



APPLICATION ACCEPTED: April 11, 2011  
BOARD OF ZONING APPEALS: June 22, 2011  
TIME: 9:00 a.m.

# County of Fairfax, Virginia

June 15, 2011

## STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2011-MA-028

### MASON DISTRICT

**APPLICANT:** Wara Wara Inc. T/A Wara Wara Karaoke & Pub Restaurant

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

**LOCATION:** 4231-R Markham Street

**ZONING ORDINANCE PROVISIONS:** 8-503

**TAX MAP:** 71-1 ((20)) 3

**SQUARE FOOTAGE:** 3.13 acres

**PLAN MAP:** Office, retail and residential uses

**SPECIAL PERMIT PROPOSAL:** To permit a Group 5, Commercial Recreation Use (karaoke)

**STAFF RECOMMENDATION:** Staff recommends approval of SP 2011-MA-028 subject to the proposed development conditions contained in Appendix 1.

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

O:\bcho00\SP\June 22 - SP 2011-MA-028 (Wara Wara)\staff\_report.doc

Brenda J Cho

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 Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

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

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**

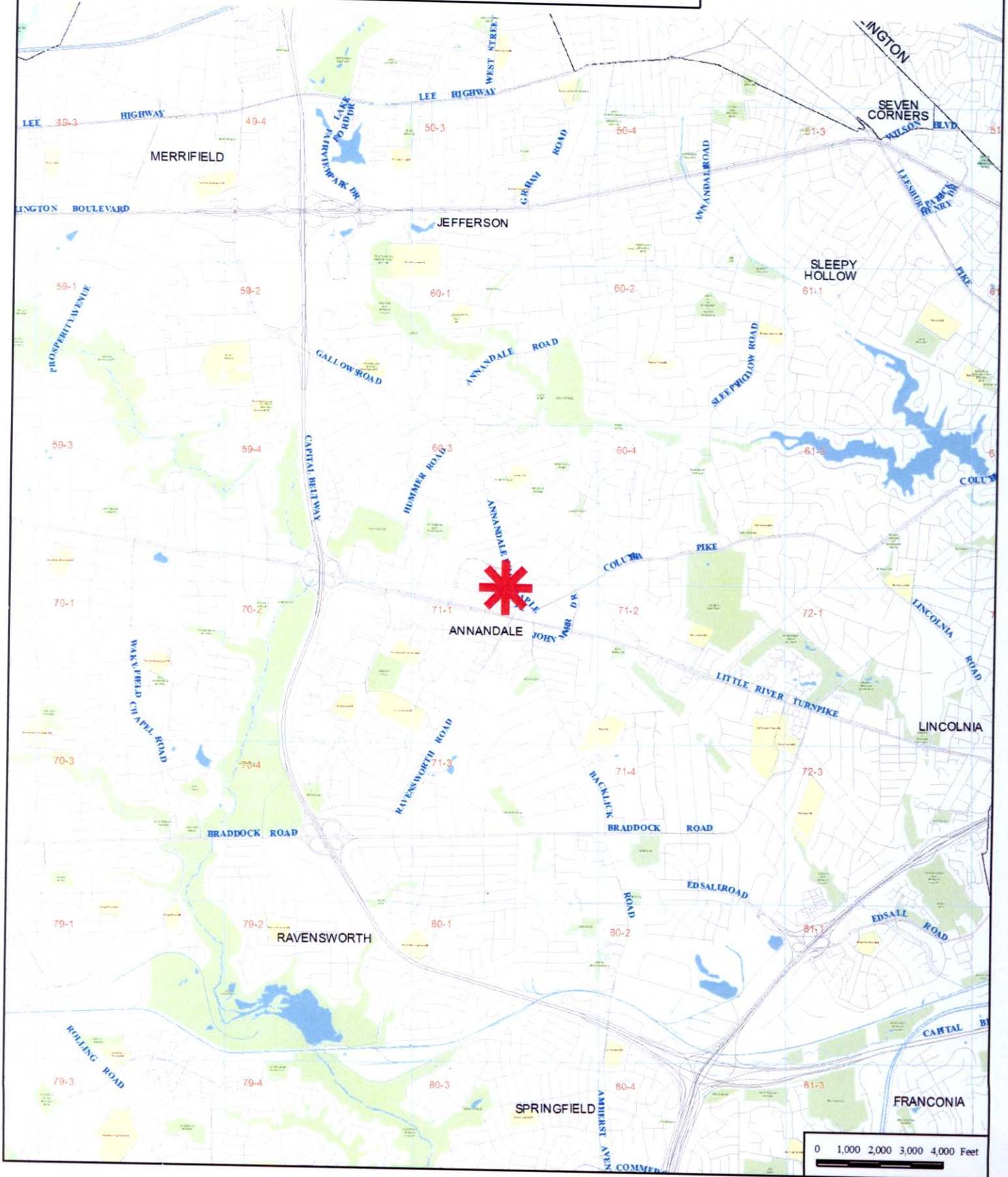


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

# Special Permit

SP 2011-MA-028

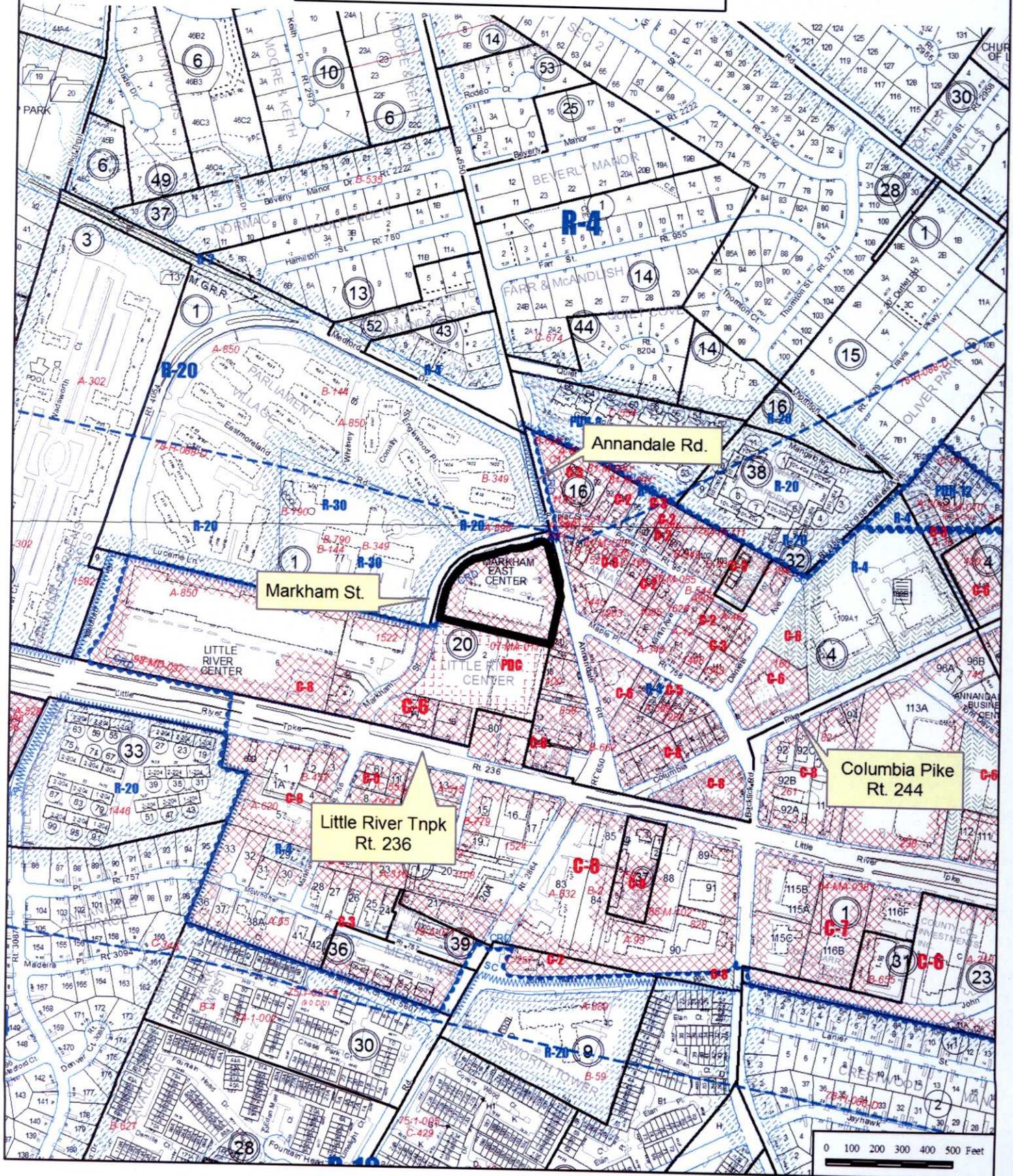
WARA WARA INC. T/A WARA WARA KARAOKE & PUB RESTAURANT



# Special Permit

SP 2011-MA-028

WARA WARA INC. T/A WARA WARA KARAOKE &  
PUB RESTAURANT





**PROJECT**  
NAME: PARKING TABULAT  
LOCATION: 4231 MARKHAM ST  
TAX DISTRICT: 21008  
TAX MAP: 8711 20 0003  
ZONING: C-6  
DISTRICT NAME: WASHINGTON SUBDIVISION  
LAND AREA: 134,505 SF

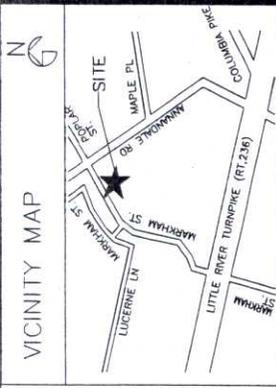
**REVISION**  
NO. REVISIONS: DATE  
DATE: 2-01-2011  
SCALE: 1" = 25'

