site specific Plan text note

that “the application of Low Impact Development (LID) practices is considered” for the proposed development. The subject property contains poor soils for infiltration and the applicant has indicated that this is an impediment to reliance on LID measures for the proposed development. Staff continues to encourage consideration of LID measures which rely on facilities, such as, raingardens, curb inlets or treebox filtertraps with structured soils as some possible solutions. In support of site-specific Plan guidance that recommends stormwater runoff be reduced substantially and Policy Plan guidance that recommends optimization of stormwater management and water quality controls and practices for redevelopment consistent with revitalization goals, the applicant is strongly encouraged to exceed the minimum requirement for water quality and water quantity controls.

COUNTYWIDE TRAILS PLAN

The Countywide Trails Plan Map shows that the subject property is located in an area with other specific guidance regarding streetscaping and trail requirements and defers to the Area Plan for details. The applicable streetscaping and trail recommendations for Richmond Highway are found in the Transportation Policy Plan section, “Roads in Revitalization Areas,” which call for a 9 foot wide curb edge landscaping strip, a 9 foot wide trail, and an 8 foot wide interior landscaping strip along Richmond Highway. However, in order to be maintained by the Virginia Department of Transportation, the trail needs to be 10 feet wide. The proposed streetscaping along Richmond Highway includes a 10-foot wide curb edge landscaping strip, a 10-foot wide asphalt trail, and a 10-foot wide landscape strip. Streetscaping and trail recommendations along East Lee Avenue call for a 5 foot wide landscaped curb strip, a 5 foot wide sidewalk and 5 foot wide parking lot landscaped strip. While the latest plans appear to depict measures that adequately address landscaping and trail requirements along Richmond Highway and most of the requirements for East Lee Avenue, it should be noted that the applicant is proposing a 5-foot wide grass curb strip for East Lee Avenue. According to the Plan recommendations, this should be landscaped as well. It should be noted that any changes to the right-of-way and dedication for Richmond Highway should accommodate streetscaping as well. Should the right-of-way be extended, then it may be necessary to provide streetscaping between the trail and the front of the property on the application property in order to meet streetscaping expectations for Richmond Highway.

PGN: JRB

Additional Comprehensive Plan language:

In the Fairfax County Comprehensive Plan, 2007 Edition, Area IV, Mount Vernon Planning District as amended through September 28, 2010, Richmond Highway Corridor Area, Urban Design Recommendations, on pages 77 - 83, the Plan states:

Urban Design Recommendations

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

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

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

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

STREETSCAPE ELEMENTS

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

LANDSCAPE CORRIDOR

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

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

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

1. Off-site improvements:

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

2. On-site improvements:

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

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

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

1. Off-site improvements:

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

2. On-site improvements:

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

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

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

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

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

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

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

UTILITIES Place all utility distribution lines underground.

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

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

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

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

ENVIRONMENTAL PRESERVATION Preserve sensitive environmental features and existing quality vegetation.

PARKING ELEMENTS

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

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

PARKING LOT DESIGN

1. Divide lots into smaller sections using landscaped medians to avoid large expanses of parking areas.
2. Ensure adequate visual clearance at intersections.
3. Provide internal circulation which is efficient, yet attractive and user-friendly.
4. Consolidate access points.
5. Use clear and legible signs and other techniques to direct the flow of vehicular and pedestrian traffic.
6. Provide sidewalks or walkways for safe pedestrian access that connect to adjacent street sidewalks and/or trails.

PARKING LOT LIGHTING

1. Locate or screen parking lot lighting, with respect to spatial design and fixture height, to minimize impacts on adjacent neighborhoods.
2. When replacing or installing new lighting, eliminate direct glare through the use of fully-shielded luminaries that direct the light downward.
3. Lighting fixtures should be positioned, with respect to spatial design and fixture height, to give adequate uniformity of the illuminated area.
4. Place lighting for signs and/or buildings above and in front of the object to be illuminated and keep the light restricted to that area.
5. All lights should be directed downward and shielded to create less glare impact to drivers, pedestrians, neighbors and other users.
6. Placement of light fixtures should not conflict with landscape treatments, especially trees.

PARKING LOT LANDSCAPING

A. Interior Parking Lot Landscaping

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

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

B. Peripheral Parking Lot Landscaping

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

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

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

C. Structured Parking

The visual impacts of structured parking should be reduced by:

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

D. Parking Lot Entry Landscaping

Provide distinctive landscape treatments at parking lot entry points.

LANDSCAPE ELEMENTS

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

PLANTINGS WITHIN THE LANDSCAPE CORRIDOR

Tree Planting Patterns within Landscape Strips Along Richmond Highway

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

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

Parking Lot Planting Strips

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

Landscape Corridor Trees

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

TREE SELECTION CRITERIA

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

- 1) Drought resistant
- 2) Tolerant of site light conditions
- 3) Must not exceed 30' tall at maturity if placed under utility lines
- 4) Minimum 2 ½" caliper at time of planting
- 5) 5-6' branch clearance, when planted, for street and peripheral parking lot trees
- 6) Requires low maintenance
- 7) Bears no objectionable fruit
- 8) Species is readily available
- 9) Single stemmed along streets and either single stemmed or multi-stemmed in interior parking lots or other appropriate landscape areas
- 10) Road salt tolerant
- 11) Disease resistant
- 12) Insect resistant

