



FAIRFAX COUNTY

APPLICATIONS FILED: March 26, 2001
PLANNING COMMISSION: July 18, 2001
BOARD OF SUPERVISORS: August 6, 2001
@ 3:30 P.M.

V I R G I N I A

July 5, 2001

STAFF REPORT

APPLICATIONS RZ 2001-PR-012 and SEA 94-P-061
(In association with VC 01-P-053)

PROVIDENCE DISTRICT

APPLICANT: Potomac Development Corporation

PRESENT ZONING: I-5, HC

REQUESTED ZONING: C-6, HC

PARCEL(S): 49-3 ((1)) 72B, 72C, 73, 73A, 73D

ACREAGE: 2.26 acres

FAR/DENSITY: 0.16

OPEN SPACE: 21%

PLAN MAP: Retail

PROPOSAL: Request to rezone the 2.26 acres from the I-5 and HC Districts to the C-6 and HC Districts. Amend SE 94-P-061 (approved for two drive through windows for an existing bank) to increase the area for the special exception to cover the entire site, to permit site modifications for a 198 square foot addition to the bank and a 12,739 square foot building for a drive through pharmacy.

STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 2001-PR-012 subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of SEA 94-P-061 subject to the proposed development conditions contained in Appendix 2.

Staff recommends approval of a waiver of the service drive requirement along Lee Highway.

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

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

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.



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



FAIRFAX COUNTY

APPLICATION FILED: March 26, 2001
BOARD OF ZONING APPEALS: August 14, 2001
TIME: 9:00 a.m.

V I R G I N I A

August 7, 2001

STAFF REPORT

VARIANCE APPLICATION NO. VC 01-P-053
(In association with RZ 2001-PR-012 and SEA 94-P-061)

PROVIDENCE DISTRICT

APPLICANT: Southern Financial Bank

STREET ADDRESS: 8414 Lee Highway

TAX MAP REFERENCE: 49-3 ((1)) 72B, 72C, 73, 73A, 73D

LOT SIZE: 2.26 acres

ZONING DISTRICT: C-6

ZONING ORDINANCE PROVISION: 18-401

VARIANCE PROPOSAL: Permit an existing building to remain 23 feet from the front lot line of Hilltop Road.

The Board of Zoning Appeals' decision does not become final until the day following the next official meeting day of the BZA, but not less than eight (8) days, whichever is the latter, unless the BZA waives this requirement. A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

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



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

REZONING APPLICATION / SPECIAL EXCEPTION AMENDMENT APPLICATION

RZ 2001-PR-012

SEA 94-P-061

FILED 03/26/01

POTOMAC DEVELOPMENT CORPORATION

TO REZONE:

2.26 ACRES OF LAND; DISTRICT - PROVIDENCE

PROPOSED: REZONE FROM THE I-5 DISTRICT TO THE C-6 DISTRICT

LOCATED: NORTHEAST QUADRANT OF THE INTERSECTION OF LEE HIGHWAY AND PROSPERITY AVENUE

ZONING: I-5

TO: C-6

OVERLAY DISTRICT(S): HC

SEA 94-P-061

FILED 03/26/01

POTOMAC DEVELOPMENT CORPORATION

AMEND SE 94-P-061 PREVIOUSLY APPROVED FOR DRIVE IN BANK TO PERMIT BUILDING ADDITION,

SITE MODIFICATIONS AND INCREASE IN LAND AREA

ZONING DIST SECTION: 07-0607

ART 9 CATEGORY/USE: 06-08

2.26 ACRES OF LAND; DISTRICT - PROVIDENCE

LOCATED: 8414 LEE HIGHWAY, FAIRFAX, VA 22031

ZONED C-6

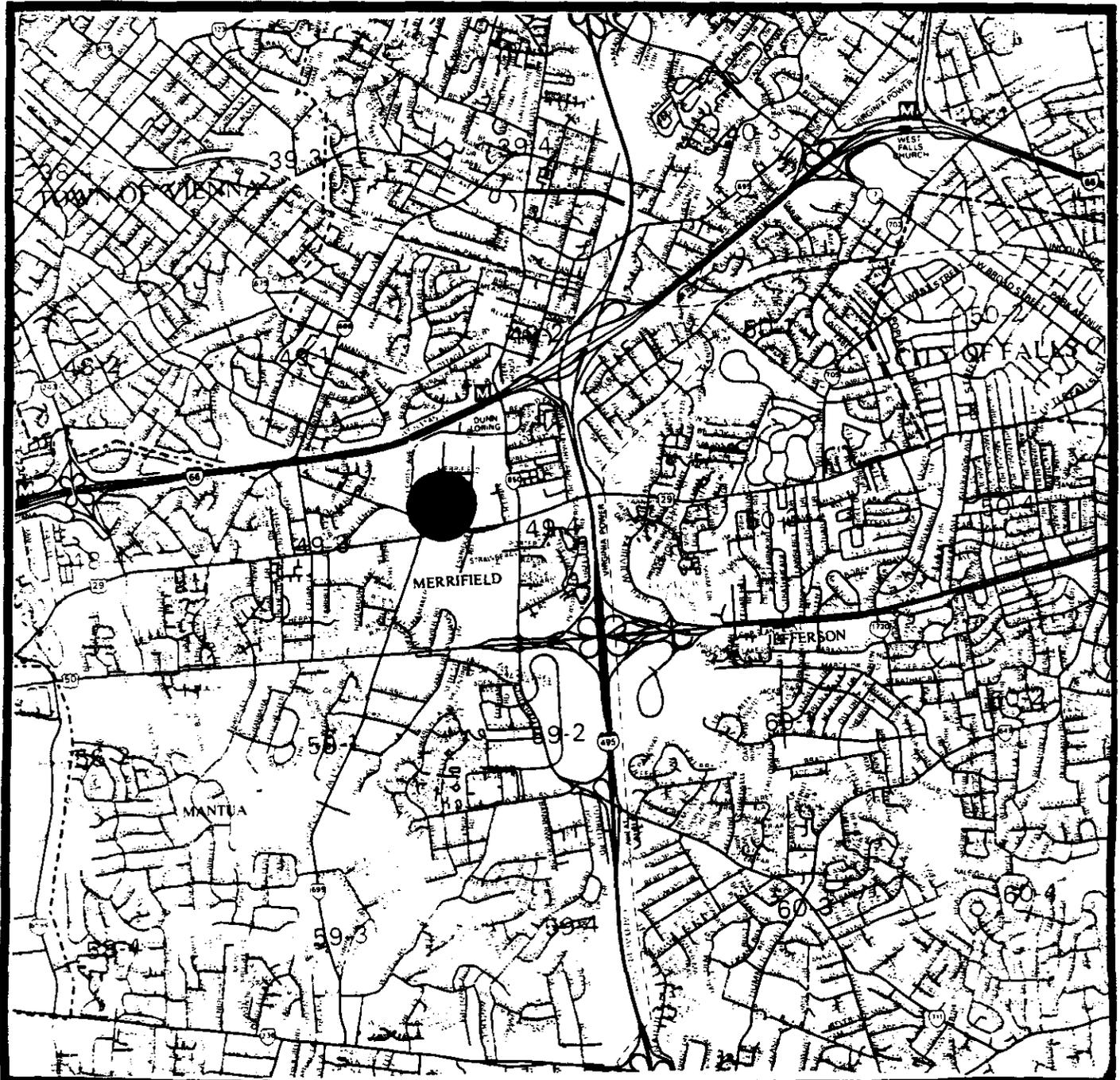
PLAN AREA 1

OVERLAY DISTRICT(S): HC

TAX MAP

MAP REF

049-3- /01/ /0072-B ,0072-C ,0073- ,0073-A ,0073 D 049-3- /01/ /0072-B ,0072-C ,0073- ,0073-A ,0073 E



VARIANCE APPLICATION

VC 01-P-053

VC 01-P-053

FILED 03/26/01

SOUTHERN FINANCIAL BANK

TO PERMIT EXISTING BUILDING TO REMAIN 23 FEET FROM THE FRONT LOT LINE

ZONING DIST SECTION: 18-0401 04-0607

PARAGRAPH: 02-A

2.26 ACRES OF LAND; DISTRICT - PROVIDENCE

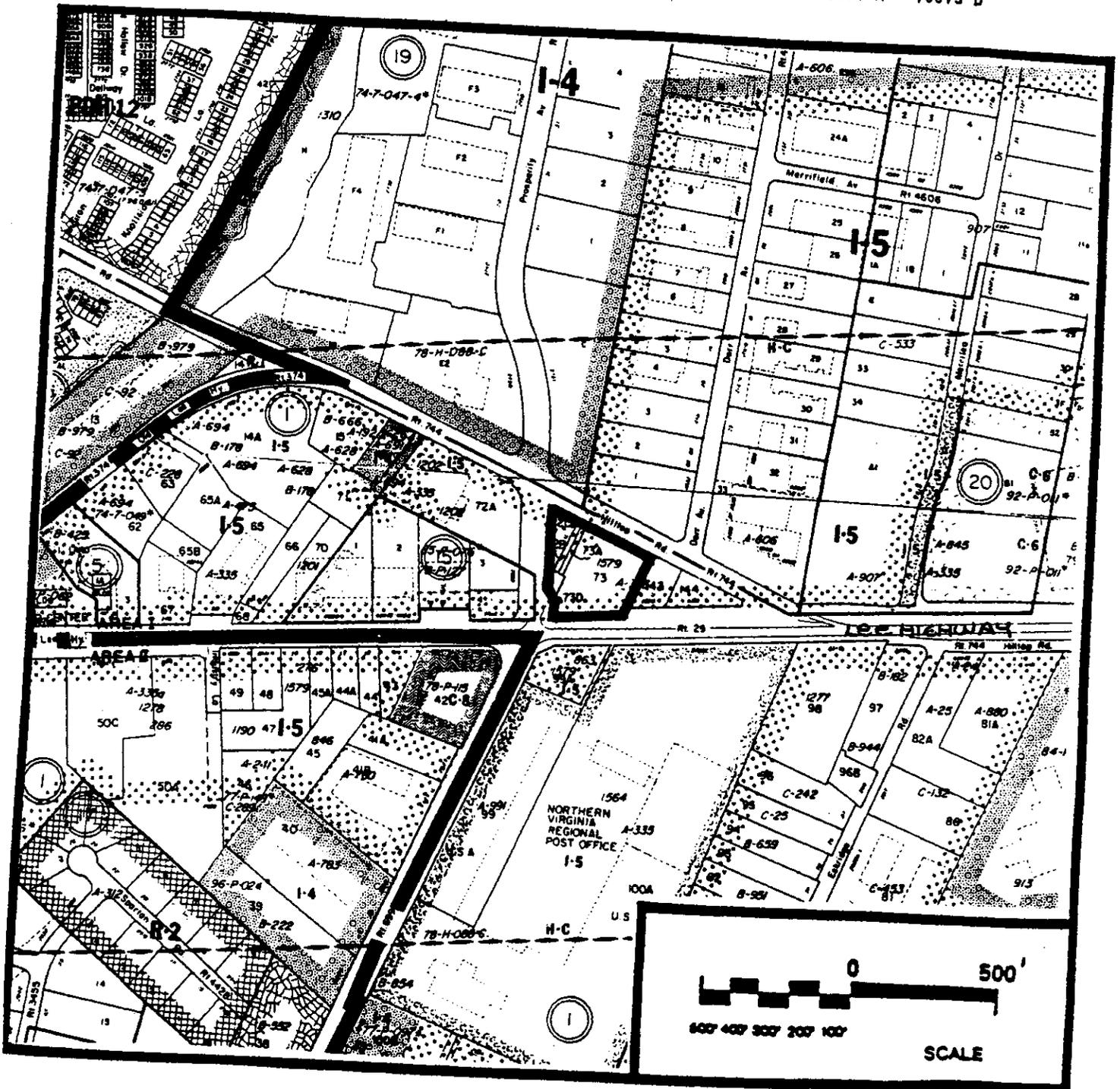
LOCATED: 8414 LEE HIGHWAY, FAIRFAX, VA. 22031

ZONED C-6

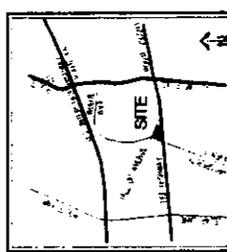
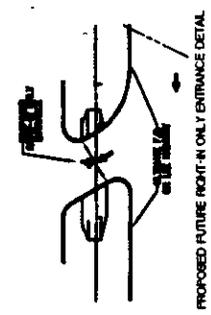
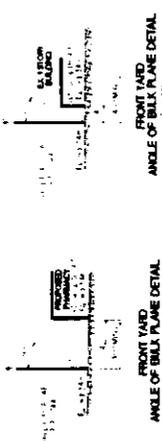
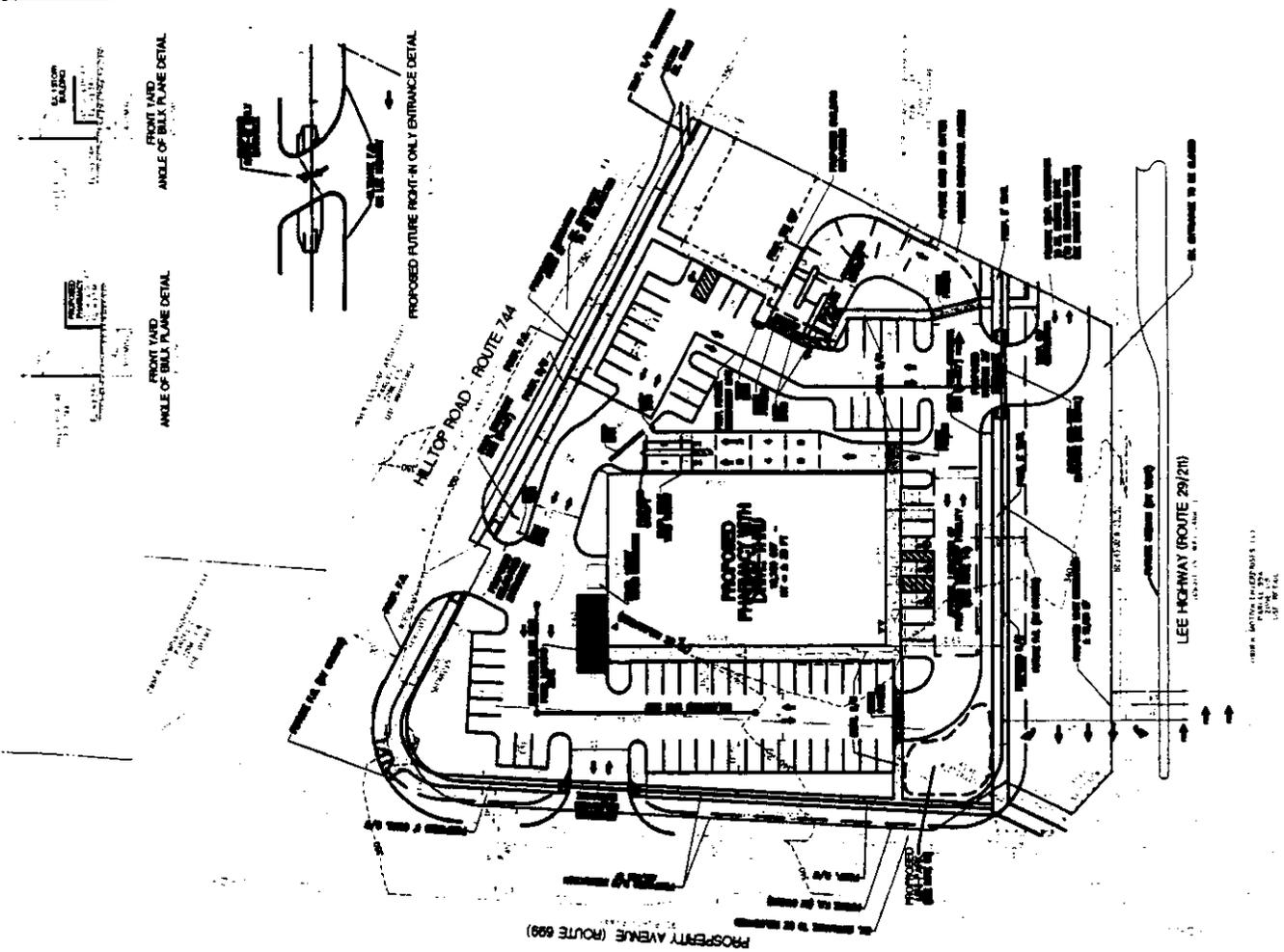
OVERLAY DISTRICT(S): HC

TAX MAP

049-3- /01/ /0072-B ,0072-C ,0073- ,0073-A ,0073 D



GENERALIZED DEVELOPMENT PLAN / SPECIAL EXCEPTION AMENDMENT / VARIANCE PLAT



VICINITY MAP

SITE TABULATIONS

1. TOTAL AREA: 10.0 ACRES
2. TOTAL AREA: 10.0 ACRES
3. TOTAL AREA: 10.0 ACRES
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10. TOTAL AREA: 10.0 ACRES