**DESIGN**  
PROJECT / 2-294  
DRAWN BY: HANDEED  
REVIEWED BY: [Signature]  
DATE: 2-01-2011  
SCALE: 1" = 25'

**SHEET DESCRIPTION**  
EXISTING CONDITIONS EXHIBIT

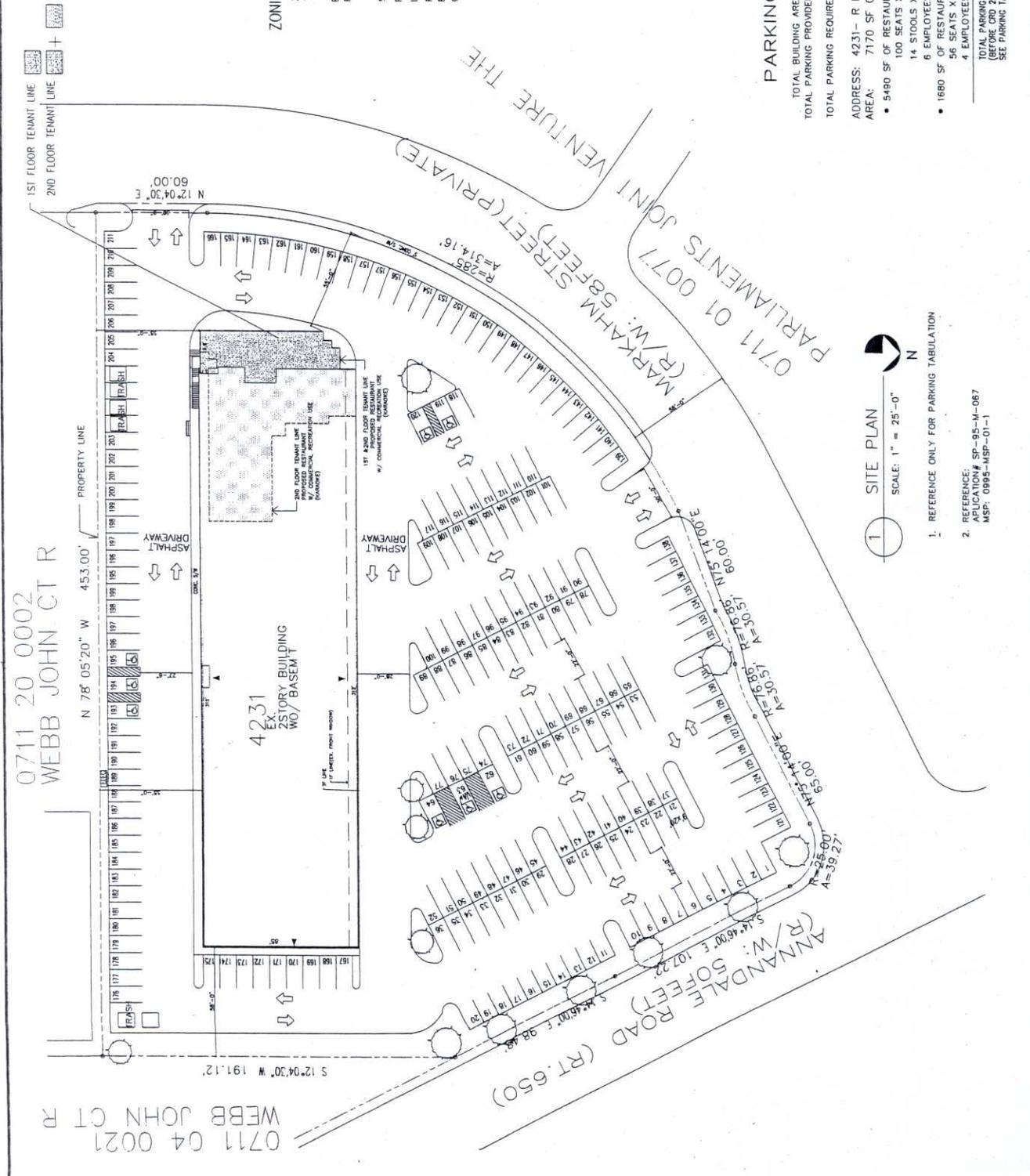
**SITE PLAN & PARKING TAB.**

**SHEET NUMBER**  
1 OF 3



**ZONING REQUIREMENTS WITH PROJECT DATA**

ZONING: C-6, CRD	TAX MAP: 0711 20 0003	EXIST. 36FEET	REQUIRED 50FEET
		FRONT YARD: 36FEET	20FEET
		REAR YARD: N/REQ.	N/REQ.
		LOT SIZE: 136,505 GSF	136,505 GSF
		FAR: 0.4 MAX.	0.4 MAX.
		BUILDING AREA: 54,480 GSF	54,480 GSF
		OPEN SPACE: N/REQ.	N/REQ.



**PARKING TABULATION**

TOTAL BUILDING AREA: 54,480 SF  
TOTAL PARKING PROVIDED: 211 SPACES (256 BPS SPACES - 20% CRD REDUCTION) (INCLUDING 80% SPACES)  
TOTAL PARKING REQUIRED: 208 SPACES (INCLUDING 74% SPACES)

- ADDRESS: 4231 - R MARKHAM ST.  
AREA: 7170 SF OF RESTAURANT:  
  - 5490 SF OF RESTAURANT (EXCLUDING KARAOKE)  
100 SEATS X ISPACE / 4 SEATS AT TABLE = 25 SPACES  
14 STOOLS X ISPACE / 2 STOOLS AT BAR = 7 SPACES  
6 EMPLOYEES X ISPACE / 2 EMPLOYEES = 3 SPACES
  - 1680 SF OF RESTAURANT (COMMERCIAL USE - KARAOKE)  
56 SEATS X ISPACE / 4 SEATS AT TABLE = 14 SPACES  
4 EMPLOYEES X ISPACE / 2 EMPLOYEES = 2 SPACES

TOTAL PARKING REQUIRED FOR WARA WARA RESTAURANT: 51 SPACES  
TOTAL PARKING PROVIDED FOR WARA WARA RESTAURANT: 51 SPACES  
SEE PARKING TABULATION DETAIL ON PAGE 2



1. REFERENCE ONLY FOR PARKING TABULATION

2. REFERENCE: APPLICATION SP-95-M-067  
MSP: 0995-MSP-01-1

0711 04 0021  
WEBB JOHN CT R

0711 20 0002  
WEBB JOHN CT R

RECEIVED  
FEB 18 2011  
Zoning/Planning Dept.





**PROJECT**

NAME	PARKING GARAGE
LOCATION	4231 MARSHALL ST FAIRFAX VA 22030
TAX DISTRICT	21000
TAX MAP	8711 PR 3003
ZONING	C-4
DISTRICT NAME	TRANSFORMATIONAL
LAND AREA	126,000 SF

**REVISION**

NO	REVISIONS	DATE

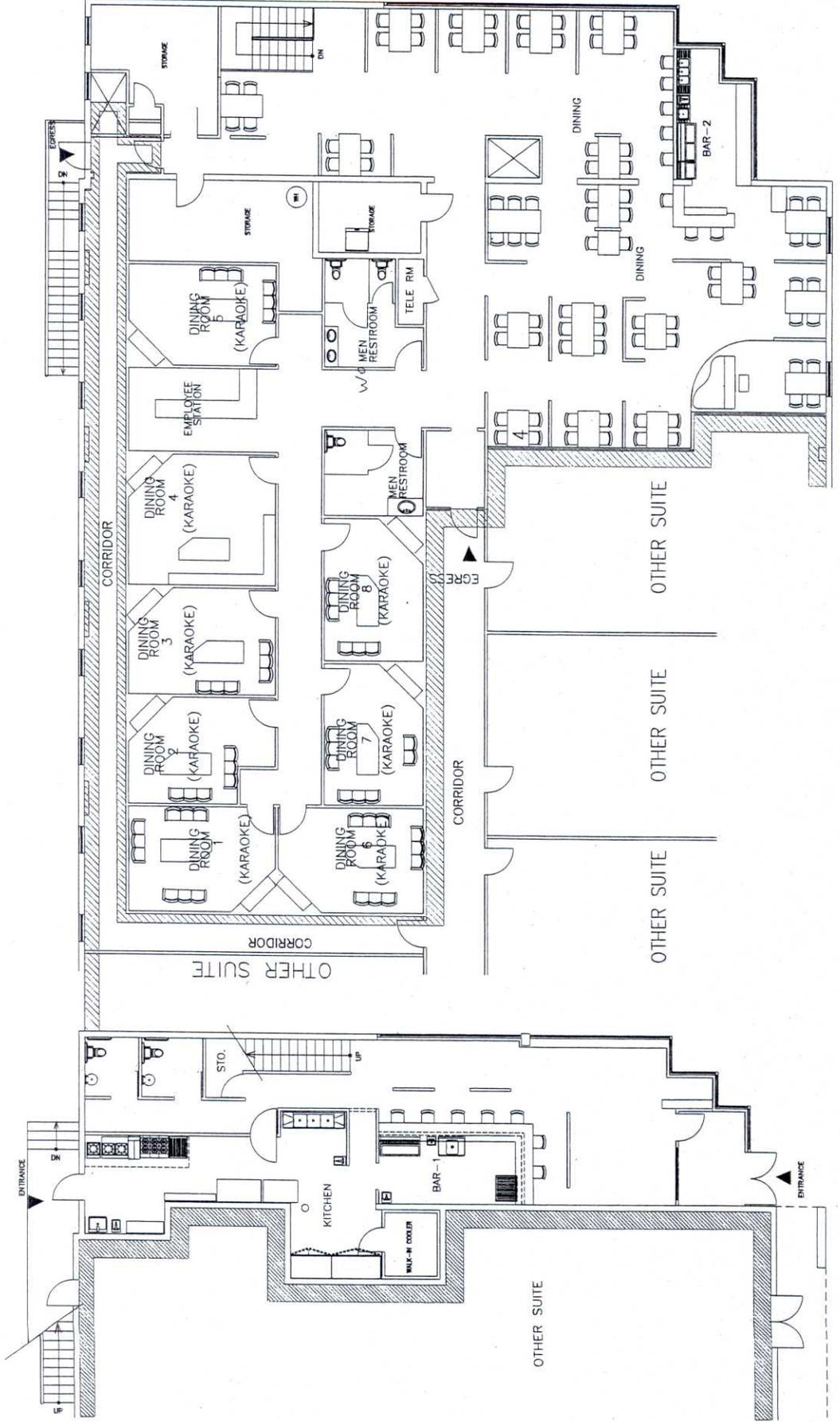
**DESIGN**

PROJECT #	2-324
DRAWN BY	MATTHEW
REVIEWED BY	
DATE	2-01-2011
SCALE	3/16" = 1'-0"

**SHEET DESCRIPTION**  
 EXISTING  
 CONDITIONS  
 EXHIBIT

**1ST & 2ND  
 FLOOR PLAN**

**SHEET NUMBER**  
 3 OF 3



**2ND FLOOR PLAN (AS BUILT PLAN)**

SCALE: 3/16" = 1'-0"

**1ST FLOOR PLAN (AS BUILT PLAN)**

SCALE: 3/16" = 1'-0"

