



FAIRFAX COUNTY

OFFICE OF COMPREHENSIVE PLANNING

Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509

(703) 324-1290

Fax (703) 324-3924

V I R G I N I A

May 5, 1998

James L. McCormack, Project Manager
Bengtson, DeBell & Elkin, Ltd.
4160 Pleasant Valley Road
Chantilly, Virginia 20151-1226

Re: Interpretation for PCA C-448-16, FDP C-448-31 and SP 97-D-051; Green Property, Shift
in Restaurant Location and Redesign of the Parking Lot

Dear Mr. McCormack:

This is a second interpretation in response to your letter of March 30, 1998, and replaces the previous response dated April 28, 1998. The March 30, 1998, letter requested an interpretation of the proffered Conceptual Development Plan Amendment/Final Development Plan/Special Permit Plat (CDPA/FDP/SP Plat) accepted by the Board of Supervisors in conjunction with the approval of PCA C-448-16 and approved pursuant to the concurrent cases, FDP C-448-31 and SP 97-L-051, by the Planning Commission and the Board of Zoning Appeals, respectively. As I understand it, the question is whether the proposed relocation of the restaurant building and a redesign of the parking lot are in substantial conformance with the CDPA/FDP/SE Plat. This second determination is based on the plan submitted to this office on May 1, 1996, entitled Plan Showing Alternate Layout for Parking and Restaurant Building (the plan) and prepared by Bengtson, DeBell & Elkin, Ltd. which is dated March 27, 1998, but does not show revision dates. A copy of the above referenced letter and the affected portion of the plan are attached.

The restaurant is to be moved away from the proposed clubhouse and rotated approximately ninety degrees so that the longer dimension faces towards S. Van Dorn Street. The revised plan submitted May 1, 1998, shows the restaurant 170 feet from the right-of-way, the planting strip between the right-of-way and the parking area has been widened by approximately twenty (20) feet between the restaurant building and S. Van Dorn Street. Additional landscaping beyond that shown on the proffered plan is proposed between the restaurant building and S. Van Dorn Street. Par a. of Proffer Number 4 states that the landscaping along S. Van Dorn Street should comply with the planting required for Transitional Screening 2. In addition, the revised plan includes an enhanced pedestrian network from S. Van Dorn Street into the site. This network includes a sidewalk through the parking lot towards the relocated restaurant site.

You have stated that the requested modifications to the parking lot have been initiated to avoid encroachment into an existing pond located on the southern edge of the proposed parking area. The CDPA/FDP/SP Plat states that the maximum number of space is to be 226.

James L. McCormack

Page 2.

It is my determination that the proposed relocation of the restaurant building would be in substantial conformance with the proffered CDPA/FDP/SP Plat provided that landscaping between the parking lot and S. Van Dorn Street complies with the planting density required for Transitional Yard 3 and a canopy connecting the two buildings is installed.

It is my further determination that the revised parking lot layout would be in substantial conformance the proffered CDPA/FDP/SP Plat provided that the number of parking spaces is reduced to a total of 226 as depicted on the proffered plan and the pedestrian pathway from S. Van Dorn Street to the clubhouse and restaurant is enhanced by providing a sidewalk on the north side of the entrance road from the trail along S. Van Dorn Street as depicted on the detail faxed to this office on May 5, 1998, which is also attached.

These determinations have been made in my capacity as the duly authorized agent of the Zoning Administrator. If you have any questions regarding this interpretation, please feel free to contact Peter Braham at (703) 324-1290.

