



**APPLICATION ACCEPTED:** June 25, 2010  
**AMENDED:** April 14, 2011  
**PLANNING COMMISSION HEARING:** October 6, 2011  
**BOARD OF SUPERVISORS:** October 18, 2011 @ 3:30 pm

# County of Fairfax, Virginia

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September 21, 2011

## STAFF REPORT

### SPECIAL EXCEPTION APPLICATION SE 2010-MA-015

### MASON DISTRICT

<b>APPLICANT:</b>	Quarles Petroleum, Inc.
<b>ZONING:</b>	I-6
<b>PARCEL(S):</b>	80-2 ((1)) 38A
<b>ACREAGE:</b>	2.34 acres
<b>FAR:</b>	0.0006
<b>PLAN MAP:</b>	Industrial; 0.25-0.50 FAR
<b>SE CATEGORY:</b>	Category 5- Service Station
<b>PROPOSAL:</b>	To permit an automated self-serve petroleum and diesel (with option for natural gas in a second phase) service station.

### STAFF RECOMMENDATIONS:

Staff recommends approval of SE 2010-MA-015, subject to the proposed development conditions in Attachment 1.

Staff recommends approval of a waiver of the additional standards in Sect. 9-505 Par. (a), requiring that the service station be an integral design element of a site plan for an industrial building or building complex containing no less than 30,000 square feet.

**R. Horner**

Staff recommends approval of a waiver of the additional standard in Sect. 9-505 Par. (d), which provides that a building permit shall not be approved unless the related industrial building permit has been approved.

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

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

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

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

*O:\rhorner\Special Exceptions\SE 2010 MA 015\Staff Report Cover Quarles.doc*



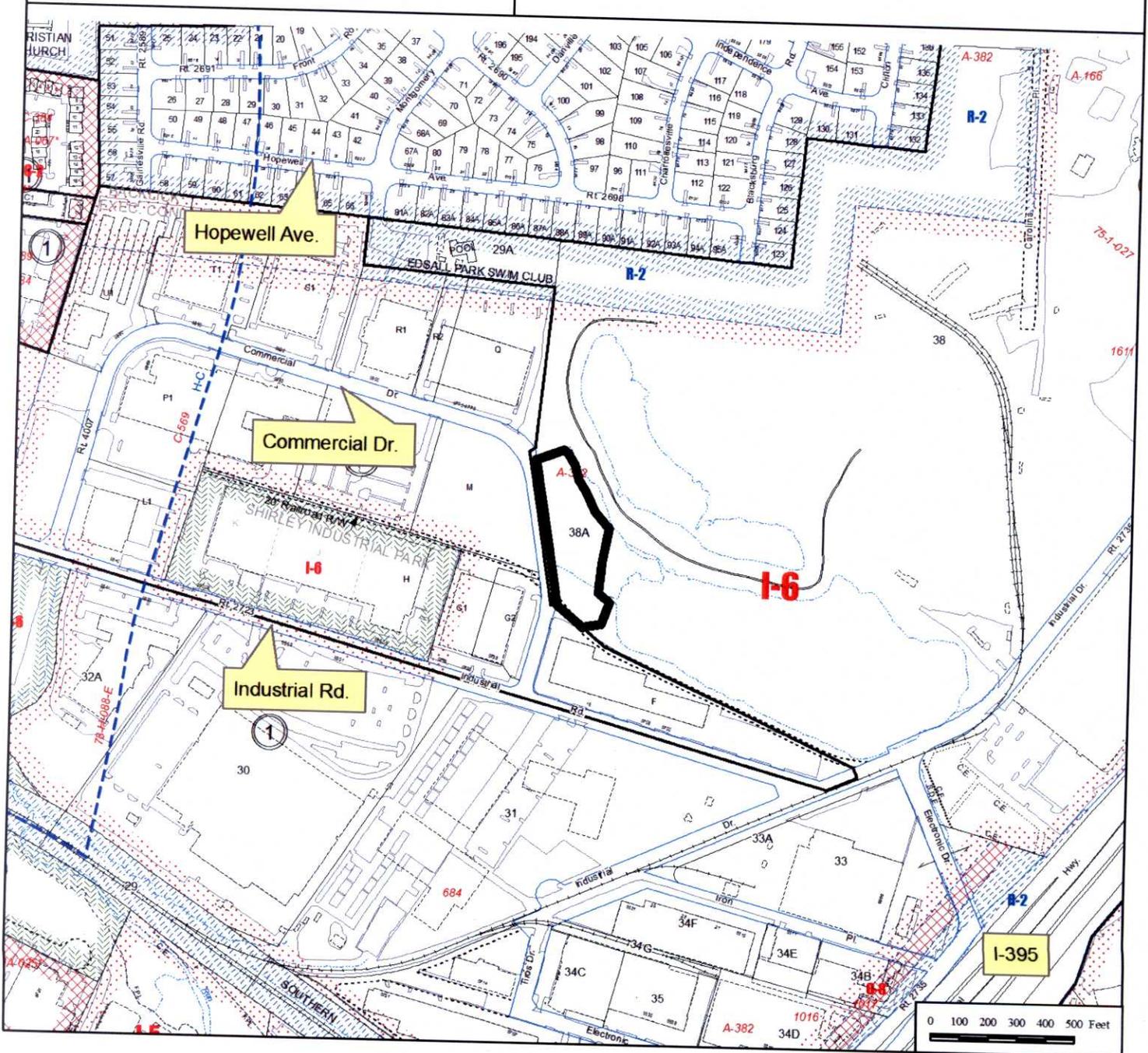
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

# Special Exception

SE 2010-MA-015



Applicant: QUARLES PETROLEUM INC  
Accepted: 06/25/2010 · AMENDED 04/14/2011  
Proposed: SERVICE STATION  
Area: 2.34 AC OF LAND; DISTRICT - MASON  
Zoning Dist Sect: 05-0604  
Art 9 Group and Use: 5-21  
Located: SHIRLEY INDUSTRIAL PARK, LOT 38A  
Zoning: I- 6  
Plan Area: 1  
Map Ref Num: 080-2- /01/ /0038A

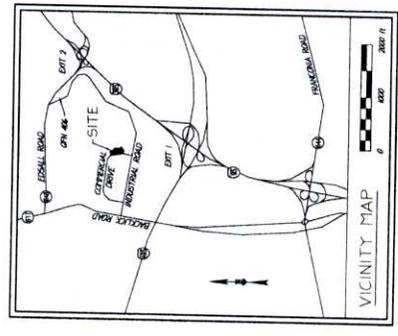


DATE	REVISION
7/20/11	QUANTIFY COMMENTS (NO CHANGE ON THIS SHEET)
8/12/11	COUNTY COMMENTS

SPECIAL EXCEPTION PLAT

**SHIRLEY INDUSTRIAL  
PARK- LOT 38A**

MASON DISTRICT  
FAIRFAX COUNTY, VIRGINIA



**SHEET INDEX**

1. COVER SHEET
2. NOTES & TABULATIONS
3. EXISTING CONDITIONS PLAN AND EXISTING VEGETATION MAP
4. SPECIAL EXCEPTION PLAT
5. LANDSCAPE PLAN
6. STORM WATER MANAGEMENT AND BEST MANAGEMENT PRACTICES
7. TRAFFIC ANALYSIS
8. PHOTO METRIC PLAN
9. ELEVATION DETAILS

**ATTORNEY**  
**LAW OFFICE OF MARK G. JENKINS**  
2071 CHAMBRIDGE ROAD, SUITE 400  
VIENNA, VA 22182  
Ph: 703-442-3602

**APPLICANT/DEVELOPER**  
**QUARLES PETROLEUM, INC.**  
1701 FALL HILL AVENUE, SUITE 300  
FREDERICKSBURG, VA 22401  
ph: 540-371-3919, fax: 540-361-4674

**PREPARED BY:**  
  
**christopher consultants**  
engineering, surveying, land planning  
9900 NEW STREET SOUTH ROAD, SUITE 100, 22031-3807  
703.573.9800 fax 703.573.7630



**LEGEND**

- EXISTING CONTOUR
- EXISTING CURB & GUTTER
- EXISTING STORM DRAIN PIPE
- EXISTING SANITARY PIPE
- EXISTING TREETRINE
- (A) LIMITS OF EVM DESIGNATION



**christopher consultants**  
 engineering surveying land planning  
 9800 north street (south road) Fairfax VA 22031-3007  
 703.273.8800 fax 703.273.7836



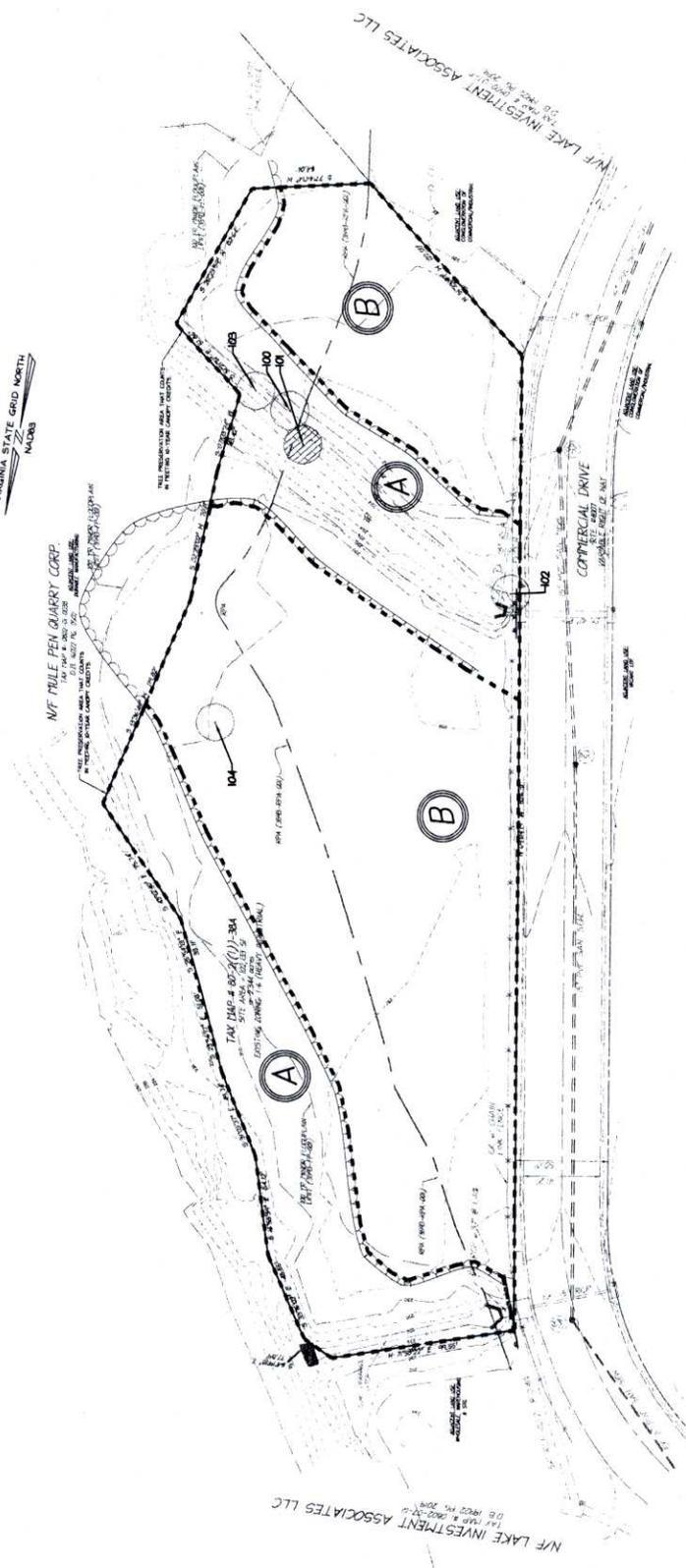
EXISTING CONDITIONS  
 PLAN AND  
 EXISTING VEGETATION  
 MAP

SPECIAL EXCEPTION PLAT  
**SHIRLEY INDUSTRIAL  
 PARK - LOT 38A**  
 FAIRFAX COUNTY, VIRGINIA

PROJECT NO. D-8-01  
 SCALE: 1"=30'  
 DATE: 01-24-10  
 DESIGN: L/S  
 DRAWING: R/JJ  
 CHECKED:  
 SHEET NO.