ALL EXISTING ( REFERENCE ONLY) UNLESS OTHERWISE NOTED

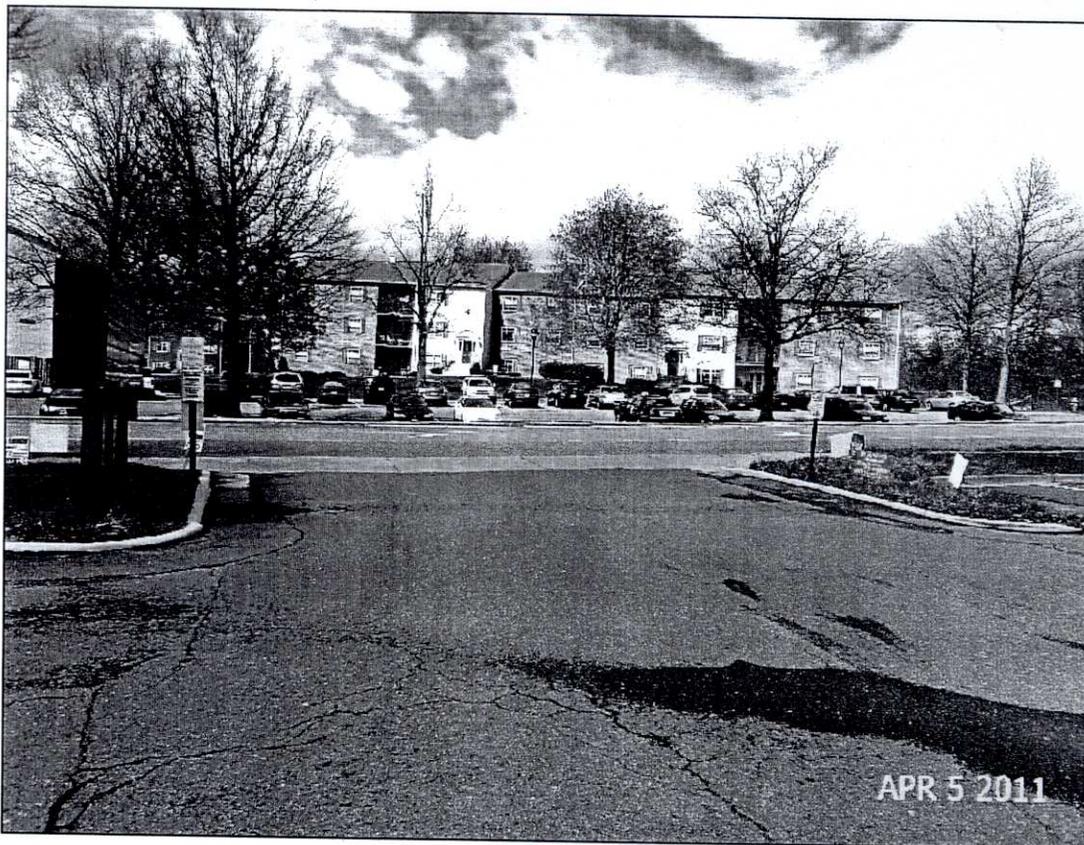




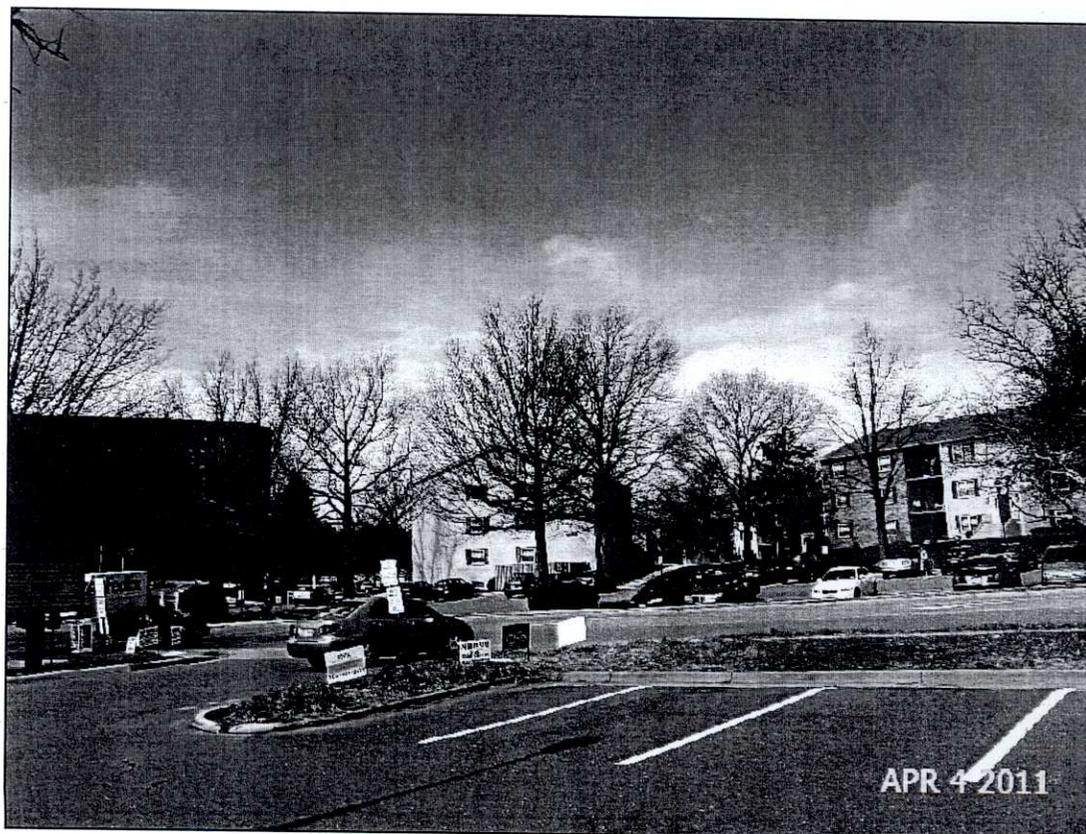
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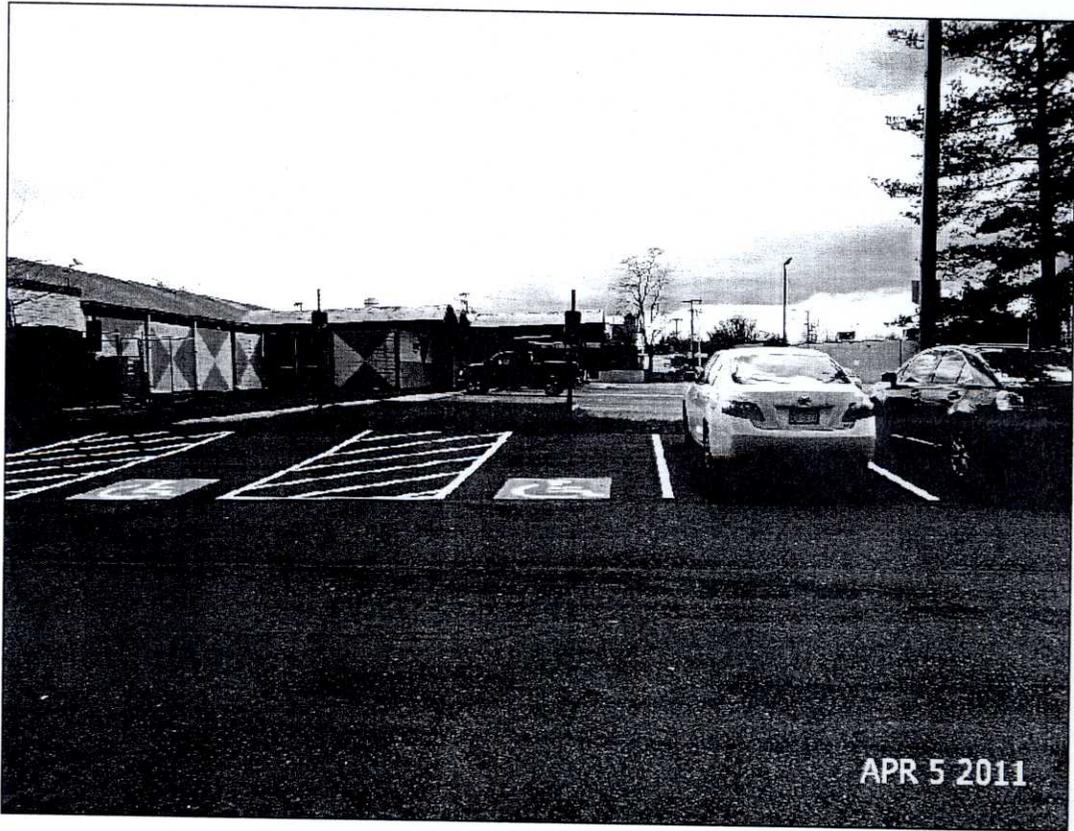
PICTURE-18



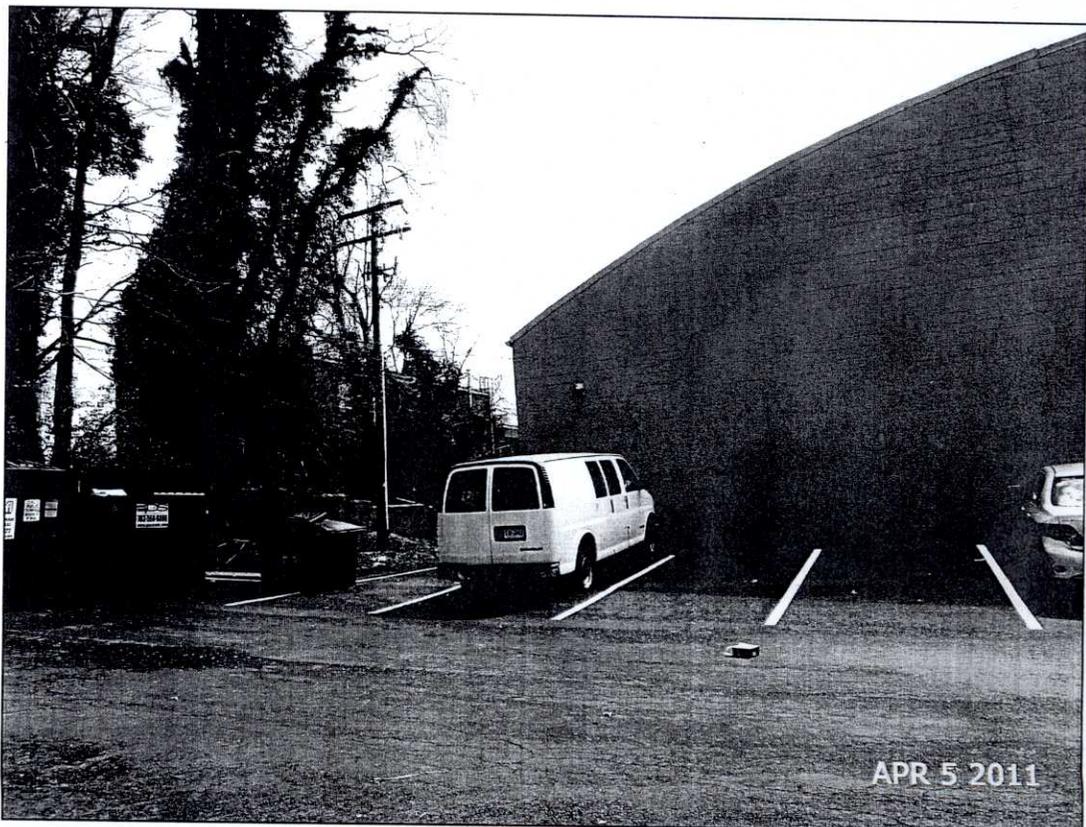
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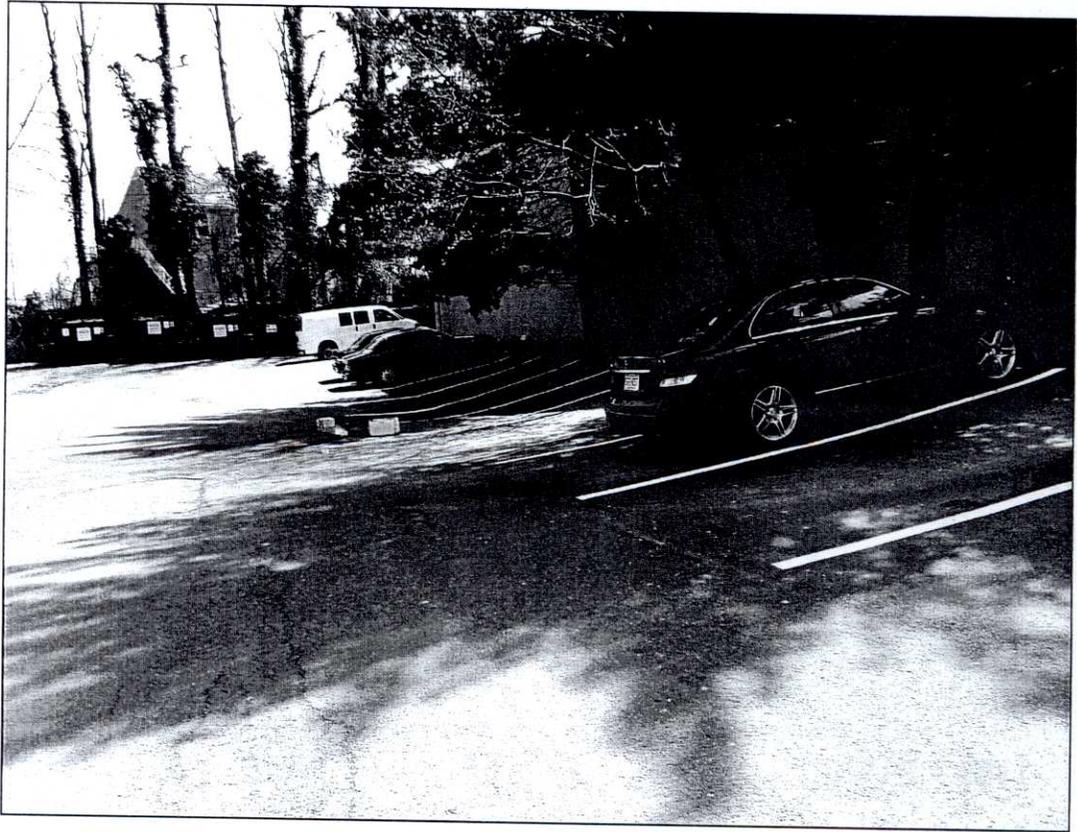
PICTURE-20



