



APPLICATION FILED: March 16, 2007  
PLANNING COMMISSION: July 19, 2007  
BOARD OF SUPERVISORS: Not Yet Scheduled

## County of Fairfax, Virginia

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July 5, 2007

### STAFF REPORT

APPLICATION PCA 1999-MV-025-04 & SE 2007-MV-005

#### MOUNT VERNON DISTRICT

**APPLICANT:** Marketplace Car Wash, LLC

**PRESENT ZONING:** C-6

**PARCEL(S):** 107-4((23)) C

**ACREAGE:** 1.04 acres

**FLOOR AREA RATIO (FAR):** 0.13 (Overall Shopping Center)  
0.12 (Special Exception Area)

**OPEN SPACE:** 30% (Overall Shopping Center)  
24% (Special Exception Area)

**PLAN MAP:** Mixed Use

**SE CATEGORY:** Category 5; Car Wash

**PROPOSAL:** The applicant has requested approval of a special exception (SE 2007-MV-005) and to amend the proffers for RZ 1999-MV-025 for a 1.04 acre portion of the Lorton Station Shopping Center (Pad Site B) to permit the development of a car wash on Pad Site B.

#### STAFF RECOMMENDATIONS:

Staff recommends that PCA 1999-MV-025-4 be approved subject to the draft proffers contained in Appendix 1.

*O:\clerki4\PCA CDP FDP\PCA 1999-MV-025-4 and SE 2007-MV-005, Marketplace Car Wash, LLC\Cover.doc*

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

Staff recommends that SE 2007-MV-005 be approved subject to the development conditions in Appendix 2.

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

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

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

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 or TTY 711 (Virginia Relay Center).

### Proffered Condition Amendment

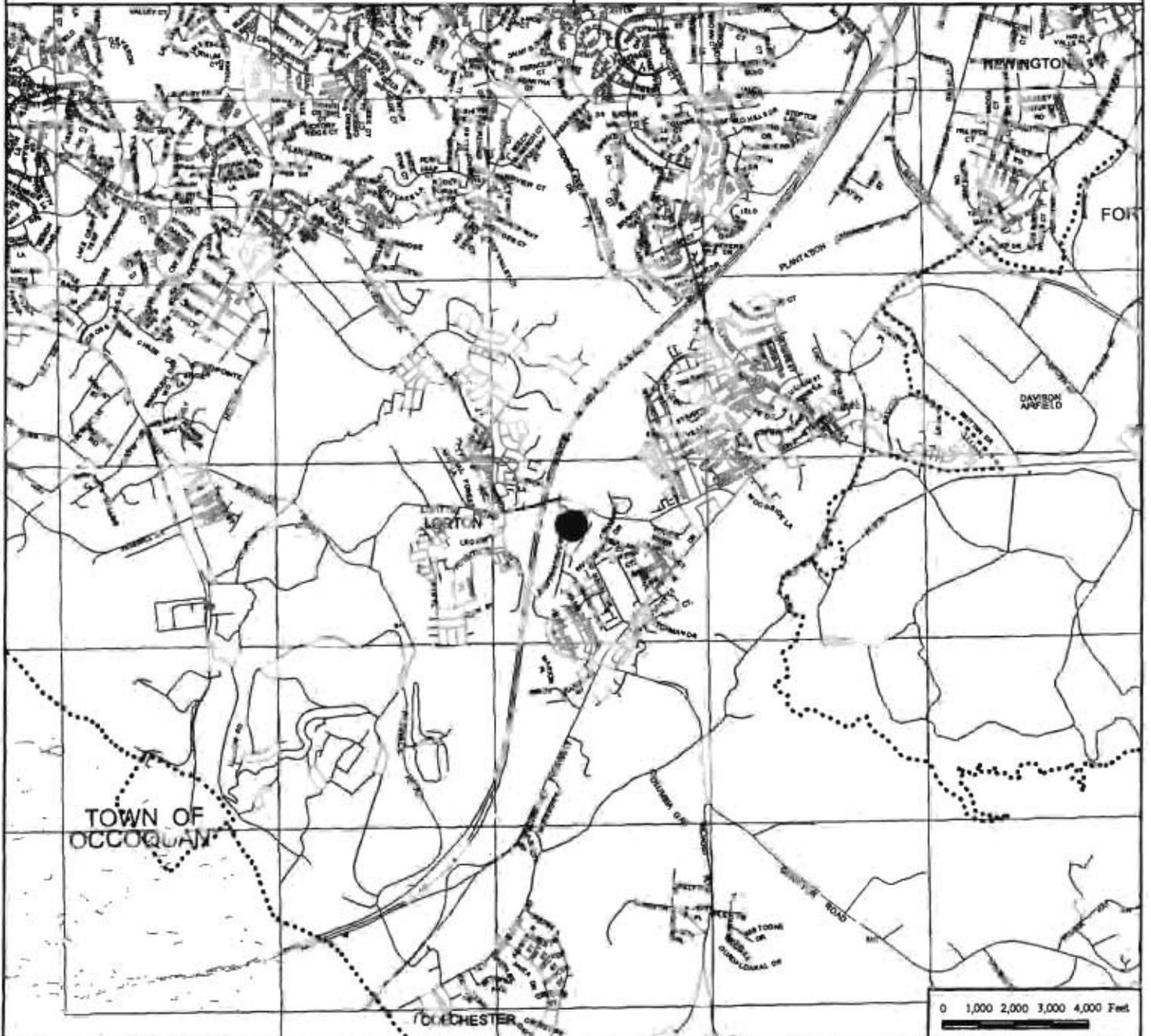
PCA 1999-MV-025-04

Applicant: MARKETPLACE CAR WASH, LLC  
Accepted: 03/16/2007  
Proposed: AMEND RZ 1999-MV-025 PREVIOUSLY APPROVED FOR COMMERCIAL DEVELOPMENT TO PERMIT CAR WASH  
Area: 1.04 AC OF LAND; DISTRICT - MOUNT VERNON  
Zoning Dist Sect: Located: SOUTHWEST QUADRANT OF THE INTERSECTION OF LORTON ROAD AND LORTON MARKET STREET  
Zoning: C-6  
Overlay Dist:  
Map Ref Num: 107-4 /23/ / C

### Special Exception

SE 2007-MV-005

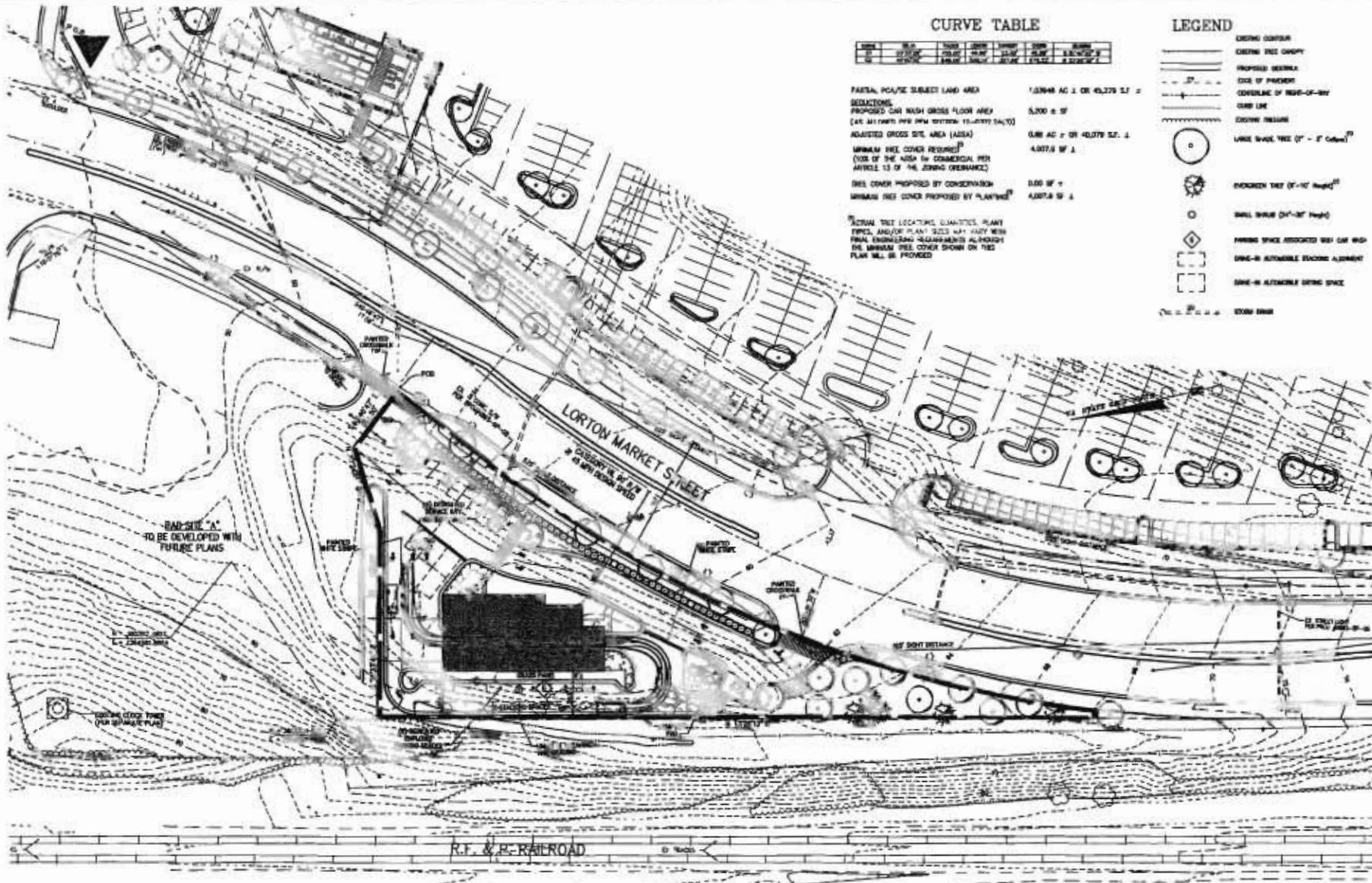
Applicant: MARKETPLACE CAR WASH, LLC  
Accepted: 03/16/2007  
Proposed: CAR WASH  
Area: 1.04 AC OF LAND; DISTRICT - MOUNT VERNON  
Zoning Dist Sect: 04-0604  
Art 9 Group and Use: 5-03  
Located: SOUTHWEST QUADRANT OF THE INTERSECTION OF LORTON ROAD AND LORTON MARKET STREET  
Zoning: C-6  
Plan Area: 4,  
Overlay Dist:  
Map Ref Num: 107-4 /23/ / C











**CURVE TABLE**

LINE	NO.	TYPE	START	STOP	LENGTH	CHORD	ANGLE
1	1	1	1	1	1	1	1

PARTIAL PAVEMENT SUBJECT LAND AREA 1.0268 AC ± OR 43,279 S.F. ±  
 PROPOSED CAR WASH GROSS FLOOR AREA 5,200 S.F.  
 (AS APPLICABLE PER 1994 VIRGINIA 15.1-1011 (A)(1))  
 ADJUSTED GROSS SITE AREA (AGSA) 0.88 AC ± OR 40,079 S.F. ±  
 MINIMUM TREE COVER REQUIRED (FOR USE OF THE AGSA IN COMMERCIAL PER ARTICLE 13 OF THE ZONING ORDINANCE) 4,007.8 S.F. ±  
 TREE COVER PROPOSED BY CONSERVATION 0.00 S.F. ±  
 MINIMUM TREE COVER PROPOSED BY PLANNING 4,007.8 S.F. ±

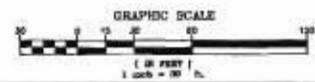
\*ACTUAL TREE LOCATIONS, QUANTITIES, PLANT TYPES, AND/OR PLANT SIZES MAY VARY WITH FINAL ENGINEERING RECOMMENDATIONS ALTHOUGH THE APPROXIMATE COVER COVER ON THIS PLAN WILL BE PROVIDED

**LEGEND**

- EXISTING CONTOUR
- EXISTING TREE CANOPY
- PROPOSED DRIVEWAY
- EDGE OF PAVEMENT
- CENTERLINE OF RIGHT-OF-WAY
- DRIVE AISLE
- EXISTING BUILDING
- LARGE SHADE TREE (12' - 20' Caliper)
- MEDIUM TREE (8'-10' Height)
- SMALL SHADE TREE (6'-8' Height)
- PARKING SPACE RESERVED FOR CAR WASH
- DRIVE-IN AUTOMOBILE SERVICE ALIGNMENT
- DRIVE-IN AUTOMOBILE DRIVE SPACE
- STORM DRAIN

CAR WASH LOCATION (PAD SITE "B")  
SCALE: 1"=30'

SPECIAL EXCEPTION AMENDMENT NOTES:



**Bowman**  
CONSULTING

1000 Commonwealth Drive, Suite 100  
 Fairfax, Virginia 22031  
 Phone: 703-441-1100  
 Fax: 703-441-1101  
 E-mail: bowman@bowmanconsulting.com

LIMITS OF PCA / SEA  
**CAR WASH**  
 LORTON STATION SOUTH COMMERCIAL CENTER  
 MOUNT VERNON DISTRICT  
 FAIRFAX COUNTY, VIRGINIA



PCA 1200-44-020-04  
 SE 0007-44-7000  
 COUNTY PROJECT NUMBER  
 DATE: 12/15/04  
 DRAWN: JRM  
 CHECKED: JRM  
 SCALE: 1"=30'  
 SHEET: 3 OF 5

Professional Seal of  
 License No. 1111  
 State of Virginia  
 Project No. 100-025  
 Date: 10/1/04

OVERALL SHOPPING CENTER SITE (RZ-1999-MV-025)  
**CAR WASH**  
 LORTON STATION SOUTH COMMERCIAL CENTER  
 MOUNT VERNON DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

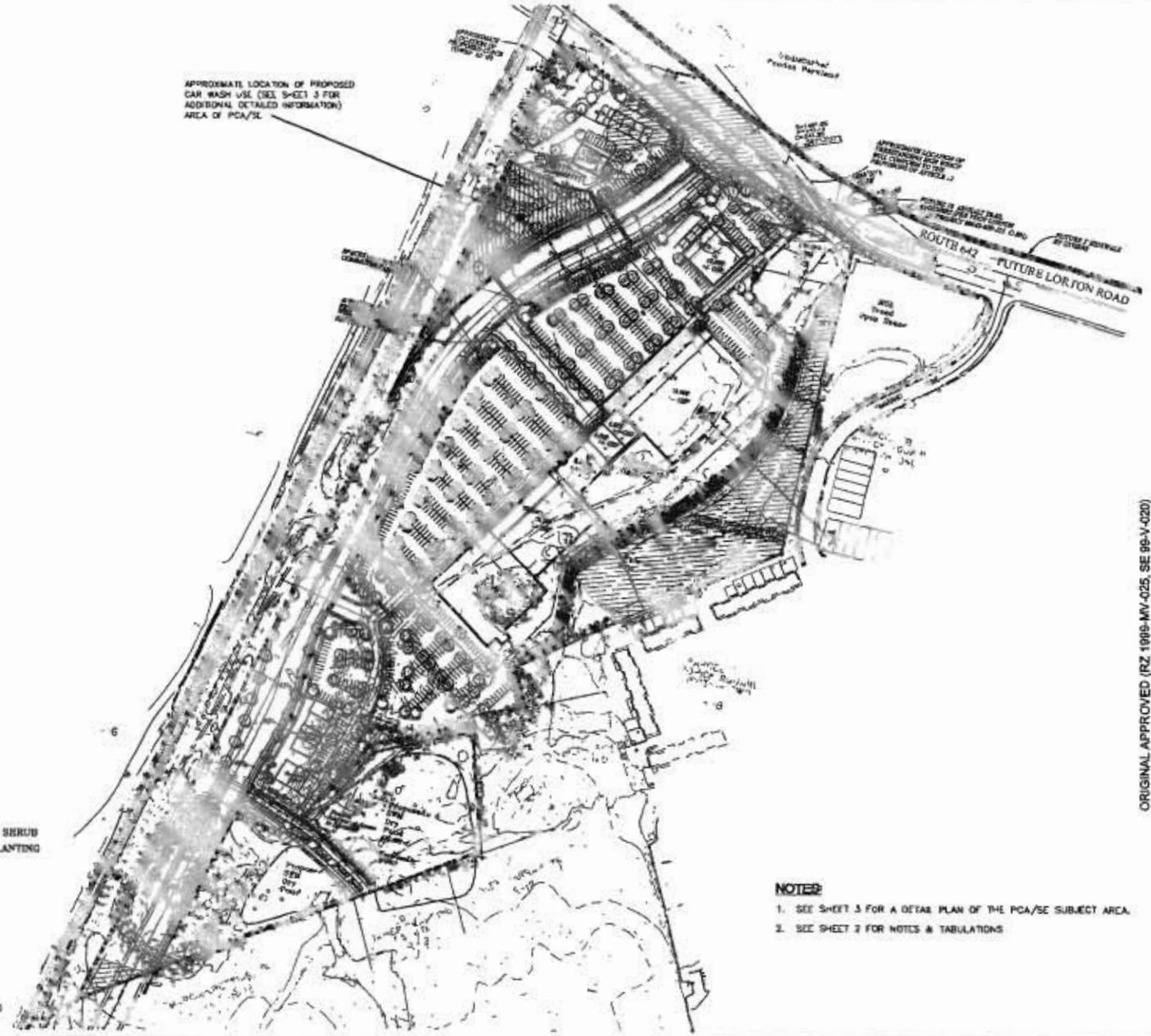
PCA 1999-MV-025-04  
 SE 2000-0000  
 COUNTY PROJECT SEARCH