VARIANCE REQUESTED

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GENERAL NOTES

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ZONING TABULATIONS

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CURVE TABLE

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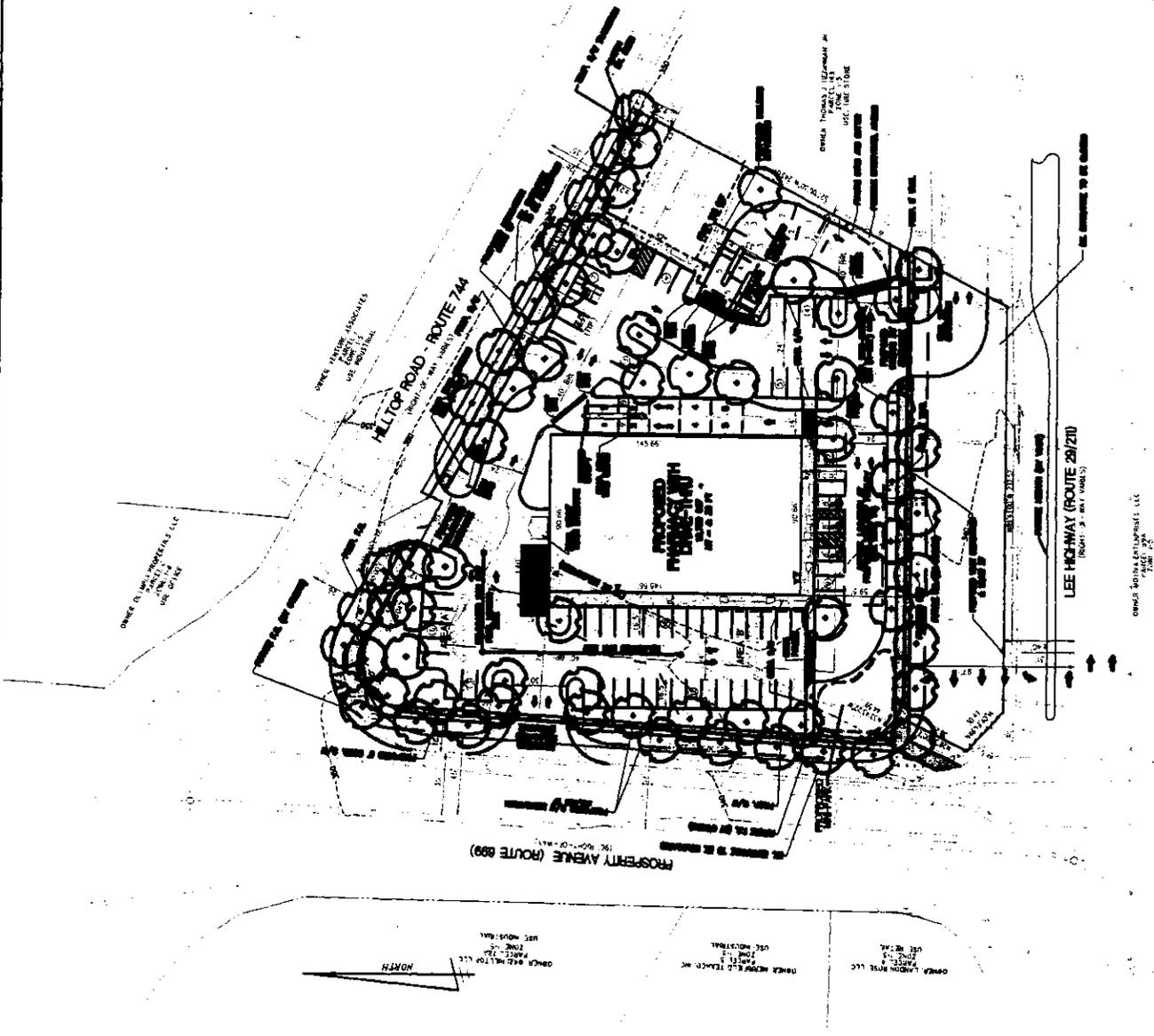
10. CURVE TABLE: [Text]

CURVE TABLE



DATE	DESCRIPTION	BY	CHECKED

LANDSCAPE PLAN



EXISTING VEGETATION MAP INFORMATION

SYMBOL	DESCRIPTION	STATUS	REMARKS
▲	UPLAND FOREST	REMOVE	IN BEARING BUT NOT HAVE (MAKE DRAWINGS) ON 10/10/10
●	DEVELOPED	N/A	UNPAVED/PAVED DRIVEWAY AREA

GENERAL NOTES

1. ALL VEG. TO BE REMOVED HAS BEEN CONSIDERED IN THE PROPOSED LANDSCAPING.
2. PROPOSED LANDSCAPING WILL INCLUDE 5' TALLER TREES, SHRUBS, AND GRASS COVER/LANDSCAPE.
3. ALL TREES SHALL BE A MINIMUM OF 3" CALIBER AT TIME OF PLANTING.

TREE COVER CALCULATIONS:

EXISTING TREE COVER: 100%
 PROPOSED TREE COVER: 100%
 TOTAL TREE COVER: 100%

PROPOSED LANDSCAPE LEGEND:

OWNER: SOUTHERN FINANCIAL BANK, LLC
 PROJECT: PHARMACY WITH DRIVE-THRU
 DATE: 10/10/10



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

DESCRIPTION OF THE APPLICATION

The applicant, Potomac Development Corporation, is requesting concurrent approval to rezone 2.26 acres (RZ 2001-PR-012) from the I-5 (General Industrial) and HC (Highway Corridor) Districts to the C-6 (Community Retail Commercial) and HC Districts, and a special exception amendment for SE 94-P-061 (approved for the addition of two drive through windows for an existing bank) to increase the land area for the special exception to cover the entire site, to permit site modifications for a 198 square foot addition to the existing bank and a new 12,739 square foot building for a drive through pharmacy. In addition, Southern Financial Bank, requests a variance (VC 01-P-053) to permit the existing bank to remain twenty-three (23) feet from the front lot line of Hilltop Road. Copies of the Draft Proffers, SEA 94-P-061 Proposed Development Conditions, VC 01-P-053 Proposed Development Conditions, Applicant's Affidavit and the Applicant's Statement of Justification can be found in Appendices 1-5, respectively.

RZ 2001-PR-012

The applicant, Potomac Development Corporation, requests to rezone the 2.26 acres of Tax Maps 49-3 ((1)) 72B, 72C, 73, 73A and 73D from the I-5 and HC Districts to the C-6 and HC Districts to permit the development of a drive-through pharmacy and drive-in bank in two separate buildings for a total of 15,547 square feet (0.16 FAR) and 21% open space. The Zoning Ordinance does not permit a drive-through pharmacy in the I-5 District by right or by special exception. A drive-through pharmacy is permitted by right in the C-6 District in accordance with Par. 9 of Sect. 4-605 of the Zoning Ordinance when it is located on a lot that does not abut residential dwelling units, is designed to minimize the potential for turning movements conflicts, facilitates safe and efficient on-site circulation and provides adequate parking and stacking spaces convenient to vehicular and pedestrian access. (Appendix 16) The pharmacy is a by-right use since it does not abut residential uses, provides safe and efficient circulation that minimizes turning conflicts and provides adequate parking and stacking spaces. In accordance with Par. 1B of Sect. 4-605 of the Zoning Ordinance a drive-in bank is permitted by right in the C-6 District when it is located within a shopping center, which contains six other uses. The existing bank is not located within a shopping center and is permitted only by special exception.

SEA 94-P-061

The applicant, Potomac Development Corporation, requests a special exception amendment for SE 94-P-061 to increase the land area for the special exception, to permit a 198 square foot addition to the existing bank (2,610 square feet), and a new 12,739 square foot building for a drive through pharmacy. The special exception was approved for the 0.81 acre eastern portion of Tax Map 49-3 ((1)) 73 to permit the existing bank to add two drive-through windows. The area of the special exception is being increased to cover the entire 2.26 acre site to provide a unified development in accordance with the Comprehensive Plan recommendations. The bank is open 7:30 A.M to 7:00 P.M. on Monday through Friday and 9:00 AM until 12:00 Noon on Saturday, with no lobby hours after 2:00 P.M. The bank has 2,000 customer accounts and the drive through is expected to have 70-100 patrons per day. The drive through pharmacy is proposed to operate twenty-four (24) hours per day, seven (7) days a week with an average of 600 patrons per day, including 50 trips per day for the drive through facility. The pharmacy is subject to the special exception development conditions, since in order to provide a unified development the existing special exception for the bank was amended to cover the entire site.

Waivers Requested:

Waiver of the service drive requirement along Lee Highway.

VC 01-P-053

The applicant, Southern Financial Bank, requests a variance to permit the existing bank to remain twenty-three (23) feet from the front lot line of Hilltop Road. The existing building is located twenty-five (25) feet from the existing right-of-way, but will be located twenty-three (23) feet from the front lot line when the additional right-of-way for Hilltop Road is dedicated. On May 26, 1959, the Board of Zoning Appeals (BZA) approved a variance (#2174); to permit the building to be located twenty-five (25) feet from the front yard line of Hilltop Road.

Structure	Yard	Min. Yard Req.*	Proposed Location	Variance Req.
Existing Bank	Front	40 Feet	23.0 Feet	17.0 Feet

*Minimum yard requirement per Sect. 4-607

LOCATION AND CHARACTER

Site Description:

The 2.26 acre site is currently zoned I-5 and HC and is bounded to the south by Lee Highway, to the west by Prosperity Avenue and to the north by Hilltop Road. The site is developed with the Southern Financial Bank (2,610 square feet) in the northeast portion; the rest of the site is vacant. The southern and eastern portions of the site are developed with gravel/asphalt parking areas and the northwestern portion contains a small number of maple and oak trees that are in decline. The site is approved for a drive-in bank; however, the drive through windows have not been constructed.

Surrounding Area Description:

Direction	Use	Zoning	Plan
North	Merrilee Industrial Park (Light Industrial/Commercial)	I-5	Warehouse & Industrial
South	Texaco Service Station Regional Post Office	I-5	Government & Institutional
East	Rosslyn Tire Company	I-5	Retail
West	Auto Service Center, BMW Service Integram (Industrial/Commercial)	I-5	Industrial

BACKGROUND

On May 26, 1959, the Board of Zoning Appeals approved a variance (#2174) to permit the building to be located twenty-five (25) feet from the front yard line of Hilltop Road and the existing building was constructed in 1960. On August 7, 1995, the Board of Supervisors approved SE 94-P-061 to permit two drive through windows for an existing bank. On February 9, 1998, and again on September 25, 2000, the Board of Supervisors approved a thirty (30) month extension and the applicant was given until August 7, 2002, to commence construction of the drive through facilities. Copies of the development conditions and special exception plat are contained in Appendix 6.

COMPREHENSIVE PLAN PROVISIONS (Appendix 7)

Plan Area: I

Planning District: Merrifield Suburban Center, Sub-Unit E-4

Plan Map: Retail

Plan Text:

On June 11, 2001, the Board of Supervisors adopted Out-of Turn Plan Amendment S98-CW-2CP. The Comprehensive Plan text, under the heading, "Sub-Unit E-4," states:

"Sub-Unit E-4 is bounded on the south by Route 29, on the west by Prosperity Avenue and on the north by Hilltop Road. This sub-unit is planned for and developed with retail uses at current intensities. Any modification; expansion, and/or reuse of the existing buildings should be consistent with guidelines for Existing Uses and Buildings under the Area Wide Land Use section.

Option: As an option, development within this sub-unit to retail and or office use up to 0.35 FAR may be appropriate. Any development under this option must address all applicable Area-Wide recommendations as well as the following guidelines.

- Redevelopment primarily east of Dorr Avenue extension (i.e. Parcels 43-3 ((1)) 143 and 144) should provide right-of-way for the extension of Dorr Avenue. If Hilltop Road is vacated, this right-of-way should be consolidated with Parcel 144. This additional land from the vacation of Hilltop Road will provide adequate land area for these parcels to redevelop with a small office or retail use.
- Redevelopment west of Dorr Avenue extension should provide full consolidation of Parcels 49-3 ((1)) 72B, 72C, 73A, 73D and 73. Redevelopment of these parcels should contribute to the construction cost of the Dorr Avenue extension.

Height Limit: The maximum building height of this sub-unit is 50 feet..."

ANALYSIS

Generalized Development Plan, Special Exception Amendment/Variance Plat (Copy at front of staff report)

Title of GDP/SE/VC Plat: "Pharmacy with Drive-Through/Southern Financial Bank"

Prepared By: Walter L. Phillips, Inc.

Original and Revision Dates: February 16, 2001, as revised through June 28, 2001

Sheet #	Description
Sheet 1	Generalized Development Plan, Special Exception Plat, Variance Plat, Site Tabulations, General Notes, Zoning Tabulations, Vicinity Map
Sheet 2	Landscape Plan, Tree Cover Calculations, General Notes, Existing Vegetation Map Information

- The 2.26 acre site contains the Southern Financial Bank (2,610 square feet) on the northeast portion and the rest of the site is vacant. The bank was approved for two drive-through windows that have not been added. The southern and eastern portions of the site are developed with gravel/asphalt parking areas and the northwestern portion contains a small number of maple and oak trees that are in decline.
- The applicant proposes to retain the existing bank (2,610 square feet) and provide a 198 square foot addition on the south side of it. Two drive through windows are proposed on the south side of the bank and the drive through customers will enter from the southern portion of the site and exit south of the bank. There will be five (5) stacking spaces for each drive through window and a bypass lane. The drive through facilities are proposed in the general location as previously approved; however, they are adjusted slightly to the south to accommodate the 198 square foot addition to the bank. In addition, a bypass lane is proposed for the drive through facilities.
- The western portion of the site is proposed for a drive-through pharmacy (12,739 square feet). The pharmacy will have two drive through windows and the drive through customers will enter from the south and exit to the north. There will be five (5) stacking spaces for each drive through

window. The main entrance to the pharmacy faces Lee Highway and an entrance is provided facing Prosperity Avenue. Stop signs and stop bars are located at the exits for the drive through facilities.

- The overall site will be developed with a total of 15,547 square feet (0.16 FAR) and 21% open space.
- The existing Hilltop Road and Prosperity Avenue entrances will be closed and relocated as shown on the GDP. The current access to Lee Highway will be closed and access will temporarily be provided from the service drive to the east. At the time that Lee Highway is widened, the site will be accessed from a right in only entrance from Lee Highway.
- Ninety-seven (97) feet from centerline (an additional 57 feet) of right-of-way will be dedicated along Lee Highway to accommodate the future widening. Forty-five (45) feet from centerline (an additional 12 feet) of right-of-way will be dedicated for Prosperity Avenue improvements. Right-of-way will be dedicated thirty-five (35) feet from centerline and construction of roadway improvements twenty-six (26) feet from centerline (eastbound half section of the four lane undivided roadway) will be provided for Hilltop Road. An interparcel access is proposed to be provided to the property to the east (Tax Map 49-3 ((1)) 143).
- Sheet 2 of the GDP depicts the landscaping plan. The streetscape along Lee Highway will consist of an eight (8) foot wide minimum landscaping strip, an eight (8) foot wide trail and a six (6) foot wide minimum landscape strip near the parking lot. Both landscape strips contain a row of deciduous trees spaced forty (40) feet on center that are staggered between the rows. The streetscape along Prosperity Avenue provides a six (6) foot wide minimum landscape strip, a six (6) foot wide sidewalk and a six (6) foot wide minimum landscape strip next to the parking lot. Both landscape strips contain a row of deciduous trees spaced thirty (30) feet on center that are staggered between the rows. The streetscape along Hilltop Road provides an eight (8) foot wide minimum landscape strip, including a two (2) foot wide refuge strip near the curb, a six (6) foot wide sidewalk and a six (6) foot wide minimum landscape strip next to the parking lot. Both landscape strips contain a row of deciduous trees spaced thirty (30) feet on center that are staggered between the rows. Additional trees are proposed on site near the pharmacy and bank and their respective drive-through facilities. The proposed trees and are large (250 square feet) deciduous trees with a minimum 3-inch caliper.

- Brick pavers will connect the trail along Lee Highway to the sidewalk for the bank and the sidewalk along Hilltop Road. In addition, brick pavers will connect the sidewalk along Prosperity Avenue to the sidewalk for the pharmacy.
- An urban park (mini-park) is proposed at the intersection of Lee Highway and Prosperity Avenue. The mini-park may include benches, trash receptacles, paver blocks, accent lighting and landscaping.
- The site will provide the required seventy-two (72) parking spaces. Parking lot lighting will be downward focused and will not exceed sixteen (16) feet in height. All utilities will be relocated underground. Stormwater management is proposed in an underground storage facility located south of the proposed pharmacy.
- A freestanding pole mounted sign (seventy square foot sign area and seventeen feet tall) is proposed at the Lee Highway entrance. A monument style sign (forty-nine square foot sign area and eight feet tall) is proposed at the Hilltop Road entrance. The signs and elevations for the pharmacy are detailed in Proffer Exhibits A, B and C located in Appendix 1.

Transportation Analysis (Appendix 8)

There are no outstanding transportation issues associated with this request.

Issue: Right-of-Way Dedication

The applicant was requested to dedicate ninety-seven (97) feet from centerline (an additional 57 feet) of right-of-way along Lee Highway to accommodate the future widening; to dedicate forty-five (45) feet from centerline (an additional 12 feet) of right-of-way for Prosperity Avenue improvements; and to dedicate right-of-way thirty-five (35) feet from centerline and construct roadway improvements twenty-six (26) feet from centerline (eastbound half section of the four lane undivided roadway) for Hilltop Road.

Resolution:

The applicant proffered to provide the additional dedication and construction improvements as requested. This issue has been adequately addressed.

Issue: Drive Through Facilities

The original location of the drive through windows for the pharmacy did not provide adequate space for a vehicle to exit the drive-through area and stop prior to entering the on-site travel lanes. The applicant was requested to review the drive through facility and consider relocating or reducing the number of the drive through windows to permit for better sight distance for the vehicles exiting the pharmacy drive through.

Resolution:

The applicant revised the plan to relocate the stop bar farther to the north for the drive through facility. The lane closest to the building can now exit the drive through window area and stack at the stop bar without interfering with the drive through window and the new stop bar provides adequate sight distance; however, the applicant has not provided sufficient justification for the second drive through window. Staff proposed a development condition to restrict the pharmacy to one drive through window. The removal of the second window will provide for better site circulation and reduce the possibilities of turning movement conflicts. In staff's opinion, this issue has been adequately addressed.

Issue: Trail

The Virginia Department of Transportation (VDOT) plans depicts a ten (10) foot wide trail along the north side of Lee Highway (Route 29). The applicant was requested to provide a ten (10) foot wide trail along Lee Highway.

Resolution:

The applicant proffered to construct an eight (8) foot wide trail in accordance with the Comprehensive Plan streetscape guidelines and in accordance with the Countywide Trails Plan. While a ten (10) foot wide trail is desired in staff's opinion, an eight (8) foot wide trail is adequate; however, staff notes that VDOT has requested a ten (10) foot wide trail.

Issue: Future Access to Lee Highway

VDOT stated that there should be no access to Lee Highway (Route 29) when the road is improved to six lanes. The applicant plans to close the existing entrance and provide access from Lee Highway via a service drive. At the time that Lee Highway is widened the service drive would be removed and the applicant requests to provide a right-in only entrance from Lee Highway.

Resolution:

The future access point must receive VDOT approval and staff does not object to the future access from Lee Highway, but notes that VDOT has stated an objection and future access will be subject to its approval.

Issue: Dorr Avenue Contribution

The applicant was requested to contribute to the Dorr Avenue extension as stated in the Comprehensive Plan.

Resolution:

The applicant proffered to contribute \$13,000 towards the construction costs of the Dorr Avenue extension. This issue has been adequately addressed.

Environmental Analysis (Appendix 9)

There are no outstanding environmental issues associated with this request.

Issue: Water Quality

The applicant was requested to implement Best Management Practices (BMPs) to reduce the runoff and pollution and comply with the Chesapeake Bay Preservation Ordinance in order to ensure water quality.

Resolution:

The applicant proffered to provide stormwater management (SWM) and Best Management Practices (BMPs) in accordance with the Public Facilities Manual (PFM) and adhere to the Chesapeake Bay Preservation Ordinance. Stormwater will be controlled in an underground storage facility that will utilize a sand filter or other similar structural measure to assure water quality. This issue has been adequately addressed.