RECOMMENDED TREE SPECIES

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

- | | | |
|---------------------------------|----------------------------------|----------------------------------|
| a. Large Deciduous Trees | b. Medium Deciduous Trees | c. Columnar Trees |
| red oak | Sargent or kwanzan cherry | hedge maple |
| green ash | goldenrain tree | red maple |
| willow oak | crabapples | gingko (columnar varieties) |
| London planetree | downy serviceberry | English oak (columnar varieties) |
| zelkova | kousa dogwood | |
| red maple | saucer/star magnolia | |
| silver linden | hedge maple | |
| | flowering plum | |
| | hawthorn | |

| | |
|---|---|
| <p>d. Evergreen Trees eastern white pine eastern red cedar leyland cypress</p> | <p>e. Groundcover/Grass horizontal juniper species lirioppe fountain grasses red meidiland rose</p> |
| <p>f. Shrub Hedges 4'-6' at maturity Manhattan euonymus dwarf burning bush pfitzer juniper densiformis yew glossy abelia sea green juniper compact inkberry</p> | <p>2'-3' at maturity andorra juniper gold coast juniper William Penn barberry helleri holly bonica rosa</p> |

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

BUILDING/SITE DESIGN ELEMENTS

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

EXISTING BUILDING IMPROVEMENTS

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

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

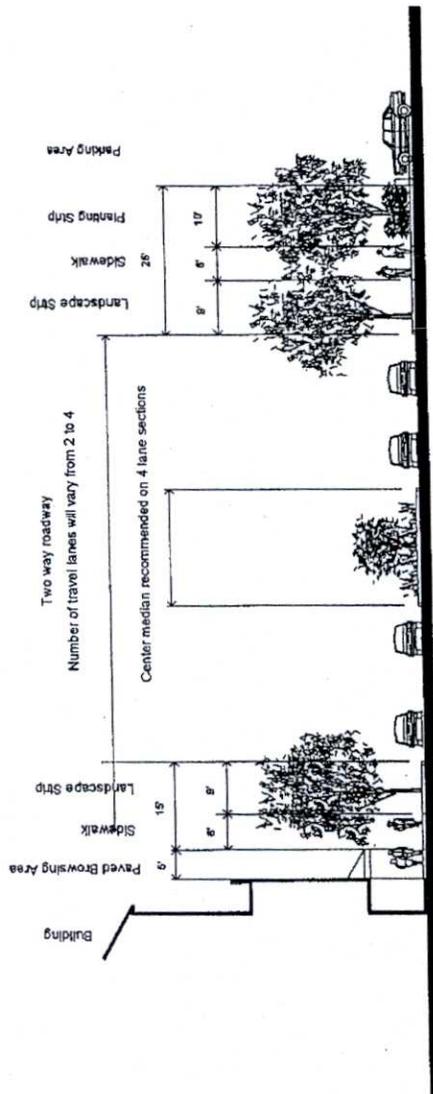
SCALE AND SITING OF NEW BUILDINGS Where feasible, incorporate architectural features at the street level that relate to human size and increase the pedestrian comfort level. Incorporate urban design elements, such as trees, benches, special pavement treatments, awnings, setbacks, tapered building heights,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

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

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

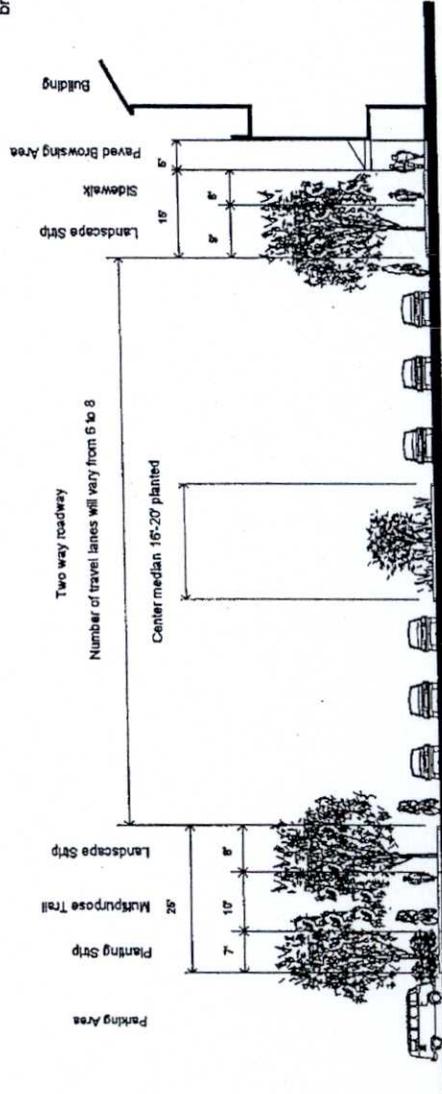
| | |
|---|---|
| UTILITIES | Place all on-site utility service lines underground. |
| FUNCTION/USE | Where appropriate and within large developments and core areas, use interior circulation patterns and public plazas to foster increased pedestrian and social activity. |
| DETAILING | Create interest through appropriate and coordinated architectural details of building facades. |
| COMPATIBLE ARCHITECTURAL DESIGN | Where feasible, provide architectural design that is visually coherent, respects the surrounding neighborhood style, scale and character. |
| COORDINATED DESIGN | Provide an overall compatible design for all units in a development. For instance, colors, sign types, awnings, lighting, architectural features and materials should be coordinated to unify blocks and storefronts. |
| IMAGE IDENTIFICATION | Provide distinctive design and architectural details to provide a sense of identity to a particular site, building or location. |
| SIGNAGE ELEMENTS | |
| Well coordinated and designed signage provides a greater sense of orientation to users. | |
| DIMENSIONS AND DESIGN | Demonstrate a coordinated sign size, design, style, materials and height through a comprehensive sign plan. |
| NONCONFORMING SIGNAGE | Replace existing nonconforming signs. |
| SPECIAL AREAS IDENTIFICATION | Provide coordinated signage to identify CBCs and gateways as distinctive areas. |
| CLUTTER | Reduce sign clutter especially along the highway edge. |
| PLACEMENT | Install building or ground mounted, coordinated signage rather than pole mounted signage. |
| CONSOLIDATION | Consolidate signage for multiple uses within a single development with coordinated color, materials, lettering and design. |
| SIGN LIGHTING | Minimize sign lighting impacts on adjacent neighborhoods. Minimize glare impacts from sign lighting by placing lighting above and in front of signs and directing the light downward. |
| PUBLIC SIGNAGE | Consolidate public safety, directional, highway identification and other public signage to the extent possible. Place cross street name and block number signs on Richmond Highway traffic light masts. Visibility of public signage should be sized to be readable from vehicles moving at posted speeds on adjacent roadways. |
| ENTRY SIGNS | Provide well-designed commercial and residential development entry signs. Coordinate all landscaping in the vicinity of the sign to compliment, but not obscure, signage. |
| TEMPORARY SIGNS | Prohibit the use of temporary commercial advertising signs and movable signs with flashing lights along street edges. However, banners announcing district-wide events, but not individual businesses or products, shall be allowed on utility or light poles if securely affixed at the top and bottom so as to preclude any fluttering or rotation by the rotation of the atmosphere. |