DATE	10/1/04
DESIGNED BY	...
CHECKED BY	...
SCALE	AS SHOWN
SHEET	4 OF 5

ORIGINAL APPROVED (RZ 1999-MV-025, SE 99-V-020)  
 AS PREPARED BY DEWBERRY & DAVIS - FOR INFORMATION ONLY

APPROXIMATE LOCATION OF PROPOSED  
 CAR WASH USE (SEE SHEET 3 FOR  
 ADDITIONAL DETAILED INFORMATION)  
 AREA OF PCA/SE



- LEGEND**
- PROPOSED SHADE/STREET TREES
  - PROPOSED ORNAMENTAL TREE
  - PROPOSED EVERGREEN TREE
  - PROPOSED EVERGREEN AND/OR DECIDUOUS SHRUB
  - ▨ PROPOSED LOW GROUNDCOVER/SEASONAL PLANTING
  - LIMITS OF CLEARING AND GRADING
  - ▨ EXISTING WETLANDS
  - EXISTING WATER
  - WATER
  - SANITARY SEWER
  - EXISTING SANITARY SEWER
  - SIDEWALK
  - PROPOSED VDOY TRAIL
  - ▭ SPACES RESERVED FOR COMMUTER PARKING

- NOTES**
- SEE SHEET 3 FOR A DETAIL PLAN OF THE PCA/SE SUBJECT AREA.
  - SEE SHEET 2 FOR NOTES & TABULATIONS





EXISTING CONDITIONS

PROPOSED CONDITIONS



EX. POND 1:

AS = 484.00 AC  
 IS = 25.00 AC  
 CS = 25.00 AC  
 WS = 25.00 AC  
 VS = 25.00 AC  
 VS = 25.00 AC

EXISTING POND 2 & 3:

EX. POND 2:  
 CS = 47.00 AC  
 VS = 47.00 AC  
 VS = 47.00 AC  
 VS = 47.00 AC  
 VS = 47.00 AC

RESIDUAL AREA:

RESIDUAL AREA:  
 AS = 484.00 AC  
 IS = 25.00 AC  
 CS = 25.00 AC  
 WS = 25.00 AC  
 VS = 25.00 AC

RESIDUAL AREA:

RESIDUAL AREA:  
 AS = 484.00 AC  
 IS = 25.00 AC  
 CS = 25.00 AC  
 WS = 25.00 AC  
 VS = 25.00 AC

EX. POND 1  
 ROUTED HYDROGRAPH RESULTS

2 - Year Pre-Developed Storm Event  
 Lorton Station South  
 Routing Residual Area = 2.222 ac

Input Parameters Used to Generate Hydrograph

Subarea	Area (acres)	CS	IS	VS	PC	Prctg. (in)	Runoff (in)	Time (hr)
Industrial	18.00	00.0	0.20	0.10	0.20	1.78	.12	.10

Output Parameters Used to Generate Hydrograph

Subarea	Area (acres)	CS	IS	VS	PC	Prctg. (in)	Runoff (in)	Time (hr)
Industrial	18.00	00.0	0.20	0.20	0.20	1.78	0.24	0.10

EX. RESIDUAL AREA  
 ROUTED HYDROGRAPH RESULTS

2 - Year Storm Event  
 Lorton Station South  
 Routing Residual Area = 2.222 ac

Input Parameters Used to Generate Hydrograph

Subarea	Area (acres)	CS	IS	VS	PC	Prctg. (in)	Runoff (in)	Time (hr)
Industrial	18.00	00.0	0.20	0.10	0.20	1.78	0.12	0.10

Output Parameters Used to Generate Hydrograph

Subarea	Area (acres)	CS	IS	VS	PC	Prctg. (in)	Runoff (in)	Time (hr)
Industrial	18.00	00.0	0.20	0.20	0.20	1.78	0.24	0.10

PROPOSED POND B  
 ROUTED HYDROGRAPH RESULTS

2 - Year Storm Event  
 Lorton Station South  
 Routing Residual Area = 2.222 ac

Input Parameters Used to Generate Hydrograph

Subarea	Area (acres)	CS	IS	VS	PC	Prctg. (in)	Runoff (in)	Time (hr)
Industrial	18.00	00.0	0.20	0.10	0.20	1.78	0.12	0.10

Output Parameters Used to Generate Hydrograph

Subarea	Area (acres)	CS	IS	VS	PC	Prctg. (in)	Runoff (in)	Time (hr)
Industrial	18.00	00.0	0.20	0.20	0.20	1.78	0.24	0.10

EX. POND 2 & 3  
 ROUTED HYDROGRAPH RESULTS

Lorton Station South  
 Routing Residual Area = 2.222 ac  
 2 - Year Storm Event

Input Parameters Used to Generate Hydrograph

Subarea	Area (acres)	CS	IS	VS	PC	Prctg. (in)	Runoff (in)	Time (hr)
Industrial	18.00	00.0	0.20	0.10	0.20	1.78	0.12	0.10

Output Parameters Used to Generate Hydrograph

Subarea	Area (acres)	CS	IS	VS	PC	Prctg. (in)	Runoff (in)	Time (hr)
Industrial	18.00	00.0	0.20	0.20	0.20	1.78	0.24	0.10

PROPOSED RESIDUAL  
 ROUTED HYDROGRAPH RESULTS

Lorton Station South  
 Routing Residual Area = 2.222 ac  
 2 - Year Storm Event

Input Parameters Used to Generate Hydrograph

Subarea	Area (acres)	CS	IS	VS	PC	Prctg. (in)	Runoff (in)	Time (hr)
Industrial	18.00	00.0	0.20	0.10	0.20	1.78	0.12	0.10

Output Parameters Used to Generate Hydrograph

Subarea	Area (acres)	CS	IS	VS	PC	Prctg. (in)	Runoff (in)	Time (hr)
Industrial	18.00	00.0	0.20	0.20	0.20	1.78	0.24	0.10

PROPOSED POND A  
 ROUTED HYDROGRAPH RESULTS

Lorton Station South  
 Routing Residual Area = 2.222 ac  
 2 - Year Storm Event

Input Parameters Used to Generate Hydrograph

Subarea	Area (acres)	CS	IS	VS	PC	Prctg. (in)	Runoff (in)	Time (hr)
Industrial	18.00	00.0	0.20	0.10	0.20	1.78	0.12	0.10

Output Parameters Used to Generate Hydrograph

Subarea	Area (acres)	CS	IS	VS	PC	Prctg. (in)	Runoff (in)	Time (hr)
Industrial	18.00	00.0	0.20	0.20	0.20	1.78	0.24	0.10

THIS SHEET FOR INFORMATION PURPOSES ONLY!!

**BOWMAN CONSULTING GROUP**  
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 SUITE 100  
 FARMINGTON, VT 05475  
 TEL: 802-253-1111  
 FAX: 802-253-1112

SW/ADEQUATE OUTFALL NARRATIVE & CALCULATIONS  
**LORTON MARKET STREET**  
 CIVIL ENGINEERING  
 MOUNT VERNON DISTRICT  
 FAIRFAX COUNTY, VIRGINIA



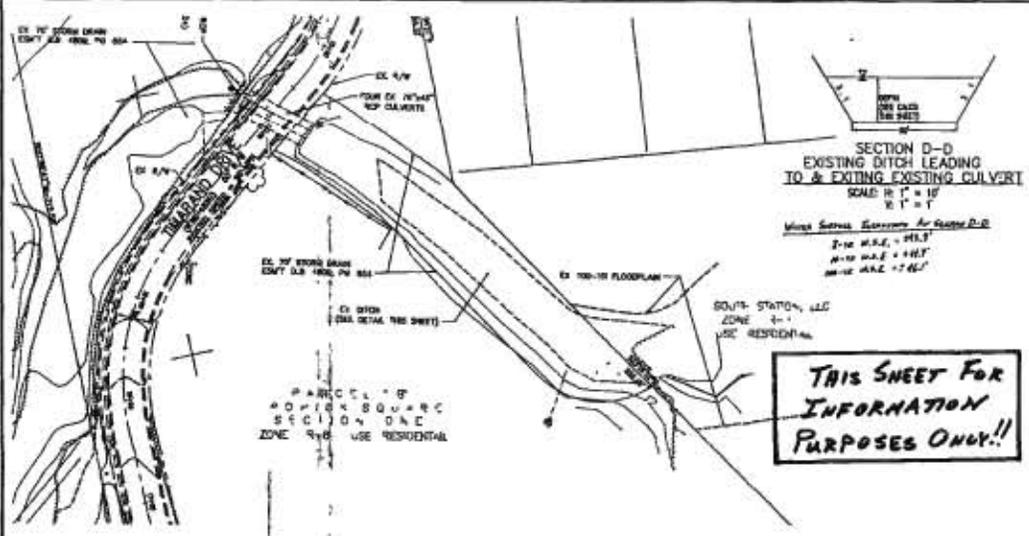
NO.	DATE	DESCRIPTION
1	12/15/10	ISSUED FOR PERMITTING
2	01/10/11	REVISION
3	02/10/11	REVISION
4	03/10/11	REVISION
5	04/10/11	REVISION
6	05/10/11	REVISION
7	06/10/11	REVISION
8	07/10/11	REVISION
9	08/10/11	REVISION
10	09/10/11	REVISION
11	10/10/11	REVISION
12	11/10/11	REVISION
13	12/10/11	REVISION
14	01/10/12	REVISION
15	02/10/12	REVISION
16	03/10/12	REVISION
17	04/10/12	REVISION
18	05/10/12	REVISION
19	06/10/12	REVISION
20	07/10/12	REVISION
21	08/10/12	REVISION
22	09/10/12	REVISION
23	10/10/12	REVISION
24	11/10/12	REVISION
25	12/10/12	REVISION

**Bowman CONSULTING**

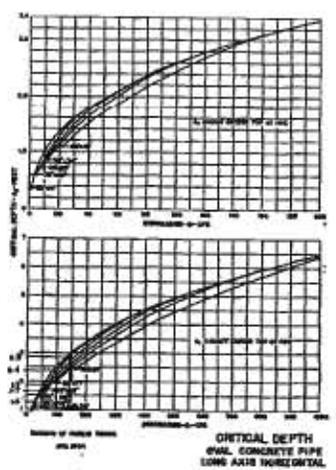
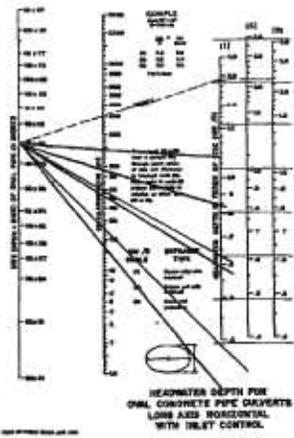
**CAR WASH**  
 LORTON STATION SOUTH COMMERCIAL CENTER  
 MOUNT VERNON DISTRICT  
 FAIRFAX COUNTY, VIRGINIA



NO.	DATE	DESCRIPTION
1	12/15/10	ISSUED FOR PERMITTING
2	01/10/11	REVISION
3	02/10/11	REVISION
4	03/10/11	REVISION
5	04/10/11	REVISION
6	05/10/11	REVISION
7	06/10/11	REVISION
8	07/10/11	REVISION
9	08/10/11	REVISION
10	09/10/11	REVISION
11	10/10/11	REVISION
12	11/10/11	REVISION
13	12/10/11	REVISION
14	01/10/12	REVISION
15	02/10/12	REVISION
16	03/10/12	REVISION
17	04/10/12	REVISION
18	05/10/12	REVISION
19	06/10/12	REVISION
20	07/10/12	REVISION
21	08/10/12	REVISION
22	09/10/12	REVISION
23	10/10/12	REVISION
24	11/10/12	REVISION
25	12/10/12	REVISION



**THIS SHEET FOR INFORMATION PURPOSES ONLY!!**

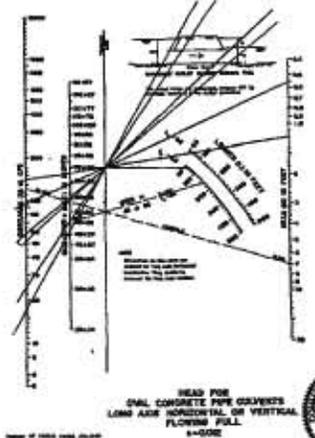


**EXISTING DITCH & CULVERT CALCULATIONS**

PROPERTY	ADRIAN SQUARE	ADRIAN SQUARE	ADRIAN SQUARE
Area	1.2	1.2	1.2
Perimeter	100	100	100
Volume	1000	1000	1000
Flow	100	100	100
Velocity	10	10	10
Time	10	10	10

**PROPOSED DITCH & CULVERT CALCULATIONS**

PROPERTY	ADRIAN SQUARE	ADRIAN SQUARE	ADRIAN SQUARE
Area	1.2	1.2	1.2
Perimeter	100	100	100
Volume	1000	1000	1000
Flow	100	100	100
Velocity	10	10	10
Time	10	10	10



**SWM NARRATIVE**  
 The stormwater management for the 2 and 10-year storm events has been provided in the proposed development plan. The stormwater management plan includes a 12" x 12" x 12" catch basin and a 12" x 12" x 12" catch basin. The stormwater management plan also includes a 12" x 12" x 12" catch basin and a 12" x 12" x 12" catch basin. The stormwater management plan also includes a 12" x 12" x 12" catch basin and a 12" x 12" x 12" catch basin.

**ADEQUATE OUTFALL NARRATIVE**  
 Adequate outfall water for the proposed development. The stormwater management plan includes a 12" x 12" x 12" catch basin and a 12" x 12" x 12" catch basin. The stormwater management plan also includes a 12" x 12" x 12" catch basin and a 12" x 12" x 12" catch basin. The stormwater management plan also includes a 12" x 12" x 12" catch basin and a 12" x 12" x 12" catch basin.

**SECTION 6 SWM NARRATIVE**  
 As the calculations on storm water runoff show, the stormwater management plan includes a 12" x 12" x 12" catch basin and a 12" x 12" x 12" catch basin. The stormwater management plan also includes a 12" x 12" x 12" catch basin and a 12" x 12" x 12" catch basin. The stormwater management plan also includes a 12" x 12" x 12" catch basin and a 12" x 12" x 12" catch basin.