**3 of 9**

DATE	REVISION
2/22/11	COUNTY COMMENTS
2/22/11	COUNTY COMMENTS



**EVM DESIGNATION COVER TYPE SUMMARY TABLE**

AREA	COVER TYPE	PRIMARY TREE SPECIES	SUCCESSIONAL STAGE	ACREAGE	DESCRIPTION
A	EARLY SUCCESSIONAL FOREST COMMUNITY	SWEETGUM, WHITE VIRGINIA PINE, ALBATROSS, ASH, CEDARS, MULLEN, OAK, YEW	EARLY	0.84	HEALTHY VARIETY OF EARLY SUCCESSIONAL FOREST COMMUNITY STREAM AND WETLAND ECOSYSTEM
B	OPEN FIELD	NONE	N/A	1.80	MEADOW AREA WITH PERENNIAL GRASSES AND HERBACEOUS MATERIAL CONTAINING FOR ESTABLISH SPECIES
TOTAL SITE ACREAGE: 2.64 ACRES					



DRAFTING LEGEND

- EXISTING CONTOUR
- EXISTING CURB & GUTTER
- EXISTING STORM DRAIN PIPE
- EXISTING SANITARY PIPE
- PROPOSED EDGE OF PAVEMENT
- PROPERTY LINE
- ADJACENT PROPERTY LINE
- POLE LIGHT (SEE SHT 8 FOR PHOTOGRAPHIC PLAN)
- UNDERGROUND STORAGE TANK
- FUEL DISPENSER AND RAISED CONCRETE ISLAND
- PARKING SPACE (6.5x80')
- EXISTING TREE LINE
- PROPOSED TREE LINE
- PROPOSED LIMITS OF CLEARING AND GRADING
- EXISTING RPA

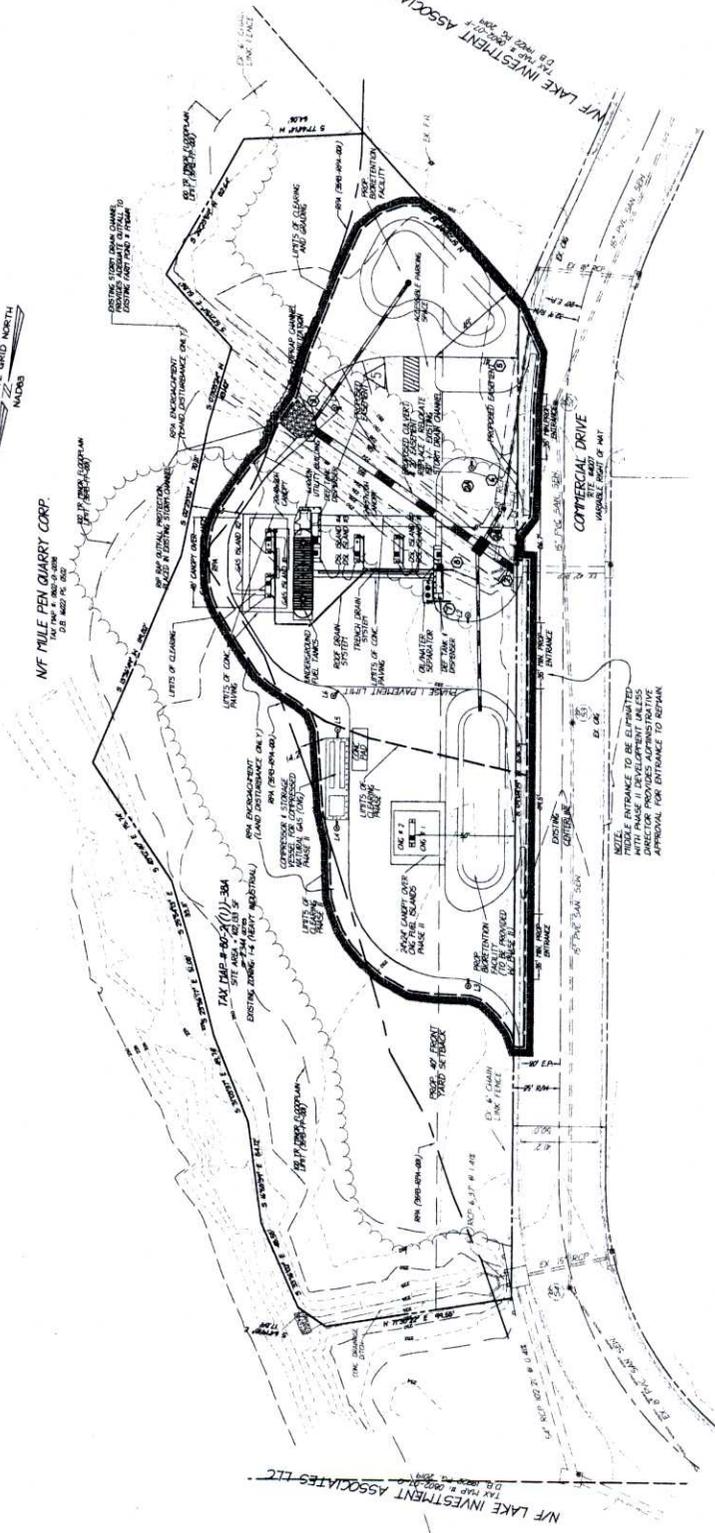
NOTES  
 1. REFER TO SHEET 5 FOR LANDSCAPING PLAN, SHEET 6 FOR STORMWATER MANAGEMENT PLAN, SHEET 7 FOR TRAFFIC ANALYSIS AND SHEET 8 FOR PHOTOGRAPHIC PLAN.

RPA ENCROACHMENT NOTE:  
 A WATER QUALITY IMPACT ASSESSMENT (WQIA) WILL BE CONDUCTED TO DETERMINE THE POTENTIAL FOR DISTURBANCE TO THE RPA. THE WQIA SHALL BE SUBMITTED PRIOR TO OR IN CONJUNCTION WITH THE SITE PLAN SUBMISSION.

VIRGINIA STATE GRID NORTH  
 MAPS

N/F MULLE PEN QUARRY CORP.

W/F LAKE INVESTMENT ASSOCIATES LLC



NOTE: ENTRANCE TO THE SITE SHALL BE WITHIN PHASE II DEVELOPMENT UNLESS DIRECTOR PROVIDES APPROPRIATE APPROVAL FOR ENTRANCE TO RETURN



4 of 9  
 C-5956

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 703.273.8800 Fax 703.273.7638



SPECIAL EXCEPTION  
 PLAT

SPECIAL EXCEPTION PLAT  
 SHIRLEY INDUSTRIAL  
 PARK - LOT 38A  
 FAIRFAX COUNTY, VIRGINIA

PROJECT NO. 12-81-0  
 SCALE 1"=30'  
 DATE 04-24-10  
 DESIGN L.B.  
 DRAWING R.L.H.  
 CHECKED:  
 SHEET NO.







TRAFFIC ANALYSIS

DATE	REVISION
2/22/11	COUNTY COMMENTS (AND CHANGE TO THIS SHEET)
2/22/11	COUNTY COMMENTS

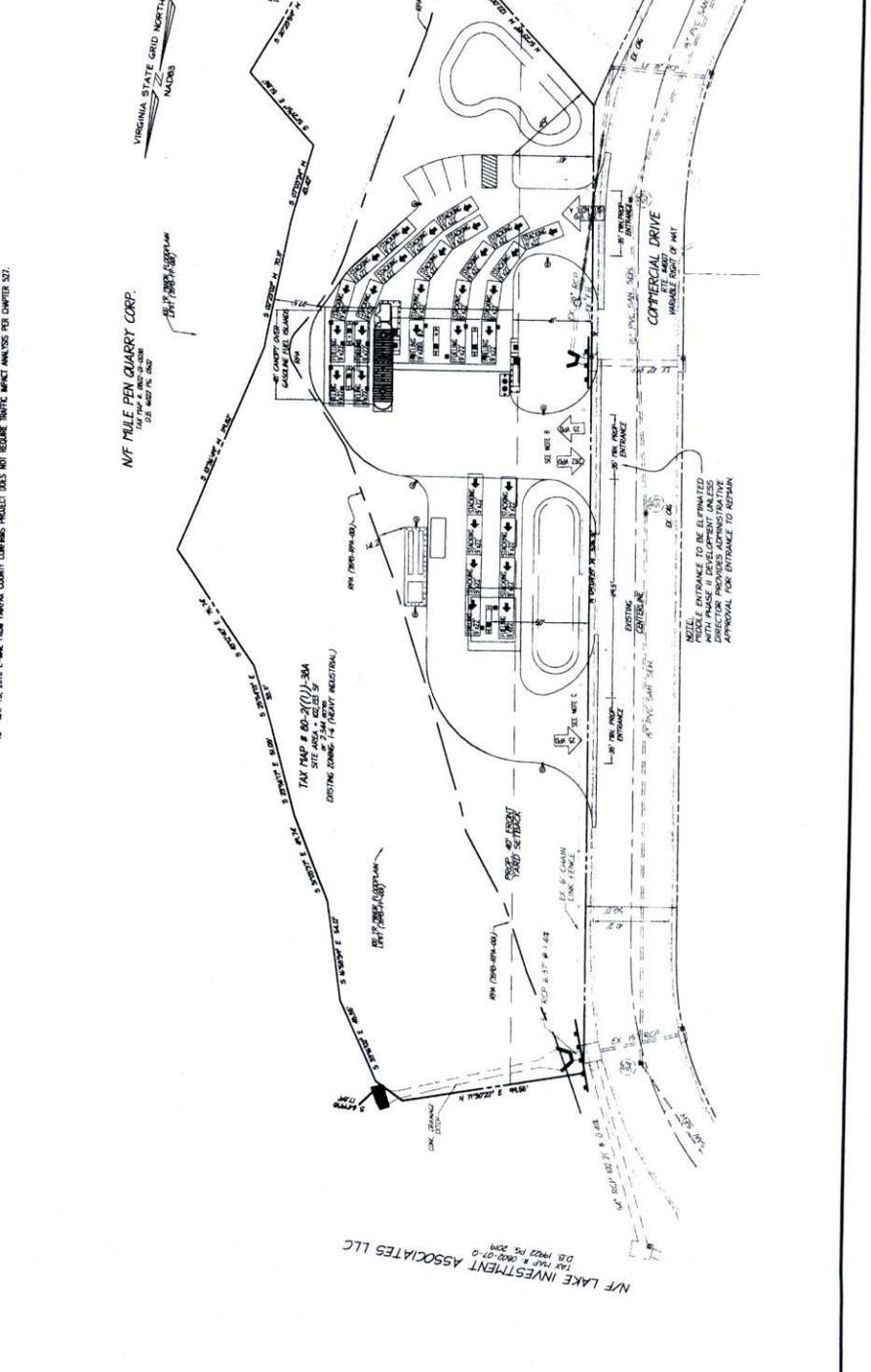
NOTE A:  
 RIGHT ENTRANCE IS 262 VPD FOR PHASE 1 AND 267 FOR PHASE 2 (UNLESS DIRECTOR GIVES ADMINISTRATIVE APPROVAL FOR MIDDLE ENTRANCE TO REMAIN IN PHASE 2)

NOTE B:  
 MIDDLE ENTRANCE OUT IS 262 VPD FOR PHASE 1, MIDDLE ENTRANCE OUT FOR PHASE 2 IS 262 VPD IF DIRECTOR GIVES APPROVAL FOR MIDDLE ENTRANCE TO REMAIN. APPROVAL FOR MIDDLE ENTRANCE TO REMAIN IN PHASE 2.