Sincerely,



Barbara A. Byron, Director
Zoning Evaluation Division

BAB/pb/PI 9804-0041/K-towne Driving Range.ltr

Attachments: A/S

cc: Dana Kauffman, Supervisor, Lee District
Jack Kelso, Planning Commissioner, Lee District
Jane W. Gwinn, Zoning Administrator
Edward J. Jankiewicz, Director, Design Review Division, DEM
Angela Rodeheaver, Section Chief for Site Analysis, OT
Kathleen Snyder, President, Kingstowne Residential Owner's Corporation, 6090
Kingstowne Village Parkway, Kingstowne, VA 22315
Bonds and Agreements Branch, DRD, DEM
Files: PCA C-448-16, FDP C-448-31, SP 97-L-051



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V I R G I N I A

April 28, 1998

James L. McCormack, Project Manager
Bengtson, DeBell & Elkin, Ltd.
4160 Pleasant Valley Road
Chantilly, Virginia 20151-1226

Re: Interpretation for PCA C-448-16, FDP C-448-31 and SP 97-D-051; Green Property, Shift in Restaurant Location and Redesign of the Parking Lot

Dear Mr. McCormack:

This is in response to your letter of March 30, 1998 requesting an interpretation of the proffered Conceptual Development Plan Amendment/Final Development Plan/Special Permit Plat (CDPA/FDP/SP Plat) accepted by the Board of Supervisors in conjunction with the approval of PCA C-448-16 and approved pursuant to the concurrent cases, FDP C-448-31 and SP 97-L-051, by the Planning Commission and the Board of Zoning Appeals, respectively. As I understand it, the question is whether the proposed relocation of the restaurant building and a redesign of the parking lot are in substantial conformance with the CDPA/FDP/SE Plat. This determination is based on the plan submitted to this office on April 21, 1996, entitled Plan Showing Alternate Layout for Parking and Restaurant Building (the plan) and prepared by Bengtson, DeBell & Elkin, Ltd. which is dated March 27, 1998 as revised April 23, 1998. A copy of the above referenced letter and the affected portion of the plan are attached.

The restaurant is to be moved away from the proposed clubhouse and rotated approximately ninety degrees so that the longer dimension faces towards S. Van Dorn Street. The revised plan dated April 23, 1998 shows the restaurant 170 feet from the right-of-way. To compensate for the lesser setback, the planting strip between the right-of-way and the parking area has been widened by approximately twenty (20) feet between the restaurant building and S. Van Dorn Street. In addition, additional landscaping beyond that shown on the proffered plan is proposed between the restaurant building and S. Van Dorn Street. Par a. of Proffer Number 4 states that the landscaping along S. Van Dorn Street should comply with the planting required for Transitional Screening 2.

You have stated that the requested modifications to the parking lot have been initiated to avoid encroachment into an existing pond located on the southern edge of the proposed parking area. The overall number of parking spaces would be reduced by ten (10) spaces to 238 spaces. However, the CDPA/FDP/SP Plat states that the maximum number of space is to be 226.

James L. McCormack

Page 2.

It is my determination that the proposed relocation of the restaurant building would be in substantial conformance with the proffered CDPA/FDP/SP Plat provided that landscaping between the parking lot and S. Van Dorn Street complies with the planting density required for Transitional Yard 3 and a canopy connecting the two buildings is installed.

It is my further determination that the revised parking lot layout would be in substantial conformance the proffered CDPA/FDP/SP Plat provided that the number of parking spaces is reduced to a total of 226 as depicted on the proffered plan and the pedestrian pathway from S. Van Dorn Street to the clubhouse and restaurant is enhanced as follows:

- Removing the twelve (12) parking spaces located immediately north of where the entrance narrows at the beginning of the parking lot. (The affected area is circled on the portion of the interpretation plan attached to this letter).
- The five (5) foot sidewalk shown adjacent to those space located in the center of a landscaped area incorporating the displaced parking, with ornamental and deciduous trees lining the sidewalk.
- A sidewalk shall be provided on the north side of the entrance road from the trail along S. Van Dorn Street.

These determinations have been made in my capacity as the duly authorized agent of the Zoning Administrator. If you have any questions regarding this interpretation, please feel free to contact Peter Braham at (703) 324-1290.