**SECTION 6 ADEQUATE OUTFALL NARRATIVE**  
 As the calculations on storm water runoff show, the stormwater management plan includes a 12" x 12" x 12" catch basin and a 12" x 12" x 12" catch basin. The stormwater management plan also includes a 12" x 12" x 12" catch basin and a 12" x 12" x 12" catch basin. The stormwater management plan also includes a 12" x 12" x 12" catch basin and a 12" x 12" x 12" catch basin.

Method for Transported Channel

Parameter	Value	Unit
Flow	100	cfs
Velocity	10	ft/s
Time	10	min

Method for Transported Channel

Parameter	Value	Unit
Flow	100	cfs
Velocity	10	ft/s
Time	10	min



**BOWMAN CONSULTING GROUP**  
 1000 MARKET STREET  
 MOUNT VERNON DISTRICT  
 FAIRFAX COUNTY, VIRGINIA



DATE	DESCRIPTION
1/15/20	ISSUED FOR PERMIT



**Bowman CONSULTING**  
 1000 MARKET STREET  
 MOUNT VERNON DISTRICT  
 FAIRFAX COUNTY, VIRGINIA



DATE	DESCRIPTION
1/15/20	ISSUED FOR PERMIT

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

**DESCRIPTION OF THE APPLICATION**

The applicant, Marketplace Car Wash, LLC, has filed a request to amend the proffers for RZ 1999-MV-025 for a 1.04 acre portion of the Lorton Station Shopping Center. The applicant is also seeking approval of a special exception (SE 2007-MV-005) for a car wash. A fast food restaurant had been previously approved for the site (SE 99-V-020); however, that special exception expired. The proffers approved with the original rezoning listed a fast food restaurant up to 2,500 square feet (SF) in size as permitted uses on Pad B. The applicant is now seeking to amend the proffers and proffered Generalized Development Plan (GDP), as well as the approval of a special exception (SE) to permit a 5,200 SF car wash. This facility would include an automated car wash and one detailing bay. The proposed hours of operation would be 7:00 AM to 9:00 PM, Monday through Friday, and 8:00 AM to 8:00 PM, Saturday and Sunday. The estimated number of employees would be a maximum of fourteen employees on site at any one time.

While the Generalized Development Plan/Special Exception Plat (GDP/SE Plat) indicates that the applicant is requesting a waiver of the barrier requirements and a modification of the transitional screening requirements along the western, eastern and southern property lines, staff has determined that, based on the surrounding uses in these areas, there are no barrier and transitional screening requirements.

A reduction of the combined Generalized Development Plan/Special Exception Amendment Plat (GDP/SE Plat) is included in the front of this report. The applicant's draft proffer statement for PCA 1999-MV-025-04 is included as Appendix 1. Appendix 2 is the proposed development conditions for SE 2007-MV-005. The applicant's affidavit is in Appendices 3 and 4 and the statements of justification provided by the applicant are in Appendix 5.

**LOCATION AND CHARACTER**

**Subject Site**

Pad Site B of the Lorton Station Shopping Center is located on the west side of Lorton Market Street, approximately 250 feet from its intersection with Lorton Road. The site, which is triangular in size, is bounded by the Richmond, Fredericksburg and Potomac (RF&P) railroad tracks to the west, Pad Site A of the Lorton Station Shopping Center to the north (which is currently vacant) and the Lorton Station Shopping Center to the south and east. The 1.04 acre application property is a portion ("Pad Site B") of the original 32.97 acre application property subject to both RZ 1999-MV-025 and SE 1999-MV-020. The proffers approved with the original rezoning listed a fast food restaurant as a permitted use on Pad B only, and the approved GDP showed a 2,500 gross square foot building footprint on Pad B.

The site has been cleared and graded but is currently vacant. There are two existing entrances to the site. The northernmost entrance provides access to and from southbound Lorton Market Street. The southernmost entrance provides access to a median break on Lorton Market Street. It should be noted that there is an existing interparcel access across the site to provide Pad Site A with access to this median break.

**Surrounding Area**

Pad Site A, which abuts the subject site to the north, is also cleared and graded but vacant. While the approved GDP for Pad Site A depicts a 3,750 square foot (SF) combination service station/mini-mart and fast food restaurant on the site, applications (PCA 1999-MV-025-3 and SE 2006-MV-033) have been filed which seek to develop Pad Site A with a service station, car wash and quick service food store on the site (a total of 3,771 SF of building improvements). Currently, the Planning Commission public hearing for PCA 1999-MV-025-3 and SE 2006-MV-033 is scheduled for November 7, 2007. The existing main shopping center building, located to the east of the site, across Lorton Market Street, contains 134,500 square feet of retail space and 16,000 square feet of other non-residential space on a second story. In addition, this area includes 21,000 square feet of office space to the south of the main building, where a child care center is located (previously approved with PCA 1999-MV-025 & SEA 99-V-020). Also to the east of the subject site in the southeastern quadrant of the intersection of Lorton Road and Lorton Market Street (Pad Site C of the shopping center) is a drive-in bank. This drive-in bank was approved pursuant to PCA 1999-MV-025-2 and SEA 99-V-020.

The following chart addresses the area surrounding the subject site:

<b>SURROUNDING AREA DESCRIPTION</b>			
<b>Direction</b>	<b>Use</b>	<b>Zoning</b>	<b>Plan</b>
<b>North</b>	Vacant (approved GDP depicts a combination service station/fast food restaurant)	C-6	Mixed Use
<b>South &amp; East</b>	Retail (Lorton Station Shopping Center)	C-6	Mixed Use
<b>West</b>	Retail (service station);Commuter Parking Lot (both uses located on other side of RF&P railroad tracks)	C-5;R-1	Retail

**BACKGROUND**

On April 24, 2000, the Board of Supervisors approved RZ 1999-MV-025 to rezone 32.97 acres from the I-3, I-6, and PDH-5 Districts to the C-6 District subject to proffers dated April 18, 2000. The application property was included in the land area subject to RZ 1999-MV-025.

On April 24, 2000, the Board of Supervisors approved SE 99-V-020 for a combined service station/mini-mart and fast food restaurant, a fast food restaurant with drive-in facilities, a drive-through pharmacy, and an increase in building height to permit construction of a clock tower, subject to development conditions. The application property for the subject applications (PCA 1999-MV-025-4 and SE 2007-MV-005) was included in the land area subject to SE 99-V-020.

On November 18, 2002, the Board of Supervisors approved additional time to commence construction for SE 99-MV-020. However, this additional time expired on April 24, 2005, and no additional time was sought. As a result, the special exception approval for the fast food restaurant on Pad Site B expired.

On May 9, 2005, the Board of Supervisors approved PCA 1999-MV-025 to allow a child care center in the shopping center, subject to proffers dated April 1, 2005. The application property was included in the land area subject to PCA 1999-MV-025. Concurrently, the Board of Supervisors approved SEA 99-V-020 to allow a 6,600 square foot child care center to be included within the main building of the shopping center. The application property was not included in the land area subject to SEA 99-V-020. As noted in the Surrounding Site Description, this drive-in bank has been constructed and is currently operating.

On January 8, 2007, the Board of Supervisors approved PCA 1999-MV-025-2 to allow a drive-in bank on Pad Site C of the shopping center, subject to proffers dated December 1, 2006. Concurrently, the Board of Supervisors approved SEA 99-V-020-2 to permit a 4,500 SF drive-in bank within Pad Site C of the shopping center.

Copies of the approved proffers and development conditions for these applications are provided in Appendices 6-9.

## **COMPREHENSIVE PLAN PROVISIONS**

<b>Plan Area:</b>	IV
<b>Planning District:</b>	Lower Potomac Planning District
<b>Planning Sector:</b>	Lorton – South Route 1 (LP2)

The application property is located in Sub-unit E-8 of the Lorton – South Route 1 Community Planning Sector. On pages 75-74 of the Area IV volume of the Comprehensive Plan, 2003 edition, as amended through 2-10-03, under Lower Potomac Planning District, Lorton-South Route 1 Community Planning Sector (LP2), Recommendations, Land Use, Sub-unit E8, the Comprehensive Plan states:

### *Sub-unit E8*

*Sub-unit E8 is located east of the RF&P Railroad tracks south of Lorton Road and includes Parcels 107-4((1))44, 52, 53, 55 and 57. Sub-unit E8 is planned for a mix of uses such as office, open space, retail, cultural center, hotel/motel and recreational uses. Development of a mixed-use project should be contingent upon satisfactory achievement of the following conditions:*

- Substantial and logical parcel consolidation should be provided so that the area is developed as one unified project to provide for high quality design and an integration of uses;*
- A thorough heritage resources survey should precede development and the recovery of significant heritage resources should be undertaken in conjunction with development;*
- The overall floor area ratio is appropriate up to .25 FAR;*
- Substantial contribution towards transportation improvements should be provided, including improvements to the railroad/ Lorton Road underpass;*
- Uses and intensities should generally be arranged so that new uses situated next to existing residential uses are compatible in height, scale and intensity. Generous buffering and screening should be employed between non-residential and residential land uses;*
- Good design principles should be employed including the provision of pedestrian and vehicular circulation systems within and to the sub-unit with special attention given to the linkages to the commuter rail station;*
- Landscaping and trees should be used in parking lots, plazas, and streetside areas and medians along major roads to create boulevard-like effects;*
- Architectural design features such as variations of window materials, as well as public space furniture or entry accents are encouraged. When appropriate, arcades, awnings or other building features to distinguish ground floor retail are desirable;*

- *Comprehensive sign systems that establish a distinctive theme and identity and eliminate visual clutter are desirable. Building mounted and ground mounted shopping center signs incorporated within a planting strip are encouraged. Pole mounted signs are discouraged; and*
- *Safe pedestrian access to the commuter rail station from adjacent recreational areas and from across Lorton Road, Pohick Road and the RF&P Railroad should be provided.*

The Plan Map shows this property as planned for Mixed Use.

## ANALYSIS

### Generalized Development Plan (GDP)/Special Exception (SE) Plat (Reduction at front of staff report)

**Title of GDP/SE Plat:** Car Wash, Lorton Station South Commercial Center

**Prepared By:** Bowman Consulting

**Original and Revision Dates:** March 1, 2007 as revised through May 24, 2007

### Combined GDP/SE Plat Description:

Car Wash, Lorton Station South Commercial Center	
Sheet #	Description of Sheet
1 of 8	Cover sheet, sheet index, vicinity map
2 of 8	Notes and tabulations
3 of 8	Site layout, general notes, site tabulations
4 of 8	Site layout for Lorton Station Shopping Center (as approved under RZ 1999-MV-025 and SE 99-V-020)
5 of 8	Stormwater Management (SWM)/Best Management Practices (BMP) summary and narratives
6 (5A) of 8	BMP divides, calculations and narrative
7 (5B) of 8	SWM/adequate outfall narrative and calculations
8 (5C) of 8	SWM/adequate outfall narrative and calculations

**Car Wash:** The proposed car wash structure would be 5,200 SF in size. It would be oriented in the center of the site, along the western property line. Vehicles seeking to use the car wash would enter the queue at the northern end of the car wash. The queue would then stack behind the car wash structure, along the western property line. Upon reaching the southern end of the car wash structure, drivers would get out of their vehicles and employees would vacuum the vehicles. An employee would then drive the vehicle into the car wash (the entrance would be located at the southern end of the car wash). Vehicles would then exit the car wash structure at the northern end of the structure where they would then be wiped down and returned to their drivers. In addition, one detailing bay is proposed which would be located at the northern end of the structure. The GDP/SE Plat depicts stacking for 10 vehicles; however, additional stacking spaces for approximately six more vehicles could be accommodated along the site's northern property line without blocking the interparcel access between Pad Sites A and B. In addition, six spaces for vehicles being dried will be provided between the car wash exit and the ingress/egress easement along the eastern portion of the site. A dumpster enclosure is depicted to be located along the western property line, to the south of the car wash structure. The entrance to the enclosure would face to the north.

**Access:** As noted earlier in this report, the subject site has been cleared and graded, and curb, gutter and entrances to the pad site have been installed. The site is currently vacant. Access to the site is provided via two entrances. The northernmost entrance provides access to and from southbound Lorton Market Street. The southernmost entrance provides access to the median break along Lorton Road. The site can also be accessed from the south via an interparcel access across Pad Site B. Likewise, the interparcel access will provide vehicles leaving the site with access to a median break along Lorton Market Street so that vehicles can turn onto northbound Lorton Market Street. There is an existing 5-foot wide sidewalk and bus stop along the site's Lorton Market Street frontage.

**Parking/Stacking:** A total of 18 parking spaces will be provided, which meets the Zoning Ordinance requirement of 18 spaces. Nine of these spaces are located along the site's Lorton Market Street frontage. Four of these nine spaces are designated as "dedicated service bay parking spaces." Six additional parallel parking spaces are proposed along the western side of the car wash structure (opposite the car wash stacking). These six spaces are designated as "dedicated employee parking spaces." Three additional spaces are located near the proposed dumpster and the southernmost site entrance. As noted earlier, 10 stacking spaces are depicted for the proposed car wash and six drying spaces are depicted at the exit of the proposed car wash.

**Landscaping:** Twenty-four percent (24%) open space is provided. Deciduous street trees (between 2.5" and 3" in caliper) would be provided along the site's Lorton Market Street frontage. The trees would be spaced every 35 feet on center. A row of deciduous shrubs would be planted between each tree. Finally, additionally deciduous and evergreen trees would be planted within the southern tail of the site.

**Stormwater Management:** Stormwater (SWM) detention and Best Management Practices (BMPs) requirements have been satisfied for the entire Lorton Station shopping center through an extended detention pond as shown on the approved site plan revision, 4865-SPV-005-A-1, which was approved on February 14, 2003. The site outfall from the site is into the existing storm sewer within the Lorton Market Street site and drains to the existing extended detention dry pond.

**Architecture:** The applicant has proffered architecture for the proposed car wash. The elevation of the proposed structure depicts a craftsman-style building with decorative braces under the gables. No signage has been depicted.

### **Land Use Analysis**

The proposal to add a car wash to Pad Site B of the Lorton Station Shopping Center is consistent with the land use recommendations of the Comprehensive Plan with regard to this property.

### **Transportation Analysis (Appendix 10)**

Given the triangular shape of the site, staff was concerned that the proposed full-service car wash might be too intensive for the site. In staff's opinion, the triangular shape of the site constricts access and on-site circulation patterns, as well as turning movements. Specifically, staff did not feel that vehicles could turn out of the car wash without crossing into the stacking lane of vehicles waiting to enter the car wash. Staff was also concerned that stacking of vehicles waiting to enter the car wash and vehicles being dried after exiting the car wash would block the existing public ingress/egress easement located along the eastern portion of the site. As noted earlier in this report, this travel aisle provides Pad Site A to the north with its sole access to a median break along Lorton Market Street.

In order to resolve staff's concerns about vehicles blocking the public ingress/egress easement, the applicant reduced the proposed number of detailing bays from two to one in order to provide more parking spaces for employees and to reduce the size of the car wash facility to provide more space for vehicles being dried. The applicant has demonstrated that up to 16 vehicles may stack for the car wash without blocking the public ingress/egress easement across the eastern portion of the site. Finally, the applicant has also agreed to a development condition which would require the car wash to be monitored by an employee (including one hour prior to the opening of the car wash) who will ensure that vehicles seeking to utilize the car wash do not stack/stand within the service drive and that vehicles being dried or cleaned are not within the public ingress/egress easement. With these changes and the implementation of these development conditions, this issue is resolved.

In order to address staff's concern about adequate turning radii, the applicant has also proffered to utilize a conveyer belt system. Under this system, a vehicle travels through the wash on a belt rather than being pulled and guided via a steel channel.

This allows a vehicle to start turning within the structure, rather than having to fully exit the facility before starting to turn. As a result, a much tighter turning radius can be accommodated. With this proffer commitment, staff believes that this issue is resolved.