NOTE C:  
 LEFT ENTRANCE OUT IS 267 VPD WITHOUT DIRECTOR'S APPROVAL. APPROVAL FOR LEFT ENTRANCE TO REMAIN IN PHASE 2. LEFT ENTRANCE OUT IS 267 VPD WITH DIRECTOR'S APPROVAL TO REMAIN IN PHASE 2.

- TRAFFIC ANALYSIS SUMMARY
- PROPOSED DEVELOPMENT IS AN UNIMPROVED EXISTING COMMERCIAL FUEL STATION. ONLY DRIVERS OF VEHICLES OWNED AND OPERATED BY BUSINESSES THAT HAVE BEEN APPROVED BY OTHER AUTHORITY CAN ACCESS THE EXISTING FUEL STATION. ON UNIMPROVED FUEL STATION EQUIPMENT AT THE FUEL STATION, NO OTHER CREDIT CARD, CASH OR OTHER AUTHORITY CAN ACCESS THE EXISTING FUEL STATION EQUIPMENT.
  - PROPOSED DEVELOPMENT WILL REPLACE THE EXISTING UNIMPROVED FUEL STATION EQUIPMENT WITH NEW EQUIPMENT. THE EXISTING UNIMPROVED FUEL STATION WILL BE CLOSED WITHIN 60 DAYS OF ISSUANCE OF A LICENSE AND OCCUPANCY PERMIT FOR THE PROPOSED FUEL STATION.
  - THE ELECTRONIC CONTROL SYSTEM FOR THE EXISTING FUEL STATION DOES THE SAME, TIME AND PRODUCT PURCHASES FOR EACH FUEL TRANSACTION.
  - THE ONLY TRAFFIC GENERATION ACTIVITY AT THE PROPOSED FUEL STATION WILL BE CUSTOMER TRANSACTIONS, MAINTENANCE TECHNICIAN SERVICE CALLS AND FUEL PRODUCT DELIVERY TRIPS.
  - THE ABOVE TABLE SUMMARIZES CUSTOMER TRANSACTIONS AT THE EXISTING FUEL STATION FOR THE WEEK OF JANUARY 9 THROUGH 15, 2010.
  - EACH CUSTOMER TRANSACTION REPRESENTS ONE (1) VEHICLE TRIP. PROPOSED TRAFFIC GENERATED BY THE PROPOSED FUEL STATION WILL BE SIMILAR TO TRAFFIC GENERATED BY THE EXISTING FUEL STATION.
  - THE PEAK HOUR CUSTOMER TRANSACTION VEHICLE TRIP COUNT IS 31 WHICH OCCURRED ON JANUARY 12 BETWEEN 9 AM AND 10 AM.
  - AN ADDITIONAL VEHICLE TRIP WILL BE ADDED TO THE HOUR AND ONLY PEAK TRAFFIC COUNT TO ACCOUNT FOR SERVICE TECHNICIAN AND PRODUCT DELIVERY TRIPS.
  - THE PEAK HOUR TRAFFIC TRIP GENERATION IS PROJECTED TO BE 32 VEHICLES.
  - THE PEAK HOUR TRAFFIC TRIP GENERATION IS PROJECTED TO BE 330 VEHICLES.
  - THE PROPOSED FUEL STATION PROVIDES 600 (60) GALLONS OF FUEL PER HOUR. PROPOSED TRAFFIC IS ALLOWED TO ALLOW SIMULTANEOUS FUELING FOR ONE (1) VEHICLE.
  - FUEL POSITIONS FOR SIMULTANEOUS FUELING FOR ONE (1) VEHICLE.
  - IN ADDITION TO THE FUEL POSITIONS THERE IS STORAGE SPACE AVAILABLE FOR AS MANY AS TWENTY TWO (22) VEHICLES SO THAT UP TO TWENTY FOUR (24) VEHICLES CAN PARK ON THE LOT AT THE SAME TIME.
  - THE AVERAGE TIME FOR A FUEL TRANSACTION IS 10 MINUTES. THE PEAK HOUR TRAFFIC TRIP GENERATION IS PROJECTED TO BE 330 VEHICLES PER HOUR. FUELING CAPACITY IS THEREFORE 150% OF THE PEAK HOUR TRAFFIC TRIP GENERATION. THE TRAFFIC AND STORAGE SPACES PROVIDED BY THE PROPOSED FUEL STATION ARE ADEQUATE FOR THE PROPOSED TRAFFIC VOLUME.
  - THE PROPOSED TRAFFIC GENERATED BY THE FUEL STATION IS LOWER THAN MANY OTHER USES ALLOWED IN THE I-4 ZONE. COMMERCIAL DRIVE WAS DESIGNED AND APPROVED FOR USES ALLOWED IN THE I-4 ZONE. THEREFORE COMMERCIAL DRIVE IS ADEQUATE FOR THE TRAFFIC THAT WILL BE GENERATED BY THE PROPOSED FUEL STATION.
  - MAY 13, 2010 C-446 FROM FAIRFAX COUNTY COMBINES PROJECT DOES NOT REQUIRE TRAFFIC IMPACT ANALYSIS PER CHAPTER 307.

Time	Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday
0800-0900	0	0	0	0	0	0	0
0900-1000	0	0	0	0	0	0	0
1000-1100	0	0	0	0	0	0	0
1100-1200	0	0	0	0	0	0	0
1200-1300	0	0	0	0	0	0	0
1300-1400	0	0	0	0	0	0	0
1400-1500	0	0	0	0	0	0	0
1500-1600	0	0	0	0	0	0	0
1600-1700	0	0	0	0	0	0	0
1700-1800	0	0	0	0	0	0	0
1800-1900	0	0	0	0	0	0	0
1900-2000	0	0	0	0	0	0	0
2000-2100	0	0	0	0	0	0	0
2100-2200	0	0	0	0	0	0	0
2200-2300	0	0	0	0	0	0	0
2300-2400	0	0	0	0	0	0	0
Sub-Totals	54	84	30	48	19	138	237
Total	198	296	106	166	62	253	449
	171	249	76	154	226	101	



GRAPHIC SCALE  
 1" = 50'  
 0 10 20 30 40 50

THIS SHEET IS BY OTHERS,  
 AND IS ONLY CERTIFIED AS  
 PART OF OUR PLAN SET.



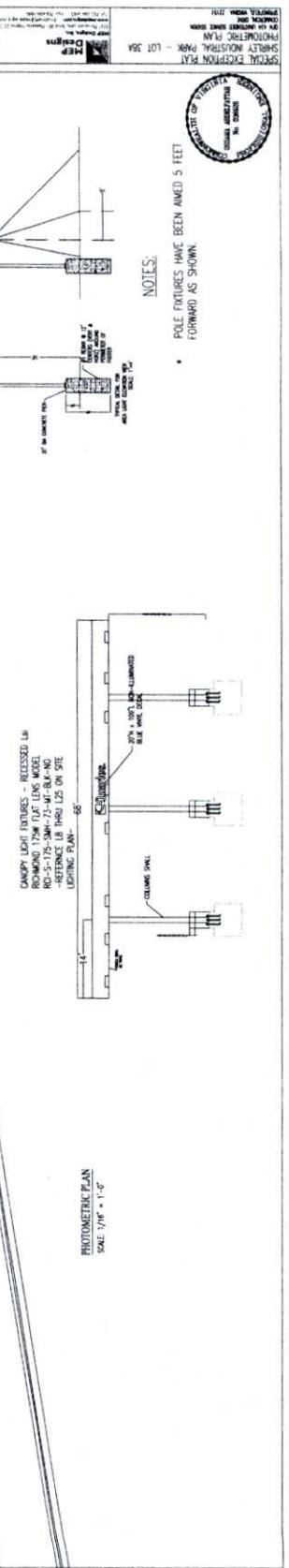
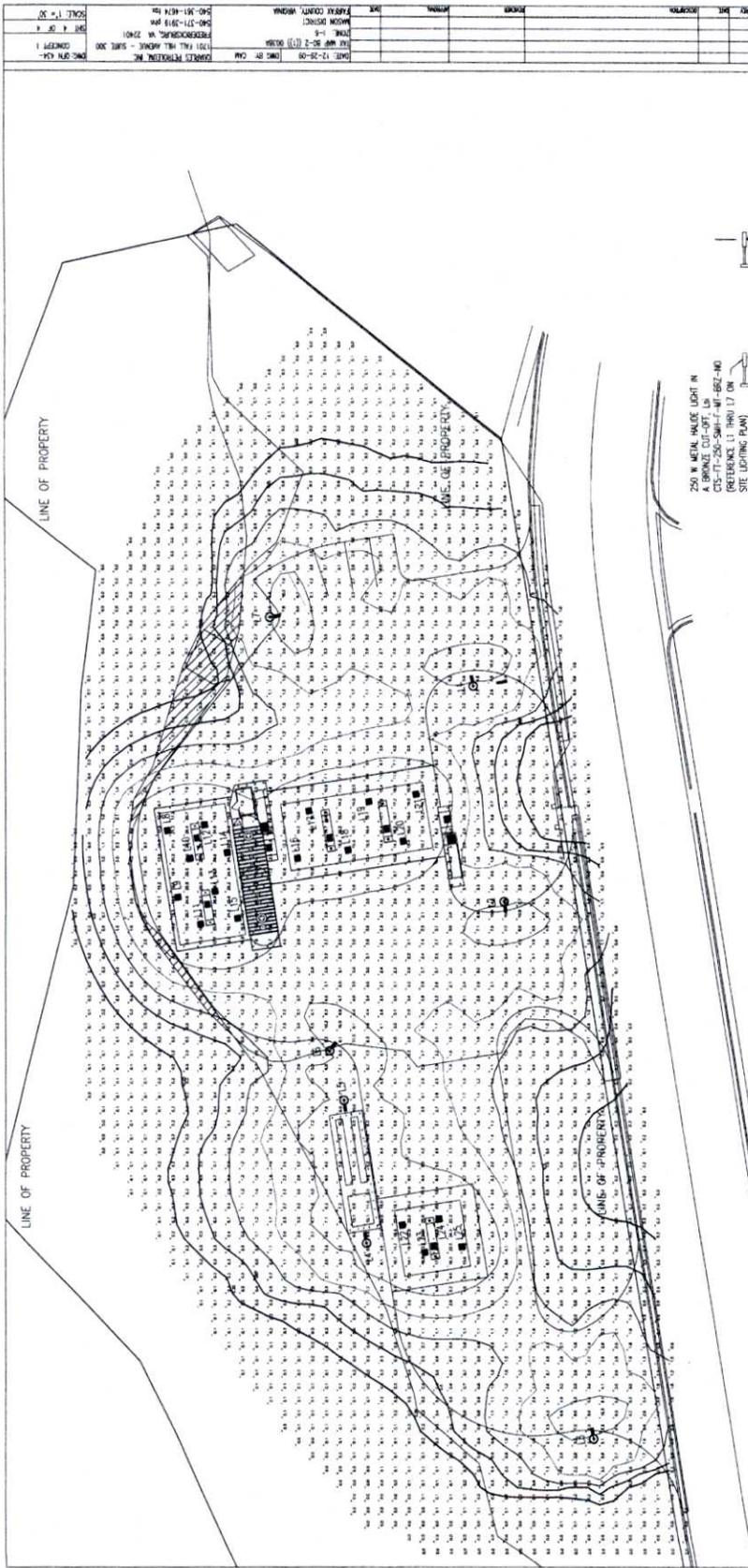
PHOTOMETRIC PLAN