BUILDING NUMBER SIGNAGE Coordinate building numbers and address signage at each address for public safety and identification purposes. Visibility of building numbers should be sized to be readable from vehicles moving at posted speeds on adjacent roadways.



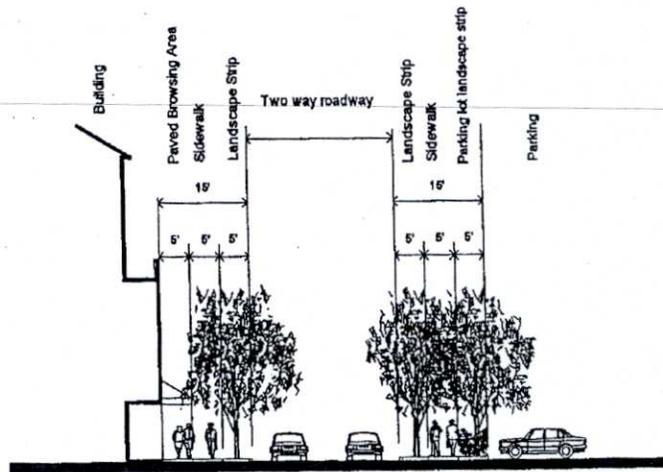
Streetscape - Kings Highway & Mt. Vernon Memorial Highway

Note: Depending on the type of right of way abutment proposed (i.e. building front or parking area) either a paved browsing strip or a planting strip is recommended.

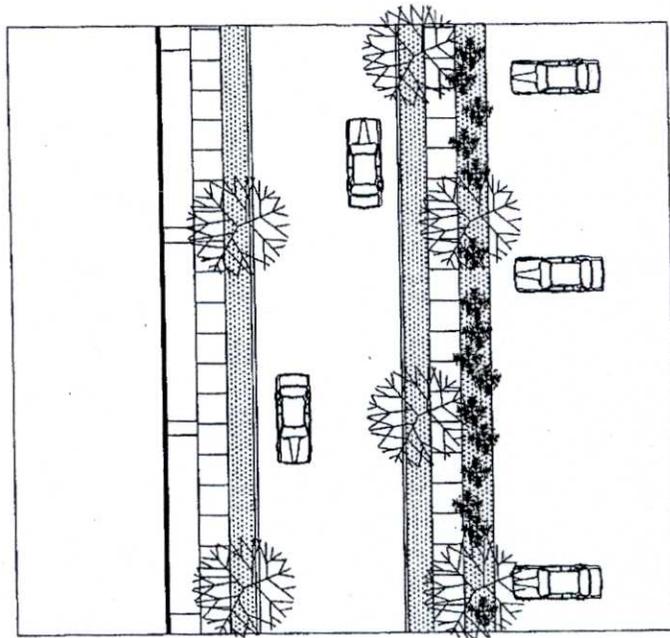


Streetscape - Richmond Highway

FIGURE 18



Streetscape - Other streets intersecting Richmond Highway Scale: 1" = 30'



In the Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Transportation – Appendix, as amended through March 9, 2009, on page 32, the Plan states:

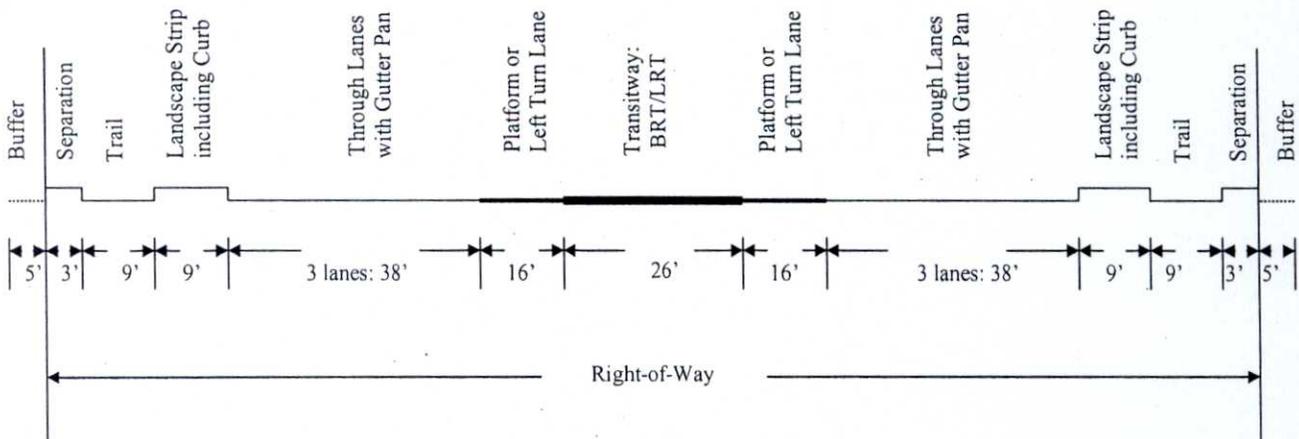
“Roads in Revitalization Areas

The right-of-way requirements outlined above (Figure 1 and Figure 2) are generally applicable for improvements in a typical suburban setting. The County is comprised of diverse communities and development patterns, some of which have more urban features, higher land use densities, and more pedestrian activities and transit services. To preserve communities’ characteristics and support economic vitality, this Plan allows flexibility and variation in right-of-way requirements for the planned arterial improvements. The planning and design of individual roadways need to fit with the surrounding land use and community, while enhancing mobility and safety for all road users.

The County has designated several Revitalization Districts and Areas to encourage economic development in the older commercial and residential areas. Special incentives and policies are provided for these areas, such as flexibility within certain zoning regulations and urban design measures. The Plan emphasizes that road improvement policies within the Revitalization Districts and Areas be in concert with the adopted land use, urban design and economic and administrative policies formulated to foster a sense of place and to support successful revitalization. Figure 3 serves as a guideline for such variation and flexibility. It is important to recognize that land use, transit and travel patterns differ among these areas. Area Plans of the Comprehensive Plan provide specific guidelines for right-of-way requirements and cross sections in the Revitalization Districts and Areas.”

FIGURE 3

**Richmond Highway Cross Section
 Including At-Grade Transitway in Center
 (Measurement in Feet)**





County of Fairfax, Virginia

MEMORANDUM

DATE: April 7, 2011

TO: Barbara Berlin, Director
Zoning Evaluation Division

FROM: *Barbara A. Byron*
Barbara A. Byron, Director
Office of Revitalization and Reinvestment (OCRR)

SUBJECT: RZ 2010-MV-011, Memorial Venture, LLC

The Office of Community Revitalization and Reinvestment (OCRR) has reviewed the Generalized Development Plan date stamped as "Received Department of Planning and Zoning, March 23, 2011" and proffers related to the above referenced rezoning.

The application is not in conformance with the Comprehensive Plan. The Plan calls for buildings to be oriented to Richmond Highway, with parking located at the rear of the property. The proposed site design places most of the parking in front of the building along Richmond Highway, thereby perpetuating a strip-commercial form of development rather than a more urban form of development. The September 28, 2010, amendment to the Comprehensive Plan calls for the parking to be located at the rear of the property with buildings oriented to Richmond Highway.

Additionally the Comprehensive Plan calls for quality development with architectural treatments that are compatible with the neighboring residential area. The renderings submitted by the applicant depict buildings that appear industrial in nature and an architectural style that would not enhance the image or aesthetics of the built environment in the Richmond Highway Corridor. The applicant has provided an alternative that depicts a single 6,000 square foot building. This alternative would better conform to the goal of improving the visual image and aesthetic form of the Richmond Highway Corridor, than would the alternative of having two 3,000 square foot buildings, which take on more the appearance of pad sites.

cc. Kelli-Mae Goddard-Sobers
OCRR files



Office of Community Revitalization and Reinvestment
12055 Government Center Parkway, Suite 1048
Fairfax, VA 22035
703-324-9300, TTY 711
www.fcrevit.org



County of Fairfax, Virginia

MEMORANDUM

DATE: February 16, 2011

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: Rezoning Application #RZ 2010-MV-011, Memorial Venture, Generalized Development Plan dated February 2, 2011, LDS Project #9605-ZONA-001-2, Tax Map #93-1-18D-0017, -0138, -0126 and -0130, Mount Vernon District

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

The applicant has not provided a Stormwater Information Sheet (LTI 06-06).

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on this site. Water quality controls are required for this development (PFM 6-0401.2A). A sand filter is depicted on the plan.

Floodplain

There may be regulated floodplains on the property. The area of any overland flow during a 100-year storm in the swale along Preston Avenue would be considered a minor floodplain. This floodplain has not been mapped so its boundaries are not known.