**Environmental Analysis** (Appendices 11 and 12)

The subject property is located in the Pohick Creek watershed, as well as within the County's Chesapeake Bay Watershed. As noted earlier in this report, SWM detention and BMP requirements have been satisfied for the entire Lorton Station shopping center through an extended detention pond as shown on the approved site plan revision, 4865-SPV-005-A-1, which was approved on February 14, 2003. The site outfall from the site is into the existing storm sewer within the Lorton Market Street site and drains to the existing extended detention dry pond. In addition, the applicant has agreed to a development condition which would require the applicant to implement a water recycling system that will recycle a minimum of 80% of the waste water generated from the proposed car wash. There are no environmental issues raised by this request.

**ZONING ORDINANCE PROVISIONS** (Appendix 13)

**Bulk Standards**

This application request to allow a car wash on a 1.04 acre portion of the shopping center previously approved pursuant to RZ 1999-MV-025 is in conformance with the bulk standards applicable in the C-6 District.

Bulk Standards C-6		
Standard	Required	Provided
Lot Size	40,000 square feet	45,279 square feet (1.04 acres)
Maximum Building Height	60 feet	40 feet
Front Yard	40 feet	46 feet
Side Yard	No requirement	45 feet
Rear Yard	20 feet	30 feet
FAR	0.40	0.12
Open Space	15%	24%
Parking Spaces	18 spaces	18 spaces

Bulk Standards C-6		
Standard	Required	Provided
<i>Despite the request on the GDP/SE Plat, staff has determined that based on the uses on the abutting site, there are no transitional screening and barrier requirements for the subject site.</i>		

**Special Exception Requirements (See Appendix 13)**

**General Standards (Sect. 9-006)**

General Standard 1 requires that the proposed use be in harmony with the Comprehensive Plan. Staff has concluded the proposed service station, car wash and quick service food store is in harmony with the land use recommendations of the Comprehensive Plan, including Plan guidelines for use, floor area ratio, and pedestrian and vehicular circulation.

General Standard 2 requires that the proposed use be in harmony with the purpose and intent of the applicable zoning district regulations. Staff has concluded that the purpose and intent of the C-6 District has been satisfied because the proposed use (car wash) is consistent with the purpose of the C-6 District to provide development 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. In staff's opinion, the proposed layout has been designed to minimize traffic congestion. In addition, the layout, along with the proposed painted crosswalks will provide for safe and unimpeded pedestrian movement.

General Standard 3 requires that the proposed use be harmonious with and not adversely affect the use or development of adjacent properties. The proposed car wash is located within the Lorton Station Shopping Center, which is zoned C-6 and planned for mixed uses. The original rezoning had proposed a fast food restaurant with a drive-in to be located on Pad Site B. In addition, a special exception was previously approved for the fast food restaurant with drive-in on Pad Site B. In staff's opinion, the proposed car wash (though bigger) is similar in nature to the previously-approved fast food restaurant with drive-thru facilities. Therefore, staff does not believe that these uses will adversely affect the use or development of adjacent properties.

General Standard 4 states that pedestrian and vehicular traffic associated with the use not be hazardous or conflict with existing or anticipated traffic in the neighborhood. The access to the overall site was previously approved with RZ 1999-MV-025. Vehicles seeking to use the car wash would enter the queue at the northern end of the site (at the northernmost Lorton Market Street entrance). Though 10 stacking spaces are depicted for the car wash on the GDP/SE Plat, up to 16 vehicles could stack for the car wash without blocking the interparcel access

that runs across the eastern portion of the site. In addition, the GDP/SE Plat depicts six drying spaces at the exit of the car wash. Staff believes that with these spaces, vehicles being dried will not block the interparcel access. Therefore, staff believes that this standard has been satisfied.

General Standard 5 addresses the requirements of Article 13, Landscaping, and Screening. The existing landscaping for the site was previously approved with RZ 1999-MV-025. Additional landscaping is also proposed on the GDP/SE Plat. Staff recommends a development condition which would require the applicant to submit a landscape plan concurrent with site plan review and shall provide, at a minimum, the number and sizes of trees and plantings consistent with that shown on the GDP/SE Plat. In addition, this condition would require the applicant to provide supplemental landscaping along the eastern and southern sides of the structure, as revised and approved by Urban Forest Management (UFM), DPWES. With the implementation of this development condition, staff concludes that this standard has been satisfied.

General Standard 6 requires that open space be provided as required in the zoning district. Twenty-four percent (24%) of the site is proposed to be open space, which exceeds the 15% requirement. Therefore, staff concludes that this standard has been satisfied.

General Standard 7 addresses the adequate provision of utilities, drainage, parking and loading at the site. Adequate utilities, drainage, and parking requirements have been met with this application. The minimum required parking spaces required for the car wash is 18 parking spaces. The applicant proposes 18 parking spaces, four of which would be dedicated to vehicles waiting for the detailing bays. In addition, the six parallel parking spaces abutting the car wash would be dedicated employee parking areas. In addition, as noted earlier in this report, 10 stacking spaces will be provided for the car wash (though the stacking lane could accommodate up to 16 vehicles without blocking the interparcel access along the eastern portion of the site). The applicant proposes to locate the trash dumpster near the entrance to the car wash. In the applicant's opinion, trash pick-up would not interfere with the stacking for the car wash so long as trash pick-up occurred when the car wash was closed. In order to ensure that trash pick-up occurs when the car wash is closed, the applicant has agreed to development condition which would change the start time of the car wash from 7:00 AM to 8:00 AM. With the implementation of this development condition, staff believes that this issue is resolved. There are no issues related to utilities and drainage as there is no new construction proposed with this application.

General Standard 8 states that all signs are regulated by the provisions of Article 12, Signs. Staff has proposed a development condition to ensure all signs on the site will be in accordance with Article 12 of the Zoning Ordinance; therefore this standard has been satisfied.

**Category 5 Standards (Sect. 9-503)**

Standard 1 states that 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. The application meets the lot size and bulk requirements for the C-6 District.

Standard 2 states that all uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan or photometric plan as may be required by Part 9 of Article 14. Par. 1 of Sect. 14-903 of the Zoning Ordinance states that service station and service station/mini-mart canopy lighting shall not exceed a maintained lighting level of thirty (3) footcandles under the canopy as measure horizontally at grade. The submission of a photometric plan is not required for this use. The applicant will be required to meet the performance standards of the Zoning Ordinance.

Standard 3 states that before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans. Staff has proposed a development condition to ensure that this Special Exception will be subject to the provisions of Article 17. With the implementation of this condition, this standard is satisfied.

**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 (Sect. 9-505)**

Additional Standard 1(A) states that such use shall have on all sides the same architectural features or shall be architecturally compatible with the building group or neighborhood with which it is associated. The applicant has proffered architecture for the proposed car wash. This architecture depicts a craftsman-style building with decorative braces under the gables. Staff believes that this structure will be compatible with the main shopping center building; therefore this standard has been met.

Additional Standard 1(B) states that such use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties. The vehicular circulation proposed with this application is consistent with the circulation previously approved with RZ 1999-MV-025. A five-foot wide concrete sidewalk is located along the site's Lorton Market Street frontage. This sidewalk provides connections to the abutting pad site to the north. In addition, a crosswalk and pedestrian signal is located at the intersection of Lorton Road and Lorton Market Street which provides access to the abutting Lorton Station Shopping Center and bank on Pad Site C. An interparcel access is located along Lorton Market Street to provide vehicular access between the subject site and Pad Site A to the north. This interparcel access also provides vehicles with access to a median break along Lorton Market Street so that vehicles can exit onto northbound Lorton Market Street.

Additional Standard 1(C) states that the site shall be designed to minimize the potential for 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 pedestrian access to all uses on the site. As noted earlier, pedestrian access is provided via an existing five (5) foot wide sidewalk located along the site's Lorton Market Street frontage. In addition, the applicant has proposed to paint several crosswalks to demarcate areas of high pedestrian volume. The access to the overall site was previously approved with RZ 1999-MV-025. The two entrances to the site from Lorton Market Street are already constructed as part of the development of the overall shopping center. In addition, a recorded ingress/egress access across the eastern property line of the subject site provides Pad Site A with access to the median break along Lorton Market Street. As noted earlier in this report, vehicles seeking to use the car wash would enter the queue at the northern end of the site. Because staff was concerned that the vehicles exiting the car wash and being dried would block the ingress/egress easement along Lorton Market Street, the applicant has reduced the number of detailing bays from two to one. In this way, the applicant was able to redesign the site to provide six drying spaces for vehicles without blocking the ingress/egress access or impeding the flow of vehicles exiting the car wash or vehicles traveling within the ingress/egress easement. In order to ensure that any stacking for the car wash does not block the ingress/egress access, staff recommends a development condition which would require that an employee monitor the car wash stacking to (including one hour prior to the opening of the car wash) to ensure that vehicles seeking to utilize the car wash do not stack/stand within the service drive. In addition, in order to ensure that pick-up from the trash dumpster does not interfere with stacking for the car wash, staff recommends a development condition which would require trash pick-up to occur when the car wash is closed. Therefore, staff believes that this standard has been satisfied.

Additional Standard 1(D) states that in reviewing such a use or combination of uses, it shall be determined that the lot is of sufficient area and width to accommodate the use and that any such use will not adversely affect any nearby existing or planned residential areas as a result of the hours of operation, noise generation, parking, glare or other operational factors. The subject site is located within a commercial shopping center previously approved with RZ 1999-MV-025. Staff believes that the changes in the site layout have provided enough room on-site to accommodate vehicles using the car wash without blocking the recorded interparcel access across the eastern portion of the site. Therefore, staff believes that the proposed car wash will not adversely affect any nearby existing or planned uses; therefore, this standard has been met.

### **Proffers and Development Conditions**

The draft proffers for the proffered condition amendment incorporate the proffers previously accepted by the Board of Supervisors with the approval of RZ 1999-MV-025 and PCA 1999-MV-025 and add the car wash use as a permitted use on Pad Site B only. These amendment applications conform with those proffers with the addition of the car wash use to the proffered list of uses allowed on Pad Site B of the Lorton Station Shopping Center. The proffers accepted pursuant to the approval of RZ 1999-MV-025 will remain in effect for the portions of the original application property not included in this proffered condition amendment application.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Staff Conclusions**

The proposal to add a car wash to Pad Site B of the Lorton Station Shopping Center is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions.

### **Recommendation**

Staff recommends that PCA 1999-MV-025-4 be approved subject to the draft proffers contained in Appendix 1.

Staff recommends that SE 2007-MV-005 be approved subject to the development conditions in Appendix 2.

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

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

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

## **APPENDICES**

1. Draft Proffers
2. Proposed Development Conditions
3. Rezoning Affidavit (PCA 1999-MV-025-04)
4. Special Exception Affidavit (SE 2007-MV-005)
5. Statement of Justification
6. Clerk to the Board's Letter and Proffers for RZ 1999-MV-025
7. Clerk to the Board's Letter regarding SE 99-V-020
8. Clerk to the Board's Letter and Proffers for PCA 1999-MV-025
9. Clerk to the Board's Letter and Proffers for PCA 1999-MV-025-2
10. Transportation Analysis
11. Environmental Analysis
12. Stormwater Analysis (DPWES)
13. Selected Excerpts from the Zoning Ordinance
14. Glossary of Terms

PROFFERS  
Marketplace Car Wash, LLC  
PCA 1999-MV-025-4

June 28, 2007

Pursuant to §15.2-2303(A), Code of Virginia, 1950, as amended, the undersigned applicant and property owner for themselves and for their successors and assigns (hereinafter, "Applicant"), filed for a Proffered Condition Amendment ("PCA") on property identified as Tax Map reference 107-4((23)) Parcel C (hereinafter referred to as "Application Property") hereby agree to the following amendments to the Proffers approved in RZ 1999-MV-025 dated April 18, 2000 where are hereby reaffirmed and incorporated, provided the Board of Supervisors approve PCA 1999-MV-025-4.

REVISE TO READ:

1. GENERALIZED DEVELOPMENT PLAN

a. Subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance, development of the Application Property shall be in substantial conformance with the GDP/SE Plat, prepared by Bowman Consulting, dated March 1, 2007, revised through May 24, 2007.

b. Pursuant to Paragraph 4 of Section 18-204 of the Zoning Ordinance, minor modifications from the GDP Plat may be permitted as determined by the Zoning Administrator. The Applicant shall have the flexibility to modify the layout shown on the GDP without required approval of a Proffered Condition Amendment (PCA) provided such changes are in substantial conformance with the GDP as determined by the Zoning Administrator, agents or assigns and neither increase the total gross square footage, decrease the amount of required parking, decrease the amount of open space, nor decrease distance from the face of buildings to the closest property line. Any such modifications shall not impact the limits of clearing and grading and buffers shown on GDP.

c. The Car Wash tunnel shall utilize a conveyor belt system without any raised metal tracks, in substantial conformance with the floor plan attached hereto as "Exhibit B".

ADD TO:

3. Uses

a. The following uses shall be permitted within the Guidelines as shown on the GDP/SE plat:

- Car Wash (Pad B only): up to 5,200 square feet of gross floor area.

ADD TO:

6. Architecture

b. Add last sentence: The architecture of the building within Pad B shall be consistent with the elevation shown on attached exhibit "A".

NEW:

In the event there are cars waiting to be washed stacked back to a point where the next car would block the travel aisle, an employee will give the driver a discount coupon and direct the driver to turn into the travel aisle and exit.

NEW:

In order to encourage employees to utilize public transportation, the Applicant shall relocate the existing bus stop from the northeast corner of the site to a more central location along the frontage and provide a bus shelter or a 5' by 8' concrete pedestrian waiting pad (the choice would be up to FCDOT at the time of site plan review).

[Signature Lines Begin on Following Pages]

APPLICANT/CONTRACT PURCHASER  
Marketplace Car Wash, LLC

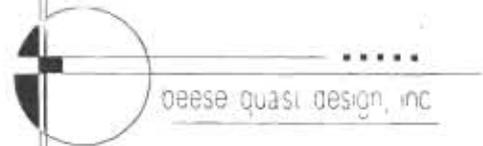
By: \_\_\_\_\_  
Guy Paolozzi  
Member/Manager

By: \_\_\_\_\_  
Keith C. Martin  
Member/Manager

TITLE OWNER  
Elmwood, L.L.C.