SPECIAL EXCEPTION PLAT  
 SHIRLEY INDUSTRIAL  
 PARK - LOT 38A  
 FAIRFAX COUNTY, VIRGINIA

PROJECT NO. 10-30-03	DATE: 09-24-10
SCALE: 1"=30'	DESIGN: [blank]
	CHECKED: [blank]
	SHEET NO. 8 of 9

C-5456

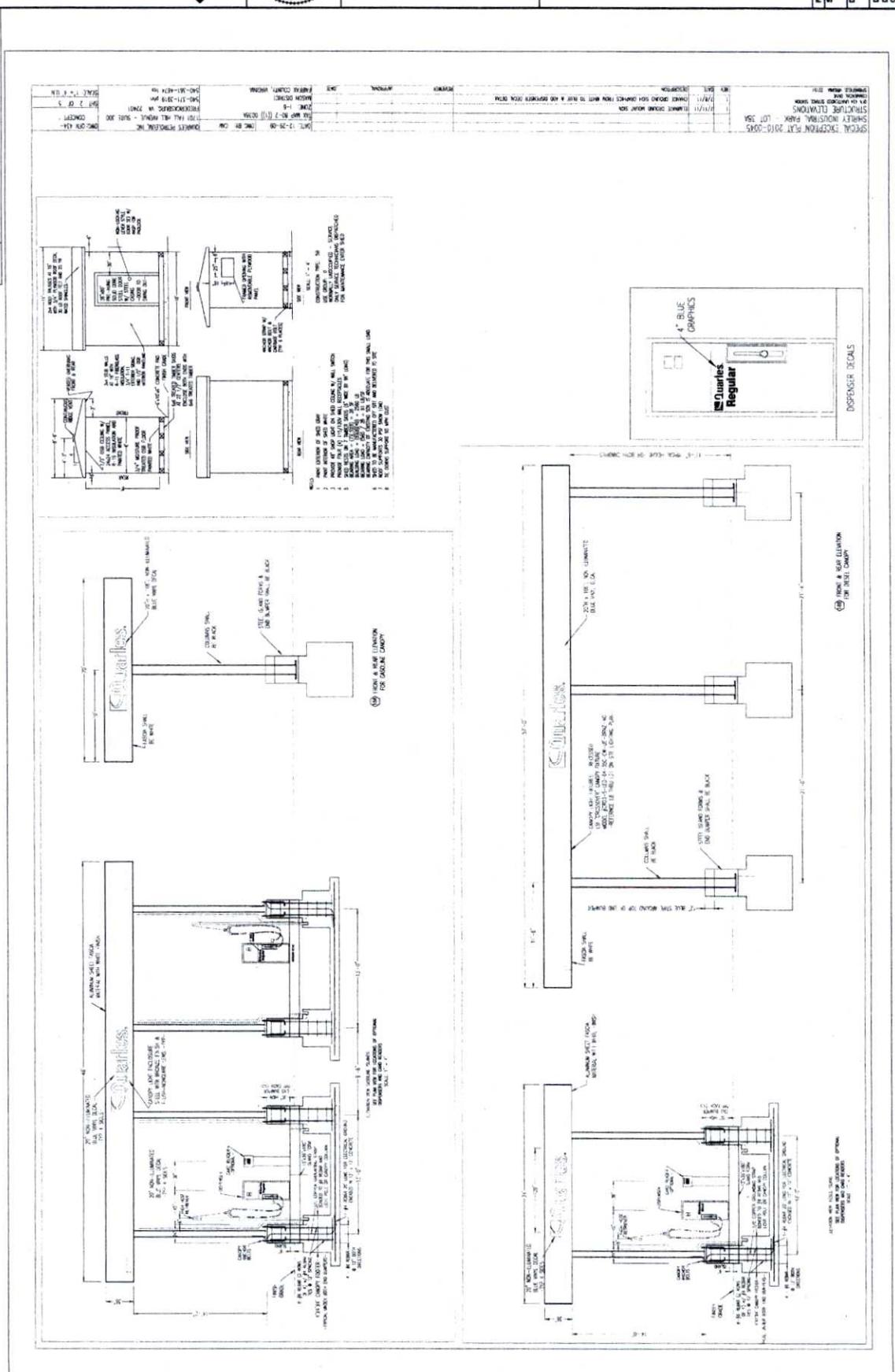
DATE	REVISION
10/21/10	COUNTY COMMENTS (NO CHANGE TO THIS SHEET)
10/21/10	COUNTY COMMENTS (NO CHANGE TO THIS SHEET)
10/21/10	COUNTY COMMENTS (NO CHANGE TO THIS SHEET)



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 AND IS ONLY CERTIFIED AS  
 PART OF OUR PLAN SET.



DATE	REVISION
10/24/11	COUNTY COMMENTS
04/27/11	COUNTY COMMENTS (NO CHANGE TO THIS SHEET)



THIS SHEET IS BY OTHERS,  
 AND IS ONLY CERTIFIED AS  
 PART OF OUR PLAN SET.

FOR ILLUSTRATIVE PURPOSES ONLY, WITHOUT LANDSCAPING. NOT FOR CONSTRUCTION PURPOSES.

C-59156

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

**DESCRIPTION OF THE APPLICATION**

The applicant, Quarles Petroleum, Inc, requests Special Exception approval to permit the development of a self-serve fleet service fueling station on a property zoned I-6 and located within the Shirley Industrial Park. The facility will operate as an unstaffed twenty-four hour facility, not for use by the general public.

As part of the operations plan, one staff person will visit the site each day to perform inspection of the facility.

**Waivers and Modifications:**

The applicant requests the following waivers:

- *Waiver of the integral design element requiring that the service station be an integral design element of a site plan for an industrial building or building complex containing no less than 30,000 square feet.*
- *Waiver of the correlative requirement which provides that a building permit shall not be approved unless the related industrial building permit has been approved.*

Copies of the proposed development conditions, applicant's affidavit, and statement of justification can be found in Appendices 1-3 of this report.

**LOCATION AND CHARACTER**

The site is located within the Shirley Industrial Park, east of Commercial Drive and north of Industrial Road. Shirley Industrial Park is substantially developed with existing warehouse and industrial uses; the site is zoned I-6 and is currently undeveloped.

<b>SURROUNDING AREA DESCRIPTION</b>			
<b>Direction</b>	<b>Use</b>	<b>Zoning</b>	<b>Plan</b>
<b>North</b>	RPA, Undeveloped Industrial	I-6	Industrial 0.25-0.50 FAR
<b>South</b>	Industrial	I-6	Industrial 0.25-0.50 FAR
<b>East</b>	RPA, Undeveloped Industrial	I-6	Industrial 0.25-0.50 FAR
<b>West</b>	Industrial	I-6	Industrial 0.25-0.50 FAR

No other land use applications are associated with the subject property.

- o The 2.34 acre site has never been developed. It is one of the last remaining parcels in the Shirley Industrial Park development. The site is partially encumbered by an RPA which bisects the property from north to south; a 100 year minor floodplain is located within the EQC designation. The site is gently rolling toward the east. The site is partially forested, within areas of the RPA and EQC. Remaining portions of the property are grassed.

**COMPREHENSIVE PLAN PROVISIONS (Appendix 4)**

**Plan Area:** Area I, Annandale Planning District  
**Planning Sector:** Beltway South Planning Sector  
**Plan Map:** Industrial; 0.25-0.50 FAR

**Plan Text:**

In the Fairfax County Comprehensive Plan, Area I, 2007 Edition, Annandale Planning District, Beltway South Planning Sector, as amended through July 27, 2010, Beltway South Industrial Area Land Use, page 79, the Plan states:

“Land Unit C generally is referred to as the Shirley Industrial Park and it is planned for industrial, office and public facilities uses as shown on the Plan map. The primary uses within this land uses are warehouses, distribution and processing plants. Future development and/or redevelopment of the industrially planned tracts should maintain this overall industrial orientation. Industrial uses are planned for development intensities up to 0.50 FAR.”

Additional relevant Plan text may be found in Appendix 4.

**DESCRIPTION OF THE SPECIAL EXCEPTION PLAT**

**Special Exception Plat** (Copy at front of staff report)  
**Title of SE Plat:** Shirley Industrial Park – Lot 38A  
**Prepared By:** Christopher Consultants  
**Original and Revision Dates:** September 24, 2010 as revised through August 12, 2011

The SE Plat consists of nine (9) sheets; the sheet index is found on Sheet 1 of the plans, which are attached to the front of this report for reference.

### Site Layout:

- The proposal is shown in two phases; Phase One depicts gasoline and diesel fuel dispensers located near the center of the property and Phase Two utilizes the northern portion of the property for compressed natural gas dispensing. A 6'x10' utility shed is located adjacent to the open canopy structure in Phase One. The following facilities are proposed:
  - Four diesel fuel dispenser islands with three fueling positions (located below an open canopy) and two gasoline dispenser islands with four fueling positions.
  - Two underground fuel storage tanks (one diesel and one gasoline).
  - Two diesel exhaust fluid tanks and dispensers located on the two outer diesel islands
  - One compressed natural gas dispenser island with two fueling positions (proposed Phase 2) under an open canopy.
  - An underground oil water separator to pre-treat runoff from the concrete pad at the fuel dispenser islands
  - Perimeter parking lot area lights.
- Two bioretention facilities are proposed; one in the southern edge of the site and the other near the mid portion of the site near Commercial Drive.
- Five parking stalls are located along the southern property line, north of the proposed southern bioretention facility.
- Access is proposed through two 35' wide drive entrances off Commercial Drive. (Phase Two proposes an alternative access point in the northern portion of the property).
- A minimum of four (4) stacking spaces are provided at each fuel dispensing location.

### Landscape Plan

- A small portion of the grassed portion of the RPA is shown within the limits of clearing and grading; a number of trees are shown for removal in order to enclose the open drainage ditch and provide paving for the proposed use. The applicant proposes to provide additional native plantings along the line of the existing RPA in order to restore and protect the RPA. A WQIA will be required during the site plan review process.
- Ten (10) percent open space is required, 70 percent open space is provided.
- Plantings are shown within the bioretention facilities and along the edge of proposed paving.

### Building Details and Signage

- One 24' by 57' open canopy is shown in Phase One and one 24' by 24' open canopy is shown in Phase Two.
- Canopies are 21 feet tall and the utility building has a height of 12 feet
- Total overall FAR = 0.0006

- The proposed canopy architecture is steel. The proposed utility building material is Oriented Strand Board (OSB) siding.
- Non-illuminated blue vinyl decal signs depict "Quarles" on the side of each canopy and on each pump face.

#### Lighting

- A photometric plan was provided.
- Canopy lights are recessed.
- Parking lot lighting is shielded.

#### **Land Use Analysis**

The proposed use is located within an industrial park and is intended to serve the surrounding uses. Staff finds that the proposed fleet fueling service station is in harmony with 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.

#### **Storm Water Management Analysis** (Appendix 5)

Storm Water Management:

Two bioretention filters are located on the plat. Additional storm water detention may be necessary; therefore the applicant will be required to resolve all storm water requirements at the time of site plan review.