Sanitary Sewer Analysis (Appendix 10)

The site is located in the Accotink Creek watershed and would be sewered into the Noman M. Cole Jr. Pollution Control Plant. Based upon current and committed flow, there is excess capacity and the existing eight (8) inch line located in an easement on the property is adequate for the proposed use. There are no sanitary sewer issues associated with this request.

Water Service Analysis (Appendix 11)

The site is located within the City of Falls Church service area.

Fire and Rescue Analysis (Appendix 12)

The site is serviced by the Merrifield (#30) Fairfax County Fire and Rescue Department Station and currently meets the fire protection guidelines. There are no fire and rescue issues associated with this request.

Stormwater Management Analysis (Appendix 13)

There are no downstream complaints on file and there are no stormwater management issues associated with this request.

Housing and Community Development Analysis (Appendix 14)

The Revitalization Division of the Department Housing and Community Development had no objections to this request.

Park Authority Analysis (Appendix 15)

There are no outstanding issues associated with this request.

Issue: Contribution

The Comprehensive Plan recommends that both new residential and non-residential development contribute for off-site public park facilities that serve the Merrifield Suburban Center. The applicant was requested to contribute \$10,000 to the Park Authority for the future acquisition of parkland or recreation facilities.

Resolution:

The applicant proffered to contribute \$10,000 for recreational improvements in a nearby park. In staff's opinion, this issue has been adequately addressed.

Land Use Analysis (Appendix 7)

The development proposes retail uses up to 0.16 FAR, which is in conformance with the use and intensity recommendations of the Comprehensive Plan for retail and/or office uses up to 0.35 FAR. The applicant consolidated the five parcels indicated in the Plan and proposed structures under the fifty (50) foot height limit.

Issue: Signage

The Comprehensive Plan states that signage along roadways should be provided to contribute to good pedestrian and vehicular orientation and a signage theme should be established for Merrifield in terms of scale, design, color, material and placement. The applicant was requested to commit to the style and design of the signage.

Resolution:

The applicant proffered to adhere to Article 12 of the Zoning Ordinance, provide a unified theme and design and proffered to an exhibit for the two freestanding signs. The freestanding sign located along Hilltop Road is a monument style sign (forty-nine sign square foot sign area and eight feet tall). The freestanding sign located along Lee Highway is a pole mounted sign (seventy square foot sign area and seventeen feet tall). The proposed signs are designed to match the façade of the proposed building to create a theme. In staff's opinion, a monument style sign along Lee Highway may be more appropriate than the proposed pole mounted sign; however, staff recognizes that in accordance with Article 12 the applicant is permitted two freestanding signs, each with an eighty square foot sign area and twenty feet tall. The two signs proposed height and sign area are below the by-right size permitted in the Zoning Ordinance and in staff's opinion, this issue has been adequately addressed.

Issue: Streetscape

The applicant was requested to commit to underground utilities to foster a pedestrian environment. The applicant was requested to provide street lighting that maintained the overall character of the area. The applicant was requested to commit to the streetscape guidelines in the Comprehensive Plan for Lee Highway (Boulevard Streetscape), Prosperity Avenue (Ring Road) and Hilltop Road (Cross Street), contribute to landscaping in the Lee Highway (Route 29) medium, maintain the streetscape improvements and provide easements for sidewalks/trails not located in the public right of way. In addition, the applicant was requested to provide an urban park or plaza.

Resolution:

The applicant proffered to underground the utilities and to provide street lights of a "Richmond" design that would be directed downward and not exceed a height of sixteen (16) feet. The applicant adhered to the streetscape guidelines along Lee Highway, Prosperity Avenue and Hilltop Road. The applicant proffered to contribute \$2,000 for Lee Highway medium landscaping. The applicant proffered to maintain landscaping located in the adjacent public right of way. The

applicant proffered to provide public access easements for sidewalks/trails not located within the public right of way. The applicant provided a mini-park at the intersection of Lee Highway and Prosperity Avenue, which may include benches, public art, and landscaping. In staff's opinion, this issue has been adequately addressed.

Issue: Building Design

The applicant was requested to provide an architectural schematic of the proposed development from the southwest and northeast.

Resolution:

The applicant proffered to front, side and rear elevations of the proposed pharmacy. The proposed building will have a similar design to the existing bank and in staff's opinion this issue has been adequately addressed.

ZONING ORDINANCE PROVISIONS

Bulk Standards (C-6)		
Standard	Required	Provided
Lot Size	40,000 square feet	98,584 square feet
Lot Width	200 feet	310 feet ¹
Building Height	40 feet	30 feet
Front Yard	45° ABP ² , but not less than 40 feet	59.5 feet from Lee Highway 23 feet from Hilltop Road ³ 74 feet from Prosperity Ave.
Side Yard	No Requirement	0.2 feet
FAR	0.40	0.16
Open Space	15%	21%
Parking Spaces	72 spaces ⁴	72 spaces
Stacking Spaces	5/Bank window 5/Pharmacy window	5 spaces/window 5 spaces/window

1. Minimum lot width was measured along Lee Highway. The lot width for Prosperity Avenue and Hilltop Road are both in excess of 310 feet.
2. ABP = Angle of Bulk Plane
3. A variance is requested to permit the existing bank to remain 23 feet from the front lot line.
4. Drive-In Bank: Four spaces per 1,000 gross floor area for customer service, lobby and teller area, plus additional spaces for any associated offices. Five stacking spaces for each window provided that both windows shall always remain open when drive-in facility is operational. Drive-Through Pharmacy: One space per 200 square feet of net floor area for the first 1,000 square feet, plus six spaces per each additional 1,000 square feet. Five stacking spaces in front of each drive-through window.

Waiver/Modification:Waiver of the service drive requirement along Lee Highway

The applicant proffered to close the existing entrance on Lee Highway and access the site from the existing service drive to the east of the site (Tax Map 49-3 ((1)) 143). When Lee Highway is widened, the service drive will be removed and the applicant requests to provide a right turn only into the site. A potential interparcel access is proposed on the site after the Lee Highway widening; however, the proposed location cannot be utilized as a service drive until the adjacent site is redeveloped, since an existing building is located within the proposed off-site service drive area. In accordance with Par. C of Sect 17-201 of the Zoning Ordinance, staff recommends approval of a waiver of the service drive requirement, since there is no proposed or potential service drive abutting the site outside the future right-of-way. Staff notes that if the adjacent site is redeveloped the applicant has provided for a potential service drive.

Other Zoning Ordinance Requirements: (Appendix 16)General Special Exception Standards (Sect. 9-006)

General Standard 1 requires that the proposed use at the specified location be in harmony with the adopted Comprehensive Plan. The applicant consolidated the five (5) parcels identified in the Comprehensive Plan for the development of two drive through uses. The proposed development will be 0.16 FAR with a maximum height of thirty (30) feet, which is less than the 0.35 FAR and fifty (50) foot height permitted in the Plan. In addition, the proposed drive-through pharmacy and drive-in bank are in accordance with the use recommendation of the Plan. In staff's opinion, this standard has been satisfied.

General Standards 2 requires that the proposed uses be in harmony with the general purpose and intent of the applicable zoning district regulations. The proposed uses will serve several neighborhoods and comply with the bulk regulations of the C-6 District. In staff's opinion, this standard has been satisfied.

General Standard 3 requires that the proposed uses be harmonious with and 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 adjacent properties are zoned I-5 and developed primarily with industrial and

retail uses. The site is currently zoned I-5 and is proposed to be rezoned to the C-6 District for the development of two drive through uses. In staff's opinion, the proposed uses will not hinder or discourage development of adjacent properties.

General Standard 4 requires that the proposed use 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. The applicant proffered to dedicate additional right-of-way along Lee Highway and Prosperity Avenue for future improvements and dedicate and provide improvements to Hilltop Road. The applicant proffered to install trails and sidewalks along the perimeter of the site. In staff's opinion, the additional right-of-way dedication and provision of sidewalks/trails will provide for better pedestrian and vehicular circulation and this standard has been satisfied.

General Standards 5, 6, and 7 require landscaping, screening, open space, adequate utility, drainage, parking and loading be regulated in accordance with the Zoning Ordinance; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance. There are no transitional screening or barrier requirements for the site; however, the applicant has complied with the Comprehensive Plan streetscape design guidelines. The site is required to provide 15% open space and the applicant has provided 21%. The applicant has satisfied the Zoning Ordinance requirements for parking spaces. In staff's opinion, these standards have been satisfied.

General Standard 8 requires signage to be regulated in accordance with Article 12; however, the Board may impose more strict requirements. The applicant proffered to provide signs in accordance with Article 12 of the Zoning Ordinance and provided details of the proposed freestanding signs. Two freestanding signs (eighty square foot sign area and twenty feet high) are permitted under the Zoning Ordinance. The applicant proposed a pole mounted sign (seventy square foot sign area and seventeen feet tall) along Lee Highway and a monument sign (forty-nine square foot sign area and eight feet tall) along Hilltop Road. The applicant proffered to adhere to Article 12 of the Zoning Ordinance and to the design, style and size of the signs to create unified theme. In staff's opinion, this standard has been met.

Category 5 Standards (Sect. 9-503)

The Category 5 Standards require that the proposed development meet the lot size and bulk regulations per the Zoning District, comply with the performance standards, and be subject to site plan review. The proposed uses meet these standards.

Additional Standards for Drive-In Banks and Pharmacies (Sect. 9-505)

The additional standards require that the use be architecturally compatible with the building group. Pedestrian and vehicular circulation should be designed to minimize the potential for turning movement conflicts and facilitate safe and efficient on-site circulation. Parking and stacking spaces should be located to facilitate safe and convenient access to all uses and not adversely impact adjacent residential development. Signage for the drive through pharmacy needs to be provided in the vicinity of the stacking areas, explaining the use of window service. In addition, there should be no outdoor storage or display of goods.

The pharmacy is deigned to be architecturally compatible with the bank. The applicant provided for the extension of trails and sidewalks in accordance with the Comprehensive Plan. The applicant provided the additional right-of-way along Lee Highway and Prosperity Road for the future improvements and provided the necessary right-of-way and proffered to improve Hilltop Road. There are no adjacent residential uses in the area to be affected by the location of parking and stacking spaces. Staff proposed a development condition requiring signage to be posted near the stacking area for the drive through pharmacy to state that the drive through is limited for the sale of prescription and pharmaceuticals only. Staff proposed a development condition prohibiting outdoor storage and display of goods. In staff's opinion, these additional standards have been met.

Required Standards for Variances. (Sect. 18-404 and 405)

The variance application must satisfy all of the nine (9) enumerated requirements contained in Sect. 18-404, Required Standards for Variances. If the Board of Zoning Appeals determines that a variance can be justified, it must then decide the minimum variance which would afford relief as set forth in Sect. 18-405.

Overlay District RequirementsHighway Corridor Overlay District (HC) (Sect. 7-600)

The Highway Corridor Overlay District standards requires access to the site to be provided by a public street other than one intended to carry through traffic and/or through a functional service drive and pedestrian and vehicular circulation is coordinated with adjacent properties. In addition, no outdoor storage or sale of goods are permitted.

The applicant coordinated the pedestrian circulation through the extension of trails and sidewalks and plans to close the existing entrance from Lee Highway.

The existing service drive will provide access to the site until Lee Highway is widened and then a right in only access is proposed. If the adjacent site is redeveloped, an interparcel access will be available. The removal of the Lee Highway access will increase the safety of the area and reduce congestion in the area. When Lee Highway is widened the applicant must receive VDOT approval for the proposed right-in only entrance. Staff does not oppose that future access if it acceptable to VDOT. Staff proposed a development condition prohibiting the outdoor storage or sale of goods. In staff's opinion, these standards have been satisfied.

Summary of Zoning Ordinance Provisions

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

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Staff concludes that the subject application is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions with the execution of the Proffers contained in Appendix 1.

Staff Recommendations

Staff recommends approval of RZ 2001-P-012 subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of SEA 94-P-061 subject to the proposed development conditions contained in Appendix 2 and the Boards approval of RZ 2001-PR-012.

Staff recommends approval of a waiver of the service drive requirement along Lee Highway.

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

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

APPENDICES

1. Draft Proffers
2. SEA 94-P-061 Proposed Development Conditions
3. VC 01-P-053 Proposed Development Conditions
4. Affidavit
5. Statement of Justification
6. SE 94-P-061 Development Conditions and Plat
7. Plan Citations and Land Use Analysis
8. Transportation Analysis
9. Environmental Analysis
10. Sanitary Sewer Analysis
11. Water Service Analysis
12. Fire and Rescue Analysis
13. Stormwater Management Design Analysis
14. Housing and Community Development Analysis
15. Park Authority Analysis
16. Applicable Zoning Ordinance Provisions
17. Glossary of Terms



DRAFT PROFFERS**POTOMAC DEVELOPMENT CORPORATION****RZ 2001-PR-012****July 2, 2001**

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950 as amended, the owner and Potomac Development Corporation (hereinafter referred to as the "Applicant"), for themselves, their successors and assigns in RZ 2001-PR-012, filed for property identified as Tax Map 49-3 ((1)) 72B, 72C, 73, 73A and 73D (hereinafter referred to as the "Application Property"), agrees to the following proffers, provided that the Board of Supervisors approves a rezoning of the Application Property to the C-6 and HC Districts, in conjunction with a Generalized Development Plan (GDP) for commercial development. These proffers shall replace and supersede all previous proffers accepted with regard to the Application Property.

1. GENERALIZED DEVELOPMENT PLAN -

- a. Development of the Application Property shall be in substantial conformance with the GDP prepared by Walter L. Phillips, Incorporated consisting of one (1) sheet dated February 16, 2001 revised through June 28, 2001.
- b. Pursuant to Paragraph 5 of Section 18-204 of the Fairfax County Zoning Ordinance, (the "Ordinance") minor modifications from the GDP may be permitted as determined by the Zoning Administrator. The Applicant reserves the right to make minor adjustments to the internal lot lines and building footprints shown on the GDP without requiring approval of an amended GDP provided such changes are in substantial conformance with the GDP as determined by the Zoning Administrator, agents or assigns. Said minor modifications shall not decrease the amount or location of open space, the amount of parking, the amount of landscaping peripheral lot lines, or points of access.
- c. Permitted uses on the Application Property shall be limited to a drive-in bank, a drive-through pharmacy and accessory uses as permitted by Article 10 of the Ordinance.

2. TRANSPORTATION -

- a. Subject to Virginia Department of Transportation ("VDOT") and Department of Public Works and Environmental Services (DPWES) approval, the Applicant shall dedicate and convey in fee simple to the Board of Supervisors right-of-way up to a width of ninety-seven (97) feet from the existing centerline of Lee Highway (Route 29) along the Application Property's frontage as shown on the GDP together with any ancillary easements requested by VDOT that do not prevent development of the Application Property in substantial conformance with that proffered. Such dedication shall be made

RZ 2001-PR-012

Page 2

at time of final site plan approval or upon demand from either DPWES or VDOT, whichever occurs first.

- b. Subject to VDOT and DPWES approval, the Applicant shall dedicate and convey in fee simple to the Board of Supervisors right-of-way up to a width of fifty-seven (57) feet from the existing centerline of Prosperity Avenue (Route 699) along the Application Property's frontage as shown on the GDP together with any ancillary easements requested by VDOT that do not prevent development of the Application Property in substantial conformance with that proffered. Such dedication shall be made at time of final site plan approval or upon demand from either DPWES or VDOT, whichever occurs first.
- c. Subject to VDOT and DPWES approval, the Applicant shall dedicate and convey in fee simple to the Board of Supervisors right-of-way up to a width of thirty-five (35) feet from the existing centerline of Hilltop Road (Route 744) along the Application Property's frontage as shown on the GDP together with any ancillary easements requested by VDOT that do not prevent development of the Application Property in substantial conformance with that proffered. Such dedication shall be made at time of final site plan approval or upon demand from either DPWES or VDOT, whichever occurs first.
- d. Subject to VDOT and DPWES approval, the Applicant shall construct Hilltop Road improvements along the Application Property's frontage measuring twenty-six (26) feet from centerline (eastbound half section), within the dedicated right-of-way as shown on the GDP.
- e. Density credit shall be reserved as may be permitted by the provisions of Paragraph 4 of Section 2-308 of the Ordinance for all eligible dedications described herein or as may be reasonably required by Fairfax County or VDOT at time of site plan approval.
- f. Subject to VDOT approval, Applicant shall retain an interim thirty (30) foot entrance to the existing service drive parallel to Lee Highway (Route 29). At such time as Lee Highway is widened to a six lane divided section, Applicant may construct a right-in only entrance as shown on the entrance detail on the GDP, subject to VDOT approval. Applicant shall record an interparcel access easement to Tax Map 49-3 ((1)) 143 as generally shown on the GDP.
- g. Prior to the issuance of a Non-Residential Use Permit (Non-RUP), Applicant shall construct an eight (8) foot wide asphalt trail along Lee Highway as shown on the GDP. Public access easements shall be granted as necessary, as determined by DPWES.
- h. Prior to the issuance of a Non-RUP, Applicant shall construct a six (6) foot concrete sidewalk along Prosperity Avenue and Hilltop Road as shown on the GDP. Public access easements shall be granted as necessary, as determined by DPWES.

RZ 2001-PR-012

Page 3

- i. Prior to the issuance of a Non-RUP, Applicant shall install brick pavers to facilitate pedestrian access on the Application Property as shown on the GDP.
- j. At time of site plan approval, Applicant shall escrow the sum of thirteen thousand dollars (\$13,000.00) with the DPWES for the future construction of Dorr Avenue.
- k. Subject to VDOT approval, Applicant reserves the right to install signs within that area dedicated for improvements to Lee Highway (Route 29). Signs shall be removed within thirty (30) days of demand by either Fairfax County and/or VDOT. Applicant shall be solely responsible for construction, maintenance, removal, and relocation of signs.

3. STORMWATER MANAGEMENT -

Applicant shall provide stormwater management (SWM) and Best Management Practices (BMPs) for the Application Property in accordance with the requirements of the Public Facilities Manual and Chesapeake Bay Preservation Ordinance as shown on the GDP.