By: KSI America, L.P., its sole member  
By: KSI Services/America, LLC, general partner  
By: Kettler Inc., its manager

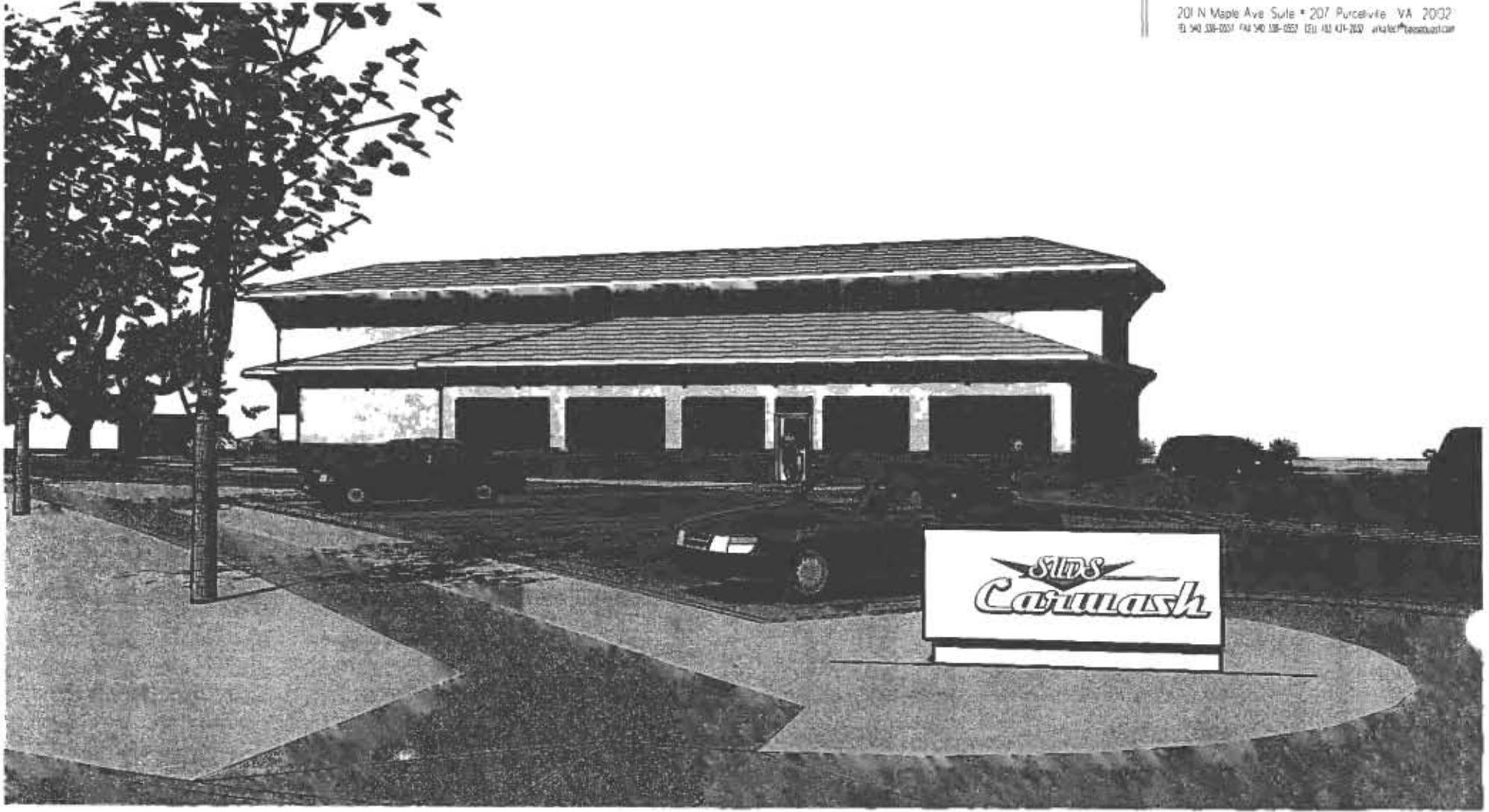
By: \_\_\_\_\_  
Richard W. Hausler, President



Deese Quasi Design, Inc

DENNIS D BEESE AIA  
ARCHITECT

201 N Maple Ave Suite # 207 Purcellville VA 20027  
Tel 940.338-0031 Fax 940.338-0037 EMail ddbee@dqdesign.com



A



**PROPOSED DEVELOPMENT CONDITIONS****SE 2007-MV-005****July 5, 2007**

If it is the intent of the Board of Supervisors to approve SE 2007-MV-005 located at 9404 Lorton Market Street, Tax Map 107-4 ((23)) C, to permit a car wash, pursuant to Section 4-604 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s), and/or use(s) indicated on the Special Exception Plat (SE Plat) approved with this 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 SE Plat entitled "Car Wash, Lorton Station South Commercial Center" prepared by Bowman Consulting, consisting of eight sheets, dated March 1, 2007, with revisions through May 24, 2007. 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 these special exception conditions shall be posted in a conspicuous place, and made available to the public and all departments of the County of Fairfax during hours of operation.
5. Hours of operation shall be limited to Monday through Friday, 8AM to 9PM and Saturday and Sunday from 8AM to 8PM.
6. No stacking or standing for the car wash shall be permitted within the public ingress/egress easement parallel to Lorton Market Street (as depicted on the SE Plat) at any time. The car wash shall be monitored by an employee (including one hour prior to the opening of the car wash) who will ensure that vehicles seeking to utilize the car wash do not stack/stand within the service drive. All drying and cleaning of vehicles shall occur on the subject site and not within the public ingress/egress easement. The car wash shall be monitored by an employee who will ensure that vehicles being dried or cleaned are not within the public ingress/egress easement.
7. No more than one detailing bay shall be permitted.
8. No more than one freestanding identification sign shall be permitted on the site which shall be a monument-style sign and no more than five (5) feet in height.

Such sign shall meet the requirements of Article 12, as well as the sight line requirements of the Zoning Ordinance, the Virginia Department of Transportation (VDOT) and the Public Facilities Manual (PFM). No pole signs shall be permitted. All sign illumination shall be provided internally or through down-lighting.

9. Temporary promotional banners (other than those allowed by the Zoning Ordinance), balloons, flags, or rooftop displays shall not be permitted on site.
10. All lighting, including security, pedestrian and/or other incidental lighting, shall meet the standards of Article 14 of the Zoning Ordinance.
11. There shall be no outside storage or display of good offered for sale.
12. A landscape plan shall be submitted concurrent with site plan review and shall provide, at a minimum, the number and sizes of trees and plantings consistent with that shown on the SE plat. In addition, supplemental landscaping shall be provided along the eastern and southern sides of the structure, as reviewed and approved by Urban Forest Management (UFM), DPWES. Species choice shall be coordinated with UFM, and the landscape plan shall be subject to the review and approval of UFM. All landscaping shall be property maintained. All dead and/or dying landscaping materials shall be replaced within the closest succeeding planting cycle per the review and approval of UFM.
13. The car wash shall be equipped to capture at least 80% of the waste water associated with a single cycle of the car wash operation. All waste water discharged from the car wash shall be discharged to the sanitary sewer system.
14. No trash pick-up shall be permitted during hours of operation. The trash dumpster shall be fully screened from view as depicted on the SE Plat. The subject site shall be patrolled by employees to pick up any trash on-site and to ensure that the doors to the dumpster enclosure are fully closed and in good working condition.
15. Painted pedestrian crosswalks shall be provided as shown on the SE Plat; however, those pedestrian crosswalk located within VDOT right-of-way are subject to VDOT approval.
16. The existing "pork chop" at the northernmost site entrance along Lorton Market Street shall be removed from VDOT right-of-way as depicted on the SE Plat.
17. The maximum number of employees on site at any one time shall not exceed fourteen.
18. In order to ensure that adequate turning radius is provided on-site, a full-size vehicle turning radius diagram of vehicle entering and exiting the car wash shall be provided on all site plan submissions. No site plan shall be approved unless

adequate turning radii is provided. Furthermore, regardless of any notes on the SE Plat, any proposed building or site modification must provide access and turning radii as determined by FCDOT.

19. Striping and other markings shall be installed to clearly delineate all travel aisles within the site. The striping and other markings shall be maintained on a regular basis so as to be clearly visible to motorists using or traveling through the site.
20. Those parking spaces which are designated for employee parking only on the SE Plat shall be marked with signs that designate them for employee parking only.

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, at a minimum, 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.

**REZONING AFFIDAVIT**

DATE: June 7, 2007  
 (enter date affidavit is notarized)

I, Keith C. Martin, do hereby state that I am an  
 (enter name of applicant or authorized agent)

(check one)       applicant  
                           applicant's authorized agent listed in Par. 1(a) below      952546

in Application No.(s): PCA 1999-MV-025  
 (enter County-assigned application number(s), e.g. RZ 88-V-001)

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

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

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

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Marketplace Car Wash, LLC Guy Paolozzi Keith C. Martin	10015 High Hill Place Great Falls, Virginia 22066	Applicant, Contract Purchaser Agents
Elmwood, L.L.C. Richard W. Hausler	P.O. Box 660 Merrifield, Virginia 22116	Title Owner Agent
Sack Harris & Martin, P.C. Keith C. Martin	8270 Greensboro Drive, Suite 810 McLean, Virginia 22102	Attorneys/Agents Agent
Bowman Consulting Group, LTD Jonathan D. Bondi	14020 Thunderbolt Place, Suite 300 Chantilly, Virginia 20151	Engineers/Agents Agent

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

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

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

REZONING AFFIDAVIT

DATE: June 7, 2007
(enter date affidavit is notarized)

952546

for Application No. (s): PCA 1999-MV-025
(enter County-assigned application number(s))

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

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

CORPORATION INFORMATION

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

Marketplace Car Wash, LLC
10015 High Hill Place
Great Falls, Virginia 22066

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

Guy Paolozzi - Member/Manager
Keith C. Martin - Member/Manager

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

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

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

**Rezoning Attachment to Par. 1(b)**

DATE: June 7, 2007  
(enter date affidavit is notarized)

AS2546

for Application No. (s): PCA 1999-MV-025  
(enter County-assigned application number (s))

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

Elmwood, L.L.C.  
P.O. Box 660  
Merrifield, Virginia 22116

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

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

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

KSI America, L.P. - Sole Member

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

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

KSI Services/America, LLC.  
P.O. Box 660  
Merrifield, Virginia 22116

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

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

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

Kettler Inc., formerly d/b/a  
KSI Services, Inc. - Manager

Members: Robert C. Kettler, Richard W. Hausler, Kettler Inc., formerly d/b/a KSI Services, Inc.

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

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

**Rezoning Attachment to Par. 1(b)**

DATE: June 7, 2007  
(enter date affidavit is notarized)

952546

for Application No. (s): PCA 1999-MV-025  
(enter County-assigned application number (s))

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

Kettler Inc., formerly d/b/a  
KSI Services, Inc.  
P.O. Box 660  
Merrifield, Virginia 22116

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

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

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

Robert C. Kettler  
Richard W. Hausler

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

Robert C. Kettler, Chairman; Richard W. Hausler, Chairman; Richard I. Knapp, Senior VP; Andrew W. Buchanan, CFO; Leslie D. Furst, Senior VP of Finance; Wayne A. Hobbs, Senior VP of Construction; Edward S. Byrne, Senior VP of Planning; Jamie H. Gorski, Chief Marketing Officer; Richard A. Lanham, VP of Design & Engineering; Charlie J. Kieler, Senior VP of Commercial Development; John M. Chappellear, Senior VP of Condo Operations

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

Bowman Consulting Group, LTD  
14020 Thunderbolt Place, Suite 300  
Chantilly, Virginia 20151

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

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

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

Gary P. Bowman

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

Gary P. Bowman, President; Robert A. Hickey, Secretary/Treasurer; Michael G. Bruen, VP/Asst. Secretary; Patrick D. Quante, VP; Jeffrey A. Blair, VP; Walter C. Sampsell III, VP; Michael P. Pointer, VP

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

REZONING AFFIDAVIT

DATE: June 7, 2007  
(enter date affidavit is notarized)

952546

for Application No. (s): PCA 1999-MV-025  
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

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

KSI America, L.P.  
P.O. Box 660  
Merrifield, Virginia 22116

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

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

KSI Services/America, LLC - General Partner

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

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

REZONING AFFIDAVIT

DATE: June 7, 2007  
(enter date affidavit is notarized)

952546

for Application No. (s): PCA 1999-MV-025  
(enter County-assigned application number(s))

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

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

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

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

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

None.

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

REZONING AFFIDAVIT

DATE: June 7, 2007  
(enter date affidavit is notarized)

952546

for Application No. (s): PCA 1999-MV-025  
(enter County-assigned application number(s))

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

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

Sack Harris & Martin, P.C. held a fundraiser for Connolly for Chairman the cost of which exceeded \$100.

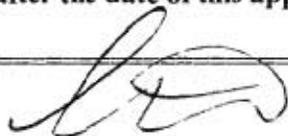
Guy Paolozzi contributed in excess of \$100 to Connolly for Chairman.

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

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

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

WITNESS the following signature:



(check one)

Applicant

Applicant's Authorized Agent

Keith C. Martin, Agent

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

Subscribed and sworn to before me this 7th day of June 2007, in the State/Comm. of Virginia, County/City of Fairfax

Karen Fettig  
Notary Public



My commission expires: 12.31.09

**SPECIAL EXCEPTION AFFIDAVIT**

DATE: June 7, 2007  
 (enter date affidavit is notarized)

I, Keith C. Martin, do hereby state that I am an  
 (enter name of applicant or authorized agent)

(check one)             applicant  
                               applicant's authorized agent listed in Par. 1(a) below            95256 b

in Application No.(s): SE 2007-MV-005  
 (enter County-assigned application number(s), e.g. SE 88-V-001)

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

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

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

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Marketplace Car Wash, LLC Guy Paolozzi Keith C. Martin	10015 High Hill Place Great Falls, Virginia 22066	Applicant, Contract Purchaser Agents
Elmwood, L.L.C. Richard W. Hausler	P.O. Box 660 Merrifield, Virginia 22116	Title Owner Agent
Sack Harris & Martin, P.C. Keith C. Martin	8270 Greensboro Drive, Suite 810 McLean, Virginia 22102	Attorneys/Agents Agent
Bowman Consulting Group, LTD Jonathan D. Bondi	14020 Thunderbolt Place, Suite 300 Chantilly, Virginia 20151	Engineers/Agents 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.

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: June 7, 2007  
(enter date affidavit is notarized)

952566

for Application No. (s): SE 2007-MV-005  
(enter County-assigned application number(s))

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

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

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code)  
Marketplace Car Wash, LLC  
10015 High Hill Place  
Great Falls, Virginia 22066

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Guy Paolozzi - Member/Manager  
Keith C. Martin - Member/Manager

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

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

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

DATE: June 7, 2007  
(enter date affidavit is notarized)

952566

for Application No. (s): SE 2007-MV-005  
(enter County-assigned application number (s))

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

Elmwood, L.L.C.  
P.O. Box 660  
Merrifield, Virginia 22116

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

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

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

KSI America, L.P. - Sole Member

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

KSI Services/America, LLC  
P.O. Box 660  
Merrifield, Virginia 22116

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

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

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

Kettler Inc., formerly d/b/a  
KSI Services, Inc. - Manager  
Members: Robert C. Kettler, Richard W.  
Hausler, Kettler Inc., formerly d/b/a KSI  
Services, Inc.

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

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

DATE: June 7, 2007  
(enter date affidavit is notarized)

952566

for Application No. (s): SE 2007-MV-005  
(enter County-assigned application number (s))

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

Kettler Inc., formerly d/b/a  
KSI Services, Inc.  
P.O. Box 660  
Merrifield, Virginia 22116

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

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

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

Robert C. Kettler  
Richard W. Hausler

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

Bowman Consulting Group, LTD  
14020 Thunderbolt Place, Suite 300  
Chantilly, Virginia 20151

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

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

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

Gary P. Bowman

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: June 7, 2007  
(enter date affidavit is notarized)

952566

for Application No. (s): SE 2007-MV-005  
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

**PARTNERSHIP NAME & ADDRESS:** (enter complete name, and number, street, city, state, and zip code)  
KSI America, L.P.  
P.O. Box 660  
Merrifield, Virginia 22116

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

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

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

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: June 7, 2007  
(enter date affidavit is notarized)

952564

for Application No. (s): SE 2007-MV-005  
(enter County-assigned application number(s))

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

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

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

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

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

None.

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

**SPECIAL EXCEPTION AFFIDAVIT**

DATE: June 7, 2007  
(enter date affidavit is notarized)

9525696

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

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

Sack Harris & Martin, P.C. held a fundraiser for Connolly for Chairman the cost of which exceeded \$100.

Guy Paolozzi contributed in excess of \$100 for Connolly for Chairman.

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

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

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

WITNESS the following signature:

(check one) [ ] Applicant [x] Applicant's Authorized Agent

Keith C. Martin, Agent  
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 7th day of June 2007, in the State/Comm. of Virginia, County/City of Fairfax

My commission expires: 12.31.09

Karen Fetting  
Notary Public



## SACK HARRIS &amp; MARTIN, P.C.

ATTORNEYS AT LAW

SUITE 810  
8270 GREENSBORO DRIVE  
MCLEAN, VIRGINIA 22102  
TELEPHONE (703) 883-0102  
FACSIMILE (703) 883-0108

March 15, 2007

Ms. Barbara A. Byron, Director  
Zoning Evaluation Division  
Fairfax County Department of Planning & Zoning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035

Re: Proposed Special Exception and Proffered Condition Amendment PCA 1999-  
MV-025  
Applicant: Marketplace Car Wash, LLC

Dear Ms. Byron:

The following is submitted as a statement of justification for a special exception and proffered condition amendment application on property identified as Fairfax County tax map 107-4((23))C (the "Subject Property").