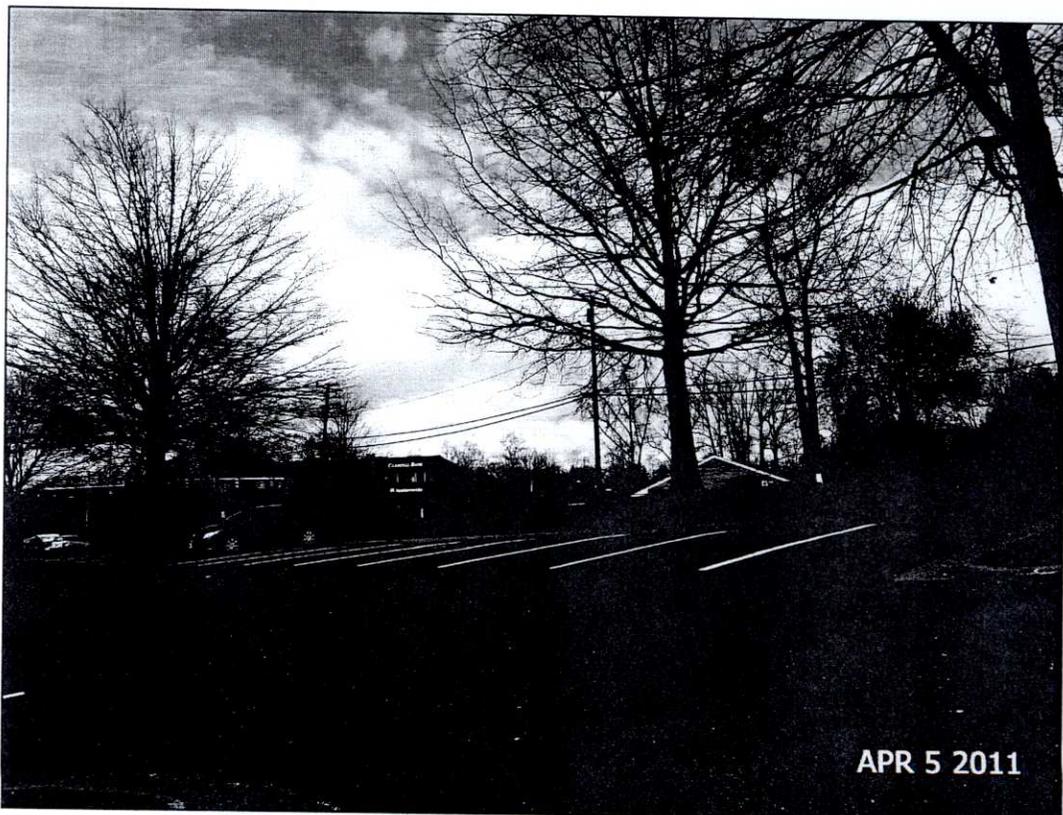
PICTURE-21



PICTURE-22

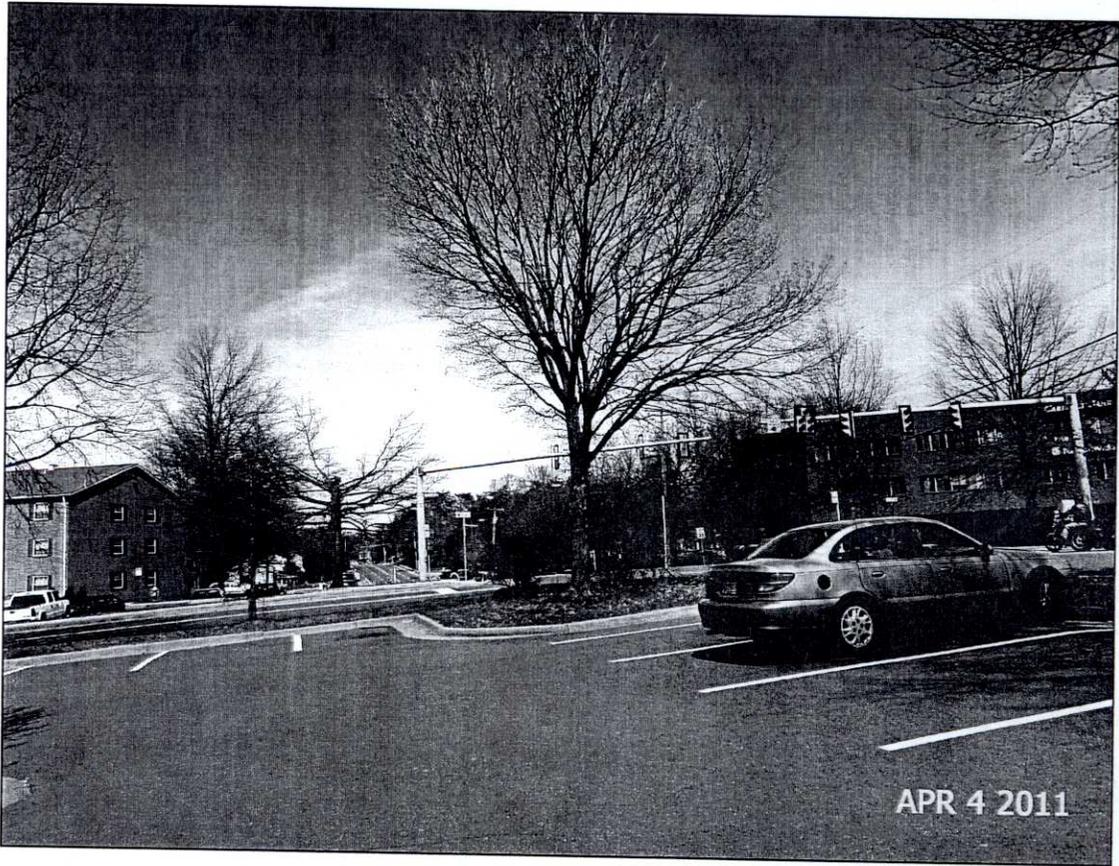


PICTURE-23

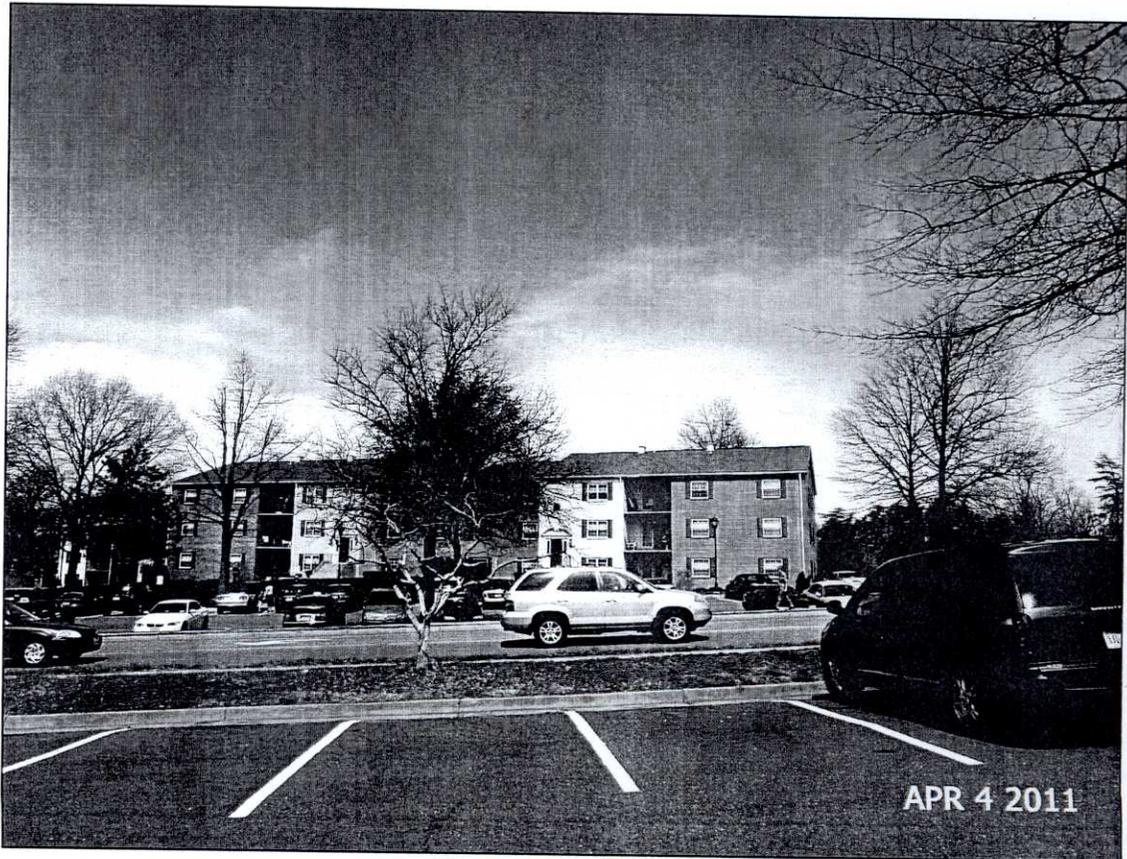


APR 5 2011

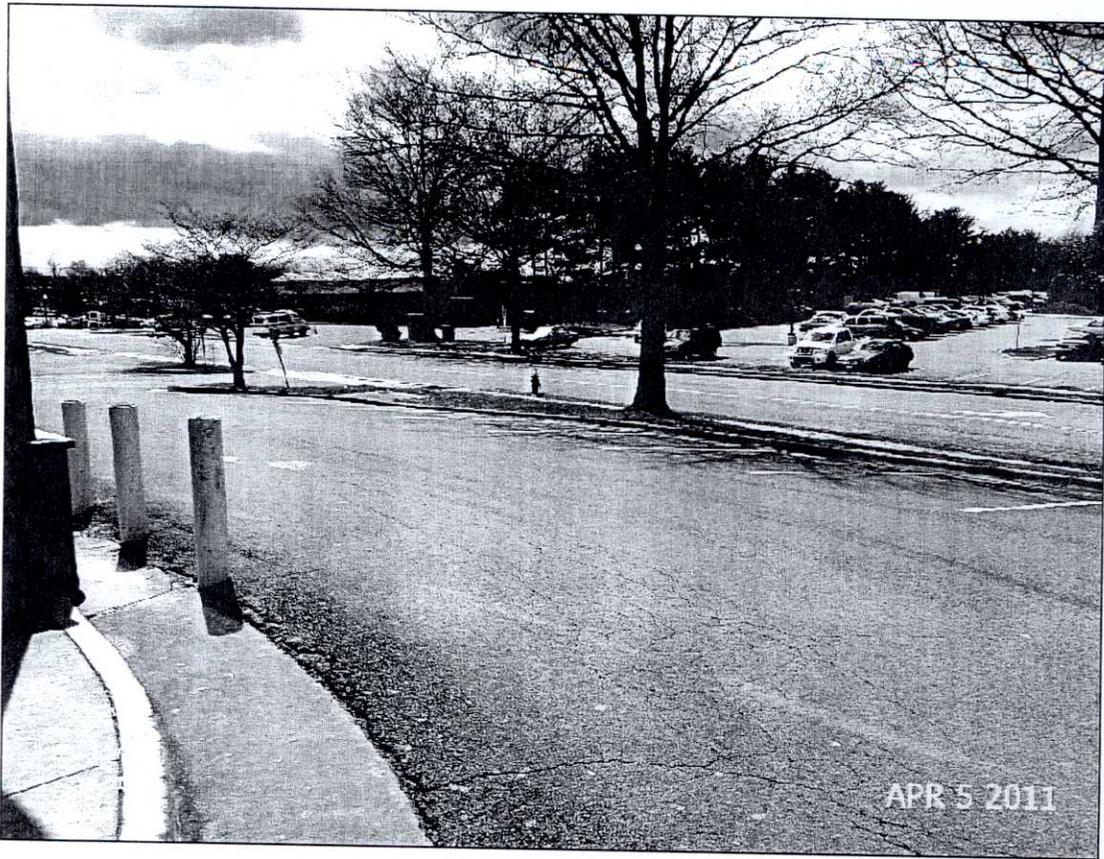
PICTURE-24



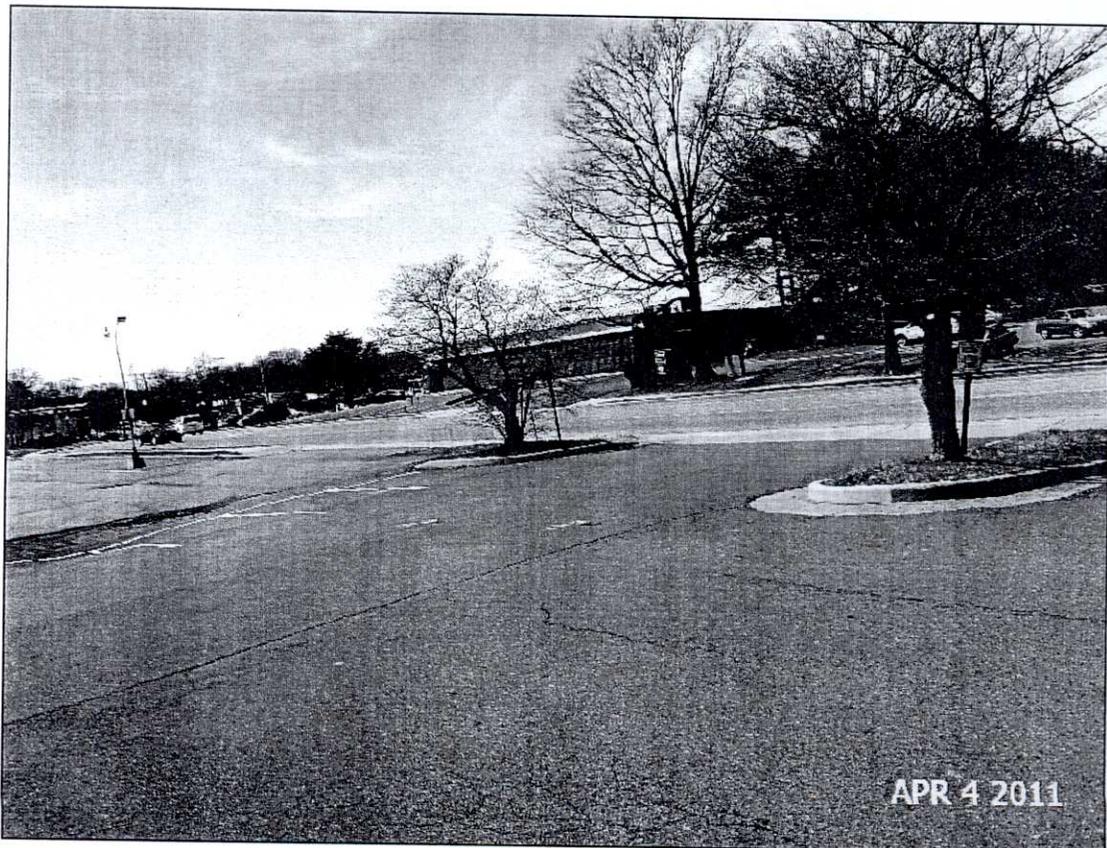
PICTURE-25



PICTURE-26



PICTURE-27



PICTURE-28

## DESCRIPTION OF THE APPLICATION

**Special Permit Request:** To permit a Group 5, Commercial Recreation Use (karaoke)

### PROPOSED

Site Size:	3.13 acres*
Unit Size:	7,170 square feet
Parking:	211 spaces**
Seats:	156 table and room seats and 14 bar stools
Hours of Operation:	11:00 a.m. – 2:00 a.m., Daily
Employees:	10 employees

\*The entire site of the shopping center is applied.

\*\*206 parking spaces are required for all uses on the site with a reduction permitted in a CRD, based on a parking tabulation approved by Department of Public Works and Environmental Services (DPWES) on May 16, 2011. 211 parking spaces are currently provided on the site.

## LOCATION AND CHARACTER

### Existing Site Description

The subject site is located at the intersection of Markham Street and Annandale Road in the Annandale Community Business Center. The 3.13 site is zoned C-6, Commercial Revitalization District (CRD), Highway Corridor Overlay District (HC) and Sign Control Overlay District (SC) and is developed with a two-story, 54,480 square foot shopping center and 211 parking spaces. The shopping center currently has offices, restaurants, and retail establishments. Most of the parking spaces are located in front of the building, and there is a row of parking at the rear of the building. There are mature trees around the periphery of the site and within the asphalt parking lot in landscape islands. There are two (2) ingress/egress access points to the site via Markham Street. Notwithstanding what is shown on the plat, there are four (4) dumpsters currently located in the southeast corner of the site, and one (1) small grease dumpster remains within the parking area.

### Surrounding Area Description

Direction	Use	Zoning
North	Multiple family dwellings (Parliament Village)	R-20
South	Commercial Recreation Use (AMF Annandale Lanes)	PDC
East	Commercial uses	C-3
West	Multiple family dwellings (Parliament Village)	R-30

### BACKGROUND

#### Site History

In November 2010, a Declaratory Judgment and Injunctive Relief was awarded by the Circuit Court of Fairfax County to cause the karaoke use to cease following a lack of response to a Notice of Violation (NOV), which was issued on August 18, 2010. The NOV was issued for a lack of a special permit for the karaoke use and for the use's violation of the Non-RUP's limits on seating and the number of employees. The Non-RUP, dated August 3, 2010, was issued for an eating establishment limited to 133 seats and 6 employees. A copy of the NOV is attached as Appendix 4.

Special Permit SP 95-M-067 was approved by the BZA on January 16, 1996 for a commercial indoor recreation use in a different unit in the same building. This use has since expired.

RZ 1998-MD-037 was approved by the Board of Supervisors on October 12, 1998 to incorporate the subject property into the CRD.