Downstream Drainage Complaints

There are no downstream drainage complaints on file.

Stormwater Detention

Stormwater detention is required, if not waived (PFM 6-0301.3). An underground detention facility is located on the plan.

Site Outfall

An outfall narrative has been provided.

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



Kelli Goddard-Sobers, Staff Coordinator
Rezoning Application #RZ 2010-MV-011, Memorial Venture
February 16, 2011
Page 2 of 2

Stormwater Planning Division Comments

The Little Hunting Creek Watershed Plan was adopted in 2005. This section of the Paul Spring Branch is rated as poor for the projected future phosphorus loading and fair for the projected future nitrogen loading. A stream restoration project, Capital Project #LH9264, has been identified downstream of the site. It is suggested that water quality controls greater than the minimum PFM requirement might be appropriate for this site. Low-impact development controls are encouraged.

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



County of Fairfax, Virginia

MEMORANDUM

June 1, 2011

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

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

SUBJECT: RZ-2010-MV-011- Memorial Venture

RE: Comments and Recommendations (**Generalized Development Plan**)

This review is based on the Generalized Development Plan (GDP) revision dated May 24, 2011, and received by the Department of Planning and Zoning at about that time. Several sets of recommendations were forwarded to you since March 2011, and a meeting was held with the Applicant's attorney and engineer in early May 2011. Additionally, a phone conversation with the Applicant was held in early April 2011.

Specific Comments and Recommendations

- In early May you advised that the Applicant had secured the services of a Certified Arborist to evaluate the off-site tree (30 inch diameter red maple). Previously it was recommended that an ISA Certified Arborist or an ASCA Registered Arborist conduct a condition analysis, and provide that information for review by staff. The Attorney for the Applicant advised me that an evaluation was conducted.

* The concern is that in the future, approximately ½ of the tree's root system will be removed and that the tree may become a hazard to the public at large, as well as to the Applicant's and owner's property

It is recommended that the issue of future construction impacts to this tree be dealt with at site plan submission. The Applicant and owner at this time are apprised of the overall situation with this tree.

- Previously it was recommended that a well designed landscape treatment for the frontage of the property along Richmond Highway be provided. This is reflected in the County's Comprehensive Plan. At this time only small and large trees are proposed, with some additional shrubbery.

It is recommended that a well designed and visually appealing layout of perennial and evergreen shrubs and some flowers within bedding and possibly some low level berming be provided. Additionally, a proffer is needed to address VDOT acceptance of any and all shrubbery and trees within the right-of-way along Richmond Highway.

Department of Public Works and Environmental Services
Land Development Services, Urban Forest Management Division

12055 Government Center Parkway, Suite 518

Fairfax, Virginia 22035-5503

Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769

www.fairfaxcounty.gov/dpwes



- The deviation request for the tree preservation target on sheet 2 of the GDP is incomplete. The justification(s) for the deviation is needed. That information can be found in the Public Facilities Manual Section 12-0508, and needs to be added to the request. The deviation request justification(s) need to be added to sheet 2 of the GDP.





FAIRFAX COUNTY PARK AUTHORITY

M E M O R A N D U M



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

FROM: Sandy Stallman, Manager 
Park Planning Branch, PDD

DATE: February 23, 2011

SUBJECT: RZ 2010-MV-011, Memorial Heights - REVISED
Tax Map Number(s): 93-1 ((18)) (D) 117, 126, 130, 138

BACKGROUND

This memo replaces the previous Park Authority memo dated October 1, 2010. The Park Authority staff has reviewed the proposed Development Plan dated August 2010 as revised through February 2, 2011, for the above referenced application as well as draft proffers dated February 3, 2011. The Development Plan reflects the demolition of two existing homes and associated structures to construct either one or two new retail buildings with a maximum of 6,000 square feet of gross floor area. This subject application is related Area Plans Review item S09-IV-MV2 which was adopted by the Board of Supervisors on September 28, 2010.

COMPREHENSIVE PLAN CITATIONS**1. Heritage Resources (The Policy Plan, Heritage Resources, Objective 1, p. 3)**

“Objective 1: Identify heritage resources representing all time periods and in all areas of the County.”

“Policy a: Identify heritage resources well in advance of potential damage or destruction.”

2. Heritage Resources (Comprehensive Policy Plan, Heritage Resources Objective 3, page 4)

“Objective 3: Protect significant historical resources from degradation or damage and destruction by public or private action.”

ANALYSIS AND RECOMMENDATIONS**Cultural Resources Impact:**

The application property was subjected to archival review. Parcel 138 contains VDHR Architectural Site 029-5153 (Fairfax County Site # 93-1A05), known as the Hatmaker House.

This site, however, was declared ineligible for the National Register of Historic Places in VDHR ID #029-5153 report. Built in 1925 as a Tudor Revival style house, this same house appears on the 1937 aerial photograph. No additional archaeological work is required related to Hatmaker House.

The subject property is also adjacent to a number of noted sites, including large Civil War Union Camps. Camp Custis, which was occupied by the New Jersey Cavalry and another large Pennsylvania Regimental camp, is just west of the location. It is possible that remnants of these camps remain in undeveloped portions of the yards. It is recommended that any relatively undisturbed portions of the site undergo a Phase I archaeological survey before any ground disturbance occurs. If sites are found, Phase II archaeological testing is recommended, and if any sites are determined significant, avoidance or Phase III data recoveries are recommended. The Park Authority requests a proffered commitment to provide the archaeological survey requested.