Sincerely,



Barbara A. Byron, Director
Zoning Evaluation Division

BAB/pb/PI 9804-0041/K-towne Driving Range.ltr

Attachments: A/S

cc: Dana Kauffman, Supervisor, Lee District
Jack Kelso, Planning Commissioner, Lee District
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Files: PCA C-448-16, FDP C-448-31, SP 97-L-051



BDE

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FAX (703) 631-6041

Bengtson, DeBell & Elkin, Ltd.

Engineers ♦ Surveyors ♦ Planners ♦ Landscape Architects
Lafayette Business Center
4160 Pleasant Valley Road
Chantilly, Virginia 20151-1226

March 30, 1998

Ms. Barbara Byron, Chief
Zoning Evaluation Branch
Office of Comprehensive Planning
12055 Government Center Parkway
Fairfax, VA 22035

Re: Green Property
Proffered Condition Amendment PCA C-448-16 and Special Permit SP 97-L-051

Dear Ms. Byron:

The above-referenced Proffered Condition Amendment (PCA) was approved by the Board of Supervisors on January 12, 1998 and the referenced Special Permit was approved by the Board of Zoning Appeals on January 13, 1998. These approvals apply to separate portions of a single site which is proposed to be developed for a golf driving range, with a restaurant use within the site area encompassed by the PCA. We are presently preparing a site plan for this property, and, in the course of the final engineering design, some minor changes to the layout of a portion of the site have evolved. We are writing to request your interpretation, and confirmation, that the final design is in substantial conformance with the approved PCA and Special Permit.

We are enclosing herewith the approved Final Development Plan/PCA Plat/Special Permit Plat (the "Plat"). The site area which has been subject to modification is that area at the southerly end of the property, encompassing the proposed parking lot and the proposed restaurant building. In the course of preparing the site plan and designing the final grading for the parking area, we have determined that the grading for the parking layout as it had been proposed on the Plat would encroach into the existing pond and environmentally sensitive area at the southerly tip of the property. In order to avoid this encroachment, it would be necessary to move the lower edge of the parking area further to the north, away from the pond area. This made it necessary to re-evaluate the entire parking layout and to develop a different arrangement which would achieve the objective of obtaining more separation from the existing features at the lower edge of the property.

At the same time, the developer of the property was negotiating further with a potential operator for the proposed restaurant use. As these talks progressed, it became clear that the restaurant operator would prefer the restaurant building to be separated from the clubhouse building and, to fit their prototype, to be oriented in a different direction. Therefore, a second objective of the re-evaluation was to establish an alternate location for the restaurant.

These two objectives have resulted in an alternate layout for the southerly end of the site, which is shown on an enclosed plan. On this alternative plan, the locations of the clubhouse and the driving range tee structure are the same as had been proposed on the approved plat. The configuration of the parking lot is different, and one result of this difference is that there is slightly more open space area between the South Van Dorn Street frontage and the parking. Whereas the average separation distance between the parking lot and the street right-of-way had been approximately 63 feet on the approved Plat, the alternate layout results in an average separation distance of 68 feet. Although the restaurant has moved closer to the road (to within approximately

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140 feet of the right-of-way versus the approximately 187-foot separation proposed on the Plat), there is a greater distance between the parking area directly adjoining the restaurant and the roadway (approximately 75 feet on the alternate layout versus the 55 feet proposed on the Plat). This will permit more landscaping in this area to screen the parking and the restaurant building from the road, and it is proposed that this area be more heavily landscaped.

The lesser distance between the restaurant and the roadway results both from its separation from the clubhouse structure and the change in orientation of the building. Once these structures are separated, they must conform to minimum fire separation distance requirements. Additionally, the site topography dictates that the two separate buildings be at different elevations and the distance between them is necessary to accommodate the grade differential. Although the restaurant building has shifted closer to the roadway, it will still be at a distance of 140 feet from the road. Additionally, the land on the opposite side of South Van Dorn Street at this location is open space, and the slight shift of the restaurant to the west would not have any adverse impact on any existing or proposed residential use in the vicinity of this property.