The subject Property is located in the southwest quadrant of the intersection of Lorton Road and Lorton Market Street in the Mount Vernon Magisterial District. The Subject Property contains approximately 1.039 acres, is zoned to the C-6 District pursuant to rezoning RZ 1999-MV-025 that was approved by the Board of Supervisors on April 24, 2000, and is subject to proffers dated April 18, 2000. The approved generalized development plan/special exception plat (the "GDP") permits up to 16,250 GSF on 3 pad sites (A, B and C) that includes the Subject Property that was identified as Pad B, which is approved for +/- 2,500 GSF. The GDP also permits 134,500 GSF of retail development located in the area east of Lorton Market Street referenced to as Lorton Marketplace.

The Board of Supervisors approved Special Exception SE 99-V-020 on April 24, 2000, which included the Subject Property for a fast food restaurant with drive-through facilities (Pad B). The special exception for the fast food restaurant with drive-through facilities was not established and subsequently expired. The Applicant is proposing to develop a 6,000 GSF full service car wash on the Subject Property in lieu of the previously approved 2,500 GSF fast food restaurant with a drive-in window.

**SACK HARRIS & MARTIN, P.C.**

Ms. Barbara A. Byron  
March 15, 2007  
Page 2 of 3

It is submitted that the proposed use is in conformance with the recommendations of the Comprehensive Plan (the "Plan"). The Plan discusses the Subject Property in the Lower Potomac Planning District (Area IV), Lorton-South Route 1 Community Planning Sector, Sub-Unit #8. Sub-Unit E-8 is planned for a mix of uses, such as offices, open space and retail. The proposed Car Wash use conforms to the retail recommendation set forth in the Plan.

The Applicant proposes the construction of a full service car wash on the Subject Property containing a total of 6,000 GSF in building improvements. A single bay (130 foot long tunnel) car wash is proposed in the center of the Subject Property with a stacking lane located along the western portion of the site. The proposed design will allow adequate on-site stacking for the car wash and efficient vehicular circulation. Two points of access are proposed from Lorton Market Street. The architecture of the carwash building can be consistent with the character and style of the proffered elevations of Lorton Marketplace or have a totally different design based upon Staff and citizen suggestions.

- A. The type of operation: car wash
- B. Hours of operation:
  - (i) Monday through Friday: 7 a.m. to 9 p.m.
  - (ii) Saturday: 8 a.m. to 8 p.m.
  - (iii) Sunday: 8 a.m. to 8 p.m.
- C. The estimated number of patrons: 250 persons each day
- D. The estimated number of employees: maximum of eight (8) on site at any one time.
- E. The proposed use will generate approximately 600 trips per day with approximately 20 trips/per hour during the peak a.m. period and 20 trips/per hour during the peak p.m. period.
- F. The general area to be served by the use is a three mile radius.
- G. The building architecture will consist of a combination of brick and glass in conformance with the Lorton Station architectural proffers.
- H. There are no known hazardous or toxic substances to be utilized and stored on the Subject Property.
- I. The proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards and any applicable conditions.

**SACK HARRIS & MARTIN, P.C.**

Ms. Barbara A. Byron  
March 15, 2007  
Page 3 of 3

The Applicant is proposing a proffered condition amendment ("PCA") to permit a reallocation of approved, unused density associated with the 134,000 GSF of retail and 10,000 GSF Pad C located on the east of Lorton Market Street to the Subject Property. The PCA proposes a 6,000 GSF carwash. The approved site plan for Lorton Station South Section 7, referenced as 4865-SPV-11-C-1 was approved on April 21, 2006, for building improvements containing 121,039 GSF of retail, including a 4,872 GSF pad site C1 where 134,500 GSF plus a 10,000 GSF pad site is permitted pursuant to the GDP. Of the 23,461 GSF of unused, approved gross floor area, the Applicant proposes to reallocate 3,500 square feet to the Subject Property. The increase of 3,500 GSF on the Subject Property will represent a reduction of approximately 20,000 GSF for the entire pad site/retail area.

Very truly yours,

SACK HARRIS & MARTIN, P.C.



Keith C. Martin

### Proffered Condition Amendment

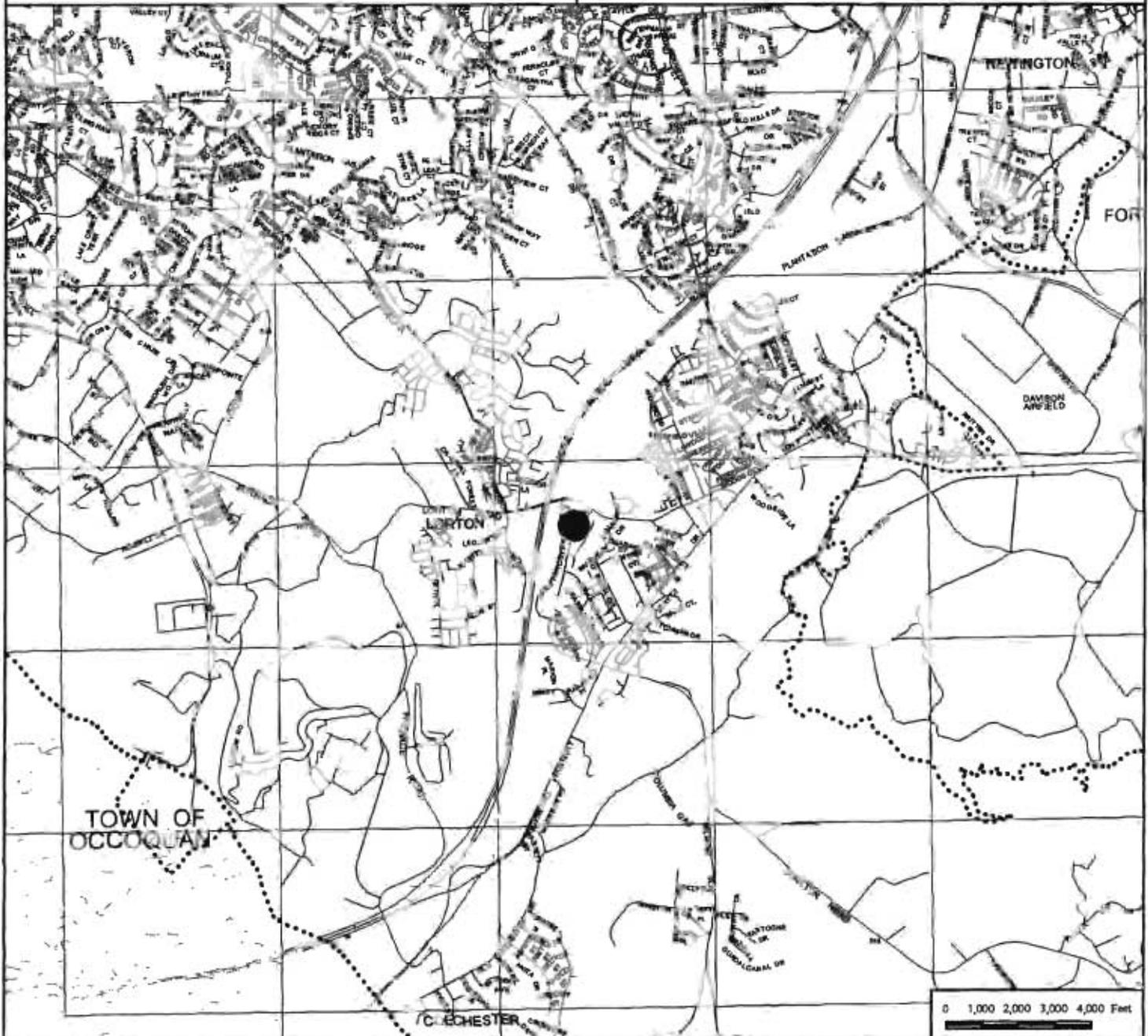
PCA 1999-MV-025-04

Applicant: MARKETPLACE CAR WASH, LLC  
Accepted: 03/16/2007  
Proposed: AMEND RZ 1999-MV-025 PREVIOUSLY APPROVED FOR COMMERCIAL DEVELOPMENT TO PERMIT CAR WASH  
Area: 1.04 AC OF LAND; DISTRICT - MOUNT VERNON  
Zoning Dist Sect: Located: SOUTHWEST QUADRANT OF THE INTERSECTION OF LORTON ROAD AND LORTON MARKET STREET  
Zoning: C- 6  
Overlay Dist:  
Map Ref Num: 107-4 /23/ / C

### Special Exception

SE 2007-MV-005

Applicant: MARKETPLACE CAR WASH, LLC  
Accepted: 03/16/2007  
Proposed: CAR WASH  
Area: 1.04 AC OF LAND; DISTRICT - MOUNT VERNON  
Zoning Dist Sect: 04-0604  
Art 9 Group and Use: 5-03  
Located: SOUTHWEST QUADRANT OF THE INTERSECTION OF LORTON ROAD AND LORTON MARKET STREET  
Zoning: C- 6  
Plan Area: 4,  
Overlay Dist:  
Map Ref Num: 107-4 /23/ / C





# FAIRFAX COUNTY

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

V I R G I N I A

Telephone: 703-324-3151

FAX: 703-324-3926

TTY: 703-324-3903

May 12, 2000

Keith C. Martin, Esquire  
Walsh, Colucci, Stackhouse, Emrich and Lubeley, P.C.  
2200 Clarendon Boulevard – 13<sup>th</sup> Floor  
Arlington, Virginia 22201-3359

RE: Rezoning Application Number RZ 1999-MV-025  
(Concurrent with PCA 1996-MV-037-2 and SE 99-V-020)

Dear Mr. Martin:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on April 24, 2000, granting Rezoning Application Number RZ 1999-MV-025 in the name of Elmwood LLC, to rezone certain property in the Mount Vernon District from the I-3, I-6, and PDH-5 Districts to the C-6 District, subject to the proffers dated April 18, 2000, on subject parcel 107-4 ((1)) 52, 53, 55, 56, 57 and Pt. 17A1 consisting of approximately 32.97 acres.

The Board also:

- Approved modifications to the transitional screening requirement along the eastern, southern and northern boundaries.
- Waived the barrier requirements along the eastern, southern and northern boundaries.

Sincerely,

Nancy Vehrs  
Clerk to the Board of Supervisors

NV/ns



# FAIRFAX COUNTY

APPENDIX 7

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

V I R G I N I A

May 12, 2000

Telephone: 703-324-3151  
FAX: 703-324-3926  
TTY: 703-324-3903

Keith C. Martin, Esquire  
Walsh, Colucci, Stackhouse, Emrich and Lubeley, P.C.  
2200 Clarendon Boulevard - 13<sup>th</sup> Floor  
Arlington, Virginia 22201-3359

RE: Special Exception Number SE 99-V-020  
(Concurrent with RZ 1999-MV-025 and PCA 1996-MV-037-2)

Dear Mr. Martin:

At a regular meeting of the Board of Supervisors held on April 24, 2000, the Board approved Special Exception Number SE 99-V-020 in the name of Elmwood LLC, located at Tax Map 107-4 ((1)) 52, 53, 55, 56, 57, and Pt. 17A1 for a combined service station/mini-mart and fast food restaurant, a fast food restaurant with drive-in facilities and drive-through pharmacy pursuant to Section 4-604 of the Fairfax County Zoning Ordinance and an increase in building height to permit construction of a clock tower pursuant to the provisions of Section 9-610, by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17. Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception Plat entitled Lorton Station South Commercial Center, prepared by Dewberry & Davis and dated February 28, 2000, and these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance.

4. The clock tower shall be limited to a maximum of sixty-five feet in height and shall be constructed as depicted on the architectural detail on Sheet 3 of the Generalized Development Plan/Special Exception (GDP/SE) Plat as determined by DPWES.
5. The community identification sign on the clock tower shall not be installed unless the Zoning Administrator determines that such a sign is permitted by the Zoning Ordinance and a sign permit issued.
6. The building on Pad A shall be limited to a maximum of 3750 square feet gross floor area.
7. The building on Pad B shall be limited to a maximum of 2500 square feet gross floor area.
8. The building on Pad C shall be limited to a maximum of 10,000 square feet gross floor area.
9. The building on Pad C may be converted to other uses permitted in the C-6 District and by the proffers without the approval of a Special Exception Amendment.
10. The lighting of the canopy for the service station/mini-mart shall be limited to the following: downward lights under the canopy; no upwardly directed lights; and, the fascia shall not be backlit except for any sign panels which may be located on the fascia of the canopy.
11. The areas around the three stormwater management facilities located on this property shall be landscaped to the maximum extent allowed pursuant to the policy regarding landscaping around stormwater management ponds adopted by the Board of Supervisors on May 8, 1999, subject to the approval of the Urban Forestry Branch, DPWES. The plant materials used for such landscaping shall consist of native plant species.
12. The drive-through window for the pharmacy shall be used only for the drop off and pick-up of prescriptions and other medical items. General retail sales shall not be permitted through the drive-through window. Signs shall be posted in the stacking area for the drive-through window stating the limitations on use of the window service. Such signs shall not exceed the size limitations outlined in Sect. 9-505.

13. The service station/mini-mart shall not be used for the performance of major repairs and shall not include the outdoor storage of any abandoned, wrecked or inoperable vehicles on the site. Accessory outdoor storage and display of goods offered for sale shall be limited to fifty (50) square feet. Sales of alcoholic beverages, rental of video tapes and video cassette recorders and the preparation of food, other than that allowed in a Limited Food-Service Establishment pursuant to Chapter 43.1 of The Code, shall not be permitted. The use of microwave ovens by customers for purchased food items shall be allowed.

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 for any given use, without notice, thirty (30) months after the date of approval for any of the uses unless that 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:**

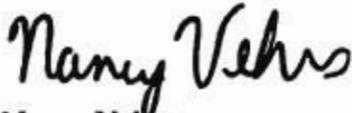
- **Approved modifications to the transitional screening along the eastern, southern, and northern boundaries.**
- **Waived the barrier requirements along the eastern, southern, and northern boundaries.**

SE 99-V-020  
May 12, 2000

- 4 -

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 in the Department of Planning and Zoning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Sincerely,



Nancy Veirs  
Clerk to the Board of Supervisors

NV/ns

cc: Chairman Katherine K. Hanley  
Supervisor - Mount Vernon District  
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration  
Michael R. Congleton, Deputy Zoning Administrator  
Frank Jones, Assistant Chief, PPRB, DPZ  
Audrey Clark, Director, BPRD, DPW&ES  
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ  
Robert Moore, Trnsprt'n. Planning Div., Department of Transportation  
Ellen Gallagher, Project Planning Section, Department of Transportation  
Michelle A. Brickner, Director, Site Development Services, DPW&ES  
DPW&ES - Bonds & Agreements  
Department of Highways, VDOT  
Land Acqu. & Planning Div., Park Authority  
District Planning Commissioner

**RECEIVED**  
DEPARTMENT OF PLANNING AND ZONING  
MAY 15 2000

ZONING EVALUATION DIVISION



# 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 • TTY: 703-324-3903

V I R G I N I A

[www.fairfaxcounty.gov/gov/bos/clerkhomepage.htm](http://www.fairfaxcounty.gov/gov/bos/clerkhomepage.htm)  
Email: [clerktothebos@fairfaxcounty.gov](mailto:clerktothebos@fairfaxcounty.gov)

May 26, 2005

Kara M. Whisler  
Walsh, Colucci, Lubeley, Emrich & Terpak, PC  
2200 Clarendon Boulevard, 13<sup>th</sup> Floor  
Arlington, Virginia 22201-3359

RE: Proffered Condition Amendment Number PCA 1999-MV-025  
(Concurrent with SEA 99-V-020)

Dear Ms. Whisler:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on May 9, 2005, approving Proffered Condition Amendment PCA 1999-MV-025 in the name of Minnieland Private Day School, Incorporated, to amend proffers for RZ 1999-MV-025 previously approved for commercial development to allow a child care center in a shopping center with an overall Floor Area Ratio (FAR) of 0.19, subject to the proffers dated April 1, 2005. The shopping center is located in the southeast quadrant of the intersection of Lorton Market Street and Lorton Road (Tax Map 107-4 ((23)) E 4 and E 5, consisting of approximately 22.20 acres located in Mount Vernon District.