The Park Authority requests that the applicant provide one copy of the Archaeology Report to the Park Authority's Resource Management Division (Attention: Liz Crowell) within 30 days of completion of the study or survey. Should significant archaeological resources be discovered, the Park Authority requests that further archaeological studies be conducted and copies of the reports provided to the Cultural Resource Management and Protection section (CRMP). At the completion of any cultural resource studies, field notes, photographs and artifacts should be submitted to CRMP within 30 days.

SUMMARY OF RECOMMENDATIONS

This section summarizes the recommendations included in the preceding analysis section.

- Provide a proffered commitment to conduct a Phase I archaeological study of any relatively undisturbed portions of the property, followed by Phase II and Phase III as indicated

Please note the Park Authority would like to review and comment on proffers related to park and recreation issues. We request that draft and final proffers be submitted to the assigned reviewer noted below for review and comment prior to completion of the staff report and prior to final Board of Supervisors approval.

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: May 10, 2011

TO: Barbara Berlin
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Angela Kadar Rodeheaver
Site Analysis Section
Department of Transportation

FILE: 3-4 (RZ 2010-MV-011)

SUBJECT: Transportation Impact, Addendum

REFERENCE: RZ 2010-MV-011 Memorial Venture, LLC
Traffic Zone: 1473
Land Identification Map: 93-1 ((18)) (D) 117, 126, 130, 138

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on plats made available to this office dated August 12, 2010, and revised through April 29, 2011, and proffers dated May 2, 2011. The applicant wishes to rezone the subject parcels from PRM to C-8 for retail uses and include a fast food restaurant with no drive-through located in either two one-story buildings or a single one-story building with a maximum of 6,000 square feet.

- Parking. The application is overparked and, with all the parking located at the front of the site, does not meet the requirement to make the area along Richmond Highway a pedestrian friendly, walkable community. Therefore, *all parking should be located at the back of the building and the building should be closer to the street.*
- Service drives are required along primary highways unless waived.
- The applicant should provide the required right-of-way dedication for Route 1 which is 88 feet from centerline.
- The applicant conducted a warrant study to determine if a right turn lane is needed to East Lee Avenue per VDOT request, and the right turn lane is warranted. The applicant wishes to obtain a waiver of this turn lane from VDOT.
- The applicant has applied for an Access Management Exception for the site entrance and that issue is unresolved.

RZ 2010-MV-011

May 10, 2011

Page 2 of 2

The applicant has not complied with staff's recommendations concerning the parking or the building location and has not decided whether to have two buildings or one. This application does not adhere to the Route 1 guidelines for a more urban, walkable community. The greatest concern, however, is the warranted right turn lane and necessity for a waiver from VDOT. If the waiver of the right turn lane is not granted by VDOT, the entire site must be reconfigured. ***Therefore, this application should not go forward until this very vital issue is resolved.***

AKR/LAH/lah



FAIRFAX COUNTY WATER AUTHORITY
8560 Arlington Boulevard, Fairfax, Virginia 22031
www.fairfaxwater.org

**PLANNING & ENGINEERING
DIVISION**

Jamie Bain Hedges, P.E.
Director
(703) 289-6325
Fax (703) 289-6382

September 20, 2010

Ms. Regina Coyle, Director
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

Re: RZ 2010-MV-011
Tax Map: 93-1
Memorial Heights

Dear Ms. Coyle:

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

1. The property is currently served by Fairfax Water.
2. Adequate domestic water service is available at the site from existing 12-inch and 8-inch diameter water mains. See the enclosed water system map.
3. Fairfax Water has identified the need for a 24-inch transmission main along the Richmond Highway corridor and may request the design and construction be incorporated into this site plan. Details of this request, should Fairfax Water still wish to pursue this option, will be sent to the developer after formal site plan submittal.
4. Depending upon the final site and water main configurations, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

If you have any questions regarding this information please contact Dave Guerra
at (703) 289-6343.

Sincerely,

David L. Guerra for

Traci K. Goldberg, P.E.
Manager, Planning Department

Enclosures

cc: Alan Dalton, Dominon Surveys
Lynne J. Strobel, McGuire Woods LLP



County of Fairfax, Virginia

MEMORANDUM

DATE: September 16, 2010

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

FROM: Eric Fisher, GIS Analyst III
Information Technology Section
Fire and Rescue Department

SUBJECT: Fire and Rescue Department Preliminary Analysis of Rezoning Application
RZ 2010-MV-011

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

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #411, **Penn Daw**
2. After construction programmed _____ this property will be serviced by the fire station _____
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
 - a. currently meets fire protection guidelines.
 - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
 - c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
 - d. does not meet current fire protection guidelines without an additional facility. The application property is ___ of a mile outside the fire protection guidelines. No new facility is currently planned for this area.