4. LANDSCAPING AND OPEN SPACE -

- a. The Applicant shall provide an eight (8) foot wide planting strip and a six (6) foot wide planting strip with trees spaced at approximately forty (40) feet on center along the Application Property's Lee Highway's frontage as shown on the GDP.
- b. The Applicant shall provide two six (6) foot wide planting strips with trees spaced at approximately thirty (30) feet on center along the Application Property's Prosperity Road frontage as shown on the GDP.
- c. The Applicant shall provide an eight (8) foot wide planting strip, including a two (2) foot wide refuge strip next to the curb, and a six (6) foot wide planting strip with trees spaced at approximately thirty (30) feet on center along the Application Property's Hilltop Road frontage as shown on the GDP.
- d. The Applicant shall maintain all landscaping on the Application Property and within adjacent dedicated right-of-way, as shown on the GDP.
- e. Applicant shall provide a "mini-park" on the Application Property as shown on the GDP. Amenities may include, but not be limited to: benches, trash receptacles, accent lighting, public art, exercise area, and landscaping. Notwithstanding Note 19 on the GDP, there shall be no minimum expenditure of funds on said amenities.

RZ 2001-PR-012

Page 4

- f. Applicant shall contribute the sum of Ten thousand dollars (\$10,000.00) at site plan approval to the Fairfax County Park Authority for recreational improvements in a nearby park.
- g. All deciduous trees planted on the Application Property shall be a minimum of three (3) inches in caliper.
- h. Applicant shall incorporate ornamental shrubs, ground cover, flowering plants, grasses, and foundation plantings in the landscape plan prepared for the Application Property and submitted with the site plan, subject to the approval of the Urban Forester.
- i. Applicant shall escrow the sum of Two thousand dollars (\$2,000.00) with DPWES at time of site plan approval for landscaping to be installed in the median of Lee Highway (Route 29) parallel to the Application Property.

5. DESIGN-

- a. Applicant shall construct the proposed pharmacy of masonry materials and as conceptually shown on the elevation attached hereto as Exhibit A. The exterior of the drive-through pharmacy, specifically building materials and façade treatment, shall be architecturally compatible with the existing bank building. Photographs of the bank building shall be submitted to DPWES, concurrent with building plan submission, to allow the Director of DPWES to make a determination regarding compatibility.
- b. Parking lot lighting shall be full cut-off, shielded downward directed and shall not exceed sixteen (16) feet.
- c. All proposed utilities shall be relocated underground in accordance with the Public Facilities Manual. Final locations to be determined at time of site plan approval.
- d. Signs shall be provided in accordance with Article 12 of the Ordinance. Freestanding signs shall be permitted as shown on the GDP and as conceptually shown on attached Exhibits B and C. The free standing sign on Lee Highway shall be a maximum of seventeen feet (17) in height with a maximum of sign area of seventy (70) square feet. Brick and/or masonry materials shall be utilized, and foundation planting shall be provided at the base of the sign. The monument sign on Hilltop Road shall be a maximum height of eight (8) feet, and shall utilize brick and/or masonry materials. All signs installed on the Application Property shall be unified in theme, design, and color exclusive of corporate and/or business logos.

6. MISCELLANEOUS -

RZ 2001-PR-012

Page 5

- a. These proffers shall bind and inure to the benefit of the Applicant and his or her successors and assigns.
- b. These proffers may be executed in one or more counterparts each of which when so executed and delivered shall be deemed an original document and all of which taken together shall constitute but one and the same instrument.
- c. All improvements described herein shall be constructed concurrent with development of the Application Property.

[SIGNATURES BEGIN ON NEXT PAGE]

RZ 2001-PR-012

Page 6

APPLICANT/CONTRACT PURCHASER

POTOMAC DEVELOPMENT
CORPORATION

By: _____

Name: _____

Title: _____

RZ 2001-PR-012
Page 7

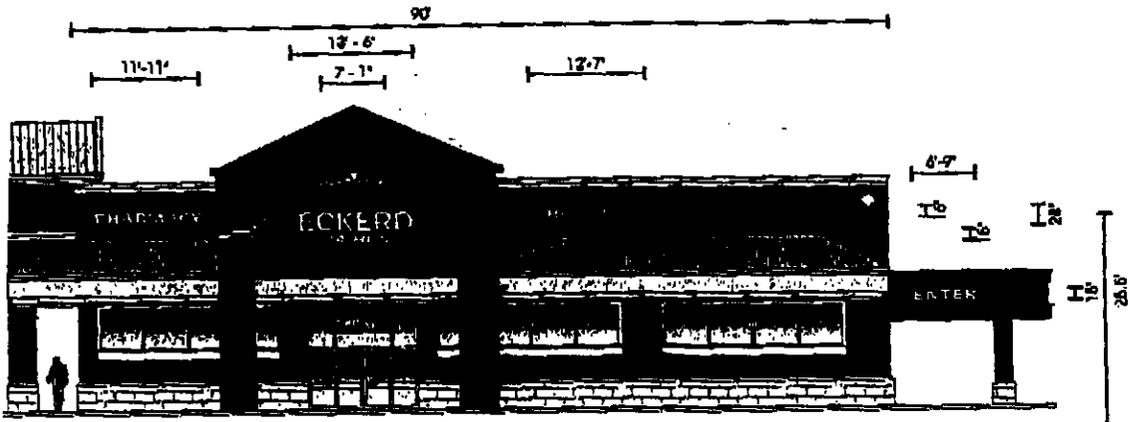
TITLE OWNER

SOUTHERN FINANCIAL BANK

By: _____

Name: _____

Title: _____

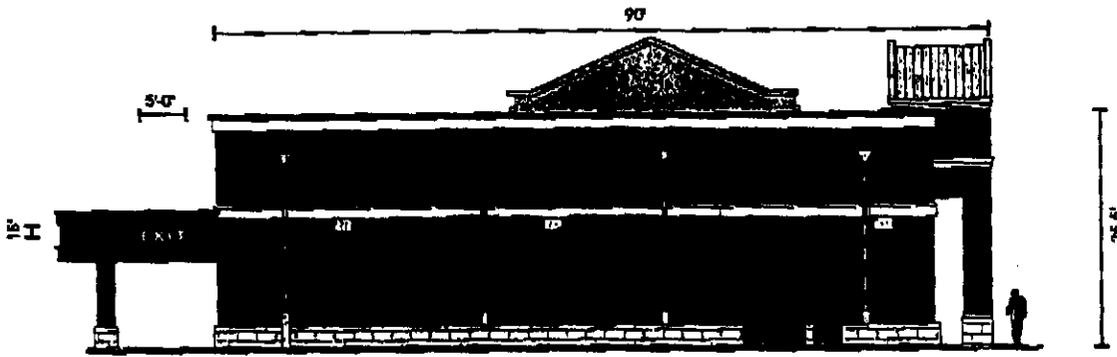


FRONT ELEVATION

3/64" = 1'-0"

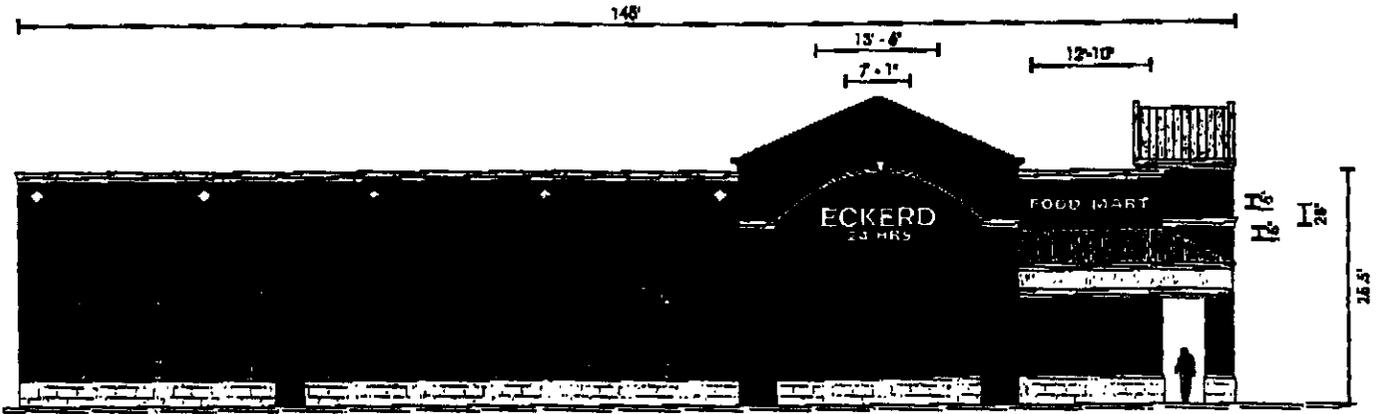
SQUARE FOOTAGE	
FRONT ELEVATION	76.3
REAR ELEVATION	0
LEFT ELEVATION	61.7
RIGHT ELEVATION	0
TOTAL SQ. FT.	138

NOTE: SQUARE FOOTAGE TOTAL DOES NOT INCLUDE 15' ENTER & EXIT LETTERS (14.6 SQ. FT.)



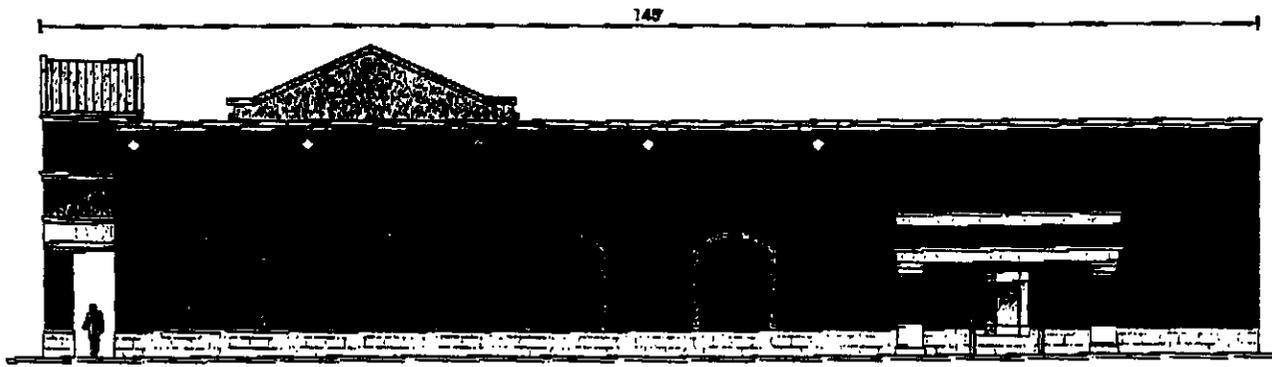
REAR ELEVATION

3/64" = 1'-0"



LEFT ELEVATION

3/64" = 1'-0"



RIGHT ELEVATION

3/64" = 1'-0"



**Chandler
Signs**

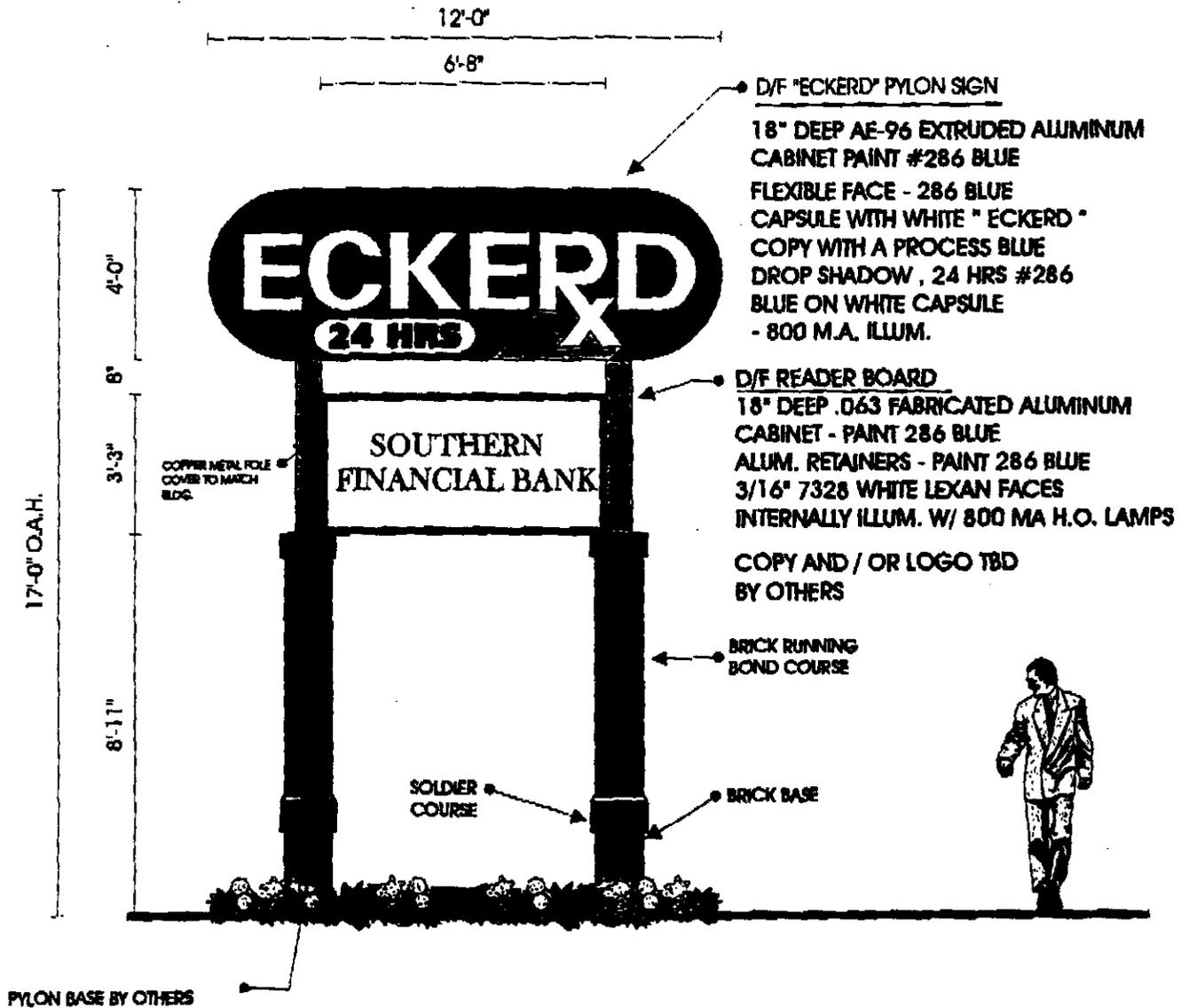
#8216
MERRIFIELD, VA



MW 6-6-01

EXHIBIT

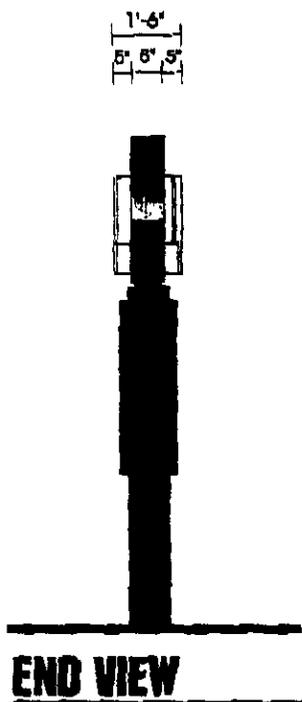
SQUARE FOOTAGE	
4'-0" x 12'-0" CABINET	48
READER BD. CABINET	22
TOTAL SQ. FT.	70



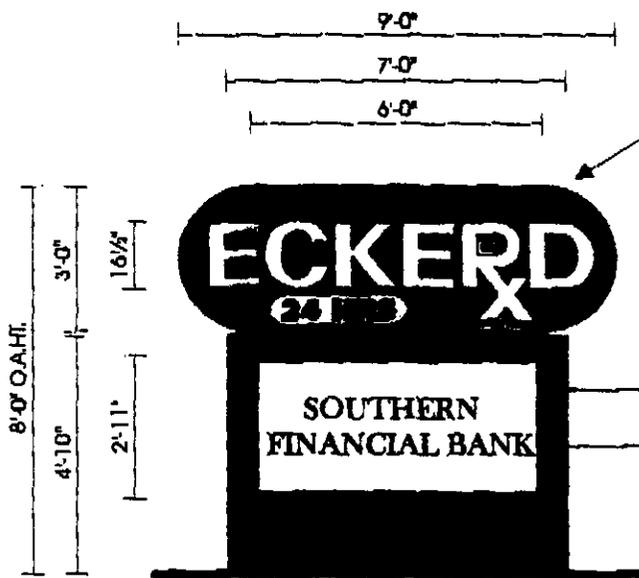
D/F ELEVATION

EXHIBIT

B



SQUARE FOOTAGE	
3'-0" x 9'-0" CABINET	27
READER BD. CABINET	22
TOTAL SQ. FT.	49



MANUFACTURE & INSTALL (1) D/F MONUMENT SIGN:

(2) SETS CHANNEL LETTERS 5" DEEP .050 ALUM. RETURNS - PAINT WHITE - #7328 WHITE PLEX FACES (1/8" THK) W/ WHITE 3/4" TRIM CAP
 12 MM (5000° WHITE NEON ILLUM. (30 MA) .080 ALUM. PAN-TYPE FACES W/ FABRICATED 8" DEEP .080 ALUM. FILLER - FLM. #286 BLUE PROCESS BLUE VINYL DROPSHADE APPLIED WHITE VINYL CAPSULE W/ #286 BLUE VINYL COPY READING "24 HRS" REMOTE TRANSFORMER INSIDE CABINET

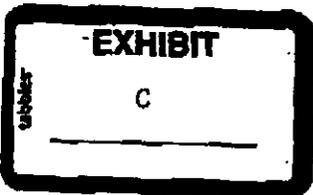
BRICK BASE BY OTHERS

AE-91 ALUMINUM RETAINERS - PAINT 286 BLUE 3/16" THICK CLEAR LEXAN FACES W/ 3635-30 WHITE DIFFUSER BACKGROUND "SOUTHERN FINANCIAL BANK" COLOR AND COPY TO BE DETERMINED BY OTHERS INTERNALLY ILLUM. W/ 600 MA H.O. LAMPS

5" DIA. STD. STEEL PIPE SUPPORT INSIDE CABINET

1'-6" DIA. X 4'-0" DEEP CONCRETE PIER FOUNDATION

1/4" = 1'-0"



THIS PRODUCT SHALL BEAR AN UNDERWRITERS LABORATORIES (U.L.) LABEL



Chandler Signs

#8216 MERRIFIELD, VA



PROPOSED DEVELOPMENT CONDITIONS

SEA 94-P-061

July 5, 2001

If it is the intent of the Board of Supervisors to amend SE 94-P-061 located at 8414 Lee Highway (Tax Maps 49-3 ((1)) 72B, 72C, 73, 73A, 73D) previously approved for use of a Drive In Bank to permit an increase in land area, a Drive-In Bank and Drive-Through Pharmacy pursuant to Sect. 4-604 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These conditions supercede those previously approved in conjunction with SE 94-P-061. The previous conditions which have been carried forward are marked with an asterisk.