Relative to the conditions stated in Section 16-403.4 of the Zoning Ordinance, pertaining to a minor modification to an approved final development plan, the following justifications or compliance considerations can be cited in this case:

- A. The proposed changes do not permit or result in a more intensive use than that approved pursuant to the approved conceptual development plan, final development plan or any applicable proffers or development conditions.
- B. The proposed changes do not result in any increased parking requirement (the proposed restaurant seating and the resulting parking requirement will remain the same as originally approved). In fact, the number of parking spaces actually provided on the site is decreased under the alternate layout. Whereas the approved Final Development Plan had included a parking layout showing a total of 248 parking spaces, the alternate layout proposes a total of 238 spaces.
- C. The proposed changes do not result in any additional uses other than those approved pursuant to the approved final development plan.
- D. The proposed changes do not result in a reduction in the effectiveness of approved transitional screening, buffering, landscaping or open space. As pointed out above, the proposed changes will actually result in an increase in the open space area between the restaurant and the adjoining roadway and will therefore increase the effectiveness of the landscaping and screening.
- E. The proposed changes do not result in an adverse impact on the relationship of the development to adjacent property. As had been noted earlier, the land on the opposite side of South Van Dorn Street is intended as open space, and there are no residential uses in that area which could be subject to an adverse impact. Furthermore, the screening between the proposed use and the roadway will actually be more effective under the alternate layout. Additionally, this alternate layout creates additional open space separation between the parking and the property lines at the southeast corner of the parking lot,

Ms. Barbara Byron
March 30, 1998
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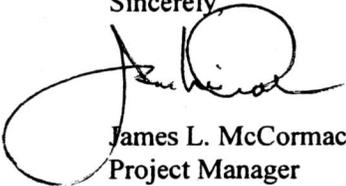
thus providing additional buffering from the property to the southwest which is proposed for future multi-family residential development.

- F. The proposed changes do not result in an increase in the gross building floor area over that approved with the Final Development Plan, or as may be permitted by the Zoning Ordinance.

As was noted earlier, these proposed changes are prompted by issues relating to site topography and grading design considerations which have warranted a reevaluation of the parking area in order to avoid grading encroachments into a sensitive site area and in order to accommodate grade differentials between the clubhouse building and the restaurant building. We believe the alternate layout is still in substantial conformance with the development proposed on the approved Final Development Plan and that the alternate layout does not result in any adverse impacts on properties or existing or proposed uses in the vicinity of this site.

We appreciate your consideration in this matter. Should you require any additional information, please contact me.