County of Fairfax, Virginia

MEMORANDUM

DATE: September 28, 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. RZ2010-MV-011
Tax Map No. 093-1- /18/D/0117, 0126, 0130, 0138

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 (J-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. 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 10" inch line located on the property 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:



FAIRFAX COUNTY ZONING ORDINANCE

- I. Fast food restaurants
- J. Golf courses, country clubs
- K. Golf driving ranges
- L. Marinas, docks and boating facilities, commercial
- M. Mini-warehousing establishments
- N. Offices
- O. Pawnshops
- P. Quick-service food stores
- Q. Retail sales establishments-large
- R. Service stations
- S. Service station/mini-marts
- T. Truck rental establishments
- U. Vehicle light service establishments
- V. Vehicle major service establishments
- W. Vehicle sale, rental and ancillary service establishments
- X. Establishments for scientific research and development to include assembly, integration and testing of experimental prototype products as an incidental use

4-805**Use Limitations**

- 1. Fast food restaurants, automobile-oriented uses, drive-in financial institutions, quick-service food stores and vehicle light service establishments shall be permitted by right in accordance with the following:
 - A. Fast food restaurants without any drive-through facilities shall be permitted by right:
 - (1) When located in a shopping center, and the fast food restaurant does not occupy (a) more than 1500 square feet of gross floor area and (b) more than thirty-five (35) percent of the gross floor area of the building in which located; or
 - (2) When located in a shopping center of 25,000 square feet or more of gross floor area, the fast food restaurant may occupy more than 1500 square feet

COMMERCIAL DISTRICT REGULATIONS

but not to exceed 2500 square feet of gross floor area, provided that the fast food restaurant does not occupy more than twenty-five (25) percent of the gross floor area of the building in which located.

- B. Fast food restaurants, other than those permitted under Par. 1A above, automobile-oriented uses, drive-in financial institutions, and quick-service food stores shall be permitted by right when:
 - (1) Such use is located within a building of a shopping center, which building contains at least six (6) other uses which are not fast food restaurants other than those permitted by Par. 1A above, automobile-oriented uses, drive-in financial institutions, or quick-service food stores; and
 - (2) All uses within that building are connected by party walls or partitions to form one continuous structure.
- C. Vehicle light service establishments shall be permitted by right when located within the main structure of a regional shopping center.
- D. For all of the above, the shopping center and the building in which such automobile-oriented use, drive-in financial institution, fast food restaurant, quick-service food store or vehicle light service establishment is located shall be subject to an approved unified site plan. In addition, vehicular access to the use shall be provided only via the internal circulation system of the shopping center.

Automobile-oriented uses, drive-in financial institutions, fast food restaurants, quick-service food stores and vehicle light service establishments which do not meet the limitations set forth above may be allowed by special exception in accordance with the provisions of Article 9.

- 2. Outdoor storage and display areas shall be permitted only on the same lot with and ancillary to a permitted, special permit or special exception use.
- 3. Except for 250 square feet of accessory outdoor storage and display in accordance with Sect. 17-104, the outdoor area devoted to storage, loading and display of goods shall be limited to that area so designated on an approved site plan. For all uses the outdoor storage and display of goods shall be subject to Sect. 2-504 and shall be limited to goods that are customarily used outside such as fertilizers, peat moss, shrubbery and mulch; provided, however, that this shall not be deemed to preclude outdoor storage by a contractor's office and shop or the outdoor storage or display of goods permitted to be sold at a service station or service station/mini-mart.
- 4. All outdoor storage and loading areas shall be enclosed by screening and all refuse shall be contained in completely enclosed facilities.
- 5. The outdoor storage or parking of construction equipment, construction vehicles, construction machinery or vehicles such as solid waste collection vehicles, dump trucks, cement mixers, tractors and/or trailers of tractor-trailer trucks shall not be permitted.

FAIRFAX COUNTY ZONING ORDINANCE

6. Any establishment involved with the sale or storage of fuel for sale shall be permitted only if the fuel is stored underground.
7. All uses shall comply with the performance standards set forth in Article 14.
8. Except where expressly waived by the Director because of existing physical constraints, site configuration or safety considerations which would preclude strict compliance:
 - A. On a corner lot, no curb cut shall be located closer than sixty (60) feet to the curb line extended of the intersecting street.
 - B. No curb cut, except on a service drive, shall be located closer than twenty (20) feet to a side or rear lot line, unless a common curb cut serves adjacent uses, and in no instance shall the distance between separate curb cuts serving adjacent land uses be less than forty (40) feet.
 - C. Except where frontage is on a service drive, a freestanding use shall have no more than two (2) curb cuts on any single right-of-way, and such curb cuts shall have a minimum distance of forty (40) feet between them.
9. Kennels and veterinary hospitals shall be permitted by right when located within a completely enclosed building which is adequately soundproofed and constructed so that there will be no emission of odor or noise detrimental to other property in the area. In addition, the Health Department shall approve the construction and operation of all veterinary hospitals prior to issuance of any Building Permit or Non-Residential Use Permit.
10. Offices shall be permitted only subject to the following:
 - A. The total gross floor area devoted to office shall not exceed fifty (50) percent of the maximum floor area permitted on the lot in accordance with the maximum floor area ratio for the district; provided that an increase in office use up to seventy-five (75) percent may be permitted by the Board in accordance with the provisions of Sect. 9-515.
11. Quasi-public athletic fields and related facilities shall be permitted by right in accordance with the following:
 - A. Such use is not specifically precluded or regulated by any applicable proffered condition, development condition, special permit or special exception condition;
 - B. Such use shall be permitted on an interim basis for a period not to exceed five (5) years, provided, however, that upon request by the property owner, subsequent extensions of up to five (5) years each may be approved by the Board;
 - C. No structure or field shall be located within 100 feet of any adjoining property which is in an R district;
 - D. The use of lighting or loudspeakers for the athletic field or facility shall not be permitted;