- *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, "Pharmacy with Drive-Thru/Southern Financial Bank", prepared by Walter L. Phillips and dated February 16, 2001, as revised through June 28, 2001, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. A copy of this Special Exception SHALL BE POSTED in a conspicuous place on the property along with the Non-Residential Use Permits of the uses and shall be made available to all Departments of the County of Fairfax during hours of operation of the permitted uses.
5. Both drive-through windows for the bank shall remain open when the drive through is operational.
6. The pharmacy drive-through windows shall be used only for the drop-off of prescriptions and pick-up of pharmaceuticals. No general retail sales (including the sale of alcohol) shall be permitted from the window. A pharmacist shall be on duty inside the premises during all hours that the drive-through service is open to the public. The drive-through window shall contain a sign with drop-off instructions including the pharmacist's phone

number. The drive through pharmacy shall be limited to one drive through window. The area shown for the second drive through shall be developed as landscaped open space.

7. Signs, not exceed two square feet in area, shall be posted in the vicinity of the stacking area and at the drive-through lanes of the pharmacy to advise drivers that the drive through is for prescription and/or pharmaceutical sales only.
8. A speaker box may be allowed to facilitate transactions for the drive in bank and pharmacy. The volume of the speaker box shall be maintained at a level not audible from adjacent properties.
9. Lighting shall meet the Performance Standards set forth in Article 14 of the Zoning Ordinance. Exposed neon tubing and the use of ground mounted spotlights to illuminate signs or buildings shall be prohibited on site. If lighted, signs shall be internally lit only.
10. There shall be no outdoor storage or display of goods permitted on the site.
11. All parking shall meet the provisions of Article 11 of the Zoning Ordinance and the geometric design standards in the Public Facilities Manual.
12. All trash dumpster(s) located on the property shall be enclosed by a solid, opaque barrier with a gate, as determined by DPWES.

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

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

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

PROPOSED DEVELOPMENT CONDITIONS

August 7, 2001

1. This variance is approved for the location of a bank as shown on the plat prepared by Walter L. Phillips Inc., dated February 16, 2001, as revised through June 28, 2001, submitted with this application and is not transferable to other land.
2. A building permit shall be obtained prior to any construction and approval of final inspections shall be obtained.

Pursuant to Sect. 18-407 of the Zoning Ordinance, this variance shall automatically expire, without notice, thirty (30) months after the date of approval unless construction has commenced and has been diligently prosecuted. The Board of Zoning Appeals may grant additional time to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the variance. 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.



REZONING AFFIDAVIT

APPENDIX 4

DATE: February 21, 2001
(enter date affidavit is notarized)

I, Lynne J. Strobel, do hereby state that I am a
(enter name of applicant or authorized agent)

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

2001-49

in Application No(s): RZ 2001-PR-012
(enter County-assigned application number(s), e.g. RZ 38-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.)

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Potomac Development Corporation Sheldon S. Nasar Joseph A. Caputo	715 Dartmouth Avenue Silver Spring, MD 20910	Applicant/Contract Purchaser Agent Agent
Southern Financial Bank David M. Goldman	37 East Main Street Warrenton, Virginia 20186	Title Owner Agent
Capitol Commercial Realty, Inc. Joseph A. Caputo	715 Dartmouth Avenue Silver Spring, MD 20910	Broker for Applicant/ Contract Purchaser Agent

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

* List as follows: (name of trustee), Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

NOTE: This form is also for Final Development Plans not submitted in conjunction with Conceptual Development Plans.

DATE: February 21, 2001
 (enter date affidavit is notarized)

for Application No(s): PZ 2001-PR-012 2001-49
 (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.)

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in SOLO in Par. 1(a))
Walter L. Phillips, Inc. ✓ Charles L. Dunlap	207 Park Ave. Falls Church, Virginia 22046	Engineers/Agent for Applicant/Contract Purchaser Agent
Walsh, Colucci, Stackhouse, Emrich & Lubeley, P.C.	2200 Clarendon Blvd. 13th Floor Arlington, VA 2201	Attorneys/Planners/Agent for Applicant/Contract Purchaser
Lynne J. Strobel Martin D. Walsh Keith C. Martin M. Catharine Puskar Timothy S. Sampson Elizabeth D. Baker Susan K. Yantis Inda E. Stagg William J. Keefe Holly A. Tompkins		Agent Agent Agent Agent Agent Agent Agent Agent Agent Agent

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

DATE: February 21, 2001
(enter date affidavit is notarized)

for Application No(s): PR 2001-PR-012 2001-49
(enter County-assigned application number(s))

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

(NOTE: Include sole proprietorships herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Potomac Development Corporation
715 Dartmouth Avenue
Silver Spring, MD 20910

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 & last name)
— Sheldon S. Nasar
— Joseph A. Caputo

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice-President, Secretary, Treasurer, etc.)
— Sheldon S. Nasar President/Treasurer
— Joseph A. Caputo Vice President/Secretary

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

** All listings which include partnerships or corporations 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 the stock. 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.

DATE: February 21, 2001
(enter date affidavit is notarized)

2001-49

for Application No(s): RZ 2001-PR-012
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Southern Financial Bank
37 East Main Street
Warrenton, Virginia 20186

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 & last name)

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

Board of Directors:	Barbara Fried	Bank Officers:	David M. Goldman	Senior Vice President
Georgia S. Derrico	Virginia Jenkins	Georgia S. Derrico	William H. Lagos	Senior Vice President - Controller
R. Roderick Porter	John L. Marcellus	R. Roderick Porter	Linda W. Sandridge	Senior Vice President
Neil J. Call	Michael P. Rucker	William Stevens	Richard Steele	Senior Vice President
John C. Belotti	Richard E. Smith	David deGive	Laura L. Vergot	Senior Vice President
Fred Bollerer	Robert P. Warhurst	Patricia Ferrick		
David deGive		Jackie Fitterer		
Alfonso Finocchiaro				

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Capitol Commercial Realty, Inc.
715 Dartmouth Avenue
Silver Spring, MD 20910

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 & last name)
Joseph A. Caputo

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

Joseph A. Caputo, President

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

DATE: February 21, 2001
(enter date affidavit is notarized)

for Application No(s): RZ 2001-PR-012 2001-49
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Walter L. Phillips, Inc.
207 Park Avenue
Falls Church, VA 22046

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 & last name)
David K. Oliver Edward L. Johnson
Brian G. Baillargeon Jeffrey J. Stuchel
Terrance M. Anderson

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

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Walsh, Colucci, Stackhouse, Emrich & Lubeley, P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, VA 22201

DESCRIPTION OF CORPORATION: (check one statement)
 There are 10 or less shareholders, and all of the shareholders are listed below.
 There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
 There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)
Martin D. Walsh Jerry K. Emrich
Thomas J. Colucci Michael D. Lubeley
Peter K. Stackhouse Nan E. Terpak

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

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

DATE: February 21, 2001
(enter date affidavit is notarized)

2001-49

for Application No(s): RZ 2001-P2-A2
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

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

None

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

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

Multiple horizontal lines for listing partner names and titles.

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

** All listings which include partnerships or corporations 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 the stock. 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.

DATE: February 21, 2001
(enter date affidavit is notarized)

for Application No(s): RZ 2001-PP-012 2001-49
(enter County-assigned application number(s))

2. That no member of the Fairfax County Board of Supervisors or 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 line below.)

NONE

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

3. That within the twelve-month period prior to the filing of this application, no member of the Fairfax County Board of Supervisors or 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 \$200 or more, with any of those listed in Par. 1 above.

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

NONE

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

4. That the information contained in this affidavit is complete 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 [X] Applicant's Authorized Agent
Lynne J. Strobel

Lynne J. Strobel, Agent
(type or print first name, middle initial, last name & title of signee)

Subscribed and sworn to before me this 21st day of February, 2001, 1901, in the state of Virginia, County of Arlington

My commission expires: 5/31/01 Lynne M. Smith
Notary Public

SPECIAL EXCEPTION AFFIDAVIT

February 21, 2000

DATE:

(enter date affidavit is notarized)

I, Lynné J. Strobel, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) [] applicant

[X] applicant's authorized agent listed in Par. 1(a) below

in Application No(s):

SEA 94-P-061

2001-50

(enter County-assigned application number(s). e.g. RZ 88-V-001)

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

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

(NOTE: All relationships to the application listed above in **BOLD** print 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.)

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
--	---	---

Potomac Development Corporation
Sheldon S. Nasar
Joseph A. Caputo

715 Dartmouth Avenue
Silver Spring, MD 20910

Applicant/Contract Purchaser
Agent
Agent

Southern Financial Bank
David M. Goldman

37 East Main Street
Warrenton, Virginia 20186

Title Owner
Agent

Capitol Commercial Realty, Inc.
Joseph A. Caputo

715 Dartmouth Avenue
Silver Spring, MD 20910

Broker for Applicant/
Contract Purchaser
Agent

(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.

* List as follows: (name of trustee), Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

DATE:

February 21, 2001

Page 1 of 1

(enter the affidavit is notarized)

for Application No(s):

SEA 94-P-061

2001-50

(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.)

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD in Par. 1(a))
Walter L. Phillips, Inc.	207 Park Ave. Falls Church, Virginia 22046	Engineers/Agent for Applicant/Contract Purchaser Agent
Charles L. Dunlap		
Walsh, Colucci, Stackhouse, Emrich & Lubeley, P.C.	2200 Clarendon Blvd. 13th Floor Arlington, VA 2201	Attorneys/Planners/Agent for Applicant/Contract Purchaser
Lynne J. Strobel		Agent
Martin D. Walsh		Agent
Keith C. Martin		Agent
M. Catharine Puskar		Agent
Timothy S. Sampson		Agent
Elizabeth D. Baker		Agent
Susan K. Yantis		Agent
Inda E. Stagg		Agent
William J. Keefe		Agent
Holly A. Tompkins		Agent

(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.

DATE: FEBRUARY 21, 2001

(enter the affidavit is notarized)

For Application No(s):

SEA 94-P-061

2001-50

(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 herein.)

CORPORATION INFORMATION

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

Potomac Development Corporation
715 Dartmouth Avenue
Silver Spring, MD 20910

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Sheldon S. Nasar
Joseph A. Caputo

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

** All listings which include partnerships or corporations 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 the stock. 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.

DATE: _____
(enter date affidavit is notarized)

2001-50

for Application No(s): SEA 94-P-061
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Southern Financial Bank
37 East Main Street
Warrenton, Virginia 20186

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 & last name)

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Capitol Commercial Realty, Inc.
715 Dartmouth Avenue
Silver Spring, MD 20910

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 & last name)
Joseph A. Caputo

(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.

DATE: February 21, 2001
(enter date affidavit is notarized)

for Application No(s): SEA 94-P-061
(enter County-assigned application number(s))

2001-50

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)
Walter L. Phillips, Inc.
207 Park Avenue
Falls Church, VA 22046

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 & last name)

David K. Oliver	Edward L. Johnson
Brian G. Baillargeon	Jeffrey J. Stuchel
Terrance M. Anderson	

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

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Martin D. Walsh	Jerry K. Emrich
Thomas J. Colucci	Michael D. Lubeley
Peter K. Stackhouse	Nan E. Terpak

(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.

DATE: February 21, 2001
(enter date affidavit is notarized)

2001-50

for Application No(s): SEA 94-P-061
(enter County-assigned application number(s))

2. That no member of the Fairfax County Board of Supervisors or 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 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.

3. That within the twelve-month period prior to the filing of this application, no member of the Fairfax County Board of Supervisors or 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 \$200 or more, with any of those listed in Par. 1 above.

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

NONE

(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 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 X Applicant's Authorized Agent
Lynne J. Strobel
Lynne J. Strobel, Agent
(type or print first name, middle initial, last name & title of signee)

Subscribed and sworn to before me this 21st day of February, 2001, in the state of Virginia, County of Arlington.
My commission expires: 5/31/01
Jay R. Smith
Notary Public

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: June 21, 2001
(enter date affidavit is notarized)

I, Lynne J. Strobel, Agent, do hereby state that I am an
(enter name of applicant or authorized agent)

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

57-2001a

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.)

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Southern Financial Bank	37 East Main Street Warrenton, Virginia 20186	Title Owner/Applicant
David M. Goldman		Agent
Potomac Development Corporation	715 Dartmouth Avenue Silver Spring, MD 20910	Contract Purchaser
Sheldon S. Nasar		Agent
Joseph A. Caputo		Agent
Capitol Commercial Realty, Inc.	715 Dartmouth Avenue Silver Spring, MD 20910	Broker for Contract Purchaser
Joseph A. Caputo		Agent

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

* List as follows: (name of trustee), Trustee for (name of trust, if applicable), for the benefit of: (list name of each beneficiary).

SPECIAL PERMIT/VARIANCE AFFIDAVIT

June 21, 2001

DATE:

(enter date affidavit is notarized)

57-2001a

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 herein.)

CORPORATION INFORMATION

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

— Capitol Commercial Realty, Inc.
— 715 Dartmouth Avenue
— Silver Spring, MD 20910

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Joseph A. Caputo, President

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

** All listings which include partnerships or corporations 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 the stock. 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 Permit/Variance Attachment to Par. 1(b) Page 1 of 2

DATE: June 21, 2001
(enter date affidavit is notarized)

57-2801a

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

Potomac Development Corporation
715 Dartmouth Avenue
Silver Spring, MD 20910

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 & last name)

Sheldon S. Nasar President/Treasurer
Joseph A. Caputo Vice President/Secretary

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

Walter L. Phillips, Inc.
207 Park Avenue
Falls Church, VA 22046

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 & last name)

David K. Oliver Edward L. Johnson
Brian G. Baillargeon Jeffrey J. Stuchel
Terrance M. Anderson

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

Special Permit/Variance Attachment to Par. 1(b)

DATE: June 21, 2001
(enter date affidavit is notarized)

57-2001a

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

Southern Financial Bank
37 East Main Street
Warrenton, Virginia 20186

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.
[X] 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 & last name)

(Empty lines for shareholder names)

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

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Martin D. Walsh Jerry K. Emrich
Thomas J. Colucci Michael D. Lubeley
Peter K. Stackhouse Nan E. Terpak

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: June 21, 2001
(enter date affidavit is notarized)

57-2001a

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

PARTNERSHIP INFORMATION

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

NONE

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

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

NONE

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

** All listings which include partnerships or corporations 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 the stock. 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 PERMIT/VARIANCE AFFIDAVIT

DATE: June 21, 2001

(enter date affidavit is notarized)

57-2001a

2. That no member of the Fairfax County Board of Zoning Appeals or 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 line below.)

NONE

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

3. That within the twelve-month period prior to the filing of this application, no member of the Fairfax County Board of Zoning Appeals or 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 \$200 or more, with any of those listed in Par. 1 above.

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

NONE

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

4. That the information contained in this affidavit is complete 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 [X] Applicant's Authorized Agent
Lynne J. Strobel, Agent
(type or print first name, middle initial, last name & title of signer)

Subscribed and sworn to before me this 21st day of June, 2001 in the state of Virginia.

My commission expires: 12/31/2003. Margaret C. Miller, Notary Public

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

COURTHOUSE PLAZA, THIRTEENTH FLOOR
2200 CLARENDON BOULEVARD
ARLINGTON, VIRGINIA 22201-3359
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WOODBIDGE, VIRGINIA 22192-4216
(703) 690-4684
METRO (703) 690-4647
FACSIMILE (703) 690-2412

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(703) 330-7400
METRO (703) 803-7474
FACSIMILE (703) 330-7430

LOUDOUN OFFICE
1 E. MARKET STREET, THIRD FLOOR
LEESBURG, VIRGINIA 20176-3014
(703) 737-3633
FACSIMILE (703) 737-3632

RECEIVED
DEPARTMENT OF PLANNING AND ZONING

FEB 26 2001

ZONING EVALUATION DIVISION

**STATEMENT OF JUSTIFICATION
ZONING AMENDMENT
SPECIAL EXCEPTION AMENDMENT &
VARIANCE APPLICATIONS**

INTRODUCTION

Potomac Development Corporation (the "Applicant") hereby applies for a Zoning Amendment to rezone property currently zoned Industrial (I-5) to Commercial (C-6) to permit a pharmacy with a drive-through, a Special Exception Amendment for an existing bank with an approved drive-through, and a Variance, to permit an existing building to remain within the building setback requirement. The Applicant is the contract purchaser of approximately 2.2644 acres of property collectively known among the tax map records 49-3 ((1)) 72B, 72C, 73, 73A and 73D (the "Subject Property"). The Subject Property is located immediately north of Lee Highway (Route 29), south of Hilltop Road (Route 744), at the intersection of Lee Highway and Prosperity Avenue (Route 699) and in the Fairfax County Providence Magisterial District.

BACKGROUND

The Subject Property is surrounded by property zoned to the I-4, C-8, and I-5 Districts. The Subject Property is located in the Merrifield Suburban Center of the Area I Comprehensive Plan (the "Plan"). More specifically, the Subject Property is located within Sub-Unit I3, which the Plan describes as being separated from the remainder of Land Unit I by Prosperity Avenue. Sub-Unit I3 is currently developed with automobile oriented uses. The Plan recommends light industrial/research and development uses consistent with existing uses, having low trip generation rates and with intensities up to .35 FAR. Additionally, there are specific development criteria proposed for the Merrifield area, which are also included in the existing Plan text.

Currently in the Merrifield area, the Merrifield Task Force, which was assembled to review the area, has proposed new language to the Plan with a goal of upgrading Merrifield with a variety of features including landscaping, decorative pavers, pedestrian connections, and cohesive architecture in the effort to create a sense of place. Specific recommendations have been made for future development. This study will be presented

to the Planning Commission and to the Board of Supervisors this spring, and it is anticipated that new Plan language will be adopted.

The working draft, dated as recently as November 16, 2000, now identifies the Subject Property as Sub-Unit E4, which is planned for retail uses at current intensities. The draft states that any modification, expansion, and/or reuse of the existing buildings should be consistent with guidelines for existing uses and buildings under the area wide land use recommendations. Area wide recommendations identify certain non-core areas that are designated to have high quality development in terms of site and building design and materials, and open space amenities in order to achieve a sense of place in a suburban setting. Sub-Unit E4 is located in a non-core area. Further, the draft identifies guidelines for pedestrian and open space systems, streetscape concepts, trails and landscaping, building design guidelines, and road improvements. An option for development of the Sub-unit with retail use up to .35 FAR is included in the recommendations if guidelines are met. The Applicant's proposal is in harmony with these guidelines.

REZONING

The Applicant proposes to rezone the Subject Property from the I-5 District to the C-6 District, which will thus allow the Applicant to develop a pharmacy with a drive-through as a permitted use under Article 4-602(9) of the Fairfax County Zoning Ordinance (the "Ordinance"). The Applicant is the contract purchaser of the Subject Property, and proposes to develop them together which is in accordance with the draft Plan language that recommends consolidation of these parcels.