**The Board also modified the transitional screening requirements, as previously approved, along the northern, eastern, and southern boundaries and waived the barrier requirements, as previously approved, along all boundaries.**

Sincerely,

Patti M. Hicks  
Deputy Clerk to the Board of Supervisors

PMH/ns

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

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 9th day of May, 2005, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE  
PROFFERED CONDITION AMENDMENT PCA 1999-MV-025  
(CONCURRENT WITH SEA 99-V-020)

WHEREAS, Minnieland Private Day School, Incorporated filed in the proper form an application to amend the proffers for RZ 1999-MV-025 hereinafter described, by amending conditions proffered and accepted pursuant to Virginia Code Ann. § 15.2-2303(a), and

WHEREAS, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

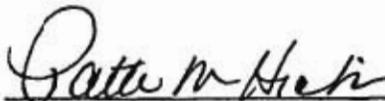
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Mount Vernon District, and more particularly described as follows (see attached legal description):

Be, and hereby is further restricted by the amended conditions proffered and accepted pursuant to Virginia Code Ann., § 15.2-2303(a), which conditions are incorporated into the Zoning Ordinance as it affects said parcel, and

BE IT FURTHER ENACTED, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcels.

GIVEN under my hand this 9<sup>th</sup> day of May, 2005.



Patti M. Hicks

Deputy Clerk to the Board of Supervisors

## NOTES

1. THE PROPERTY DELINEATED HEREON IS LOCATED ON FAIRFAX COUNTY TAX ASSESSMENT MAP NO. 107-4 ((23)) E1, E2, E3 AND IS ZONED C-1.
2. THIS PROPERTY IS NOW IN THE NAME OF:  
ELMWOOD RETAIL LLC  
DB 13940 PG. 24  
  
ELMWOOD TOWNHOUSE LLC  
DB 14168 PG. 166
3. BOUNDARY AND NORTH MERIDIAN INFORMATION AS SHOWN HEREON ARE BASED ON EXISTING LAND RECORDS AND A SURVEY BY BOWMAN CONSULTING GROUP.
4. TITLE REPORT FURNISHED BY MERIT TITLE COMPANY DATED DECEMBER 31, 1998, FILE # F-97-0614.
5. IRON PIPES SET FOR MONUMENTATION SHALL BE SET IN THE GROUND AT ALL LOT CORNERS, ANGLE POINTS IN THE OUTER LINES OF THE SUBDIVISION AND AT ALL POINTS OF ANGLES AND CURVATURES IN THE RIGHT OF WAY OF ALL STREETS WITHIN THE SUBDIVISION AND IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF FAIRFAX COUNTY, VIRGINIA. PFM 2-0105.  
—○— DENOTES IRON PIPE TO BE SET.
6. THE PROPERTY SHOWN HEREON LIES IN ZONE "X" (AREA DETERMINED TO BE OUTSIDE 500 YEAR FLOODPLAIN.) AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP FOR UNINCORPORATED AREAS OF FAIRFAX COUNTY, VIRGINIA, COMMUNITY-PANEL NUMBER 515525-0125D, MAP REVISED MARCH 5, 1990.
7. THERE ARE NO KNOWN GRAVES OR BURIAL SITES ON THE PROPERTY.
8. ALL PREVIOUSLY RECORDED RIGHTS-OF-WAY, EASEMENTS OR OTHER INTEREST OF THE COUNTY REMAIN IN FULL FORCE AND EFFECT UNLESS OTHERWISE SHOWN ON THIS PLAT.
9. ENGINEERING GEOLOGY AND/OR SOIL REPORTS HAVE BEEN REVIEWED AND APPROVED BY THE DIRECTOR OF ENVIRONMENTAL MANAGEMENT FOR THE PROPERTY DESCRIBED HEREIN AND ARE AVAILABLE FOR REVIEW IN THE OFFICE OF SITE DEVELOPMENT SERVICES. SITE CONDITIONS ARE OF SUCH NATURE THAT LAND SLIPPAGE OR FOUNDATION PROBLEM POSSIBILITIES REQUIRED THE SUBMITTAL OF SOILS REPORTS. A COPY OF SAID SOIL REPORT IS AVAILABLE IN THE OFFICE OF SITE DEVELOPMENT SERVICES.

## PROFFERS

Minnieland Private Day School, Inc.

PCA 1999-MV-025

April 1, 2005

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950, as amended, subject to the Board of Supervisors approving this Proffered Condition Amendment for Tax Map 107-4 ((23)) E4 and E5 (the "Property"), Minnieland Private Day School, Inc. (the "Applicant") and owners, for themselves, their successors and assigns, hereby reaffirm the previous proffers applicable to the Property accepted pursuant to the approval of RZ 1999-MV-025 and dated April 18, 2000, which will remain in full force and effect, except as amended as follows:

Replace Existing Proffer 1.a. to reflect updated plan/plat information:

### 1. GENERALIZED DEVELOPMENT PLAN

- a. Subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance hereinafter referred to as "Zoning Ordinance", development of the Property shall be in substantial conformance with the GDP/SEA plat, prepared by Bowman Consulting Group, Ltd., dated November 5, 2004, as revised through March 14, 2005.

Amend Existing Proffer 3, to add use in list of permitted uses.

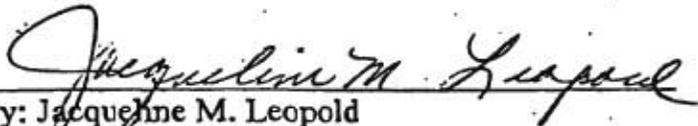
### 3. Uses

- a. The following additional use is permitted within the buildings shown on the GDP/SEA plat:
  - *Child Care Center*

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

APPLICANT/LESSEE

MINNIELAND PRIVATE DAY SCHOOL, INC.

  
By: Jacqueline M. Leopold  
Its: President

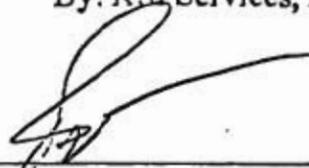
[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNER OF TAX MAP 107-4 ((23)) E4/  
LESSOR

ELMWOOD RETAIL L.L.C.

By: Lorton Valley, L.C., Its Sole Member

By: KSI Services, Inc., Its Manager



---

By: Robert C. Kettler  
Its: Chairman

[SIGNATURES CONTINUE ON NEXT PAGE]

TITLE OWNER OF TAX MAP 107-4 ((23)) E5/  
LESSOR

ELMWOOD TOWNHOUSE L.L.C.

By: Lorton Valley, L.C., Its Sole Member

By: KSI Services, Inc., Its Manager



---

By: Robert C. Kettler  
Its: Chairman

[SIGNATURES END]



# County of Fairfax, Virginia

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

January 16, 2007

Katherine Youngbluth  
Cooley, Godward, Kronish, LLP  
Reston Town Center  
One Freedom Square  
11951 Freedom Drive  
Reston, VA 20190

RE: Proffered Condition Amendment Number PCA 1999-MV-025-02  
Concurrent with: SEA 99-V-020-02

Dear Ms. Youngbluth:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on January 8, 2007. The Board's action approved Proffered Condition Amendment PCA 1999-MV-025-02 in the name of Bank of America, NA, and is subject to the proffers dated December 1, 2006. The Board's action amends the proffers for RZ 1999-MV-025-02 previously approved for commercial development to permit a drive-in bank with an overall Floor Area Ratio (FAR) of 0.13. The subject parcel is located in the southwest quadrant of the intersection of Lorton Road on approximately 1.34 acres. The subject parcel is zoned C-6 and located in the Mount Vernon District. Tax Map 107-4 ((23)) E4pt.

The Board also:

- **Approved Special Exception Amendment Application SEA 99-V-020-02, subject to the development conditions dated November 29, 2006.**
- **Approved modification of the transitional screening requirements on the northern, eastern, and southern boundaries and the previously approved waiver of the barrier requirement along all boundaries.**

Sincerely,

Nancy Vehrs  
Clerk to the Board of Supervisors

NV/cwb

Office of Clerk to the Board of Supervisors  
12000 Government Center Parkway, Suite 533  
Fairfax, Virginia 22035

Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903  
Email: [clerktothebos@fairfaxcounty.gov](mailto:clerktothebos@fairfaxcounty.gov)  
<http://www.fairfaxcounty.gov/bosclerk>

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 8<sup>th</sup> day of January, 2007, the following ordinance was adopted.

AN ORDINANCE AMENDING THE ZONING ORDINANCE  
PROFFERED CONDITION AMENDMENT PCA 1999-MV-025-02  
(CONCURRENT WITH SEA 99-V-020-02)

WHEREAS, Bank of America filed in the proper form an application requesting amendment to the plan of a certain parcel of land, hereinafter described, by amending conditions proffered and accepted pursuant to Virginia Code Ann. § 15.2-2303(a), and

WHEREAS, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

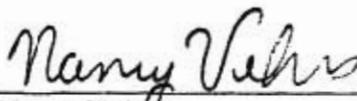
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Mount Vernon District, and more particularly described as follows (see attached legal description):

Be, and hereby is further restricted by the amended conditions proffered and accepted pursuant to Virginia Code Ann., § 15.2-2303(a), which conditions are incorporated into the Zoning Ordinance as it affects said parcel, and

BE IT FURTHER ENACTED, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcels.

GIVEN under my hand this 8<sup>th</sup> day of January, 2006.

  
\_\_\_\_\_  
Nancy Vehrs  
Clerk to the Board of Supervisors

**PROFFERS**

**Bank of America, N.A.**

**PCA 1999-MV-025-02**

**December 1, 2006**

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950, as amended, subject to the Board of Supervisors approving this Proffered Condition Amendment for Tax Map 107-4 ((23)) Pt.E4 (the "Property"), Bank of America, N.A. (the "Applicant") and owners, for themselves, their successors and assigns, hereby reaffirm the previous proffers applicable to the Property accepted pursuant to the approval of RZ 1999-MV-025 and dated April 18, 2000, which will remain in full force and effect, except as amended as follows:

**Replace Existing Proffer 1.a. to reflect updated plan/plat information:**

**1. GENERALIZED DEVELOPMENT PLAN**

a. Subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance therein after referred to as "Zoning Ordinance", development of the Property shall be in substantial conformance with the GDP/SEA plat, prepared by Bowman Consulting Group, Ltd., dated June 8, 2006 as revised through October 23, 2006.

**Amend Existing Proffer 3, to add use in list of permitted uses.**

**3. Uses**

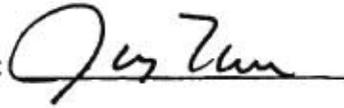
a. The following additional use is permitted within the buildings shown on the GDP/SEA plat:

- *Drive-In Bank (up to 10,000 SF on Pad "C" only)*

**[SIGNATURES BEGIN ON THE FOLLOWING PAGE]**

**APPLICANT/LESSEE**

By: **Bank of America, N.A.**

By: 

Name: Jay Taylor

Title: Senior Vice President

**TITLE OWNER OF TAX MAP 107-4 ((23)) E4/  
LESSOR**

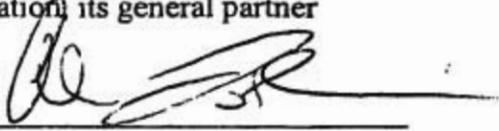
**Columbia Lorton Station Marketplace, LLC**  
By: COLUMBIA LORTON STATION  
MARKETPLACE, LLC, a Delaware limited  
liability company

By: Columbia Lorton Station Marketplace  
Member, LLC, a Delaware limited liability  
company, its member

By: Columbia Regency Partners II, LLC, a  
Delaware limited liability company, its member

By: Regency Centers, L.P., a Delaware limited  
partnership, its manager

By: Regency Centers Corporation, a Florida  
corporation, its general partner

By:   
\_\_\_\_\_

Name:

**ALAN T. ROTH**

Title:

**Vice President**





# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** June 27, 2007

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

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

**SUBJECT:** Transportation Impact

**FILE:** 3-4 (RZ 1999-MV-025)  
3-5 (SE 2007-MV-005)

**REFERENCE:** PCA 1999-MV-025-04, SE 2007-MV-005; Marketplace Car Wash, LLC  
Traffic Zone: 1638  
Land Identification: 107-4 ((23)) C

The following comments reflect the position of the Department of Transportation, and are based on the applicant's Special Exception Plat revised to May 24, 2007 and draft proffers dated June 18, 2007. The draft proffers commit to development of the site in substantial accordance with the referenced plat.

The applicant is seeking to develop the site with a full service car wash. In addition, one bay will be provided for detailing of vehicles. The proposed use is very intensive given the triangular shape of the site. Access is constricted and on-site circulation is at the absolute minimum. Both this department and the applicant recognize that the dumpster can only be serviced when the business is closed. There is little if any area for a second dumpster such as a dumpster for recycling materials. The applicant should consider alternative business uses for the site.

This department can not support approval as submitted, but would not object to approval if the italicized recommendations listed below are adequately addressed:

The applicant has proffered that the car wash will utilize a conveyer belt system in which a vehicle rides through the wash on a belt rather than being pulled and guided via a steel channel. The conveyer belt is the only operation which this department deems acceptable because the

Barbara A. Byron, Director  
Zoning Evaluation Division  
June 27, 2007  
Page 2 of 2

turning radius for vehicles exiting the site is so tight that full sized vehicles will likely need to begin the turn within the structure. *This department recommends a development condition which requires that all site plan submissions delineate a full size vehicle turning radius diagram of vehicles entering and exiting the car wash.*

Parking for the site is limited and convoluted. Six designated employee spaces can only be accessed when there are no vehicles queued to be washed, or the queue is interrupted to allow an employee to arrive or depart. *In order to encourage employees to utilize public transportation, the existing bus stop located on Lorton Market Street near the northeast corner of the site should be relocated to the site frontage. In addition, a bus shelter or 5'X8' concrete pedestrian waiting pad should be provided as deemed appropriate by the Fairfax County Department of Transportation at time of site plan review.*

General Note 20 on the special exception plat indicates that... "the footprint of the building may be modified"... Vehicular access to and from the building is at the absolute minimum acceptable design standards. *Both General Note 20 and the draft proffers should be revised or conditioned to state that any proposed building or site modification will be subject to review and approval by the Department of Transportation.*

The proposed on-site pavement markings will be a critical element in the safe and efficient operation of the site. *The applicant should commit to stripe and maintain markings on a regular basis so as to be clearly visible to motorists using the site and travel aisle through the site.*

Note that VDOT staff have recommended that the raised channelized island at the Lorton Market Street entrance be relocated to outside the public street right-of-way. No island is shown on the development plat, and Lorton Market Street has a raised median. If an island exists at either entrance, the island should be removed. In addition, it should be recognized that the marking of crosswalks across these two entrances will be subject to VDOT approval.

AKR/CAA

Michelle Brickner, Director, Office of Site Development Services, Department of Public Works and Environmental Services.  
Paul Mounier, Transit Services Division, Department of Transportation



# COMMONWEALTH of VIRGINIA

DAVID S. EKERN, P.E.  
COMMISSIONER

## DEPARTMENT OF TRANSPORTATION

14685 Avion Parkway  
Chantilly, VA 20151  
(703) 383-VDOT (8368)

April 24, 2007

Ms. Barbara A. Byron  
Director of Zoning Evaluation  
Department of Planning and Zoning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5511

Re: PCA 1999-MV-025-04 conc. w/ 2007-MV-005, Car Wash Lorton Station  
Tax Map No.: 107-4 /23/ C

Dear Ms. Byron,

This office has reviewed the special exception plat relative to the above-mentioned applications and offers the following comments.