COMMERCIAL DISTRICT REGULATIONS

- E. Notwithstanding the provisions of Article 13, transitional screening shall not be required unless determined necessary by the Director;
 - F. Parking to accommodate such use shall be provided on-site. In the event such use is to be located on-site with another use, the Director may allow existing off-street parking to serve such use provided the hours of operation of the two uses do not coincide; and
 - G. There shall be a sign which identifies the athletic field as an interim use of the site. No such sign shall exceed thirty-two (32) square feet in area or be less than ten (10) square feet in area, exceed eight (8) feet in height or be located closer than five (5) feet to any street line.
12. Drive-through pharmacies shall be permitted by right (a) when located on a lot which is not abutting or not across a local or collector street from residentially zoned land, which land is either developed with dwellings or vacant; (b) when the lot is designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation and parking; and (c) when there are adequate parking and stacking spaces for the use which are provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the lot. Drive-through pharmacies which do not meet these limitations may be allowed by special exception in accordance with the provisions of Article 9.
- In addition, signs shall be required to be posted in the vicinity of the stacking area stating the limitations on the use of the window service and/or drive-through lane. Such signs shall not exceed two (2) square feet in area or be located closer than five (5) feet to any lot line.
13. Except in Commercial Revitalization Districts, vehicle transportation service establishments shall be permitted by right in accordance with the following:
- A. The total number of company vehicles permitted on site at any given time shall not exceed five (5).
 - B. There shall be no maintenance of refueling or vehicles on site.
 - C. Notwithstanding the provisions of Par. 15 of the Transitional Screening and Barrier Matrix, the use shall be subject to the provisions of Par. 9 of the Matrix.
- Vehicle transportation service establishments which are located within a Commercial Revitalization District may be allowed by special exception in accordance with the provisions of Sect. 9-622.
14. New vehicle storage shall be permitted by right in accordance with the following:
- A. When located within a parking structure that is accessory to another use, and provided that the spaces devoted to a new vehicle storage are in excess of the minimum number of off-street parking spaces required in accordance with Article 11 for the use to which the structure is accessory. The owner shall submit a

FAIRFAX COUNTY ZONING ORDINANCE

parking tabulation in accordance with Article 17 that demonstrates that such excess parking spaces are available for new vehicle storage.

- B. The layout of the new vehicle storage shall not hinder the internal vehicle circulation within the parking structure, and there shall be no mechanical parking lift devices or fencing associated with the new vehicle storage.
 - C. There shall be no signs identifying the use and/or the associated vehicle, sale, rental and ancillary service establishment.
 - D. Notwithstanding the provisions of Article 13, transitional screening shall not be required.
15. Retail sales establishments-large shall be permitted by right in accordance with the following:

When such use is located within a building that contains a minimum of 1,000,000 square feet of gross floor area with at least six (6) principal uses all of which are connected by party walls, partitions or similar structural members to form one continuous structure.

Retail sales establishments that do not meet the limitations set forth above may be allowed by special exception in accordance with the provisions of Article 9.

4-806

Lot Size Requirements

- 1. Minimum lot area: 40,000 sq. ft.
- 2. Minimum lot width: 200 feet
- 3. The minimum lot size requirements presented in Par. 1 and 2 above may be waived by the Board in accordance with the provisions of Sect. 9-610.

4-807

Bulk Regulations

- 1. Maximum building height: 40 feet, subject to increase as may be permitted by the Board in accordance with the provisions of Sect. 9-607
- 2. Minimum yard requirements
 - A. Front yard: Controlled by a 45° angle of bulk plane, but not less than 40 feet
 - B. Side yard: No Requirement
 - C. Rear yard: 20 feet
- 3. Maximum floor area ratio: 0.50, provided however an increase to 0.70 may be permitted by the Board in accordance with the provisions of Sect. 9-618

COMMERCIAL DISTRICT REGULATIONS

4. Refer to Sect. 13-301 for provisions that may qualify the minimum yard requirements set forth above.

4-808 Open Space

15% of the gross area shall be landscaped open space

4-809 Additional Regulations

1. Refer to Article 2, General Regulations, for provisions which may qualify or supplement the regulations presented above.
2. Refer to Article 11 for off-street parking, loading and private street requirements.
3. Refer to Article 12 for regulations on signs.
4. Refer to Article 13 for landscaping and screening requirements.
5. Refer to Article 17 for uses and developments which are subject to site plan provisions.

PART 6 7-600 HIGHWAY CORRIDOR OVERLAY DISTRICT

7-601 Purpose and Intent

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

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

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

7-607 Special Exception Uses

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

7-608 Use Limitations

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

1. In any Highway Corridor Overlay District:

A. Such a use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties.

B. Such a use shall have access designed so as not to impede traffic on a public street intended to carry through traffic. To such end, access via the following means may be given favorable consideration:

- (1) Access to the site is provided by a public street other than one intended to carry through traffic, and/or
- (2) Access to the site is provided via the internal circulation of a shopping center, which center contains at least six (6) other commercial uses, or an 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.

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

| | | | |
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| 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 | | |