The C-6 District is a Community Retail Commercial District. This District's guidelines recommend retail commercial and service uses that are oriented to serve several neighborhoods. The Applicant's rezoning of the parcels achieves this guideline, as the pharmacy with the drive-through will meet the needs of the residents in the local and surrounding neighborhoods. The C-6 District is consistent with the draft language for the area wide recommendations that state that many of the community-serving commercial uses be retained and that new uses are encouraged to develop, such as a grocery store, *pharmacy* (emphasis added), book store, and a variety of small retail shops, as well as automotive and home service repair shops.

The rezoning is also in harmony with the newly proposed text language the Merrifield Task Force has recommended to be adopted as mentioned in the Background. Land Unit E, of which the Subject Property is a part, envisions an area of transition along its boundaries and that the area will develop with community services such as a neighborhood serving retail center with a grocery store and/or a drug store serving as anchors. While this pharmacy will not be developed as part of a retail center, it does fulfill the objective of providing a useful community service. As recommended in the draft language, community services are encouraged to provide alternative modes of transportation. The Subject Property is shown in the Open Space and Pedestrian Map of the draft as maintaining either a trail or sidewalk. The Applicant has provided sidewalks completely around the Subject Property. Additionally, the Applicant has provided for an

area aptly identified as a "mini-park" on the Subject Property, which achieves the draft language objective of providing urban greens.

The proposed drive-through pharmacy meets all the requirements of Ordinance Article 4-609(9), Additional Regulations for a drive-through pharmacy, as follows:

- The Subject Property is not abutting or across a local or collector street from residentially zoned land. The surrounding land uses are I-4, I-5 and C-8;
- The Subject Property is designed to minimize traffic movement conflicts and facilitates safe and efficient on-site circulation and parking, and;
- The Subject Property provides for the drive-through pharmacy adequate parking and stacking spaces, which are located so as to facilitate safe vehicle and pedestrian access to all uses on the lot.

In accordance with Ordinance Article 18-202, Submission Requirements, the Applicant offers the following information with regard to this zoning amendment:

- The proposed use is a drive-through pharmacy. The retail store and the drive through service will be in operation 24 hours a day in an effort to be as convenient as possible to area residents;
- The average number of patrons is estimated at 600± on a daily basis;
- At any given time throughout the course of the 24 hour day, there will be approximately ten (10) to fifteen (15) employees serving the use;
- The peak hours of use are 4:00 p.m. to 7:00 p.m., with approximately 80± patrons at the site during this time;
- It is estimated that there are approximately 4 patrons per hour that will use the drive-through facility during its peak use, with a total number of approximately 50 drive-through trips made throughout the course of a 24 hour day;
- The pharmacy and drive-through will serve the greater area of Vienna, Merrifield and Falls Church;
- The building will be a one-story retail structure constructed of masonry materials, with brick accents and a flat roof. A parapet will be provided at the roofline to screen mechanical equipment.

- The Applicant is unaware of any hazardous or toxic substances on the Subject Property, and;
- The proposed drive-through pharmacy complies with all adopted standards, ordinances and regulations except as may be noted on the submitted plat.

The Applicant's rezoning is consistent with the Plan and the purpose and intent of the Ordinance. With the approval of this rezoning, a first step towards a sense of place and revitalization of the Merrifield area will have begun. The Applicant is enthusiastic about providing a needed and welcome use to the Merrifield area.

SPECIAL EXCEPTION AMENDMENT

The Applicant proposes to construct an addition to the existing bank in order to offer drive-through services. As per the Ordinance, a bank with a drive-through requires Special Exception approval under Article 4-604(4)(E).

On August 7, 1995 the Fairfax County Board of Supervisors approved a Special Exception, SE-94-P-061, for a drive-through bank with development conditions, which remains valid although the improvements were not constructed. The previously approved conditions included future right-of-way improvements. The Applicant has provided for these improvements as evidenced on the plat. The amendment proposes a revised building layout so that the drive-through bank may be operated in conjunction with a retail use.

In accordance with Ordinance Article 9-011, Submission Requirements, the Applicant offers the following information in regard to the proposed special exception amendment:

- The type of operation is a commercial bank with a drive-through facility. The bank is in operation from 7:30 a.m. to 7:00 p.m., Monday through Friday, with lobby hours restricted until 2:00 p.m., and on Saturday from 9:00 a.m. to Noon;
- The bank currently has approximately 2,000 customer accounts at this branch location;
- When the bank is fully staffed at peak hours, there are 11 employees on the premises;
- The drive-through facility is anticipated to handle approximately 70 to 100 customers on a daily basis, with peak hours being Noon to 1:00 p.m., and 5:00 p.m. to 7:00 p.m., Monday through Friday;

- This bank branch considers its service area to be a radius of approximately 5 miles radiating out from the Merrifield area;
- The existing bank is a one-story all brick building;
- The proposed drive-through will be a two-lane facility, containing both a drive-through window and an ATM;
- The Applicant is unaware of any hazardous or toxic substances on the Subject Property, and;
- The proposed development complies with all adopted standards, ordinances, regulations and applicable conditions except as noted on the plat and as described herein.

VARIANCE

The Applicant requests a variance of the 40 foot building setback requirement in the C-6 District for the Subject Property. The existing bank building will violate this requirement subsequent to dedications proposed for Hilltop Road in conjunction with the development.

In accordance with Ordinance Article 18-404, please accept the following as the Applicant's justification for the proposed variance:

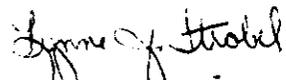
- The Subject Property was acquired in good faith by the property owner.
- The Subject Property has an unusual shape and condition that limit development. The Subject Property is triangular in shape and subject to front yard requirements on two sides. This creates a hardship for additional development. In addition, the requested variance will allow an existing building to remain in its current location, which is an unusual condition. The Applicant proposes dedications for improvements to Hilltop Road, which has created the necessity for the variance.
- The condition or situation of the Subject Property is not so general or recurring to make reasonably practicable the formulation of a general regulation to be adopted by the Board of Supervisors. The odd shape of the Subject Property, and the fact that it is currently developed, creates a unique situation that is not shared by other properties proposed for commercial development.
- A strict application of the Ordinance would produce undue hardship, as the Applicant will be precluded from development of the Subject Property with additional uses that are in harmony with the recommendations of the Plan.

- The undue hardship is not shared by other properties in the same zoning district and in the same vicinity. The Subject Property is unique in the circumstance of having two front yards and the fact that it is developed with an existing building.
- A strict application of the Ordinance would prohibit a reasonable use of the Subject Property in accordance with the recommendations of the Plan.
- The authorization of the variance will not be of substantial detriment to adjacent properties. The building for which the variance is sought already exists. In addition, the surrounding properties are developed with commercial uses that are in harmony with the Applicant's proposal.
- The character of the zoning district will not be changed by the granting of the variance.
- The variance will be in harmony with the intended spirit and purposes of the Ordinance and will not be contrary to the public interest. The proposal will allow an existing building to remain as presently located and further development of the Subject Property in accordance with the recommendations of the Plan for the Merrifield area.

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

Very truly yours,

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



Lynne J. Strobel

LJS:cs

cc: Joseph A. Caputo
Sheldon S. Nasar
David M. Goldman
Chuck Dunlap
Martin D. Walsh

K:\HATOM\potomac se-var-rz.doc



FAIRFAX COUNTY

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

Tel: 703-324-3151 Fax: 703-324-3926

V I R G I N I A

September 5, 1995

Martin D. Walsh, Esquire
Walsh, Colucci, Stackhouse,
Emrich and Lubeley, P.C.
2200 Clarendon Boulevard
Arlington, Virginia 22201-3359

RE: Special Exception
Number SE 94-P-061

Dear Mr. Walsh:

At a regular meeting of the Board of Supervisors held on August 7, 1995, the Board approved Special Exception Number SE 94-P-061 in the name of Horizon Bank of Virginia, located at Tax Map 49-3 ((1)) Pt. 73, for a drive-in bank in a Highway Corridor Overlay District pursuant to Section 7-607 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans as determined by the Department of Environmental Management (DEM). Any plan submitted pursuant to this special exception shall be in conformance with the approved Special Exception Plat, entitled, "Horizon Bank of Virginia", prepared by Harold A. Logan, dated September 15, 1994 and revised through February 1, 1995.
4. At the time of site plan approval or upon demand of Fairfax County, whichever occurs first, right-of-way for the future improvements to Route 29 as depicted on the Special Exception Plat shall be dedicated and conveyed in fee simple to the Board of Supervisors. All necessary ancillary and construction easements shall be provided for the future improvements to Route 29 as determined by DEM.

5. Prior to the issuance of a nonresidential use permit, the existing entrance onto Route 29 shall be modified so as to be limited to a right-in/right-out only entrance as determined by DEM and/or the Virginia Department of Transportation (VDOT). The modification may consist of channelization of the entrance and the provision of any necessary signage as determined by DEM and/or VDOT.
6. Prior to 1) any subdivision of Parcel 73, 2) any site plan approval of the western portion of Parcel 73 which is not incorporated into this application, and/or 3) within six years from the issuance of a nonresidential use permit for the Special Exception use, whichever comes first; the following improvements shall be made:
 - a) In order to facilitate interparcel access to the properties located to the east, the existing service drive located to the east of the property shall be improved and extended onto the property to the access from Lot 73 to Route 29 as determined by DEM and/or VDOT.
 - b) In order to facilitate future interparcel access to the west, an interparcel connection shall be provided from the portion of Lot 73 subject to this Special Exception to the portion of Lot 73 located to the west as determined by DEM. Such interparcel connection may result in the reduction of on-site parking provided that the minimum number of parking spaces as set forth in the Zoning Ordinance is provided.
 - c) Frontage improvements shall be provided along Hilltop Road as determined by DEM. These improvements shall match the existing frontage improvements which are located to the east of the subject property.
 - d) As determined by DEM, a four foot wide sidewalk shall be provided along the Route 29 and Hilltop Road frontages of the property.
 - e) In order to enhance the views of the site as seen from Route 29, a 25 foot wide landscaped area shall be provided along Lee Highway as determined by the Urban Forester. This streetscaping shall consist of a combination of ground cover and ornamental trees. The ground cover may consist of a combination of flowers and low lying shrubs. The ornamental trees shall be a minimum of seven feet in height at the time of planting. In order to accomplish the streetscaping along Route 29, the number of parking spaces may be reduced, provided that the minimum number of required parking spaces set forth in the Zoning Ordinance is still provided.

7. Density credit shall be reserved in accordance with the provisions of Section 2-308 of the Zoning Ordinance as it may apply to all street dedications described herein or as may be required by Fairfax County or VDOT at subdivision plat approval, as it may apply.

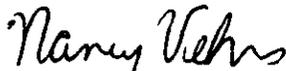
This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established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

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

The Board also modified the service drive requirement along Route 29 in favor of that shown on the Special Exception Plat, as modified by these development conditions.

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

Sincerely,



Nancy Yehrs

Nancy Yehrs
Clerk to the Board of Supervisors

NV/ns

SE 94-P-061
September 5, 1995

4.

cc: John M. Yeatman, Director, Real Estate Dvs., Assessments
Melinda M. Artman, Deputy Zoning Administrator
Frank Jones, Assistant Chief, ZPRB, OCP
Audrey Clark, Chief, Inspection Srvs., BPRB, DEM
Barbara A. Byron, Director, Zoning Evaluation Dvsn., OCP
Robert Moore, Trnsprt'n. Planning Dvs., Office of Transportation
Paul Eno, Project Planning Section, Office of Transportation
Department of Environmental Management
Y. Ho Chang, Resident Engineer, VDOT
Land Acqu. & Planning Dvs., Park Authority

RECEIVED
OFFICE OF COMPREHENSIVE PLANNING

SEP 8 1995

ZONING EVALUATION DIVISION

COUNTY OF FAIRFAX, VIRGINIA

MEMORANDUM

TO: Barbara A. Byron, Director
Zoning Evaluation Division, DPZ

FROM: 
Bruce G. Douglas, Chief
Environment and Development Review Branch, DPZ

SUBJECT: Comprehensive Plan Land Use Analysis for: RZ 2001-PR-012, SEA 94-P-061
Potomac Development

DATE: 25 June 2001

This memorandum includes citations from the Comprehensive Plan that provide guidance for the evaluation of the application and development plan dated June 14, 2001. This application requests a rezoning from I-5 to C-6 and an amendment to SE 94-P-061 previously approved for a drive in bank to permit a building addition, site modifications and an increase in land area. Approval of this application would result in a floor area ratio (F.A.R.) of .016. The extent to which the proposed use, intensity, and the development plan are consistent with the guidance of the Plan is noted.

CHARACTER OF THE SURROUNDING AREA:

The subject property is vacant except for a bank building located in the northeast portion of the site. It is planned for retail uses at current intensities (currently zoned I-5) with an option for retail and/or office use up to .35 FAR, subject to conditions. To the north is located Merrilee Industrial Park, which is planned for warehouse and industrial uses (zoned I-5). To the east are located a tire store and a service station, which are planned for retail uses at current intensities with an option for retail and/or office use up to .35 FAR subject to conditions (currently zoned I-5). To the south are located a service station and a regional post office, which are planned for industrial use up to .50 FAR and governmental and institutional uses, respectively (zoned I-5). To the west are located industrial and commercial buildings which are planned for industrial use up to .35 FAR with an option for a community serving retail center and office use up to .35 FAR, subject to conditions.

COMPREHENSIVE PLAN CITATIONS AND ANALYSIS:

The 2.26-acre property is located in the Merrifield Suburban Center of the Jefferson Planning District in Area I. The Comprehensive Plan provides the following guidance on the land use and the intensity for the property:

Text:

On pages 79 and 80 of the Merrifield Suburban Center in the 2000 edition of the Area I Plan, under the heading, "Sub-Unit E4," the Plan states:

"Sub-Unit E4 is bounded on the south by Route 29, on the west by Prosperity Avenue and on the north by Hilltop Road. This sub-unit is planned for and developed with retail uses at current intensities. Any modification, expansion, and/or reuse of the existing buildings should be consistent with guidelines for Existing Uses and Buildings under the Area-Wide Land Use section.

Option: As an option, development within this sub-unit to retail and/or office use up to .35 FAR may be appropriate. Any development proposal under this option must address all applicable Area-Wide recommendations as well as the following guidelines.

- Redevelopment primarily east of the Dorr Avenue extension (i.e., on Parcels 49-3((1)) 143 and 144) should provide right-of-way for the extension of Dorr Avenue. If Hilltop Road is vacated, this right-of-way vacation should be consolidated with Parcel 144. This additional land from the vacation of Hilltop Road will provide adequate land area for these parcels to redevelop with a small office or retail use.
- Redevelopment west of the Dorr Avenue extension should provide for full consolidation of Parcels 49-3((1)) 72B, 72C, 73A, 73D and 73. Redevelopment of these parcels should contribute to the construction cost of the Dorr Avenue extension.

Height Limit: The maximum building height in this sub-unit is 50 feet. See the Building Heights Map, Figure 16, and the Building Height Guidelines under the Area-Wide Urban Design section."

Map:

The Comprehensive Plan map shows that the property is planned for industrial use.

Analysis:

The application and development plan propose retail uses (pharmacy with a drive through and a bank with a drive through) up to .16 FAR which is in conformance with the use and intensity recommendations of the Comprehensive Plan. The applicant has consolidated all parcels west of the Dorr Avenue extension and the proposed structures are under 50 feet in height.

The Comprehensive Plan also provides the following text that establishes guidelines for evaluating the development proposal:

Text:

On page 23 of the Merrifield Suburban Center in the 2000 edition of the Area I Plan, under the heading, "Urban Design, Open Space and Pedestrian System Guidelines," the Plan states:

- "Signage along roadways should be provided to contribute to good pedestrian and vehicular orientation. Within the Merrifield Suburban Center, a signage theme should be established that provides consistency in terms of scale, design, color, materials and placement...
- Usable open space in the form of plazas, urban greens, courtyards or parks should be provided throughout the Merrifield Suburban Center, especially in the Transit Station Area and the Town Center, in order to create a strong pedestrian focus. Developments should provide these pedestrian amenities, which include landscaped areas with shade trees, seating areas, public art and other amenities that make attractive gathering places for the local workforce, shoppers, and residents. In some instances, these open space amenities should be large enough and designed in a manner to accommodate informal activities as well as programmed events during lunch-hours and after-work hours.

Analysis:

The applicant should provide a monument-based sign as opposed to a pole-mounted sign to assure good pedestrian and vehicular orientation. A signage plan should be provided that demonstrates a unified theme in terms of scale, design, color, materials and placement. The applicant is providing a mini-park at the intersection of Prosperity Avenue and Lee Highway. The applicant should provide a specific park design including landscaping and street furniture.

Text:

On pages 24 through 33 of the Merrifield Suburban Center in the 2000 edition of the Area I Plan, under the heading, "Urban Design, Streetscape Design," the Plan states:

"General Streetscape Guidelines

Underground utilities: Undergrounding of utilities should be encouraged and should be coordinated with future roadway improvements and the rebuilding of sidewalks to foster a pedestrian environment and other Plan objectives. New development should provide underground utility conduits or provide commitments to construct these improvements in the future. If undergrounding utilities is not feasible, consideration should be given to relocating the utilities to the rear or side of the development."

Analysis:

The applicant proposes to have utilities relocated underground.

Text:

“Street Lighting: Street lighting should be provided that maintains the overall character and quality of the area, while providing adequate lighting levels that ensure public safety without creating glare or light spillage into neighboring low-density residential areas...”

Analysis:

The applicant proposes to use “Richmond” or other similar downward focusing lighting fixtures

Text:

“Streetscape Maintenance: The provision of the streetscape may be provided on a combination of publicly owned right-of-way and private property. In order for a future development to utilize the public right-of-way to provide streetscape improvements, commitments will need to be made by the property owner to maintain the streetscape area within the public right-of-way. In addition, in order to provide streetscape, the sidewalk may not be entirely within the right-of-way; therefore, additional right-of-way may be needed or a public access easement will need to be provided for that portion of the sidewalk located on private property.”

Analysis:

Where the streetscape is located in the publicly owned right-of-way, the applicant should proffer to maintain the streetscape area within the public right-of-way.

Text:

“Streetscape Design Flexibility: When infill or expansion of buildings or other existing features constrain a site’s design, variation from the streetscape guidance should be permitted when that variation results in acceptable sidewalk widths and amounts of street trees and landscaping. For example, if the guidance is to provide a double row of street trees, but due to site constraints not enough space exists for the staggered rows, an equal number of street trees planted in a single row may be an appropriate alternative.