### ANALYSIS

**Special Permit Plat** (Copy at front of staff report)

**Title of SP Plat:** Site Plan & Parking Tabulation

**Prepared By:** George Ira Worsley Jr. & Associates

**Dated:** February 1, 2011

**Special Permit Plat and Proposed Use:**

The plat, dated February 1, 2011, is comprised of three (3) sheets. Sheet 1 shows the site plan and a parking tabulation summary of the existing eating establishment and proposed karaoke use. Sheet 2 includes a general floor plan of the shopping center and a detailed parking tabulation of all of the current uses in the building. A detailed floor plan of the existing eating establishment and proposed karaoke use is included on Sheet 3.

The applicant proposes a karaoke use with an existing eating establishment within a 7,170 square foot two-story unit at the end of the shopping center. 1,680 square feet will be used for karaoke, and the rest of the space, 5,490 square foot, is for the eating establishment. The kitchen and a bar area is located on the ground floor, and the main seating area and another bar area and eight (8) proposed karaoke rooms are on the second floor. The karaoke use operated previously without a special permit, but it has not been in operation since November 2010. The eating establishment, which is a Japanese restaurant, is still in operation. The proposed hours of operation for the karaoke use are 11:00 a.m. to 2:00 a.m. daily. Each of the rooms will have approximately 7 seats, and there will be four (4) employees for the karaoke use. The eating establishment and karaoke will have 156 table and room seats, 14 bar stools, and 10 employees total. Food and beverages will be served in the karaoke rooms.

**Land Use Analysis:**

The subject site is located in Sub-Unit A-2 in the Annandale Community Business Center (CBC). The Comprehensive Plan's recommendation for the sub-unit is for residential, commercial or mixed-use development. Full consolidation of the entire sub-unit is recommended as an incentive development option. The addition of a commercial recreation use (karaoke) does not conflict with neighboring commercial uses in the shopping center and complies with the redevelopment option for the area.

**Office of Community Revitalization and Reinvestment Analysis (Appendix 6)**

Staff had concerns regarding a sufficient amount of parking on site for the existing and proposed uses and asked the applicant to confirm the required number of spaces. 51 parking spaces will be required for the eating establishment with karaoke, and approximately 257 parking spaces are required for all of the current uses on the site. The applicant did not apply the shopping center rate to the applicable uses (offices and eating establishments are exempt); instead, each use is calculated separately at the rate of the actual commercial use, such as retail, office and eating establishment. Though the parking tabulation lists an "eating establishment" in lieu of the proposed karaoke, eating establishments and commercial recreation uses are parked at the same rate. Additionally, in a Commercial Revitalization District, a 20% reduction for required parking spaces is permitted, and a recent parking tabulation was approved by DWPEs

on May 16, 2011 with a 20% reduction for 206 required parking spaces. 211 parking spaces are provided on the site, as shown on the plat.