In addition to the bioretention facilities proposed, the Storm Water Planning Division (SWPD) recommends that the applicant employ additional Environmental Site Design, Better Site Design, and Low-Impact Development (LID) techniques to minimize/reduce the volume of water that leaves the site. The use of multiple LID practices on the site is very effective in reducing the volume of water leaving the site and benefits the streams. SWPD recommends additional LID practices be included on the site.

Chesapeake Bay Preservation Ordinance (CBPO):

There is Resource Protection Area (RPA) on this site. A site-specific RPA boundary study, (#3593-RPA-001), was approved on July 11, 2011. The encroachments into the RPA depicted on the plat are considered redevelopment or allowed uses (i.e., storm water improvements). An approved Water Quality Impact Assessment is required before site plan approval (CBPO 118-3-3(a) and (b)). Reforestation of the disturbed areas of the RPA in compliance with CBPO 118-3-3(f) has been proposed.

**Floodplain:**

There is minor floodplain on the property, which is not regulated by Fairfax County. The applicant performed a floodplain study, which was approved by Fairfax County on July 11, 2011.

**Waste Water Analysis**

The application property is located in the Cameron Run (I-3) watershed. It would be sewered into the Alexandria Sanitation Authority (ASA). Sanitary sewer is not proposed or needed for this use.

**Urban Forest Management Analysis (Appendix 6)****Issue:**

Only small groupings of trees and shrubs have been added within the RPA.

**Resolution:**

The original submission did not include any restoration plantings within the RPA. Through the resubmission process, the applicant added several shrubs but only a limited number of trees. In order to provide a greater amount of benefit staff recommended increasing the amount of trees to be planted within this area. A development condition addresses this recommendation.

**Issue:**

It appears that all proposed planting within the rain gardens is in the form of small trees. Since this is a small commercial site it may be more appropriate to use an Ornamental Garden Planting Plan as described in the PFM.

**Resolution:**

Since the development is meeting canopy requirements, the applicant may consider planting a mixture of trees, shrubs, and perennials in the proposed rain gardens to provide varying levels of interest as described in the Ornamental Garden Planting Plan design ( PFM 6-1307.10G(2)). A development condition is included to address this recommendation.

**Issue:**

The proposed limits of clearing and grading at the northeastern portion of the site will provide minimal protection for off-site trees.

**Resolution:**

The applicant modified the development plan to show a possible retaining wall at the northeastern portion of the site, which will be implemented if determined necessary at site plan for the protection of the off-site trees. This issue is resolved.

**Issue:**

Two Category III landscape trees located at the west side of the building, between two proposed retaining walls, appear to be planted in an area that is less than the minimum requirement.

**Resolution:**

The two Category III trees are still shown in the location between the retaining walls. At the time of site plan review, the applicant may need to relocate the trees to a more appropriate location, in consultation with Urban Forest Management.

**Transportation Analysis (Appendix 7)**

The applicant proposes an automated fueling facility constructed in two phases. Two access points are shown in Phase One. In Phase Two the northerly entrance would be shifted further to the north than shown in Phase One and there still would be only two entrances. A note on the plan states that all three entrances may be approved administratively by the Director; however, staff is not supportive of three access points to this small industrial property and the reference to allowances for the third access should be removed. A development condition has been proposed to address this concern.

After full development of both phases, vehicles will have to drive through the gas and diesel dispensers to reach the natural gas dispensers or to exit the site.

**ZONING ORDINANCE PROVISIONS**

Standard	Bulk Standards I-6	
	Required	Provided
Lot Size	Min. 20,000 sf	2.34 ac
Lot Width	100 ft	207 ft
Building Height	Max. 75 ft	21 ft
Front Yard	45° ABP, but no less than 40'	45 ft
FAR	Max. 0.50	0.0006
<b>Parking</b> Parking Spaces	5 spaces	5 spaces

**Requested Waivers:**

Two waivers have been requested, which are discussed further under "Additional Standard for Services Stations" (Sect. 9-505).

- *Waiver of the integral design element requiring that the service station be an integral design element of a site plan for an industrial building or building complex containing no less than 30,000 square feet*
- *Waiver of the correlative requirement which provides that a building permit shall not be approved unless the related industrial building permit has been approved.*

**Other Zoning Ordinance Requirements:****General Special Exception Standards (Sect. 9-006)**

1. *The proposed use shall be in harmony with the adopted Comprehensive Plan. The Comprehensive Plan indicates this property as Industrial at a maximum FAR of 0.50. The requested use is permitted by Special Exception in the I-6, Heavy Industrial District. Staff believes this standard is met.*
2. *The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations. The intent of the I-6, Heavy Industrial District is to provide areas for heavy industrial activities with minimum performance standards where the uses may require that some noise, vibration and other environmental pollutants must be tolerated, and where the traffic to and from the district may be intensive. This district is intended for use by the largest manufacturing operations, heavy equipment, construction and fuel yards, major transportation terminals and other basic industrial activities required in an urban economy. The proposed use is industrial in character, will be used to serve fleet vehicles, and is allowed by Special Exception in the I-6 District. Staff believes this standard is met.*
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. The site is located in the center of a large industrial area, and is proposed to provide a fueling station for fleet vehicles, many of which are anticipated to be from the immediate area. The proposed canopies are located on the eastern part of the site. The canopies are proposed at a maximum height of 21 feet, which is compatible with the heights of the surrounding buildings. The use is not immediately adjacent to residential property. A photometric plan was included which indicates both recessed lighting and cut off shields will be used to limit light spillage onto adjacent property. The applicant proposes to reforest areas of the RPA. Staff believes this standard is addressed.*

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.* No further off site road improvements are required, as this use is a low trip generating use. Sidewalks are provided around the site, and adequate vehicular circulation patterns around the site are provided. A development condition requires the applicant provide sidewalk connections adjacent to Commercial Drive to connect to existing sidewalk facilities provided abutting the site. Staff believes this issue is addressed.
5. *In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping or screening in accordance with the provisions of Article 13.* Landscaping is provided on site. Transitional screening is not required. Additionally, the applicant is providing additional planting along the RPA in order to restore and protect the existing RPA. Staff believes this issue is addressed.
6. *Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.* The open space requirement for this site is 10%, and the applicant is providing 70%. This standard has been met.
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.* The proposal meets parking and loading requirements. Stormwater management is provided through the proposed bioretention facilities shown on the site plan. A development condition requires the applicant provide full detention on site or receive a partial waiver of detention from DPWES. This standard has been met.
8. *Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.* Proposed signage is within the limits of allowed signage for the district. Non-illuminated blue vinyl decals depicting "Quarles" will be on the side of each canopy and on each pump face; no free standing signs are proposed.

#### **Standards for all Category 5 Uses (Sect. 9-503)**

*The Category 5 Standards require that all uses shall comply with the lot size and bulk regulations of the zoning district in which located.* As previously discussed, all bulk requirements have been met.

*All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan or photometric plan as may be required by Part 9 of Article 14.* A photometric plan was provided and appears to meet performance standards.

*Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.* The applicant does not request any waivers to Article 17.

**Additional Standards for Service Stations (Sect. 9-505)**

*Additional Standard 1 requires, in all districts where permitted by special exception:*

- A. *Such use shall have on all sides the same architectural features or shall be architecturally compatible with the building group or neighborhood with which it is associated.* The applicant requests a modification to this standard since the industrial area is not part of a uniformly designed industrial park and the unstaffed service station use is not associated with any other buildings. There is no consistent architectural style in the industrially zoned area. The canopy utilizes the same design on all sides. The proposed use is unique and intended to serve the fleet vehicles in the nearby industrial park. The use appears to be well suited to the area. Staff does not object to this waiver.
- B. *Such use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties.* There is an existing sidewalk along Commercial Drive. A development condition requires the sidewalk be extended along the frontage of this property.
- C. *The site shall be designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulations. Parking and stacking spaces shall be provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the site.* Access points will be approved at Site Plan review. The Fairfax County Department of Transportation did not note an issue with the access points as shown on the site plan. Parking is provided on site at the required rate.
- D. *In reviewing such a use or combination of uses, it shall be determined that the lot is of sufficient area and width to accommodate the use and that any such use will not adversely affect any nearby existing or planned residential areas as a result of the hours of operation, noise generation, parking, glare or other operational factors.* The applicant requests a modification to this standard since the industrial area is not part of a uniformly designed industrial park and the unstaffed service station use is not associated with any other buildings. No residential areas are located adjacent to the proposed use. The proposed use will be surrounded by RPA on the north, south and east sides of the property. Existing industrial is located to the west of the property. Staff does not object to this waiver.

**CONCLUSIONS AND RECOMMENDATIONS****Summary of Zoning Ordinance Provisions**

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

**Staff Conclusions**

Staff concludes that the subject application to permit a service station is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions.

**Recommendation**

Staff recommends approval of SE 2010-MA-015, subject to the proposed development conditions contained in Appendix 1.

Staff recommends approval of a waiver of the additional standards in Sect. 9-505 Par. (a), requiring that the service station be an integral design element of a site plan for an industrial building or building complex containing no less than 30,000 square feet.

Staff recommends approval of a waiver of the additional standard in Sect. 9-505 Par. (d), which provides that a building permit shall not be approved unless the related industrial building permit has been approved.

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

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.

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

**APPENDICES**

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Plan Citations and Land Use & Environmental Analysis
5. Storm Water Management Analysis
6. Urban Forest Management Analysis
7. Transportation Analysis
8. Zoning Ordinance Provisions
9. Glossary

**DEVELOPMENT CONDITIONS**

**SE 2010-MA-015**

**September 21, 2011**

If it is the intent of the Board of Supervisors to approve SE 2010-MA-015, located at Tax Map 80-2 ((1)) 38A to permit a service station pursuant to Sect. 4-804 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled "Shirley Industrial Park Lot 38A", prepared by Christopher Consultants and dated August 12, 2011, with engineer's seal date of August 12, 2011. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. Architecture for the building and canopy shall be in substantial conformance with that shown on Sheet 9 of the SE Plat.
5. All signage shall meet the requirements of Article 12 of the Zoning Ordinance.
6. No vehicular repairs shall occur on the property.
7. Abandoned, wrecked, or inoperable vehicles shall not be stored on-site.
8. Irrespective of that shown on the plat, the applicant shall submit revised ten-year tree canopy calculations and tree preservation target calculations, including a landscape plan with plant schedule, at the time of site plan, subject to verification and approval by UFM.
9. The applicant shall provide supplemental plantings along the RPA to provide reforestation as shown on Sheet 5 of the SE plat. In addition, the applicant shall provide landscaping, which shall include a combination of deciduous and evergreen trees and shrubs, subject to the approval of UFMD.

10. Prior to the issuance of a Non-RUP and subject to approval by Fairfax County Department of Transportation (FCDOT) and VDOT, sidewalks shall be provided along Commercial Drive on the application property.
11. Irrespective of the note shown on the plat that all three access points can be administratively approved by the director, only two accesses will be permitted at any time and will be subject to approval by VDOT and FCDOT.