When street trees and other plantings are to be located in proximity to roadways or within medians, safety and sight distance should be taken into consideration upon reviewing a development proposal’s streetscape design. Modifications to the streetscape guidance is appropriate to account for these issues, but only if viable alternatives in streetscape design can be provided to ensure continuity in the streetscape pattern...

Boulevard Streetscape Guidelines (Gallows Road, Route 29, and Route 50)

The boulevard streetscape, shown on Figure 10, should be used for Gallows Road, Route 29 and Route 50. This streetscape concept features a wide, tree-lined road with well-defined pedestrian and bicycle features that include wide sidewalks along both sides of the street, street trees evenly spaced, medians with plantings of flowering trees, shrubs, and flowers. Street lighting should be distinctive, and designed for both pedestrian and vehicular use. The following guidelines are provided for achieving the boulevard streetscape character:

- **Landscape area next to curb:** Along a boulevard, the landscape strip should be, at a minimum, 8 feet in width; however, a 10-foot wide landscape strip is encouraged. Plantings should occur closest to the sidewalk, leaving room adjacent to the road for street lighting and signage. Major shade trees should be planted with a spacing of 40 to 50 feet on center, using trees that are 2½ to 3-inch caliper in size at the time of planting. Vegetation within the planting strip should include supplemental plantings such as ornamental shrubs, ground cover, flowering plants, and grasses. Where appropriate, special pavement treatments and trees in grates may be considered as alternatives to a planting strip.
- **Adjacent to the landscape strip along Route 29,** an eight-foot wide sidewalk is planned along the north side of the road to provide continuity with the trail plan and along the south side, at a minimum, a six-foot wide sidewalk is planned. Along Gallows Road north of Route 50, an eight-foot wide sidewalk is planned for both sides of the road. Along Gallows Road south of Route 50, an eight-foot wide trail is planned along the west side of the road and a six-foot wide sidewalk is planned along the east side of the road. Along Route 50, an 8-foot wide trail is planned for the north side of the road and a 6-foot wide sidewalk is planned for the south side of the road.
- **Pedestrian activity area and/or landscape area between the sidewalk and building and/or parking:** A secondary landscape strip should be, at a minimum, 12 feet wide when adjacent to a building and 6 feet wide when surface parking is adjacent. Major shade trees should be planted with spacing of 40 to 50 feet on center, using trees that are 2½ to 3-inch caliper in size at the time of planting. The tree spacing along this landscape strip should be staggered with the first row of trees between curb and sidewalk, so that the effect of the two rows of trees is tree spacing at approximately 20 to 25 feet. Vegetation within the planting strip should include supplemental plantings such as ornamental shrubs, ground cover, flowering plants, and grasses. This pedestrian activity area/landscape strip, when adjacent to parking areas, should have supplemental plantings that will help to screen the parking from the pedestrian walkway and from the road. When ground level retail is provided in a building, a portion of this pedestrian activity area/landscape strip can be used for retail browsing and/or outdoor dining.

- Median landscape strip: Median plantings should consist of flowering trees, low ornamental shrubs, and flowers. The median plantings may be informal; however, the massing of trees should be equivalent to the planting of a tree every 25 feet on center. Plantings should be selected that are drought tolerant and low in maintenance, resistant to disease, pollution, and heat.
- At pedestrian crossings, ramps and special pavement should be designed to create a well-delineated and safe area for pedestrians to cross the street. Medians should be designed to create a safety island for pedestrians waiting to finish crossing the street.”

Analysis:

Along Lee Highway (Route 29), the applicant has provided adequate streetscape. The applicant should address providing or contributing the median landscape strip when VDOT improves Route 29.

Text:

“Ring Road Streetscape Guidelines (Prosperity Avenue/Hartland Road/Gatehouse Road

The “Prosperity/Hartland/Gatehouse Ring Road” streetscape, shown on Figure 11, is intended to serve the core areas by distributing local traffic from neighborhoods and commercial districts to Gallows Road and Lee Highway. This street should typically be a four-lane undivided roadway. The street trees should be organized in evenly spaced, ordered plantings. The following guidelines are provided for achieving the Ring Road streetscape character:

- Landscape area next to curb: Along the ring road, the landscape strip should be, at a minimum, 6 feet. Plantings should generally be placed in the center of the landscape strip, with major shade trees planted with a spacing of 25 to 30 feet on center, using trees that are 2½ to 3-inch caliper in size at the time of planting. Vegetation within the planting strip should include supplemental plantings such as ornamental shrubs, ground cover, flowering plants, and grasses. Where appropriate, special pavement treatments and trees in grates may be considered as alternatives to a planting strip, as well as pedestrian amenities such as bus shelters. Adjacent to this landscape strip, an 8-foot wide multi-purpose trail should be provided on the outside edge of the ring road. Along the inside edge of the ring road a 6-foot wide sidewalk should be provided, except adjacent to the Metro station where an 8-foot wide multi-purpose trail should be provided.
- Pedestrian activity area and/or landscape area between the sidewalk and building and/or parking: A secondary landscape strip should be, at a

minimum, 12 feet wide when adjacent to a building and 6 feet wide when adjacent to surface parking. Plantings should be provided (to include shade and flowering trees, ornamental shrubs, ground cover, flowering plants, and grasses). When adjacent to parking areas, plantings should help buffer and screen parking from the pedestrian walkway and from the road. When ground level retail is provided in a building, a portion of this pedestrian activity area/landscape strip can be used for retail browsing and/or outdoor dining.

- At pedestrian crossings, ramps and special pavement should be designed to create a well-delineated and safe area for pedestrians to cross the street. Should a median be provided, it should be designed to create a safety island for pedestrians waiting to finish crossing the street.”

Analysis:

Along Prosperity Avenue (Route 699), the applicant has provided adequate streetscaping.

Text:

“Cross Street Streetscape Guidelines

A cross street, which applies to the majority of the streets within the Merrifield Suburban Center, not otherwise designated, helps to define the street grid system by connecting the boulevards, ring road and main streets. Providing additional cross streets will be critical in enhancing internal traffic flow within the core areas (i.e. the town center and transit station areas). Cross streets typically have two-traffic lanes with on-street parking along at least one side. Traffic calming measures such as raised mid-block pedestrian crossings, small traffic rotaries, and curb and sidewalk “bulb outs” at intersections should be provided. The cross street streetscape concept is shown on Figure 13 and features a tree-lined sidewalk on both sides of the street. The following guidelines are provided for achieving the Cross Street streetscape character:

- Landscape area next to curb: Streets with parking should have, at a minimum, a 2-foot paved refuge strip next to the curb. A refuge strip is where people get out of their parked cars. Adjacent to the refuge area, a minimum a 6-foot wide landscape area should be provided. Plantings should generally be placed in the center of the landscape strip, with major shade trees planted with a spacing of 25 to 30 feet on center, using trees that are 2½ to 3-inch caliper in size at the time of planting. Vegetation within the planting strip should include supplemental plantings such as ornamental shrubs, ground cover, flowering plants and grasses. Where appropriate, special pavement treatments and trees in grates may be considered as alternatives to a planting strip. Adjacent to this landscape strip should be a 6-foot wide sidewalk.

- Pedestrian activity area and/or landscape area between the sidewalk and building and/or parking: A secondary landscape strip should be, at a minimum, 12 feet wide when adjacent to a building and 6 feet wide when adjacent to surface parking. Supplemental plantings should be provided (to include shade and flowering trees, shrubs, flowering plants, ground cover, and grasses). When adjacent to parking areas, plantings should help buffer and screen parking from the pedestrian walkway and from the road. When ground level retail is provided in a building, a portion of this pedestrian activity area/landscape strip can be used for retail browsing and/or outdoor dining.
- At pedestrian crossings, ramps and special pavement should be designed to create a well-delineated and safe area for pedestrians to cross the street. Should a median be provided, it should be designed to create a safety island for pedestrians waiting to finish crossing the street.”

Analysis:

Along Hilltop Road (Route 744), the applicant has provided adequate streetscaping.

Text:

On pages 35 through 38 of the Merrifield Suburban Center in the 2000 edition of the Area I Plan, under the heading, “Urban Design, BUILDING AND SITE DESIGN,” the Plan states:

“In addition to streetscape, siting of buildings, building materials and quality of design influence the pedestrian experience. The location of a building on a site should not create a barrier to pedestrians by interrupting the pedestrian circulation system. Also, a development’s site design should avoid creating pedestrian barriers; for example landscaping should not block the paths through a property. In addition, any signage within a development should be coordinated in terms of scale, design, color, materials, and placement. Since the Merrifield Suburban Center is envisioned to have areas with an urban as well as a suburban character, the siting of buildings in relation to the pedestrian system will vary...

Building and Site Design Guidelines for the Remainder of the Merrifield Suburban Center

In the Land Use Concept, the majority of the Merrifield Suburban Center is designated as Non-Core and Edge Areas. These areas include retail, office, and residential uses that are generally more suburban in character. Much of the office development is in the form of suburban office parks that are designed with auto-orientation, requiring an auto trip for most activities and lunch-hour errands. The urban design challenge is to make these areas more accessible for people and to enhance the visual quality. The following guidelines, in addition to the previous

streetscape section, are intended to help make these areas more pedestrian-friendly environments. See Figure 15 for illustrations on how development may vary in the more suburban portion of the Merrifield Suburban Center.

- Streetscape amenities such as street trees, sidewalks, plazas, street furniture, and landscaping should be provided. Building setbacks will vary based on which streetscape is applicable. For boulevards such as Route 29, Route 50 and Gallows Road, buildings should, at a minimum, be setback 26 feet from the curb; however, 30 to 40 feet from the curb is encouraged. For the Ring Road and Cross Streets, buildings should be 25 to 40 feet from the curb. Greater front yards may be appropriate when parking is located in the front of buildings.
- Even in these suburban areas, flexibility should be provided for encouraging buildings to be located close to the street. Therefore, the angle of bulk plane should be reduced when more usable open space and open space amenities are provided. Under this circumstance, the angles of bulk plane should be reduced to 20 degrees. (See Figure 15.)
- When structured parking is provided, it should be located at the back or side of buildings and not front on pedestrian areas. Surface parking may be located at the front of buildings but should have substantial interior landscaping as well as landscaping between the parking area and the sidewalk. Further, pedestrian paths from the street building entrances should be articulated with landscaping and special paving treatment.”

Analysis:

It would be desirable for the applicant to provide an architectural schematic of the proposed development from a perspective from the southwest to the northeast and from the northeast to the southwest.

BGD:ALC

FAIRFAX COUNTY VIRGINIA

MEMORANDUM

TO: Barbara A. Byron, Director
Zoning Evaluation Division, DPZ

FROM: Angela Kadar Rodeheaver, Chief 
Site Analysis Section, DOT

FILE: 3-4 (RZ 2001-PR-012, SE 94-P-061)

SUBJECT: Transportation Impact

REFERENCE: RZ 2001-PR-012: SEA 94-P-061, Potomac Development
Traffic Zone: 1526
Land Identification Map: 49-3 ((1)) 72B, 72C, 73, 73A, 73D

DATE: June 21, 2001

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on plans made available to this office dated December 29, 2000, and revised through June 14, 2001. The subject application is a request to rezone 2.2644 acres from I-5 to C-6 to permit a pharmacy with a drive-through, and a Special Exception Amendment for an existing bank with an approved drive-through.

The proposed pharmacy, including the drive-through, will be open 24 hours a day with the average number of patrons estimated by the Applicant at 600 per day. There will be ten to fifteen employees on site at any given time. The peak hours of use are 4:00 p.m. to 7:00 p.m. with approximately 80 patrons on site during this time period. The Applicant estimates that approximately four patrons per hour will use the drive-through facility during its peak use with a total of approximately 50 drive-through trips per day.

The Applicant proposes to construct an addition to the existing bank in order to offer drive-through services. Special Exception SE 94-P-061 for a drive-through bank was approved by the Board of Supervisors on August 7, 1995, and a 30-month extension to commence construction approved on February 9, 1998. The amendment proposes a revised building layout so that the drive-through bank may be operated in conjunction with a retail use. The commercial bank with a drive-through facility will be open from 7:30 a.m. to 7:00 p.m., Monday through Friday with lobby hours until 2:00 p.m. daily and on Saturday from 9:00 a.m. until noon. At peak hours, there are eleven employees on site. The Applicant estimates

the proposed two-lane drive-through facility will have approximately 70 to 100 customers per day. Peak hours will be noon to 1:00 p.m. and 5:00 p.m. to 7:00 p.m., Monday through Friday. The Department has reviewed the subject application and offers the following comments:

- Location of the drive-through window and stop bar. Although the Applicant has added a stop bar at the exit from the drive-through pharmacy window, this stop bar is only four to six feet from the drive-through window. This is not even a car length distance. A patron could not drive far enough away from the window to allow another vehicle drive up. Furthermore, a vehicle stopped behind the bar still would not have adequate sight distance to the left because of the obstruction of the building. This is particularly so for the lane nearest the building. It would be better for the drive-through window to be moved farther away from the corner of the building so that there is sufficient distance for a vehicle move away from the window and turn away from the building so as to be perpendicular to the travel aisle with adequate sight distance to the left.
- Number of drive-through pharmacy windows. If there are anticipated to be only four patrons per hour through the drive-through pharmacy window at the peak hour, is it necessary to have two windows? If there were only one drive-through window it could be moved farther from the north corner of the building without impacting the existing parking configuration.
- Trail. The proposed trail shown along Route 29 should be a 10-foot wide trail as shown on the Route 29 plans.
- Proposed future right-in only access from Route 29. VDOT has stated that there will be no access to Route 29 when that road is improved to 6-lanes. The Applicant is showing access from the existing service drive now and has proposed a right-in only entrance from Route 29 when the 6-lane improvement is made. This proposed right-in only access should be subject to VDOT approval at the time of widening Route 29 to a 6-lane divided section.
- Applicant should contribute to construction costs of the Dorr Avenue extension as stated in the Comprehensive Plan.

AKR/LAH/lah

cc: Michelle Brickner, Director, Office of Site Development Services, DPW&ES

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Barbara A. Byron, Director
Zoning Evaluation Division, DPZ

FROM: *Bruce G. Douglas*
Bruce G. Douglas, Chief
Environment & Development Review Branch, DPZ

SUBJECT: ENVIRONMENTAL ASSESSMENT for: RZ 2001-PR-012
Potomac Development Corporation SEA 94-P-061

DATE: 20 June 2001

This memorandum, prepared by Mary Ann Welton, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. The citations are followed by a discussion of environmental concerns, including a description of potential impacts that may result from the proposed development as depicted on the generalized development plan, dated February 16, 2001. Possible solutions to remedy identified environmental impacts are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

COMPREHENSIVE PLAN CITATIONS:

The Comprehensive Plan is the basis for the evaluation of this application. The assessment of the proposal for conformity with the environmental recommendations of the Comprehensive Plan is guided by the following citations from the Plan:

On pages 86 through 87 of the 1990 Policy Plan as amended through October 30, 2000, under the heading "Water Quality", the Comprehensive Plan states:

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

Policy a. Maintain a best management practices (BMP) program for Fairfax County, and ensure that new development and redevelopment complies with the County's best management practice (BMP) requirements. . . .

Development proposals should implement best management practices to reduce runoff pollution and other impacts. Preferred practices include: ...those which preserve as much undisturbed open space as possible; and those which contribute to ecological diversity..."

On page 87 of the 1990 Policy Plan as amended on February 10, 1997, under the heading "Water Quality" the Comprehensive Plan states:

"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."

ENVIRONMENTAL ANALYSIS:

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed land use. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Particular emphasis is given to opportunities provided by this application to conserve the County's remaining natural amenities.

Stormwater/Water Quality Protection

Currently, the subject property is almost entirely impervious. Development of this site preceded the adoption of the County's Chesapeake Bay Preservation Ordinance. Thus, any new development must meet the redevelopment criteria of the ordinance. The applicant has indicated in Note #14 of the generalized development plan that stormwater quantity will be addressed by an underground facility and water quality will be addressed by means of a sand filter.

TRAILS PLAN:

The Trails Plan Map depicts a bicycle trail on the north side of Lee Highway. The Director, DPWES will determine what, if any, trail requirements may apply to the subject property at the time of site plan review.

BGD: MAW

MEMORANDUM

TO: Staff Coordinator
Zoning Evaluation Division, OCP

DATE: April 20, 2001

FROM: Gilbert Osei-Kwadwo (Tel: 324-5025) *gok*
System Engineering & Monitoring Division
Office of Waste Management, DPW&ES

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. RZ 2001-PR-012

Tax Map No. 049-3- /01/ /72B,72C,73,73A,73

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

- The application property is located in the ACCOTINK CREEK (M2) watershed. It would be sewered into the Noman M. Cole, Jr. Pollution Control Plant.
- Based upon current and committed flow, there is excess capacity in the Lower Potomac Pollution Control Plant at this time. For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
- An existing 8 inch line located in AN EASEMENT and ON the property is adequate for the proposed use at this time.
- The following table indicates the condition of all related sewer facilities and the total effect of this application.

Sewer Network	Existing Use +Application		Existing Use + Application Previous Rezoning		Existing Use + Application + Comp Plan	
	Adeq.	Inadeq.	Adeq.	Inadeq.	Adeq.	Inadeq.
Collector	X		X		X	
Submain	X		X		X	
Main/Trunk	X		X		X	
Interceptor						
Outfall						

5. Other pertinent information or comments: _____

FAIRFAX COUNTY WATER AUTHORITY
8570 Executive Park Avenue- P. O. Box 1500
Merrifield, Virginia 22116-0815
(703) 289-6000

March 13, 2001

MEMORANDUM

TO: Staff Coordinator (Tel. 324-1250)
Zoning Evaluation Division Suite 800
12055 Government Center Parkway
Fairfax, Virginia 22035

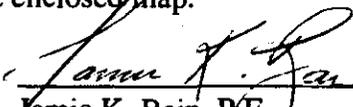
FROM: Planning Branch (Tel. 289-6363)
Planning and Engineering Division

SUBJECT: Water Service Analysis, Rezoning Application RZ 01-PR-012
SEA 94-P-061

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

1. The application property is not located within the franchise area of the Fairfax County Water Authority.
2. Water service is not available from FCWA.

City of Falls Church service area. See enclosed map.