### **Fairfax County Department of Transportation (Appendix 7)**

This has been an existing use in a shopping center and the department has no transportation issues with this application.

The other applicable memos are attached as Appendices 8 and 9. The request for proposed karaoke with an existing eating establishment in a commercial building does not trigger most recommended modifications, as suggested by VDOT and UFM. Staff recommends other applicable development conditions to lessen any possible impacts of the requested use. The Department of Code Compliance (DCC) noted that restaurant and/or karaoke patrons would use the fire escape at the rear of the building to congregate, and staff recommends a development condition to prohibit non-emergency use of the fire escape.

## **ZONING ORDINANCE PROVISIONS**

### **Special Permit Requirements (See Appendix 11)**

- \* General Special Permit Standards (Sect. 8-006)
- \* Group Standards for All Group 5 Uses (Sect. 8-503)

#### General Special Permit Standards (Sect. 8-006)

Staff believes that the application for the addition generally meets all of the eight (8) General Special Permit Standards, particularly Standard 3. The applicant is proposing karaoke in an existing eating establishment, which is in a commercial building, and no new construction is proposed. The adjacent tenant spaces are commercial uses, and the shopping center is located within an area of mixed residential and commercial uses. Parking was a key issue since there are various uses within the shopping center, and the proposed use would generate more trips and parking demand, particularly during evenings and the weekend. Based on the parking tabulation, there is sufficient parking on site for all of the uses on site, including the proposed karaoke use.

#### Group 5 Standards (Sect. 8-503)

The Group 5 Standards require that the proposed use comply with the lot size and bulk regulations for the C-6 District, comply with the performance standards and satisfy site plan review. The site met these requirements at the time of site plan approval, and no site modifications are proposed.

### **Summary of Zoning Ordinance Provisions**

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

### **CONCLUSIONS AND RECOMMENDATIONS**

Staff concludes that the subject application is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions with the implementation of the Proposed Development Conditions contained in Appendix 1 of the Staff Report.

### **APPENDICES**

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Notice of Violation
5. Approved Parking Tabulation dated April 12, 2011
6. Office of Commercial Revitalization and Reinvestment (OCRR) Analysis
7. Fairfax County Department of Transportation Analysis
8. Applicable Zoning Ordinance Provisions Checklist

**PROPOSED DEVELOPMENT CONDITIONS****SP 2011-MA-028****June 15, 2011**

If it is the intent of the Board of Zoning Appeals to approve SP 2011-MA-028 located at Tax Map 71-1 ((20)) 3 to permit a commercial recreation use under Section 8-503 to the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant only, Wara Wara Inc. T/A Wara Wara Karaoke & Pub Restaurant, and is not transferable without further action of this Board, and is for the location indicated on the application, 4231-R Markham Street, and is not transferable to other land.
2. This special permit is granted only for the purpose(s), structures and/or use(s) indicated on the special permit plat prepared by George Ira Worsley, Jr. & Associates, dated February 1, 2010, approved with this application, as qualified by these development conditions.
3. A copy of this special permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This special permit is subject to the provisions of Article 17, Site Plans. Any plan submitted to the Department of Public Works and Environmental Services (DPWES) pursuant to this Special Permit shall be in substantial conformance with these conditions. Minor modifications to the approved Special Permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.
5. The commercial recreation use (karaoke) shall be limited to 7,170 square feet, as delineated on the floor plan prepared by George Ira Worsley, Jr. & Associates, dated February 1, 2011, included as Attachment 1. The maximum number of seats for the karaoke use shall be 56 seats.
6. The maximum hours of operation of the karaoke use shall be limited to 11:00 a.m. to 2:00 a.m. daily.
7. The number of required parking spaces shall be provided in conformance with the provisions of Article 11 of the Zoning Ordinance, as determined by the Department of Public Works and Environmental Services (DPWES).

8. The use shall be open to inspection by all departments of the County of Fairfax during the hours of operation.
9. No further additions or expansion to the karaoke rooms shall be permitted without approval of an amendment to the special permit.
10. Assembling on the fire escape outside of emergency use shall be prohibited.
11. All signage shall be in conformance with Article 12 of the Zoning Ordinance.
12. The applicant shall police the premises and surrounding parking area for trash and debris on a regular basis.

This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.



**PROJECT**  
 NAME: PARKING GARAGE  
 LOCATION: 428 HARBOR BL  
 FARMERS VA BLDG  
 TAX DISTRICT: STONE  
 TAX MAP: 8711 BR 002  
 ZONING: C-4  
 DISTRICT NAME: DISTRICT  
 LAND AREA: 14,300 SF

**REVISION**

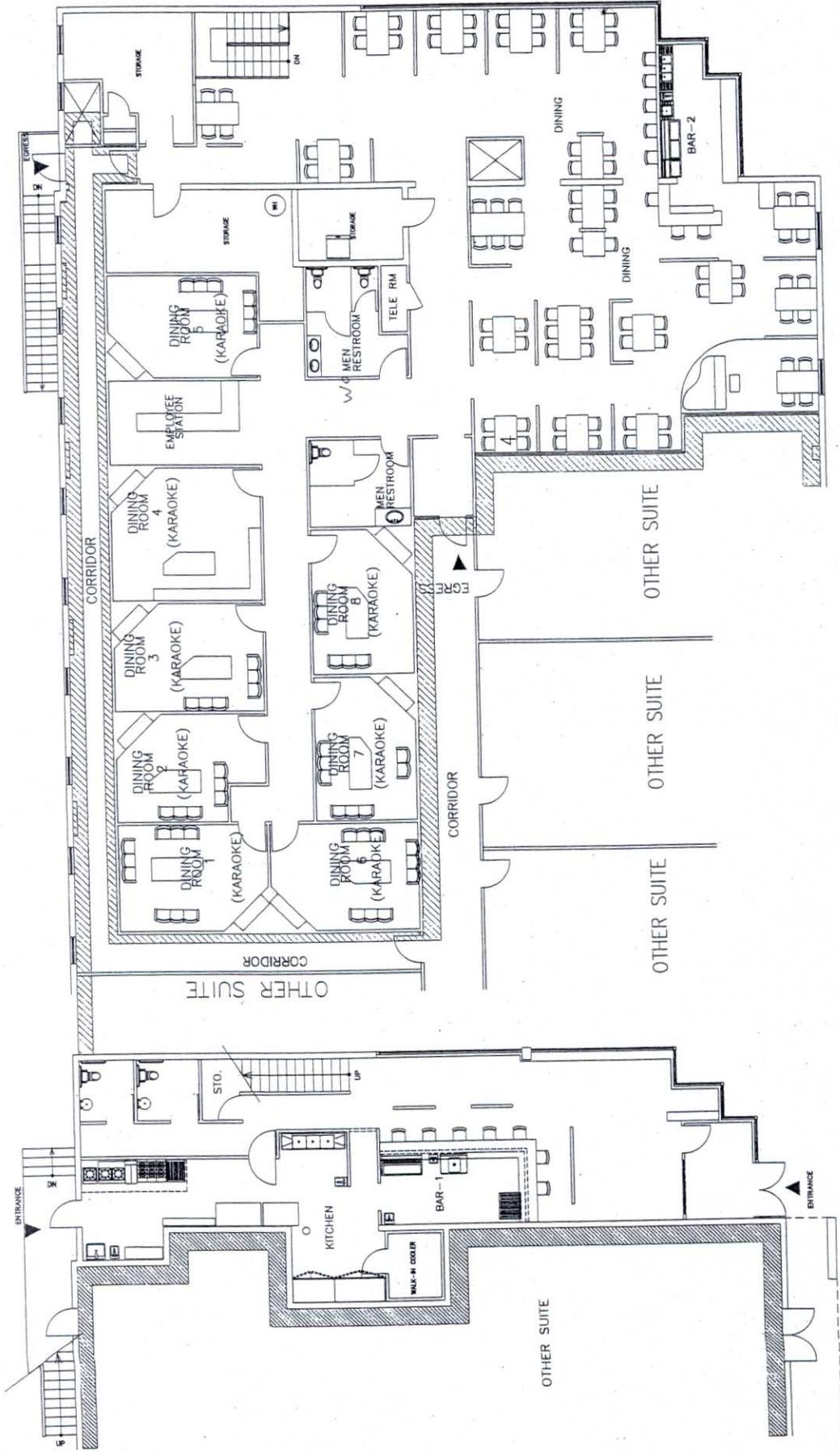
NO	REVISIONS	DATE

**DESIGN**  
 PROJECT: 2-224  
 DRAWN BY: MATTHEW  
 REVIEWED BY:  
 DATE: 2-01-2011  
 SCALE: 3/16" = 1'-0"

**SHEET DESCRIPTION**  
 EXISTING  
 CONDITIONS  
 EXHIBIT

**1ST & 2ND FLOOR PLAN**

**SHEET NUMBER**  
 3 OF 3



2ND FLOOR PLAN (AS BUILT PLAN)  
 SCALE: 3/16" = 1'-0"

1ST FLOOR PLAN (AS BUILT PLAN)  
 SCALE: 3/16" = 1'-0"

ALL EXISTING (REFERENCE ONLY) UNLESS OTHERWISE NOTED

Application No.(s): SP 2011-MA-028  
 (county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: April 14, 2011  
 (enter date affidavit is notarized)

I, Mi Kyung kim, do hereby state that I am an  
 (enter name of applicant or authorized agent)

(check one)  applicant 111068a  
 applicant's authorized agent listed in Par. 1(a) below

and that, to the best of my knowledge and belief, the following 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.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Wara Wara, Inc, t/a Wara Wara Karaoke & Pub Restaurant	4231 R Markham street Annadale VA 22003	APPLICANT/LESSEE
Mi Kyung Kim	(same)	AGENT
Katie K. Woo	13 Summit Ridge Court Germantown MD 20874	AGENT/PLANNER
Sang Yong Choi L.C.	7510 Lee Chapel Road Fairfax Station VA 22039	TITLE OWNER/LESSOR
Bog N. Choi	(same)	AGENT FOR TITLE OWNER/LESSOR

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

Application No.(s): SP 2011-MA-028  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: April 14, 2011  
(enter date affidavit is notarized)

111068a

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

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

**CORPORATION INFORMATION**

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
WARA WARA INC.  
4231 R MARHAM STREET  
ANNANDALE VA 22003

**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)  
MI KYUNG KIM

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

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

Special Exception Attachment to Par. 1(b)

DATE: April 14, 2011  
(enter date affidavit is notarized)

111068a

for Application No. (s): SP 2011-MA-028  
(enter County-assigned application number (s))

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

SANG YONG CHOI L.C.  
7510 LEE CHAPEL ROAD  
FAIRFAX STATION VA 22039

**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)

BOG N. CHOI

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

**DESCRIPTION OF CORPORATION:** (check one statement)

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

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

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

Application No.(s): SP 2011-MA-028  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: April 14, 2011  
(enter date affidavit is notarized)

111068a

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)

N/A

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

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

(check if applicable)  There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance 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.