The proposed raised channelized island along Lorton Market Street should be relocated outside the right of way.

For any additional information please contact this office.

Sincerely,

A handwritten signature in cursive script that reads 'Noreen H. Maloney'.

Noreen H. Maloney  
Transportation Engineer

cc: Ms. A. Rodeheaver



# County of Fairfax, Virginia

## MEMORANDUM

DATE: May 8, 2007

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

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

**SUBJECT:** ENVIRONMENTAL ANALYSIS: SP 2007-LE-021  
Marketplace Car Wash, LLC

This memorandum, prepared by Jennifer Bonnette, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. Plan citations are followed by a discussion of concerns including a description of potential impacts that may result from the proposed addition as depicted on the Generalized Development Plan/Special Exception Plat dated March 1, 2007 as revised through April 20, 2007. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

### 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 citation from the Plan:

Fairfax County Comprehensive Plan, 2003 Edition, Policy Plan, Environment, as amended through November 15, 2004, on pages 5-7, the Plan states:

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

- Policy 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. . . .
- Policy j. Regulate land use activities to protect surface and groundwater resources.
- Policy k. For new development and redevelopment, apply better site design and low impact development (LID) techniques. . .

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

Fairfax County Comprehensive Plan, 2003 Edition, Policy Plan, Environment, as amended through November 15, 2004, on page 16, the Plan states:

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

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

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

Fairfax County Comprehensive Plan, 2003 Edition, Area IV, Lower Potomac Planning District, LP2-Lorton South Route 1 Community Planning Sector, as amended through December 4, 2006, on page 60, the Plan states:

“Environmental Quality

Protect the environmental resources and assets of the Lorton-South Route 1 area:

- Discourage development on steep slopes (greater than 15 percent), areas of low bearing strength, areas of marine clay and other unstable soils, and areas of high erosion potential;”

**ENVIRONMENTAL ANALYSIS**

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

This application seeks a special exception to develop a 6,000 square foot full service car wash on a 1.04 acre parcel with a .132 FAR.

**Water Quality** The subject property is located in the Pohick Creek watershed as well as within the County's Chesapeake Bay Watershed. Stormwater Management (SWM)/Best Management Practices (BMP) requirements for the site have been provided with the on site SWM/BMP facility per the approved plans for Lorton Market Street. The adequacy of the proposed water quality measures is subject to review by the Department of Public Works and Environmental Services. In addition, it is recommended that the applicant implement a water recycling system that will recycle a minimum of 80% of the waste water generated from the proposed car wash.

**Vegetation** The applicant has proposed sufficient landscaping, including large shade trees along Lorton Market Street to create a boulevard-like effect.

**Topography** Site preparation, including leveling of the site and laying of asphalt, has already occurred. However, the steep slopes (greater than 15 percent) that abut the western boundary of the site should be preserved.

#### **COUNTYWIDE TRAILS PLAN**

The Countywide Trails Plan Map does not depict any trails immediately adjacent to the subject property.

PGN: JRB



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** May 17, 2007

**TO:** Cathy Lewis, Senior Staff Coordinator  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:**  Jeremiah Stonefield, Chief Stormwater Engineer  
Site Review East, Environmental and Site Review Division  
Department of Public Works and Environmental Services

**SUBJECT:** Proffer Condition Amendment Application Review, PCA 1999-MV-025-04, and Special Exception (SE), 2007-MV-005, Generalized Development Plan and SE Plat, *Car Wash, Lorton Station South Commercial Center*, dated May 11, 2007 (Plat), Tax Map #107-4-23-0000-C (Property), Mount Vernon District

We have reviewed the referenced submission and offer the following comments related to stormwater management:

Chesapeake Bay Preservation Ordinance (CBPO)

There are no mapped Resource Protection Areas on the Property. Best Management Practices (BMPs) requirements have been satisfied for the entire Lorton Market Street development through an extended detention pond as shown on the approved site plan revision, 4865-SPV-005-A-1, approved February 14, 2003.

Floodplain Regulations

There are no regulated floodplains on the Property.

Downstream Drainage Complaints

There are no relevant drainage complaints on file downstream of the subject Property since the approval of the site plan.

Stormwater Detention

Stormwater detention requirements have been satisfied for the entire Lorton Market Street development through an extended detention pond as shown on the site plan revision, 4865-SPV-005-A-1, approved February 14, 2003.

Site Outfall

The stormwater outfall from the site is into the existing storm sewer within the Lorton Market Street site and drains to the existing extended detention dry pond. The Site



Cathy Lewis, Zoning Evaluation Branch  
PCA 1999-MV-025-04 and SE 2007-MV-005  
Page 2

Plan will be subject to the amended requirements of the PFM, effective February 7, 2006, concerning stormwater management, outfalls, drainage divides and notices.

Please contact me at 4-1720 if you have any questions or require further clarification.

cc: Steve Aitcheson, Director, Stormwater Planning Division, DPWES  
Valerie Tucker, Chief Stormwater Engineer, Site Review East, ESRD, DPWES  
Zoning Application File (4865-ZONA-003-3)

## FAIRFAX COUNTY ZONING ORDINANCE

reduces non-stormwater management open space, tree save and/or landscaping area on the lot; or

- (7) Include the addition of any building or additions to buildings except that accessory structures clearly subordinate to the use, and minor additions to buildings may be permitted, provided that:
    - (a) the sum total of all such structures or additions shall not exceed the greater of 500 square feet of gross floor area, or five (5) percent of the approved gross floor area up to a maximum of 2500 square feet of gross floor area; and
    - (b) the maximum permitted FAR for the zoning district shall not be exceeded.
- C. For all approved special exception uses, any request for an addition shall require the provision of written notice by the requester in accordance with the following:
- (1) the notice shall include the letter of request with all attachments as submitted to the Zoning Administrator, a statement that the request has been submitted, and where to call for additional information; and
  - (2) the notice shall be sent to the last known address of the owners, as shown in the real estate assessment files of the Department of Tax Administration, of all property abutting and across the street from the site, or portion thereof, which is the subject of the request, and shall be delivered by hand or sent by certified mail, return receipt requested.

The request for an addition submitted to the Zoning Administrator shall include: an affidavit from the requester affirming that the required notice has been provided in accordance with the above; the date that the notice was delivered or sent; the names and addresses of all persons notified; and the Tax Map references for all parcels notified. No request for an addition shall be considered by the Zoning Administrator unless the affidavit has been provided in accordance with this paragraph.

When it is determined by the Zoning Administrator that a modification is not in substantial conformance with the approved special exception, such modification shall require the approval of an amendment to the special exception in accordance with Sect. 014 below or a new special exception.

**9-005 Establishment of Categories**

For purposes of applying specific conditions upon certain types of special exception uses, and for allowing special exception uses to be established only in those zoning districts which are appropriate areas for such uses, all special exception uses are divided into categories of associated or related uses, as hereinafter set forth in this Article 9.

**9-006 General Standards**

## SPECIAL EXCEPTIONS

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.

### **9-007 Conditions and Restrictions**

In addition to those standards set forth in this Article, the Board, in approving a special exception, may impose such conditions and restrictions upon the proposed use as it may deem necessary in the public interest to secure compliance with the provisions of this Ordinance and to protect the viability of the implementation of the adopted comprehensive plan. Such conditions or restrictions may include but need not be limited to a time limitation on the length of the exception in accordance with the provisions of Sect. 008 below and may require the posting of a guarantee or bond in a reasonable amount by the applicant.

### **9-008 Time Limitations, Extensions, Renewals**

In addition to the time limits set forth in this Article, the Board may require, as a condition of the approval of any special exception, that it shall be approved for a specified period of time; that it may be subsequently extended for a designated period by the Zoning Administrator; or

## SPECIAL EXCEPTIONS

R-30 District: Limited to uses 12, 15, 17, 27 and 38

R-MHP District: Limited to uses 12, 15, 27 and 38

PDH District: Limited to uses 11, 27 and 35

PDC District: Limited to uses 11 and 27

PRC District: Limited to uses 27 and 35

C-1 District: Limited to uses 10, 27 and 38

C-2 District: Limited to uses 6, 9, 10, 27 and 38

C-3 District: Limited to uses 6, 9, 10, 14, 18, 21, 22, 25, 27 and 38

C-4 District: Limited to uses 6, 9, 10, 14, 21, 22, 25, 27 and 38

C-5 District: Limited to uses 2, 3, 6, 11, 15, 17, 20, 21, 23, 27, 33, 34, 36, 37, 38, 39 and 41

C-6 District: Limited to uses 2, 3, 4, 6, 11, 14, 15, 17, 20, 21, 23, 25, 27, 30, 33, 34, 36, 37, 38 and 39

C-7 District: Limited to uses 2, 3, 4, 6, 7, 8, 10, 11, 15, 17, 20, 21, 23, 25, 26, 27, 30, 33, 34, 36, 37, 38 and 39

C-8 District: Limited to uses 2, 3, 4, 6, 7, 10, 11, 15, 16, 17, 20, 21, 23, 24, 25, 27, 30, 33, 34, 36, 37, 38 and 39

C-9 District: Limited to uses 2, 3, 4, 6, 10, 11, 17, 18, 20, 21, 23, 25, 26, 27, 33, 36 and 37

I-I District: Limited to use 27

I-1 District: Limited to uses 27 and 38

I-2 District: Limited to uses 9, 14, 15, 18, 22, 27 and 38

I-3 District: Limited to uses 3, 6, 9, 14, 15, 16, 18, 21, 22, 25, 26, 27, 29, 37, 38, 39 and kennels (outdoor)

I-4 District: Limited to uses 3, 6, 9, 14, 15, 18, 19, 21, 22, 25, 27, 28, 32, 37, 38, 39 and kennels (outdoor)

I-5 District: Limited to uses 3, 6, 7, 9, 11, 14, 18, 19, 20, 21, 23, 25, 27, 32, 33, 37, 38, 39 and kennels (outdoor)

I-6 District: Limited to uses 3, 6, 7, 11, 13, 18, 19, 20, 21, 23, 27, 31, 33, 37, 38, 39 and kennels (outdoor)

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

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

1. Except as qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located.
2. All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan or photometric plan as may be required by Part 9 of Article 14.
3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

## FAIRFAX COUNTY ZONING ORDINANCE

### 9-504 Additional Standards for Amusement Arcades

1. Such a use shall not be located closer than 1000 feet to any school. In addition, except when located under the roof of a shopping center, such a use shall not be located within 100 feet of any adjoining property which is in an R district.
2. Such use shall be established only after approval by the Board of a plan setting forth acceptable rules for the operation of the establishment. Such plan shall specify (a) procedures to preclude gambling and loitering; (b) regulations regarding the use of the establishment by school age children; and (c) procedures for the enforcement of the rules.
3. In addition, the Board shall impose such conditions and restrictions as it may deem necessary to assure that the use will be compatible with and will not adversely impact the adjacent area. Such conditions and restrictions may include, but need not be limited to, the following:
  - A. Hours of operation.
  - B. Number of adult attendants required to be on the premises at all times.
  - C. Size of the establishment and the number of amusement machines.

### 9-505 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.

## SPECIAL EXCEPTIONS

2. In the C-3 and C-4 Districts, in addition to Par. 1 above:
  - A. All such uses, except drive-in banks, shall be an integral design element of a site plan for an office building or office building complex containing not less than 35,000 square feet of gross floor area.
  - B. Such a use shall have no separate and exclusive curb cut access to the abutting highway.
  - C. There shall be no outside storage or display of goods offered for sale.
  - D. Service stations shall not include any ancillary use such as vehicle or tool rental, and shall be limited to the servicing and retail sales of products used primarily by passenger vehicles.
  - E. Service stations shall not be used for the performance of major repairs, and shall not include the outdoor storage of more than two (2) abandoned, wrecked or inoperable vehicles on the site for more than seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, in no event shall any one (1) abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding seventy-two (72) hours.
3. 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. In the C-7, C-8 and C-9 Districts, in addition to Par. 1 above:
  - A. In the C-7 or C-9 District, there shall be no outdoor storage or display of goods offered for sale except for the outdoor storage or display of goods permitted at a service station or service station/mini-mart.
  - B. Service stations and service station/mini-marts shall not be used for the performance of major repairs, and shall not include the outdoor storage of more than four (4) abandoned, wrecked or inoperable vehicles on the site for more than seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, in no event shall

## FAIRFAX COUNTY ZONING ORDINANCE

any one (1) abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding seventy-two (72) hours.

- C. The outdoor area devoted to any use such as vehicle or tool rental shall be limited to the area so designated on an approved special exception plat.
5. In the I-3, I-4, I-5 and I-6 Districts, in addition to Par. 1 above:
- A. All such uses, except drive-in banks, shall be an integral design element of a site plan for an industrial building or building complex containing not less than 30,000 square feet of gross floor area.
  - B. In an I-3 or I-4 District, there shall be no outdoor storage or display of goods offered for sale except for the outdoor storage or display of goods permitted at a service station.
  - C. In an I-3 or I-4 District, service stations shall not be used for the performance of major repairs, and shall not include the outdoor storage of more than four (4) abandoned, wrecked or inoperable vehicles on the site for more than seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, in no event shall any one (1) abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding seventy-two (72) hours.
  - D. No Building Permit shall be approved for such a use unless a Building Permit has been approved for the related industrial building(s).
  - E. The outdoor area devoted to any use such as vehicle or tool rental shall be limited to that area so designated on an approved special exception plat.
6. In the PDH and PDC Districts, in addition to Par. 1 above:
- A. In the PDH District, fast food restaurants may be permitted only in accordance with the provisions of Sect. 6-106 and the following:
    - (1) Such use may be permitted only upon a finding by the Board that the planned development is of sufficient size to support the proposed use, and that the use is designed to serve primarily the needs of the residents of the development.
    - (2) Such use shall be designed and located so as to maintain the intended secondary nature of the use, and so that the associated impacts, including but not limited to associated on-site and off-site vehicular traffic, noise, odors, and visual impact, will not adversely affect the residential character of the development and surrounding properties.
    - (3) All direct vehicular access to the use shall be provided via the internal circulation system of a commercial area of the PDH development, which commercial area shall contain not less than three (3) non-automobile-related commercial establishments.

## SPECIAL EXCEPTIONS

- (4) The proposed development shall provide clearly designated pedestrian facilities for safe and convenient access from surrounding residential and commercial uses.

B. In the PDC District, fast food restaurants may be permitted only in accordance with the provisions of Sect. 6-206.

### **9-506 Additional Standards for Commercial Recreation Restaurants**

1. All such uses shall be designed and operated as a combined use for family-oriented recreation and on-premise dining.
2. No person under 18 years of age shall be permitted to frequent the premises unless accompanied by a parent or guardian.
3. The sale and consumption of food, frozen deserts or beverages shall be limited to the premises. Notwithstanding the above, the establishment may provide a carry-out service provided that such carry-out service is clearly not the principal business of that portion of the establishment devoted to the sale and consumption of food, frozen desserts or beverages.
4. The recreation portion of the establishment shall not be advertised or operated as a separate facility.
5. Any areas devoted primarily to mechanical and/or electronic operated games shall encompass no more than twenty-five (25) percent of the total gross floor area of the establishment.

### **9-507 Additional Standards for Convenience Centers**

1. No convenience center shall be approved in a neighborhood or subdivision which has been recorded or recorded in part prior to the effective date of this Ordinance. In addition, no convenience center shall be located on a lot adjacent to existing dwellings, unless such center was represented on an approved development plan.
2. The approval of a special exception for a convenience center shall be subject to the approval of a development plan prepared in accordance with the provisions of Sect. 16-502.
3. No convenience center shall be located within a distance of one (1) mile from any other similar retail commercial use.
4. Uses within a convenience center shall be limited to retail sales establishments, personal service establishments and quick-service food stores oriented to serve the residents of the immediate neighborhood.
5. In no event shall the gross floor area of a convenience center exceed 2000 square feet.

**GLOSSARY**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### Abbreviations Commonly Used in Staff Reports

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