Jamie K. Bain, P.E.
Manager, Planning Department

Attachment

REZONING APPLICATION / SPECIAL EXCEPTION AMENDMENT APPLICATION

RZ 2001-PR-012 SEA 94-P-061

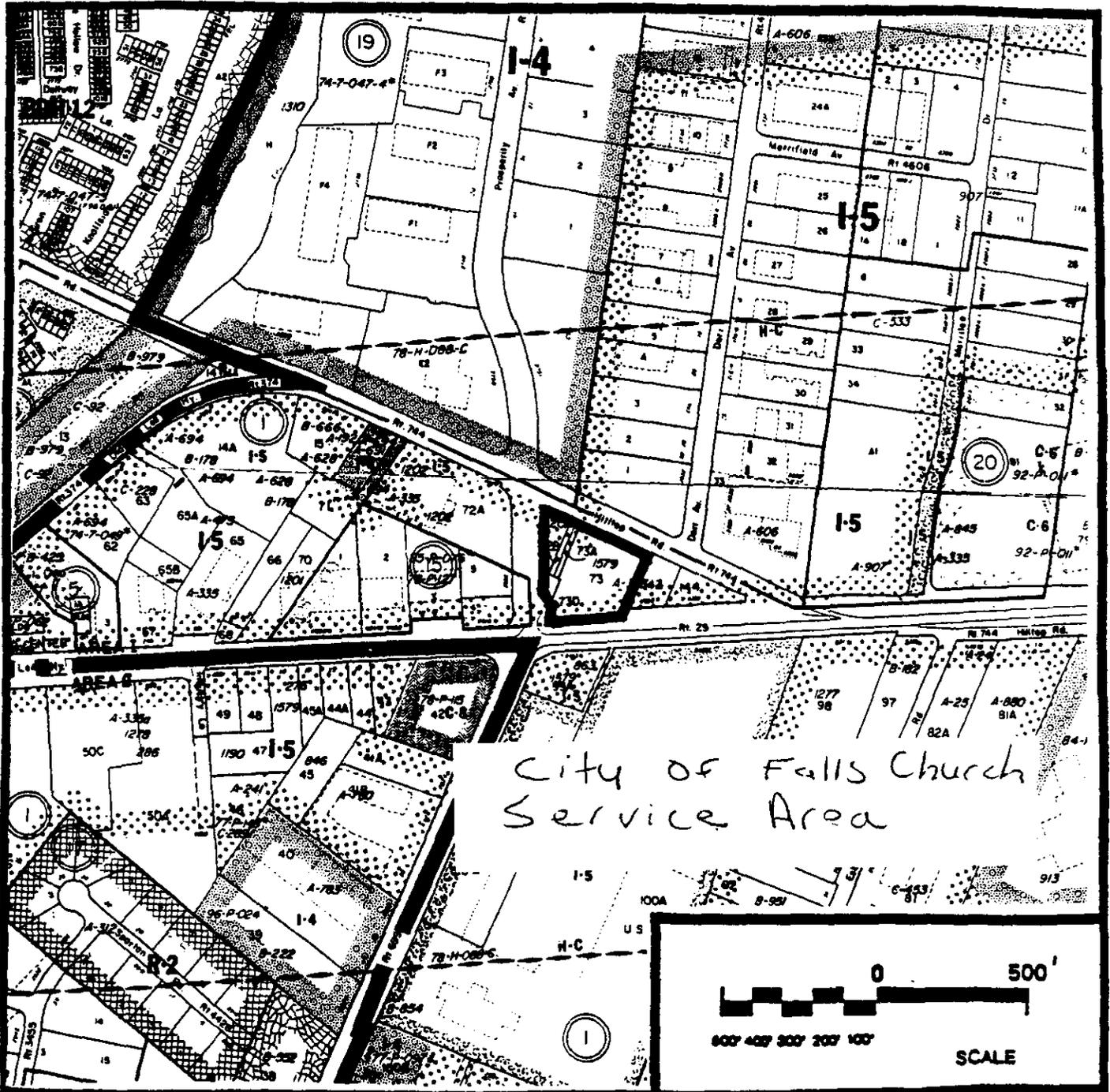
FILED 03/26/01
 POTOMAC DEVELOPMENT CORPORATION
 TO REZONE: 2.26 ACRES OF LAND; DISTRICT - PROVIDENCE
 PROPOSED: REZONE FROM THE I-5 DISTRICT TO THE C-6 DISTRICT
 LOCATED: NORTHEAST QUADRANT OF THE INTERSECTION OF
 LEE HIGHWAY AND PROSPERITY AVENUE
 ZONING: I-5
 TO: C-6
 OVERLAY DISTRICT(S): HC

SEA 94-P-061
 FILED 03/26/01
 POTOMAC DEVELOPMENT CORPORATION
 AMEND SE 94-P-061 PREVIOUSLY APPROVED FOR
 DRIVE IN BANK TO PERMIT BUILDING ADDITION,
 SITE MODIFICATIONS AND INCREASE IN LAND AREA
 ZONING DIST SECTION: 07-0607
 ART 9 CATEGORY/USE: 06-08
 2.26 ACRES OF LAND; DISTRICT - PROVIDENCE
 LOCATED: 8414 LEE HIGHWAY, FAIRFAX, VA 22031

MAP REF

ZONED C-6
 OVERLAY DISTRICT(S): HC
 TAX MAP
 PLAN AREA 1

9-3- /01/ /0072-B .0072-C .0073- .0073-A .0073 D 049-3- /01/ /0072-B .0072-C .0073- .0073-A .0073 O



FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

April 10, 2001

TO: Barbara Byron, Director
Zoning Evaluation Division
Office of Comprehensive Planning

FROM: Ralph Dulaney (246-3868)
Planning Section
Fire and Rescue Department

SUBJECT: Fire and Rescue Department Preliminary Analysis of Rezoning Application RZ 2001-PR-012 and Special Exception Amendment Application SEA 94-P-061

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

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #30, Merrifield.
2. After construction programmed for FY 19__, this property will be serviced by the fire station planned for the _____ area.
3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:
 - a. currently meets fire protection guidelines.
 - b. will meet fire protection guidelines when a proposed fire station becomes fully operational.
 - c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.
 - d. does not meet current fire protection guidelines without an additional facility. The application property is ____ of a mile, outside the fire protection guidelines. No new facility is currently planned for this area.

MEMORANDUM

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

DATE: May 8, 2001

FROM: Scott St. Clair, Director
Stormwater Planning Division
Department of Public Works & Environmental Services

SUBJECT: Rezoning Application Review

SRS

Name of Applicant/Application: Potomac Development Corporation

Application Number: RZ2001-PR-012 and SEA94-P-061

Information Provided: Application - Yes
Development Plan - Yes
Other - Statement of Justification

Date Received in SWPD: 4/11/01

Date Due Back to DPZ: 4/23/01

Site Information: Location - 049-3-01-00-0072-B and
049-3-01-00-0072-C, 73, 73A, 73D
Area of Site - 2.26 acres
Rezone from - I-5 to C-6
Watershed/Segment - Accotink Creek / long Branch (Lo)

Stormwater Planning Division (SWPD), Maintenance and Stormwater Management Division (MSMD), and Planning and Design Division (PDD) Information:

I. Drainage:

- MSMD/PDD Drainage Complaints: There are no downstream complaints on file with PSB, relevant to this proposed development.
- Master Drainage Plan, proposed projects, (SWPD): Channel stabilization project AC311 is located approximately 4000 feet downstream of site.
- Ongoing County Drainage Projects (SWPD): None.
- Other Drainage Information (SWPD): None.

II. Trails (PDD):

Yes No Any funded Trail projects affected by this application?

If yes, describe:

Yes No Any Trail projects on the Countywide Trails priority list or other significant trail project issues associated with this property?

If yes, describe:

III. School Sidewalk Program (PDD):

Yes No Any sidewalk projects pending funding approval or on the School Sidewalk Program priority list for this property?

If yes, describe:

Yes No Any funded sidewalk projects affected by this application?

If yes, describe:

IV. Sanitary Sewer Extension and Improvement (E&I) Program (PDD):

Yes No Any existing residential properties adjacent to or draining through this property that are without sanitary sewer facilities?

If yes, describe:

Yes No Any ongoing E&I projects affected by this application?

If yes, describe:

V. Other Projects or Programs (PDD):

Yes No Any Board of Road Viewers (BORV) or Fairfax County Road Maintenance Improvement Projects (FCRMIP) affected by this application?

If yes, describe:

Yes No Any Commercial Revitalization Program (CRP) projects affected by this application?

If yes, describe:

Yes No Any Neighborhood Improvement Program (NIP) projects affected by this application?

If yes, describe:

Other Program Information (PDD): **None.**

Application Name/Number: Potomac Development Corporation / RZ2001PR012

***** SWPD AND PDD, DPWES, RECOMMENDATIONS*****

Note: The SWPD and PDD recommendations are based on the SWPD and PDD involvement in the below listed programs and are not intended to constitute total County input for these general topics. It is understood that the current requirements pertaining to Federal, State and County regulations, including the County Code, Zoning Ordinance and the Public Facilities Manual will be fully complied with throughout the development process. The SWPD and PDD recommendations are to be considered additional measures over and above the minimum current regulations.

DRAINAGE RECOMMENDATIONS (SWPD): None.

TRAILS RECOMMENDATIONS (PDD): None.

SCHOOL SIDEWALK RECOMMENDATIONS (PDD): None.

SANITARY SEWER E&I RECOMMENDATIONS (PDD): None.

Yes NOT REQUIRED Extend sanitary sewer lines to the development boundaries on the _____ sides for future sewer service to the existing residential units adjacent to or upstream from this rezoning. Final alignment of the sanitary extension to be approved by Department of Public Works and Environmental Services during the normal plan review and approval process.

Other E&I Recommendations (PDD): None.

OTHER SWPD and PDD PROJECT/PROGRAM RECOMMENDATIONS: None.

SWPD and PDD Internal sign-off by:
Planning Support Branch (Ahmed Rayyan) kcm
Utilities Design Branch (Walt Wozniak) ww
Transportation Design Branch (Larry Ichter) nc
Stormwater Management Branch (Fred Rose) FR
RS M

SRS/RZ2001PR012

cc: Gordon Lawrence, Coordinator, Office of Safety, Fairfax County Public Schools (only if sidewalk recommendation made)
Gilbert Osei-Kwadwo, Chief, Engineering Analysis Planning Branch
Bruce Douglas, Chief, Environment and Development Review Branch

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

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

DATE: April 23, 2001

FROM: Barbara Carpenter, Director
Revitalization Division
Department of Housing and Community Development

RE: Referral Dated 4/9/01

SUBJECT: RZ 2001-PR-012, Conc. With SEA 94-P-061/Pharmacy and Drive-Thrus/Merrifield Revitalization Area/Tax Map Ref. 49-3((1))72B, 72C, 73, 73A and 73D

Staff from the Revitalization Division of the Department of Housing and Community Development has reviewed the above referenced application, which would permit a pharmacy with drive-thru and a drive thru for an existing bank. The following comments are provided.

- From a revitalization perspective we have no objection to this application. The site in question is best suited for auto oriented retail uses. It is not within the areas that are proposed for more pedestrian oriented development.
- There are some road issues related to this site. They are addressed in the Merrifield Task Force's Proposed Plan Amendment, Land Use Recommendations, Sub-Unit E-4.

The Revitalization Division is not aware of any other revitalization issues that might affect this application. Our recommendation is based solely on our perception of the proposal's ability to contribute to the overall physical, social and economic revitalization of the area and should not be considered to be an interpretation or statement of implied complicity with any and all applicable codes or ordinances. If you have specific questions, or require additional comment, please call Bill Ference at 703-246-5213.

cc: Bill Ference, Senior Program Manager, Revitalization Division, HCD
Gordon Goodlett, Development Officer, Development and Real Estate
Finance Division, HCD



FAIRFAX COUNTY PARK AUTHORITY

MEMORANDUM

TO: Barbara A. Byron, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Lynn S. Tadlock, Director
Planning and Development Division

DATE: April 23, 2001

SUBJECT: RZ 2001-PR-012; SEA 94-P-061
Pharmacy with Drive-Thru/Southern Financial Bank
Loc: 49-3((1)) 72-B, 72-C, 73, 73-A, 73D

The Fairfax County Park Authority (FCPA) staff has reviewed the above referenced application and provides the following comments:

To try to address the Comprehensive Plan concerns the FCPA requests the applicant provide \$10,000 for future acquisition of parkland, facilities and/or maintenance.

The Comprehensive Plan for Fairfax County, Virginia, Area I, Jefferson Planning District, Merrifield Community Planning District, page 277, states: "Urban parks should be provided in conjunction with commercial development." However, this site contains only 2.26 acres and there will not be enough land to dedicate. Also, Jefferson Planning District, District-Wide Recommendations, Parks and Recreation, page 199, states: "Although the Jefferson Planning District contains a number of smaller parks, there is an overall deficiency of public open space in this almost completely developed district."

cc: Kirk Holley, Manager, Planning and Land Management Branch
Karen Lanham, Supervisor, Planning and Land Management Branch
Dorothea L. Stefen, Plan Review Case Manager, Planning and Land Management Branch
Gail Croke, Plan Review Team, Planning and Land Management Branch
File Copy

9-006 General Standards

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

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

9-503 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.
3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

Additional Standards for Automobile-Oriented Uses, Car Washes, Drive-In Banks, 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.

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 shall not include the outdoor storage of more than two (2) abandoned, wrecked or inoperable vehicles on the site for more than seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, in no event shall any one (1) abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding seventy-two hours.

4-600

C-6 COMMUNITY RETAIL COMMERCIAL DISTRICT

4-601

Purpose and Intent

The C-6 District is established to provide locations for retail commercial and service uses which are oriented to serve several neighborhoods or approximately 20,000 persons. Typical uses to be found in the C-6 District include those uses found in the C-5, Neighborhood Retail Commercial District, and in addition such uses as a variety-department store, a florist, milliner, furniture store, radio and television repair shop, such specialty stores as children's shoes, gifts, candy, lingerie, liquor, women's apparel, book store, children's wear, toys, haberdashery, athletic goods, and a movie theater.

Development within the district should be encouraged in compact centers that are planned as a unit and preferably confined to one quadrant of an intersection so as to provide for orderly development; maximize comparison shopping; permit one-stop shopping; minimize traffic congestion; and provide for safe and unimpeded pedestrian movement.

Generally, the ultimate size of a C-6 District in a given location in the County should not exceed an aggregate gross floor area of 400,000 square feet or an aggregate site size of forty (40) acres.

4-605

Use Limitations

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

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

9. Drive-through pharmacies shall be permitted by right (a) when located on a lot which is not abutting or not across a local or collector street from residentially zoned land, which land is either developed with dwellings or vacant; (b) when the lot is designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation and parking; and (c) when there are adequate parking and stacking spaces for the use which are provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the lot. Drive-through pharmacies which do not meet these limitations may be allowed by special exception in accordance with the provisions of Article 9.

In addition, signs shall be required to be posted in the vicinity of the stacking area stating the limitations on the use of the window service and/or drive-through lane. Such signs shall not exceed two (2) square feet in area or be located closer than five (5) feet to any lot line.

PART 6 7-600 HIGHWAY CORRIDOR OVERLAY DISTRICT

7-601 Purpose and Intent

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

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

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

7-608 Use Limitations

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

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

- (3) Access to the site is provided by a functional service drive, which provides controlled access to the site.
 - C. There shall be no outdoor storage or display of goods offered for sale except for the outdoor storage or display of goods permitted at a service station or service station/mini-mart.
- 3. Where the underlying district is C-5 or C-6, in addition to Par. 1 above:
 - A. Service stations and service station/mini-marts shall not be used for the performance of major repairs, and shall not include the outdoor storage of more than two (2) abandoned, wrecked or inoperable vehicles on the site for more than seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, in no event shall any one (1) abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding seventy-two (72) hours.

18-404 Required Standards for Variances

To grant a variance the BZA shall make specific findings based on the evidence before it that the application satisfies all of the following enumerated requirements:

1. That the subject property was acquired in good faith.
2. That the subject property has at least one of the following characteristics:
 - A. Exceptional narrowness at the time of the effective date of the Ordinance;
 - B. Exceptional shallowness at the time of the effective date of the Ordinance;
 - C. Exceptional size at the time of the effective date of the Ordinance;
 - D. Exceptional shape at the time of the effective date of the Ordinance;
 - E. Exceptional topographic conditions;
 - F. An extraordinary situation or condition of the subject property; or
 - G. An extraordinary situation or condition of the use or development of property immediately adjacent to the subject property.
3. That the condition or situation of the subject property or the intended use of the subject property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted by the Board of Supervisors as an amendment to the Zoning Ordinance.
4. That the strict application of this Ordinance would produce undue hardship.
5. That such undue hardship is not shared generally by other properties in the same zoning district and the same vicinity.

6. That:
 - A. The strict application of the Zoning Ordinance would effectively prohibit or unreasonably restrict all reasonable use of the subject property, or
 - B. The granting of a variance will alleviate a clearly demonstrable hardship approaching confiscation as distinguished from a special privilege or convenience sought by the applicant.
7. That authorization of the variance will not be of substantial detriment to adjacent property.
8. That the character of the zoning district will not be changed by the granting of the variance.
9. That the variance will be in harmony with the intended spirit and purposes of this Ordinance and will not be contrary to the public interest.

18-405 Conditions

Upon a determination by the BZA that the applicant has satisfied the requirements for a variance as set forth in Sect. 404 above, the BZA shall then determine the minimum variance that would afford relief. In authorizing such variance the BZA may impose such conditions regarding the location, character and other features of the proposed structure or use as it may deem necessary in the public interest and may require a guarantee or bond to insure that the conditions imposed are being and will continue to be met.

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 in the zoning district if the site were developed as a conventional subdivision. See 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	PD	Planning Division
ADU	Affordable Dwelling Unit	PDC	Planned Development Commercial
ARB	Architectural Review Board	PDH	Planned Development Housing
BMP	Best Management Practices	PFM	Public Facilities Manual
BDS	Board of Supervisors	PRC	Planned Residential Community
BZA	Board of Zoning Appeals	RMA	Resource Management Area
CDG	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
DDT	Department of Transportation	SP	Special Permit
DP	Development Plan	TDM	Transportation Demand Management
DPWES	Department of Public Works and Environmental Services	TMA	Transportation Management Association
DPZ	Department of Planning and Zoning	TSA	Transit Station Area
DU/AC	Dwelling Units Per Acre	TSM	Transportation System Management
EQC	Environmental Quality Corridor	UP & DD	Utilities Planning and Design Division, DPWES
FAR	Floor Area Ratio	VC	Variance
FDP	Final Development Plan	VDDT	Virginia Dept. of Transportation
GDP	Generalized Development Plan	VPD	Vehicles Per Day
GFA	Gross Floor Area	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LDS	Level of Service	ZAD	Zoning Administration Division, DPZ
Non-RUP	Non-Residential Use Permit	ZED	Zoning Evaluation Division, DPZ
DSDS	Office of Site Development Services, DPWES	ZPRB	Zoning Permit Review Branch
PCA	Proffered Condition Amendment		