Sincerely,



James L. McCormack
Project Manager

cc: Mr. Peter Braham, Zoning Evaluation Branch, OCP

H:\LINDA\LANDDEV\MCCORMAC\GREENPRO\PROFCOND.AME
CT03029600/1320

KINGSTOWNE SVD NORTH, L.P.
 ZONED: PDH-4
 USE: COMMUNITY RECREATION CENTER
 MASTER PLANNED: COMMUNITY RECREATION CENTER

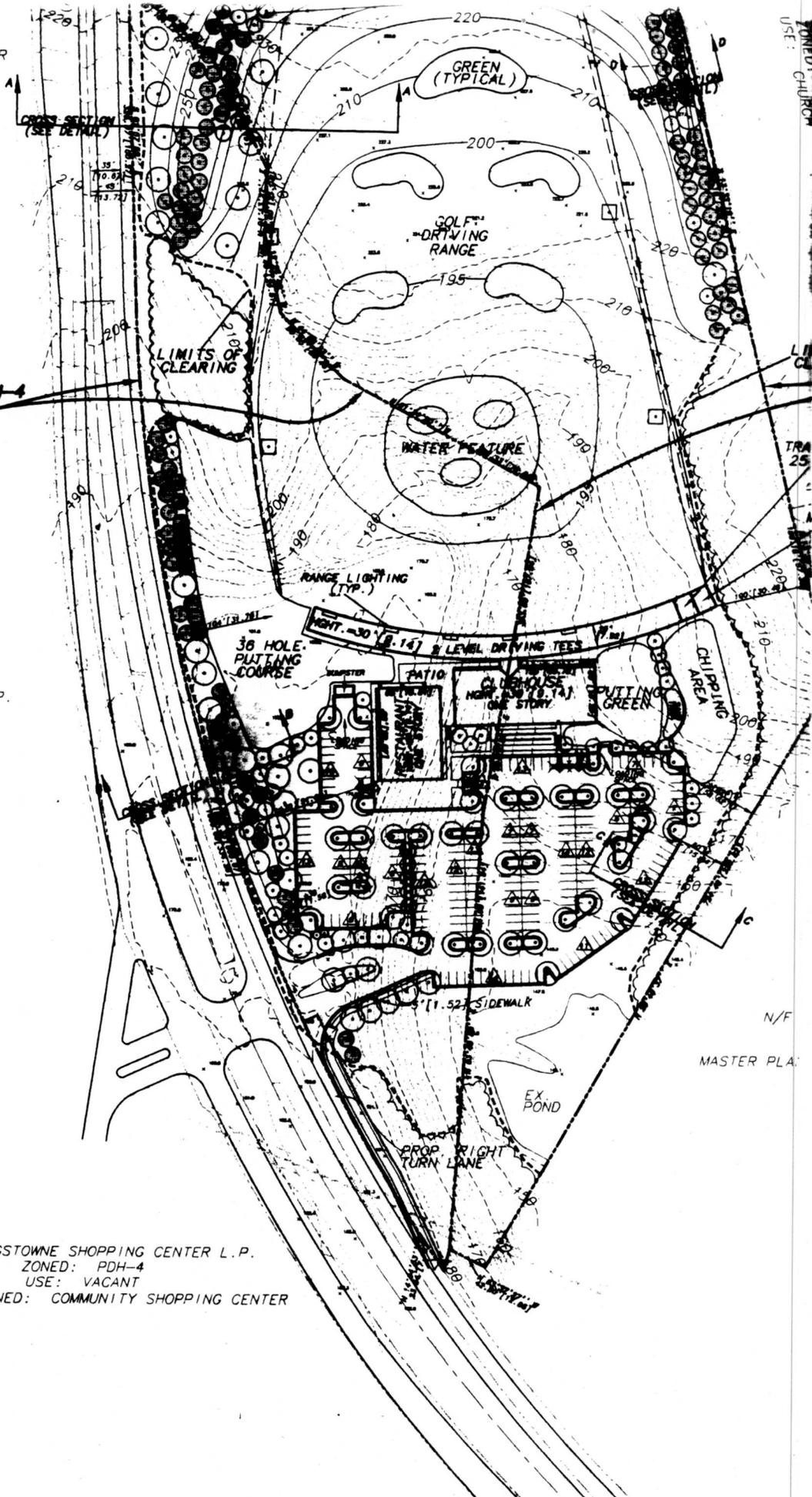
12' < 40 FEET [12.19]
 < 20 FEET [6.10]
 < 25 FEET [7.62]

LIMIT OF PDH-4 DISTRICT (CDPA/FDP)

ACE.

N/F KINGSTOWNE SVD NORTH, L.P.
 ZONED: PDH-4
 USE: VACANT
 MASTER PLANNED: OPEN SPACE

N/F KINGSTOWNE SHOPPING CENTER L.P.
 ZONED: PDH-4
 USE: VACANT
 MASTER PLANNED: COMMUNITY SHOPPING CENTER



ZONED: CHURCH
 USE:

N/F

MASTER PLANNED:



BDE

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At the same time, the developer of the property was negotiating further with a potential operator for the proposed restaurant use. As these talks progressed, it became clear that the restaurant operator would prefer the restaurant building to be separated from the clubhouse building and, to fit their prototype, to be oriented in a different direction. Therefore, a second objective of the re-evaluation was to establish an alternate location for the restaurant.