Application No.(s): SP 2011-MA-028  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: April 14, 2011  
(enter date affidavit is notarized)

111 068a

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 Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

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

NONE

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

Application No.(s): SP 2011-MA-028  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: April 14, 2011 11068a  
(enter date affidavit is notarized)

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

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

NONE

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

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

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

WITNESS the following signature:

(check one)  Applicant  Applicant's Authorized Agent  
MI KYUNG KIM  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 14 day of April 2011, in the State/Comm. of VA, County/City of Fairfax.

My commission expires: 3/31/2014



Application No.(s): SP 2011-MA-028  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: April 14, 2011  
(enter date affidavit is notarized)

I, Mi Kyung kim, 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      111068a

and that, to the best of my knowledge and belief, the following 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.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Wara Wara, Inc, t/a Wara Wara Karaoke & Pub Restaurant	4231 R Markham street Annadale VA 22003	APPLICANT/LESSEE
Mi Kyung Kim	(same)	AGENT
Katie K. Woo	13 Summit Ridge Court Germantown MD 20874	AGENT/PLANNER
Sang Yong Choi L.C.	7510 Lee Chapel Road Fairfax Station VA 22039	TITLE OWNER/LESSOR
Bog N. Choi	(same)	AGENT FOR TITLE OWNER/LESSOR

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

Application No.(s): SP 2011-MA-028  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: April 14, 2011  
(enter date affidavit is notarized)

111068a

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

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

**CORPORATION INFORMATION**

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
WARA WARA INC.  
4231 R MARHAM STREET  
ANNANDALE VA 22003

**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)  
  
MI KYUNG KIM

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

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

Special Exception Attachment to Par. 1(b)

DATE: April 14, 2011  
(enter date affidavit is notarized)

111068a

for Application No. (s): SP 2011-MA-028  
(enter County-assigned application number (s))

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

SANG YONG CHOI L.C.  
7510 LEE CHAPEL ROAD  
FAIRFAX STATION VA 22039

**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)

BOG N. CHOI

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

**DESCRIPTION OF CORPORATION:** (check one statement)

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

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

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

Application No.(s): SP 2011-MA-028  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: April 14, 2011  
(enter date affidavit is notarized)

111068a

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)

N/A

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

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

(check if applicable)  There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance 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.

Application No.(s): SP 2011-MA-028  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: April 14, 2011  
(enter date affidavit is notarized)

111 068a

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 Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

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

NONE

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

Application No.(s): SP 2011-MA-028  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: April 14, 2011  
(enter date affidavit is notarized)

111068a

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

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

NONE

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

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

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

WITNESS the following signature:

(check one)  Applicant  Applicant's Authorized Agent

MI KYUNG KIM  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 14 day of April 2011, in the State/Comm. of VA, County/City of Fairfax.

My commission expires: 3/31/2014



SPECIAL PERMIT  
 STATEMENT OF JUSTIFICATION  
 FOR A COMMERCIAL RECREATION USE  
 Wara Wara Inc.  
 T/A Wara Wara Karaoke & Pub restaurant

RECEIVED  
 Department of Planning & Zoning

FEB 08 2011

Zoning Evaluation Division

Feb 7, 2011

Department of Planning and Zoning  
 Fairfax county  
 12055 Government Center Parkway Suite 801  
 Fairfax, VA 22035

Re: Special Permit For Commercial Recreation Use  
 On TAX MAP 0711-20-0003  
 4231-R Markham St.  
 Annandale VA 22003  
 Wara Wara Restaurant  
 Zoned: C-6, CRD  
 The Annandale Community Business Center  
 Commercial Revitalization District

Dear Officer,

The Following is submitted as a statement of justification for the above references Special Permit. The owner of Wara Wara Karaoke & pub restaurant opened July 28,2010 for business. 8 private rooms were constructed separate from the main dining area. The 8 private rooms consist of a booth, chairs with seating for approximately 7 people and Karaoke equipment at each room.

Customer occupants of karaoke I am submitting are 56. Employees of Karaoke are 4. Customers may use the Karaoke rooms on reservation only basis. Food and drinks will served by restaurant employee in the private rooms. A sufficient number of parking space is provided the parking requirements for the restaurant and commercial Recreation Use.

## BACKGROUND FACTS

One approved Special permit for Karaoke (Same use as I propose) was in the same building from 1995 to 2010. the address was 4231 H Markham St. The space for Karaoke use was 2,500SF. And permit# was SP-95-M-067. That no longer exists.

On Aug. 25 2010, The proposed tenant has notice of violation for commercial recreation use without special permit. ( Please see attached on separate paper.) The previous tenant of 4231 R markham st. run the business including karaoke before. The Wara Wara Inc. didn't verify what exactly required from Fairfax county.

When this business obtained building permit, #90210256, The business opened July 28 2010.

SPECIAL PERMIT  
STATEMENT OF JUSTIFICATION  
FOR A COMMERCIAL RECREATION USE  
Wara Wara Inc.  
T/A Wara Wara Karaoke & Pub restaurant

### STRUCTURAL ALTERATIONS

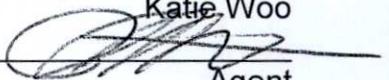
There is no changes to structural, interior, & exterior alteration of building.  
There is approximately 1680 square feet used for this purpose among 7170 square feet of wara wara karaoke & pub restaurant, tenant space area.

### DESCRIPTION OF THE USE

- A. Type of Operations: Commercial Recreation Use consisting of Eight (8) Karaoke rooms.
- B. Hours of Operation: 11AM to 2AM for 15 hours
- C. Estimated Number of Patrons: Peak usage is on Friday and Saturday nights will be serve approximately 230 patrons.
- D. Proposed Number of Employees: The Restaurant has 10 employees.  
And designated employees for Karaoke is 4.
- E. Estimate of Traffic Impact: There will be little or no a.m. or p.m. peak hour trips generated. Evening and late night trips will be average approximately 170 trips for an nine (9) hour time frame for business hour.
- F. Vicinity or General area to be served: Annandale and 5 mile radius.
- G. Description of Building Façade: Existing restaurant has a Brick, wood & window façade.
- H. No Known hazardous substances to be used or stored on site.
- I. The proposed use conforms to the previous of all applicable ordinances. The restaurant and Commercial Recreation Use will utilize the Commercial Revitalization District's 20% reduction in required off-street parking.  
Total parking space for tenant space (before 20% reduction) is 51.  
The parking for the proposed use (before 20% reduction) is 16 including 2 space for employees.

It is hereby requested that the submission requirements for a Special Permit Plat be waived. Existing condition of site plan for entire building is provided. The commercial recreation use requires no external changes to the existing restaurant. In lieu of a plat, the applicant has submitted copies of the architectural floor plan and site plans. The parking tabulation is update per current CRD regulation, 20% reduction of parking, and will be applied at the same time with this Special permit.

Respectfully submitted,  
Katie Woo



Agent

13 Summit Ridge Ct.  
Germantown Maryland 20874  
Phone: 703-598-1871  
Fax: 703-436-8166  
Email: wookh@hotmail.com

Cc: Mi Kim



# County of Fairfax, Virginia

## FILE COPY

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County.

### NOTICE OF VIOLATION

**DATE OF ISSUANCE:** August 18, 2010

**CERTIFIED MAIL #:** 70101060000216489878

**CASE #:** 201004667 **SR#:** 63155

**SERVE:** Sang Y Choi, LC  
7510 Lee Chapel Road  
Fairfax Station, VA 22039

**LOCATION OF VIOLATION** 4231R Markham Street  
Annandale, VA 22003-0000  
Tax Map #: 71-1 ((20)) 3  
Zoning District: C-6

Dear Responsible Party:

An inspection of the above referenced property on August 13, 2010 revealed the following violations of the Fairfax County Zoning Ordinance.

#### § 18-701 Non Residential Use Permit:

An inspection of the property has revealed that Wara Wara Karaoke Pub is occupying the above-referenced property in violation of the conditions of the issued Non-Residential Use Permit (Non-RUP). The Non-RUP restricts the number of seats to 133 and 6 employees. It was determined at the time of inspection there were twenty (20) employees and approximately 150-159 customers present. Therefore, you are in violation of Sect. 18-701 of the Fairfax County Zoning Ordinance which states:

No occupancy or use shall be made of any structure hereinafter erected or of any premises hereinafter improved, and no change in use shall be permitted, unless and until a Residential or Non-Residential Use Permit has been approved in accordance with the provisions of this Part. A Residential or Non-Residential Use Permit shall be deemed to authorize and is required for both the initial and continued occupancy

Sang Y Choi, LC  
August 18, 2010  
Page 2

SP 95-M-067  
(original SP to permit  
Karaoke use)

and use of the building or land to which it applies.

Further, the inspection revealed that the Karaoke use in a C-6 zoned district requires a special permit for commercial recreational use. A review of Fairfax County records reveals no special permit issued at this location for a commercial recreation use (Karaoke). Therefore, you are in violation of Par. 1 of Sect. 2-303 of the Fairfax County Zoning Ordinance which states:

No use of a structure or land that is designated as a special permit use in any zoning district shall hereafter be established, and no existing use shall hereafter be changed to another use that is designated as a special permit use in such district, unless a special permit has been approved by the BZA and the use has been established in accordance with the provisions of Article 8.

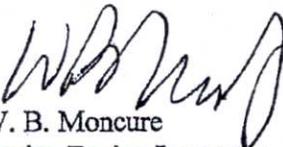
You are hereby directed to clear this violation within thirty (30) days of the date of this Notice. Compliance can be accomplished by either vacating the premises or complying with the required Non-RUP within thirty (30) days of the date of this Notice.

A follow-up inspection will be made at the expiration of the time period outlined in this Notice. Failure to comply with the Notice will result in the initiation of appropriate legal action to gain compliance with the Zoning Ordinance.

You may have the right to appeal this Notice of Zoning Violation within thirty (30) days of the date of this letter in accordance with Sec. 15.2-2311 of the Code of Virginia. This decision shall be final and unappealable if it is not appealed within such thirty (30) days. Should you choose to appeal, the appeal must be filed with the Zoning Administrator and the Board of Zoning Appeals (BZA) in accordance with Part 3 of Article 18 of the Fairfax County Zoning Ordinance. Those provisions require the submission of an application form, a written statement setting forth the decision being appealed, the date of decision, the grounds for the appeal, how the appellant is an aggrieved party and any other information that you may wish to submit and a \$2455.00 filing fee. Once an appeal application is accepted, it will be scheduled for public hearing and decision before the BZA.

Should you have any questions or need additional information, please do not hesitate to contact me at (703)324-1335 or 703-324-1300.