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

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

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

**SPECIAL EXCEPTION AFFIDAVIT**

DATE: SEPT 1, 2011  
 (enter date affidavit is notarized)

I, MARK G. JENKINS, 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            1090396

in Application No.(s): SE 2010-MA-015  
 (enter County-assigned application number(s), e.g. SE 88-V-001)

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

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

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

<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)
Lake Investment Associates LLC	c/o P.O. Box 430 Alexandria, VA 22312	Title Owner/Lessor
Quarles Petroleum, Inc.	1701 Fall Hill Avenue, Suite 200 Fredericksburg, VA 22401	Applicant/Lessee
Greg Natvig	1701 Fall Hill Avenue, Suite 200 Fredericksburg, VA 22401	Agent for Applicant/Lessee
Craig McBride	1701 Fall Hill Avenue, Suite 200 Fredericksburg, VA 22401	Engineer/Agent for Applicant/Lessee
Christopher Consultants, Ltd	9900 Main Street, Fourth Floor Fairfax, VA 22031	Engineer/Agent for Applicant/Lessee
Kevin M. Washington	9900 Main Street, Fourth Floor Fairfax, VA 22031	Engineer/Agent for Applicant/Lessee
John Levtov	9900 Main Street, Fourth Floor Fairfax, VA 22031	Engineer/Agent for Applicant/Lessee
Michael S. Kitchen	9900 Main Street, Fourth Floor Fairfax, VA 22031	Engineer/Agent for Applicant/Lessee
Lindsay Burleigh	9900 Main Street, Fourth Floor Fairfax, VA 22031	Arborist/Agent for Applicant/Lessee

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

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

**Special Exception Attachment to Par. 1(a)**

DATE: SEP 1, 2011  
 (enter date affidavit is notarized)

1090396

for Application No. (s): SE 2010-MA-015  
 (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.)

<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)
MCV Associates, Inc.	4605-C Pinecrest Office Park Dr. Alexandria, VA 22312	Engineer/Agent for Applicant/Lessee
Joe Mehra	4605-C Pinecrest Office Park Dr. Alexandria, VA 22312	Engineer/Agent for Applicant/Lessee
Mark G. Jenkins, P.C.	2071 Chain Bridge Road, Suite 400 Vienna, VA 22182	Attorney/Agent for Applicant/Lessee
Mark G. Jenkins	2071 Chain Bridge Road, Suite 400 Vienna, VA 22182	Attorney/Agent for Applicant/Lessee

(check if applicable)

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: SEPT. 1, 2011  
(enter date affidavit is notarized)

1090396

for Application No. (s): SE 2010-MA-015  
(enter County-assigned application number(s))

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

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

CORPORATION INFORMATION

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

LAKE INVESTMENT ASSOCIATES, LLC  
c/o P.O. Box 430  
Alexandria, VA 22312

**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)

Sharon J. Schambra  
Joan B. Poland  
Thomas B. Boquess  
Frank Everest

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

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

**Special Exception Attachment to Par. 1(b)**

DATE: SEPT. 1, 2011  
(enter date affidavit is notarized)

109039-5

for Application No. (s): SE 2010-MA-015  
(enter County-assigned application number (s))

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

Quarles Petroleum Inc  
1701 Fall Hill Avenue, Suite 200  
Fredericksburg, VA 22401

**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)

Kathryn Q. Wafle  
Douglas E. Quarles, III  
Anne Quarles Doolittle  
George C. Quarles  
William C. Quarles

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

Christopher Consultants, Ltd.  
9900 Main Street, Fourth Floor  
Fairfax, VA 22031

**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)

Christopher W. Brown	Jeffrey S. Smith
William R. Goldsmith, Jr.	Ruth R. Field
Louis X. Canonico	
William R. Zink	
Michael S. Kitchen	

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

**Special Exception Attachment to Par. 1(b)**

DATE: SEP. 1, 2011  
(enter date affidavit is notarized)

1090396

for Application No. (s): SE 2010-MA-015  
(enter County-assigned application number (s))

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

Mark G. Jenkins, P.C.  
2071 Chain Bridge Road, Suite 400  
Vienna, VA 22182

**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)

Mark G. Jenkins

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

MCV Associates, Inc.  
4605-C Pinecrest Office Park Drive  
Alexandria, VA 22312

**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)

Joe Mehra

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: SEPT. 11 2011  
(enter date affidavit is notarized)

109039.6

for Application No. (s): SE 2010-MA-015  
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

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

NONE

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

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

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

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: SEPT 1, 2011  
(enter date affidavit is notarized)

1090396

for Application No. (s): SE 2010-MA-015  
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land:

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

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

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

NONE

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

**SPECIAL EXCEPTION AFFIDAVIT**

DATE: SEPT. 1, 2011  
(enter date affidavit is notarized)

1090396

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.)

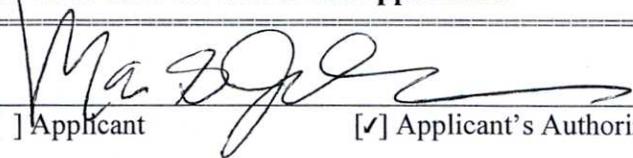
NONE

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

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

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

WITNESS the following signature:

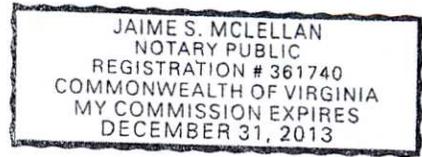
(check one)  Applicant   Applicant's Authorized Agent

Mark G. Jenkins, Attorney/Agent for Applicant  
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 1 day of September 2011, in the State/Comm. of Virginia, County/City of Fairfax.

Jaime S. Muel  
Notary Public

My commission expires: 12/31/13



RECEIVED  
 Department of Planning & Zoning  
 APR 11 2011  
 Zoning Evaluation Division

Special Exception Application  
 Applicant: Quarles Petroleum, Inc.  
 Property: Tax Map 80-2((1))-38A

**AMENDED STATEMENT OF JUSTIFICATION**

The Property is an approximately 2.34 acre parcel of land located on Commercial Drive within Shirley Industrial Park in the Mason District. The Property is zoned I-6 under the Fairfax County Zoning Ordinance (the “Zoning Ordinance”).

The proposed use – an automated fuel dispensing facility marketed to businesses using fleet vehicles – is not expressly defined in the Ordinance, but is analogous to a service station under Zoning Ordinance definitions. The Board of Supervisors has approved a Special Exception for the same use, by the same applicant, for a parcel in the Chantilly Industrial Park (SE 01-Y-007, applicable to Tax Map. 44-2 ((8)) 33).

The Property is in Land Unit C of the Beltway South Industrial Area, Annandale Planning District. Land Unit C includes all of Shirley Industrial Park, which is generally planned for industrial, office and public facilities uses. The Plan Map designates the Property within a large Industrial area on both sides of I-95. The Property is located approximately a half mile west of I-95. The surrounding uses are:

To the South	TM 80-2 ((7))-F	Warehouse
To the West	TM 80-2 ((7)) M	Retail/Warehouse
To the North	Remainder of TM 80-2 ((1)) 38A	Vacant
To the East	TM 80-2 ((7))-38	Stormwater facility

The proposed use anticipates two Phases. Phase I is the core use and its limits are delineated on the Special Exception Plat. Phase I use will have eight fuel positions. A possible Phase II, also delineated on the Special Exception Plat, would establish a natural gas fueling station. Natural gas is gaining market share as a cleaner vehicle fuel. Phase II would be implemented if the market produces sufficient demand. Both phases are described in further detail below.

Because the proposed facility can take advantage of sophisticated proprietary credit card technology, the facility does not need full or part time on-site personnel to operate. There will be no store sales, vending machines, vehicle services, or vehicle storage on site, nor will there be sales of any automotive equipment or services on the Property. There is consequently no need for any structures to house employees or for services and equipment.

The Applicant markets the facility to businesses with fleet operations (e.g., plumbing, HVAC, and electrical contractors) within defined sales territories. Users are issued proprietary credit cards that are encoded with the fuel type and volume limits for that user. These proprietary credit cards are the only cards that can activate the fuel pumps; regular credit cards issued to the general public cannot do so. Since the facility cannot be used by members of the general public, it is not a destination for general traffic.

This facility will mainly supply fuel for fleet vehicles used by local businesses operating within an approximately two (2) mile radius from the facility. Given the Property's location within a large, mature industrial area, it is an ideal site to capture typical users: local fleet drivers who are already using the roads in the area and who are based in the area. The Applicant operates a total of 80 similar facilities, 44 of which are in Virginia. The Applicant estimates that 75 to 80% of customers of a particular facility are from base locations within a two-mile radius of the particular facility.

While the facility is unattended, in the sense that full time personnel are not required to either pump fuel or process payments, it is important to note that the facility is regularly inspected, cleaned and monitored. The Applicant requires daily visits by regional sales personnel and visits every other day by contract maintenance personnel to empty trash and to provide general clean-up. Other contract personnel and technicians pressure-clean pavement and inspect and service equipment at least twice a week.

As discussed in detail in Section II of this Amended Statement of Justification, this Application requests modification to the special standards applicable to service stations, namely:

- (i) a modification to Section 9-505 (5) (A), which provides that in a I-6 District a "service station" use be ". . . an integral design element of a site plan for an industrial building or building complex containing no less than 30,000 square feet of gross floor area."; and
- (ii) a modification to the correlative requirement in Section 9- 505 (5) (D), which provides that a Building Permit shall not be approved unless the Building Permit has been approved for the related industrial building.

In considering these requested modifications, it is important to keep in mind that this facility will not store the variety of environmentally sensitive materials typical of service stations generally, nor does it require buildings that increase the amount of impervious surface. The location of this restricted use, targeting industrial uses primarily in the Beltway South Industrial Area, will augment compatibility of uses by tending to decrease the need for service stations in the area (both users serving their own fleet vehicles on their own existing sites and those serving the market generally).

### **I-Description of Special Exception Plat**

The Special Exception Plat ("SE Plat") shows the paved area for Phase I, with appropriate lighting, for eight (8) fuel positions, so that eight vehicles may fuel at the same time. The only structures will be the pumps, a canopy and a small utility building (approximately 60 sq. ft.). All improvements and uses comply with the lot size, bulk, height, open space, and other regulations of the I-6 District. As noted above, there will be no on-site employees. The fuel positions provide the parking spaces under Article 11 of the Zoning Ordinance.

The development of the Property will include stabilization and improvement to the existing drainage channel along the northern boundary. The outfall from the Property is an existing wet pond to the east, which is categorized as a "Farm Pond" (FM 0449), as indicated on the Plat. The underground fuel storage tanks will comply with all federal and state regulations covering installation and operation of such tanks.

It should be emphasized that this Applicant, in operating its facilities elsewhere, exceeds the minimum requirements for stormwater run-off and for electronic monitoring of fuel tanks. Its oil water separators pre-treat the run-off before it is released into the drainage system. Its continuous electronic leak test monitoring produces daily reports (only monthly reports are required).

The SE Plat depicts the boundaries of the Resource Protected Area ("RPA") and minor floodplain that affect portions of the property. All proposed improvements will be located outside both the RPA and the minor floodplain.

The SE Plat also shows the fuel islands and the canopy for natural gas pumps, and related facilities, if Phase II is implemented. In Phase II the northerly entrance onto the Property would be shifted further to the north, as shown on the SE Plat.

## **II-Justification for Modifications**

As mentioned above, the Application requests, pursuant to Section 9-003 of the Zoning Ordinance, modification to the requirements of Section 9-505 (5) (A), which provides that the service station be ". . . an integral design element of a site plan for an industrial building or building complex containing not less than 30,000 square feet of gross floor area"; and modification to the correlative requirement in Section 9-505 (5) (D).

The proposed use is a product of the increasing sophistication in credit card technology, allowing a more efficient marketing and delivery of fuel coupled with decreased land use impact. The technology eliminates the need to construct buildings on-site to house full time employees to house and secure payment facilities or products (such as cash registers, inventory, environmentally sensitive materials, and equipment for automotive services). Since the facility is restricted to the sale of fuel in this way, the environmental and other land use impacts of other sensitive materials, such as tires, batteries and oil, are eliminated. It is also precisely within an industrial zone that an automated facility should be located: putting the facility within the market reduces potential trips outside the market.

The policies behind the requirement of Section 9-505 (5) (A) are presumably to generally allow a service station in an I-6 District when the design of the service station structure is coordinated with other industrial uses in the same buildings or a building complex in order to engender compatibility.