These two objectives have resulted in an alternate layout for the southerly end of the site, which is shown on an enclosed plan. On this alternative plan, the locations of the clubhouse and the driving range tee structure are the same as had been proposed on the approved plat. The configuration of the parking lot is different, and one result of this difference is that there is slightly more open space area between the South Van Dorn Street frontage and the parking. Whereas the average separation distance between the parking lot and the street right-of-way had been approximately 63 feet on the approved Plat, the alternate layout results in an average separation distance of 68 feet. Although the restaurant has moved closer to the road (to within approximately

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140 feet of the right-of-way versus the approximately 187-foot separation proposed on the Plat), there is a greater distance between the parking area directly adjoining the restaurant and the roadway (approximately 75 feet on the alternate layout versus the 55 feet proposed on the Plat). This will permit more landscaping in this area to screen the parking and the restaurant building from the road, and it is proposed that this area be more heavily landscaped.

The lesser distance between the restaurant and the roadway results both from its separation from the clubhouse structure and the change in orientation of the building. Once these structures are separated, they must conform to minimum fire separation distance requirements. Additionally, the site topography dictates that the two separate buildings be at different elevations and the distance between them is necessary to accommodate the grade differential. Although the restaurant building has shifted closer to the roadway, it will still be at a distance of 140 feet from the road. Additionally, the land on the opposite side of South Van Dorn Street at this location is open space, and the slight shift of the restaurant to the west would not have any adverse impact on any existing or proposed residential use in the vicinity of this property.

Relative to the conditions stated in Section 16-403.4 of the Zoning Ordinance, pertaining to a minor modification to an approved final development plan, the following justifications or compliance considerations can be cited in this case:

- A. The proposed changes do not permit or result in a more intensive use than that approved pursuant to the approved conceptual development plan, final development plan or any applicable proffers or development conditions.
- B. The proposed changes do not result in any increased parking requirement (the proposed restaurant seating and the resulting parking requirement will remain the same as originally approved). In fact, the number of parking spaces actually provided on the site is decreased under the alternate layout. Whereas the approved Final Development Plan had included a parking layout showing a total of 248 parking spaces, the alternate layout proposes a total of 238 spaces.
- C. The proposed changes do not result in any additional uses other than those approved pursuant to the approved final development plan.
- D. The proposed changes do not result in a reduction in the effectiveness of approved transitional screening, buffering, landscaping or open space. As pointed out above, the proposed changes will actually result in an increase in the open space area between the restaurant and the adjoining roadway and will therefore increase the effectiveness of the landscaping and screening.
- E. The proposed changes do not result in an adverse impact on the relationship of the development to adjacent property. As had been noted earlier, the land on the opposite side of South Van Dorn Street is intended as open space, and there are no residential uses in that area which could be subject to an adverse impact. Furthermore, the screening between the proposed use and the roadway will actually be more effective under the alternate layout. Additionally, this alternate layout creates additional open space separation between the parking and the property lines at the southeast corner of the parking lot,

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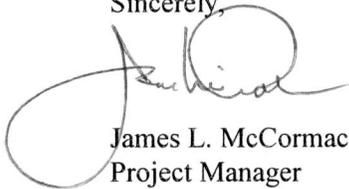
thus providing additional buffering from the property to the southwest which is proposed for future multi-family residential development.

- F. The proposed changes do not result in an increase in the gross building floor area over that approved with the Final Development Plan, or as may be permitted by the Zoning Ordinance.

As was noted earlier, these proposed changes are prompted by issues relating to site topography and grading design considerations which have warranted a reevaluation of the parking area in order to avoid grading encroachments into a sensitive site area and in order to accommodate grade differentials between the clubhouse building and the restaurant building. We believe the alternate layout is still in substantial conformance with the development proposed on the approved Final Development Plan and that the alternate layout does not result in any adverse impacts on properties or existing or proposed uses in the vicinity of this site.

We appreciate your consideration in this matter. Should you require any additional information, please contact me.

Sincerely,



James L. McCormack
Project Manager

cc: Mr. Peter Braham, Zoning Evaluation Branch, OCP

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