Sincerely,

  
W. B. Moncure  
Senior Zoning Inspector

WBM/

1/4

FEE: \$770.00

PROPOSED SITE PLAN USE AND PARKING TABULATION REVISION

Engineer: George IRA Worsley Address: 4231 Markham St. Phone #: 703-598-1871  
 Plan Name: C-6. CRD Original Site Plan #: SP-0995 Tax Map #: 071-20-0003  
 Zoning: C-6. CRD Rezoning Case #: SP-0995 Profitted: [ ] Yes [ ] No

ADDRESS	LIST EACH FLOOR (Include basement)	SUITE #	USE (See Notes 2, 3 and 4 below)	PERMITTED BY			SQUARE FEET GROSS FLOOR AREA	SQUARE FEET NET FLOOR AREA	# SEATS AND/OR STOOLS	# COMPANY VEHICLES	# SERVICE BAYS	# OF EMPLOYEES	# STUDENTS	OTHER	PARKING RATE REQUIRED below PER CODE (See Note 5)	TOTAL PARKING SPACES REQUIRED FOR THIS USE
				RIGHT	SPECIAL PERMIT	SPECIAL EXCEPTION										
4231-A	1	A, B	EATING ESTAB			2970	65				4			16.25 Z	18.25	
4231-C	1	C	RETAIL			1600								E	6.68	
4231-D	1	D	EATING ESTAB			1600	23				2			5.75 A	6.8	
4231-E	1	E	EATING ESTAB			1600	48				6			12 A	15	

(If additional space is required use Page 2)

NUMBER OF ACCESSIBLE SPACE(S) PROVIDED: 7 + VAN ACCESSIBLE SPACE(S) PROVIDED: 7  
 (The total number of parking spaces, including accessible parking spaces, available and useable for vehicular parking on the area covered by this site plan (See Note 6 below))

TOTAL ACCESSIBLE PARKING SPACE(S) on site per ADA Act and VUSBC (See Note 6 below): 14  
 TOTAL PARKING SPACE(S) PROVIDED: 211

COUNTY OF FAIRFAX 20% CRD REDUCTION: 205.340  
 APPROVED  
 COUNTY OF FAIRFAX 20% CRD REDUCTION: 205.340  
 ENVIRONMENTAL AND SITE REVIEW DIVISION  
 Total Required for Entire Site plan = 206

BY: George I. Worsley DATE: 5/16/11  
 Signature: [Signature] Date: 5/16/11

Certified Correct (Applicant) Engineer's Signature: George I. Worsley  
 County Approval by: Sang Yong Choi L.C.  
 Property Owners, Landlords, Condominium Association - Concurrence with Tabulation  
 Print Name & Title (include company name when appropriate): Sang Yong Choi L.C.

Submit to: Land Development Services, Plan and Document Control, 12055 Government Center Parkway, Suite 506 Fairfax, Virginia 22035-5503  
 RETIRED FORM (7/2009)

Parking Rate =  
 A = Eating Estab. OR COMMERCIAL Recreation Use Restaurant.  
 1 SP / 4 seats + 1 SP / 2 EMP.  
 B = Eating Estab.  
 1 SP / 2 stool + 1 SP / 2 EMP.  
 C = office  
 3.6 SP / 1000 GSF.  
 D = Personal Service  
 1 SP / 200 GSF.  
 E = RETAIL  
 1 SP / 200 NSF + 6 SP / EA AREA 1000 NSF.

Professional Engineer Seal for George I. Worsley, Jr. Lic. No. 3843. The seal includes the text 'PROFESSIONAL ENGINEER' and 'STATE OF VIRGINIA'.

Number of copies required: One (1) original with Engineer's Seal, Signature and date, plus four (4) copies.

2/4

PROPOSED SITE PLAN USE AND PARKING TABULATION REVISION

Engineer: George IRA Worsley Address: 4231 Markham St. Phone #: 703-598-1871  
 Plan Name: C-6. CRD Original Site Plan #: SP-0995 Tax Map #: OTH-20-0003  
 Zoning: C-6. CRD Rezoning Case #:  Preferred:  Yes  No Proffered Use Restrictions (See Note 1 below)

ADDRESS	LIST EACH FLOOR (include basement)	SUITE #	USE (See Notes 2, 3 and 4 below)	USE PERMITTED BY			SQUARE FEET GROSS FLOOR AREA	SQUARE FEET NET FLOOR AREA	# SEATS AND/OR STOOLS	# COMPANY VEHICLES	# SERVICE BAYS	# OF EMPLOYEES	# STUDENTS	OTHER	PARKING RATE REQUIRED PER CODE (See Note 5 below)	TOTAL PARKING SPACES REQUIRED FOR THIS USE
				RIGHT	SPECIAL PERMIT	SPECIAL EXCEPTION										
4231-F	1	F.G	OFFICE			3200								C	11.5	
4231-H	1	H.J	EATING ESTAB.			2872	66				4			A 2	18.5	
4231-K	1	K	PERSONAL SERVICE			1600								D	8	
4231-L	1	L	EATING ESTAB.			1600	60				4			A 2	17	
4231-M	1	M	RETAIL			1600	1280							E	6.68	
4231-N	1	N.P	EATING ESTAB.			3200	70				4			A 2	19.5	
4231-Q	1	Q	RETAIL			1370	1280							E	6.68	
4231-R	1,2	R	EATING ESTAB.			5490	100				6			A 25	35.00	
4231-R	2	R	EATING ESTAB.			1680	14							B 3	16.00	
4231-#200	2	200	office			1015								C	3.65	

GEORGE I. WORSLEY, JR.  
 Lic. No. 3343  
 PROFESSIONAL ENGINEER

Enter Totals on Sheet 1 of 2. Number of copies required: One (1) original copy with Engineer's Seal and Signature, plus four (4) copies.

3/4

PROPOSED SITE PLAN USE AND PARKING TABULATION REVISION

Engineer: George IRA Worsley Address: 4231 Markham St. Phone #: 703-598-1871  
 Plan Name: C-6, CRD Original Site Plan #: SP-0995 Tax Map #  
 Zoning: C-6, CRD Rezoning Case #: Profited: [ ] Yes [ ] No Profited Use Restrictions (See Note 1 below)

ADDRESS	LIST EACH FLOOR (include basement)	SUITE #	USE (See Notes 2, 3 and 4 below)	USE PERMITTED BY			SQUARE FEET GROSS FLOOR AREA	SQUARE FEET NET FLOOR AREA	# SEATS AND/OR STOOLS	# COMPANY VEHICLES	# SERVICE BAYS	# OF EMPLOYEES	# STUDENTS	OTHER	PARKING RATE REQUIRED PER CODE (See Note 5 below)	TOTAL PARKING SPACES REQUIRED FOR THIS USE
				RIGHT	SPECIAL PERMIT	SPECIAL EXCEPTION										
4231 - # 201	2	201	office				520							C	1,87	
4231 - # 203	2	203	office				1018							C	3,66	
4231 - # 204	2	204	RETAIL				800							E	4	
4231 - # 205	2	205	office				760							C	2,73	
4231 - # 206	2	206	office				494							C	1,78	
4231 - # 207	2	207	office				760							C	2,73	
4231 - # 208	2	208	office				397							C	2,70	
4231 - # 209	2	209	office				760							C	2,73	
4231 - # 210	2	210	RETAIL				900	780						E	3,90	
4231 - # 211	2	211	office				2100							C	7,56	

STATE OF FLORIDA  
 DEPARTMENT OF HEALTH  
 PROFESSIONAL ENGINEER  
 GEORGE I. WORSLEY, JR.  
 Lic. No. 3343

Enter Totals on Sheet 1 of 2. Number of copies required: One (1) original copy with Engineer's Seal and Signature, plus four (4) copies.

4/4.

PROPOSED SITE PLAN USE AND PARKING TABULATION REVISION

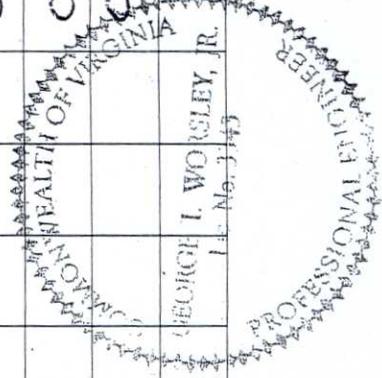
703-578-1871

4231 Markham St.

George IPA Worsley

Engineer: C-61 CRD      Original Site Plan #: SP-0995      Tax Map # \_\_\_\_\_  
 Plan Name: \_\_\_\_\_      Address: \_\_\_\_\_      Proffered:  Yes  No      Proffered Use Restrictions (See Note 1 below) \_\_\_\_\_  
 Zoning: \_\_\_\_\_      Rezoning Case #: \_\_\_\_\_

ADDRESS	LIST EACH FLOOR (include basement)	SUITE #	USE (See Notes 2, 3 and 4 below)	USE PERMITTED BY			SQUARE FEET GROSS FLOOR AREA	SQUARE FEET NET FLOOR AREA	# SEATS AND/OR STOOLS	# COMPANY VEHICLES	# SERVICE BAYS	# OF EMPLOYEES	# STUDENTS	OTHER	PARKING RATE REQUIRED PER CODE (See Note 5 below)	TOTAL PARKING SPACES REQUIRED FOR THIS USE
				RIGHT	SPECIAL PERMIT	SPECIAL EXCEPTION										
4231 - # 214	2	214	office				1306								C	470
4231 - # 215	2	215	office				2110								C	760
4231 - # 217	2	217	office				800								C	288
4231 - # 219	2	219	office				1150								C	414
4231 - # 222-A	2	222-A	office				884								C	318
4231 - # 222-B	2	222-B	office				500								C	180
4231 - # 223	2	223	office				588								C	211
4231 - # 224	2	224	office				1200								C	432
4231 - # 226-A	2	226-A	office				1200								C	432
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]				[REDACTED]									



Enter Totals on Sheet 1 of 2. Number of copies required: One (1) original copy with Engineer's Seal and Signature, plus four (4) copies.



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** May 12, 2011

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

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

**SUBJECT:** Wara Wara Restaurant – Comments on SP 2011-MA-028

The Office of Community Revitalization and Reinvestment (OCRR) has reviewed the above referenced Special Permit application marked "Accepted" by the Department of Planning and Zoning on January 26, 2011.

The applicant is requesting a Special Permit to allow for the operation of a restaurant with karaoke at 4231-R Markham Street, within the Annandale Commercial Revitalization District. A request for a parking reduction is also included. The application does not propose any changes to the exterior of the building.

OCRR Comments:

The applicant should confirm the parking tabulation and provide justification for the parking reduction request. If necessary, the opportunity for shared parking with adjacent properties could be explored. Further, the proposed use should confirm compliance with all applicable codes and regulations to ensure the safety and welfare of users and the adjacent businesses.

**CC:** Susan C. Langdon, Chief, Special Permit and Variance Branch  
Brenda Cho, Staff Coordinator, DPZ/ZED  
OCRR File



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



## County of Fairfax, Virginia

**MEMORANDUM**

DATE: May 9, 2011

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

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

**FILE:** 3-6 (SP 2011-MA-028)

**SUBJECT:** Transportation Impact

**REFERENCE:** SP 2011-MA-028; Wara Wara Karaoke & Pub Restaurant  
Traffic Zone: 1412  
Land Identification: 71-1 ((20)) 0003

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on the plat made available to this office dated February 1, 2010. The applicant wishes to have a commercial recreation use consisting of a restaurant and eight karaoke rooms.

This has been an existing use in a shopping center and this department has no transportation issues with this application.

AKR/LAH/lah

## ZONING ORDINANCE PROVISIONS

### 8-006 General Standards

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

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

### 8-503 Standards for all Group 5 Uses

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

1. All uses shall comply with the lot size and bulk regulations of the zoning district in which located, except as may be qualified below.
2. All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan as may be required by Part 9 of Article 14.
3. No building designed primarily and specifically for such use shall be located within 100 feet of any adjoining property which is in an R district.
4. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.