These policies are inapposite to this use on this Property. The location within an established industrial park fundamentally serves the function of a "complex". The proposed use is, at best, a very restricted type of service station with a corresponding reduction of land use impact, as noted. The Property is in fact part of a platted industrial subdivision and within a

Land-Unit specifically intended under the Comprehensive Plan for industrial uses and commercial activities serving industrial uses. These factors provide assurance that the use “. . . will be compatible with existing or planned development in the general area” without the necessity of buildings to contribute to that compatibility.

Finally, the proposed use captures fleet users within an existing industrial zone, when the users might otherwise have to obtain fuel from general purpose gas stations outside the industrial zone (or located on major highways) or have their own on-site fuel facilities. This will tend to diminish the proliferation of private or public fueling operations within the Land Unit, and thereby contribute to land use compatibility within the Land Unit.

### **III-Analysis of General and Special Standards**

This Application amply satisfies the general standards for a Special Exception set forth in Section 9-006 of the Ordinance, as the following analysis shows.

- 1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.**

Response: As noted, the Property is located within Land Unit C of the Beltway South Industrial Area. As the plan text notes, Land Unit C, i.e. Shirley Industrial Park, is already developed primarily as industrial and industrial/flex use. The proposed use constitutes a service targeting the kind of industrial and commercial uses contemplated by the Comprehensive Plan for this Land Unit.

- 2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.**

Response: The I-6 District, as stated in Section 6-501 of the Zoning Ordinance, is intended to “. . . provide areas for heavy industrial activities ...”. The proposed use is compatible with this intent.

- 3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use of 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.**

Response: The proposed use is consistent with the existing uses and existing zoning. The minimum “structure” on the site will not hinder or affect the adjacent uses (See photographs).

- 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.**

Response: Given the location of the Property well within an existing industrial area, vehicular traffic will be consistent with existing and anticipated traffic in the area. Since the proposed use targets fleet vehicles within a two mile radius, most users of the facility will already be operating on the area's streets during those businesses' regular working hours. But the 24 hour nature of the facility also allows earlier or later visits in accordance with the business hours of the customers.

5. **In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.**

Response: The Application is in compliance 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.**

Response: The I-6 district regulations require 15% of the gross area as landscaped open space. The Application proposes open space that exceeds this requirement.

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.**

Response: The Application meets or exceeds the requirement applicable for utilities, drainage, and other necessary facilities, including parking requirements set forth in Article 11. Since there will be no occupied building, all user activity and most maintenance activity will occur at the fuel pumps, the parking spaces are located adjacent to the fuel pumps. No loading requirements are applicable.

8. **Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.**

Response: Any signs shall be in conformance with Article 12.

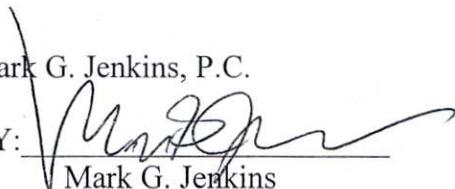
The following tabulates some of the characteristics of the use mentioned above and indicated on the SE Plat:

- **Estimated Number of Patrons/Clients:** Approximately 280-290 per day, on average.
- **Proposed Number of Employees:** There will be no on-site full or part-time employees.

- **Description of building façade and architecture of proposed new building or additions:** There are no occupied buildings proposed. A small utility building, which is approximately 60 square feet, as well as the fuel pumps and their canopies, are described and depicted on Sheet 9 of the SE Plat. The exterior of the utility building will consist of treated wood walls, painted grey, on a concrete foundation and with a pitched gable roof finished with shingles. This utility building will be accessible only to authorized service technicians by means of a padlocked steel door.
- **A listing, if known, of all hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4 and 355; all hazardous waste as set forth in Virginia Department of Environmental Quality Hazardous Waste Management Regulations; and/or petroleum products as defined in Title 40, Code of Federal Regulations Part 280; to be generated, utilized, stored, treated, and/or disposed of on site and the size and contents of any existing or proposed storage tanks or containers:** None Known.

Finally, Section 9-505 (1) of the Ordinance sets forth other Additional Standards applicable to, among other uses, service stations. This Application, as shown above in the discussion of the General Standards, describes a proposed use with traffic circulation and parking compatible with adjacent uses and with uses in the area and does not adversely affect existing or planned residential areas, showing compliance with Section 9-505(1) (B) (C) and (D). Sections 9-505 (1) (A) and (E) are inapplicable, since the proposed use does not include activities or structures described in these sections.

Mark G. Jenkins, P.C.

BY: 

Mark G. Jenkins

Attorney for Applicant

April 11, 2011

Date



# County of Fairfax, Virginia

## MEMORANDUM

DATE August 5, 2011

**TO:** Barbara Berlin, Director  
Zoning Evaluation Division, DPZ

**FROM:** Pamela G. Nee, Chief *J.B.B. For*  
Environment and Development Review Branch, DPZ

**SUBJECT:** **Land Use Analysis and Environmental Assessment:** SE 2010-MA-015  
Quarles Petroleum

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 July 13, 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 2.34 acre subject property is located in the central portion of the Shirley Industrial Park between I-395 and Backlick Road. The application seeks approval of a special exception request to permit a service station. The proposed use would be located on a parcel which is largely encumbered by Resource Protection Area (RPA). The proposed service station would be constructed on the only portion of the property where it can be located almost entirely outside of the designated RPA. The property is currently zoned I-6. The facility is proposed as an automated pumping station with no structures or full-time staff on-site. A total of 5 parking spaces are provided. The development has proposed at a floor area ratio (FAR) of 0.0006.

### LOCATION AND CHARACTER OF THE AREA

The subject property is located in Area I, Annandale Planning District, Beltway South Industrial Area. The property is zoned I-6. The subject property is located in the central portion of the industrial park, which is zoned I-6. The R-3 zoned Edsall Park community is located approximately ¼-mile north of the subject property. I-395 is located to the east and I-495 is located south of the subject property.

## COMPREHENSIVE PLAN CITATIONS:

### Land Use

Fairfax County Comprehensive Plan, Area I, 2007 edition, Annandale Planning District as amended through July 27, 2010, Beltway South Industrial Area, Land Use, pages 79:

### Land Unit C

Land Unit C generally is referred to as the Shirley Industrial Park and it is planned for industrial, office and public facilities uses as shown on the Plan map. The primary uses within this land unit are warehouses, distribution and processing plants. Future development and/or redevelopment of the industrially planned tracts should maintain this overall industrial orientation. Industrial uses are planned for development intensities up to .50 FAR. The existing buffer zone dedicated for public park along the northern boundary of this land unit (providing buffering for the Edsall Park residential community) should be maintained. This linear open space buffer should be completed and should be considered for a network of pedestrian and bike trails to provide recreation and permit inter-community movement.

In addition, an effective buffer of evergreen trees should be preserved along the northeastern perimeter of Land Unit C, along the south side of Edsall Road, in order to provide screening of buildings in the industrial park from residences across Edsall Road. Existing vegetation should be preserved as long as adequate sight distance is provided. If entrances to Industrial Drive opposite Mitchell Street and Canard Street are closed, the vacated space should be filled in with an effective screening of suitable evergreen trees.

Office and public facilities uses up to .30 FAR are planned for the northernmost portion of Land Unit C near the intersection of Edsall Road and Carolina Place. These uses provide an appropriate transition to, and minimize noise and visual impacts on, the residential neighborhoods to the west.

### Environment

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

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

..

- Policy d. Preserve the integrity and the scenic and recreational value of EQCs when locating and designing storm water detention and BMP facilities. . . .
- Policy k. For new development and redevelopment, apply better site design and low impact development (LID) 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.

In order to protect the Chesapeake Bay and other waters of Virginia from degradation resulting from runoff pollution, the Commonwealth has enacted regulations requiring localities within Tidewater Virginia (including Fairfax County) to designate “Chesapeake Bay Preservation Areas”. Within which land uses are either restricted or water quality measures must be provided. Fairfax County has adopted a Chesapeake Bay Preservation Ordinance pursuant to these regulations.

The more restrictive type of Chesapeake Bay Preservation Area is known as the “Resource Protection Area (RPA).” With a few exceptions (e.g. water wells, recreation, infrastructure improvements, "water dependent" activities, and redevelopment), new development is prohibited in these areas. In Fairfax County, RPAs include the following features:

- water bodies with perennial flow;
- tidal wetlands;
- tidal shores;
- nontidal wetlands contiguous with and connected by surface flow to tidal wetlands or water bodies with perennial flow;
- a buffer area not less than 100 feet in width around the above features; and
- as part of the buffer area, any land within a major floodplain.

The other, less sensitive category of land in the Preservation Areas is called the "Resource Management Area (RMA)." Development is permitted in RMAs as long as it meets water quality goals and performance criteria for these areas. These goals and criteria include stormwater management standards, maintenance requirements and reserve capacity for on-site sewage disposal facilities, erosion and sediment control requirements, demonstration of attainment of wetlands permits, and conservation plans for agricultural activities. In Fairfax County, RMAs include any area that is not designated as an RPA. . . .

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

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

**Objective 9: Identify, protect and enhance an integrated network of ecologically valuable land and surface waters for present and future residents of Fairfax County.**

Policy a: Identify, protect and restore an Environmental Quality Corridor system (EQC). . . . Lands may be included within the EQC system if they can achieve any of the following purposes:

- **Habitat Quality:** The land has a desirable or scarce habitat type, or one could be readily restored, or the land hosts a species of special interest. This may include: habitat for species that have been identified by state or federal agencies as being rare, threatened or endangered; rare vegetative communities; unfragmented vegetated areas that are large enough to support interior forest dwelling species; and aquatic and wetland breeding habitats (i.e., seeps, vernal pools) that are connected to and in close proximity to other EQC areas.
- **Connectivity:** This segment of open space could become a part of a corridor to facilitate the movement of wildlife and/or conserve biodiversity. This may include natural corridors that are wide enough to facilitate wildlife movement and/or the transfer of genetic material between core habitat areas.
- **Hydrology/Stream Buffering/Stream Protection:** The land provides, or could provide, protection to one or more streams through: the provision of shade; vegetative stabilization of stream banks; moderation of sheet flow stormwater runoff velocities and volumes; trapping of pollutants from stormwater runoff and/or flood waters; flood control through temporary storage of flood waters and dissipation of stream energy; separation of potential pollution sources from streams; accommodation of stream

channel evolution/migration; and protection of steeply sloping areas near streams from denudation.

- **Pollution Reduction Capabilities:** Preservation of this land would result in significant pollutant reductions. Water pollution, for example, may be reduced through: trapping of nutrients, sediment and/or other pollutants from runoff from adjacent areas; trapping of nutrients, sediment and/or other pollutants from flood waters; protection of highly erodible soils and/or steeply sloping areas from denudation; and/or separation of potential pollution sources from streams.

In the Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through July 27, 2010, page 18, the Plan states:

**“Objective 10: Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.**

Policy a: Protect or restore the maximum amount of tree cover on developed and developing sites consistent with planned land use and good silvicultural practices.

Policy b: Require new tree plantings on developing sites which were not forested prior to development and on public rights of way.”

**COMPREHENSIVE PLAN MAP: Industrial**

**LAND USE ANALYSIS**

The Comprehensive Plan map indicates the subject property is planned for industrial uses. While the Comprehensive Plan text provides no specific guidance for the subject property, the use in its current configuration raises some concerns regarding internal circulation and access to Commercial Drive based on comments from the Fairfax County Department of Transportation. The applicant has been asked to provide clarification regarding internal circulation and the location of access point based on these comments. As previously noted the proposed use is located within an industrial park and is intended to serve the surrounding uses. The Planning Division staff finds that the proposed use is in harmony with 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.

**Water Quality**

A large portion of the subject property is within an RPA. Some of the proposed development, most notably areas of clearing and grading, area proposed within the RPA portions of the site. Staff within DPWES have indicated that the proposed limits of clearing and grading should be slightly expanded within the RPA to represent a more realistic expectations for the proposed work. DPWES staff have also indicated that the RPA area should be restored as part of the completion of the proposed work. DPZ staff supports this proposal and the recommendations from DPWES to restore portions of the RPA on this site as part of the proposed service station development. Any final determination regarding the extent of restoration efforts will be subject to review and approval by staff within the Department of Public Works and Environmental Services.

: JRB



# County of Fairfax, Virginia

APPENDIX 5

## MEMORANDUM

**DATE:** August 19, 2011

**TO:** Rebecca Horner, Staff Coordinator  
Zoning Evaluation Division  
Department of Planning and Zoning

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

**SUBJECT:** Special Exception Application #SE 2010-MA-015, Quarles Petroleum,  
Special Exception Plat dated August 12, 2011, LDS Project #3593-ZONA-  
004-1, Tax Map #80-2-01-0038A, Mason District

RECEIVED  
Department of Planning & Zoning

AUG 23 2011

Zoning Evaluation Division

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

### General

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

### Chesapeake Bay Preservation Ordinance (CBPO)

There is Resource Protection Area (RPA) on this site. A site-specific RPA boundary study, #3593-RPA-001, was approved on July 11, 2011. The encroachments into the RPA depicted on the plat are considered redevelopment or allowed uses (i.e., stormwater improvements). An approved Water Quality Impact Assessment would be required before site plan approval for these types of encroachments (CBPO 118-3-3(a) and (b)). Reforestation of the disturbed areas of the RPA in compliance with CBPO 118-3-3(f) has been proposed.

Water quality controls are required for this development (PFM 6-0401.2A). Two bioretention facilities are depicted on the plat. The drainage area to the facilities is not provided (ZO 9-011 paragraph 2.J(1)(b)). This type of bioretention facility must be sited with its lowest elevation at least 2 feet above the Seasonal High Water Table as determined by field-run soil borings (PFM 6-1307.4L). No information on the water table is provided. It is suggested that either soil borings or a narrative describing alternative controls be provided.

### Floodplain

There is minor floodplain on the property. A floodplain study, #3593-FP-001, was approved on July 11, 2011.

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



Storm drains, a portion of a canopy, and a portion of the gas islands have been proposed within the minor floodplain. A floodplain use determination from this office will be a site plan approval requirement notwithstanding the comments in the applicant's letter of July 13, 2011 (ZO 2-903).

#### Downstream Drainage Complaints

There are no downstream drainage complaints on file.

#### Stormwater Detention

Stormwater detention is required, if not waived (PFM 6-0301.3). Two bioretention filters are located on the plat. The applicant feels a partial waiver of the detention requirements may be necessary; such a waiver is likely to be approved provided a) DPWES feels that a significant portion of the detention requirements are achieved by the facilities designed in the site plan submission and b) the PFM's adequate outfall requirements are met.

#### Site Outfall

An outfall narrative has been provided.

#### Stormwater Planning Division Comments

The Cameron Run Watershed Management Plan was adopted in 2007. The plan does not show any projects in this vicinity.

In addition to the bioretention facilities proposed, the Stormwater Planning Division (SWPD) recommends that the applicant employ additional Environmental Site Design, Better Site Design, and Low-Impact Development (LID) techniques to minimize/reduce the volume of water that leaves the site. The use of multiple LID practices on the site is very effective in reducing the volume of water leaving the site and benefits the streams. SWPD recommends additional LID practices be included on the site.

The Fairfax County Stream Physical Assessment Report (2004) rates Backlick Run of Cameron Run as Poor and rates the Channel Evolutionary Model as Level 3-4 indicating that the stream has down cut and is widening to compensate for increased runoff volume. An increase in the volume of water leaving the site could cause the streams to downcut and widen even further. SWPD recommends that a partial detention waiver not be granted.

The Stream Protection Strategy Baseline Report (2001) considers this site to be in the Watershed Restoration Level II. Sites in this level are recommended be developed with the use of innovative BMPs and, if appropriate, unstable sections of onsite streams be restored or stabilized. The primary goal of this category is to maintain areas to prevent further degradation.

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, SDID, DPWES  
Zoning Application File



# County of Fairfax, Virginia

## MEMORANDUM

September 1, 2011

**TO:** Rebecca Horner, Senior Staff Coordinator  
Zoning Evaluation Division, DPZ

**FROM:** Nicholas J. Drunasky, Urban Forester II NJD  
Forest Conservation Branch, UFMD

**SUBJECT:** Shirley Industrial Park Lot 38A, SE 2010-MA-015

**Site Description:** A large part of the site is occupied by field w/ various types of herbaceous plants. The eastern border is a stream corridor that consists of tree species such as tulip poplar, black cherry, black willow, bigtooth aspen, sweetgum, mimosa, Virginia pine, willow oak, and southern red oak. Trees also come through in a strip near the center of the site in a stream drainage area. Many of the forested areas are overgrown with grape vines, poison ivy, trumpet creeper, porcelain berry, and Japanese honeysuckle.

This review is based upon the Special Exception Plat SE2010-MA-015 stamped "Received Department of Planning & Zoning, August 12, 2011." A site visit was conducted on May 10, 2011, as part of a review of this document.

1. **Comment:** The uses for surrounding sites are not listed on the SE plat, but are listed in the SE plat analysis letter.

**Recommendation:** The uses should be provided according to ZO 13-302 for all the surrounding parcels, including the one across Commercial Drive on the Landscape Plan in order to determine any transitional screening requirements.

2. **Comment:** Only small groupings of trees and shrubs have been added within the RPA.

**Recommendation:** In order to provide a greater amount of benefits provided by trees within an RPA, UFMD staff recommends increasing the amount of trees to be planted within this area. Since the last submission several shrubs have been added but only three trees have been added to this area.



3. **Comment:** It appears that all proposed planting within the rain gardens is in the form of small trees. Since this is a small commercial site it may be more appropriate to use an Ornamental Garden Planting Plan as described in the PFM.

**Recommendation:** Since it appears that applicant is meeting canopy requirements, applicant may want to consider planting a mixture of trees, shrubs, and perennials in the proposed rain gardens to provide varying levels of interest as described in the Ornamental Garden Planting Plan design referred to in PFM 6-1307.10G(2).

If you have any questions, please feel free to contact me at 703-324-1770.

NJD/

UFMID #: 152180

cc: RA File  
DPZ File



JUL 22 2011



## County of Fairfax, Virginia

Zoning Evaluation Division

**MEMORANDUM**

DATE: July 14, 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:** 3-5 (SE 2010-MA-015)

**SUBJECT:** Transportation Impact

**REFERENCE:** SE 2010-MA-015 – Quarles Petroleum Inc.  
Shirley Industrial Park, Lot 38A  
Traffic Zone: 1400  
Land Identification Map: 80-2 ((1)) 38A

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 September 4, 2010, and revised through July 12, 2011. The applicant proposes an automated fueling facility marketed to businesses using fleet vehicles and constructed in two phases. Phase I would have seven fueling positions (three for diesel and four for gasoline), and Phase II a compressed natural gas island with two fueling positions. In Phase II the northerly entrance would be shifted further to the north than shown in Phase I and there still would be only two entrances. There are no on-site employees in these stations but an employee does perform daily inspections of the equipment.

- The gas fueling positions #2 and #4 enter and exit the fueling positions within a few feet of the edge of pavement and the RPA and the turn into those fueling positions is very tight for large vehicles.
- If Phase II is implemented and the Phase I north entrance is moved farther north and only two entrances are maintained, it is not clear how vehicles would get to the natural gas dispensers – from the southern entrance? Is there a bypass lane?

AKR/LAH/lah

## Fairfax County Department of Transportation

4050 Legato Road, Suite 400  
Fairfax, VA 22033-2895  
Phone: (703) 877-5600 TTY: 711  
Fax: (703) 877 5723  
[www.fairfaxcounty.gov/fcdot](http://www.fairfaxcounty.gov/fcdot)



## **9-006 General Standards**

## **APPENDIX 8**

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

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

## **9-503 Standards for all Category 5 Uses**

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

1. Except as qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located.

2. All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan or photometric plan as may be required by Part 9 of Article 14.

3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

**9-505 Additional Standards for Automobile-Oriented Uses, Car Washes, Drive-In Financial Institutions, Drive-Through Pharmacies, Fast Food Restaurants, Quick-Service Food Stores, Service Stations and Service Stations/Mini-Marts**

1. In all districts where permitted by special exception:

A. Such a use shall have on all sides the same architectural features or shall be architecturally compatible with the building group or neighborhood with which it is associated.

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

C. The site shall be designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation. Parking and stacking spaces shall be provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the site.

D. In reviewing such a use or combination of uses, it shall be determined that the lot is of sufficient area and width to accommodate the use and that any such use will not adversely affect any nearby existing or planned residential areas as a result of the hours of operation, noise generation, parking, glare or other operational factors.

E. For a drive-through pharmacy, 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.

2. In the C-3 and C-4 Districts, in addition to Par. 1 above:

A. All such uses, except drive-in financial institutions, shall be an integral design element of a site plan for an office building or office building complex containing not less than 35,000 square feet of gross floor area.

B. Such a use shall have no separate and exclusive curb cut access to the abutting highway.

C. There shall be no outside storage or display of goods offered for sale.

D. Service stations shall not include any ancillary use such as vehicle or tool rental, and shall be limited to the servicing and retail sales of products used primarily by passenger vehicles.

E. Service stations shall not be used for the performance of major repairs, and no wrecked, inoperative or abandoned vehicles may be temporarily stored outdoors for a period in excess of 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, there shall be no more than (2) such vehicles on site at any one time.

3. In the C-5 and C-6 Districts, in addition to Par. 1 above:

A. 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.

B. Service stations and service station/mini-marts shall not be used for the performance of major repairs, and no wrecked, inoperative or abandoned vehicles may be temporarily stored outdoors for a period in excess of 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, there shall be no more than two (2) such vehicles on site at any one time.

4. In the C-7, C-8 and C-9 Districts, in addition to Par. 1 above:

A. In the C-7 or C-9 District, 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.

B. Service stations and service station/mini-marts shall not be used for the performance of major repairs, and no wrecked, inoperative or abandoned vehicles may be temporarily stored outdoors for a period in excess of 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, there shall be no more than four (4) such vehicles on site at any one time.

C. The outdoor area devoted to any use such as vehicle or tool rental shall be limited to the area so designated on an approved special exception plat.

5. In the I-3, I-4, I-5 and I-6 Districts, in addition to Par. 1 above:

A. All such uses, except drive-in financial institutions, shall be an integral design element of a site plan for an industrial building or building complex containing not less than 30,000 square feet of gross floor area.

B. In an I-3 or I-4 District, 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.

C. In an I-3 or I-4 District, service stations shall not be used for the performance of major repairs, and no wrecked, inoperative or abandoned vehicles may be temporarily stored outdoors for a period in excess of 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, there shall be no more than four (4) such vehicles on site at any one time.

D. No Building Permit shall be approved for such a use unless a Building Permit has been approved for the related industrial building(s).

**E. The outdoor area devoted to any use such as vehicle or tool rental shall be limited to that area so designated on an approved special exception plat.**

## GLOSSARY

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

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

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

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

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

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

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

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

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

**CLUSTER DEVELOPMENT:** Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### Abbreviations Commonly Used in Staff Reports

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