



APPLICATIONS ACCEPTED: March 6, 2012
PLANNING COMMISSION: July 26, 2012
BOARD OF SUPERVISORS: Not Scheduled

County of Fairfax, Virginia

July 12, 2012

STAFF REPORT

SE 2012-MA-004

MASON DISTRICT

APPLICANT: Jooan Peace, Inc.

EXISTING ZONING: R-2, HC

PARCEL(S): 59-4 ((6)) 20B

ACREAGE: 26,939 sq. ft.

FAR: N/A

OPEN SPACE: N/A

PLAN MAP: Residential, 2-3 dwelling units per acre

SE CATEGORY/USE: Category 6: Parking in R Districts

PROPOSAL: Request for Special Exception approval to permit the construction of a parking lot in a Residential District.

STAFF RECOMMENDATIONS:

Staff recommends approval of SE 2012-MA-004, subject to development conditions consistent with those contained in Appendix 1.

Staff recommends approval of a modification of the transitional screening requirement along the northern property line in favor of the SE Plat and development conditions.

Miriam Bader, AICP

Staff recommends approval of a modification of the transitional screening requirement along the western property line in favor of the SE Plat.

Staff recommends approval of a waiver of the barrier requirement along the western property line.

It should be noted that it is not the intent of the Staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards; and that, should this application be approved, such approval does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application

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.

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 TTY 711 (Virginia Relay Center).

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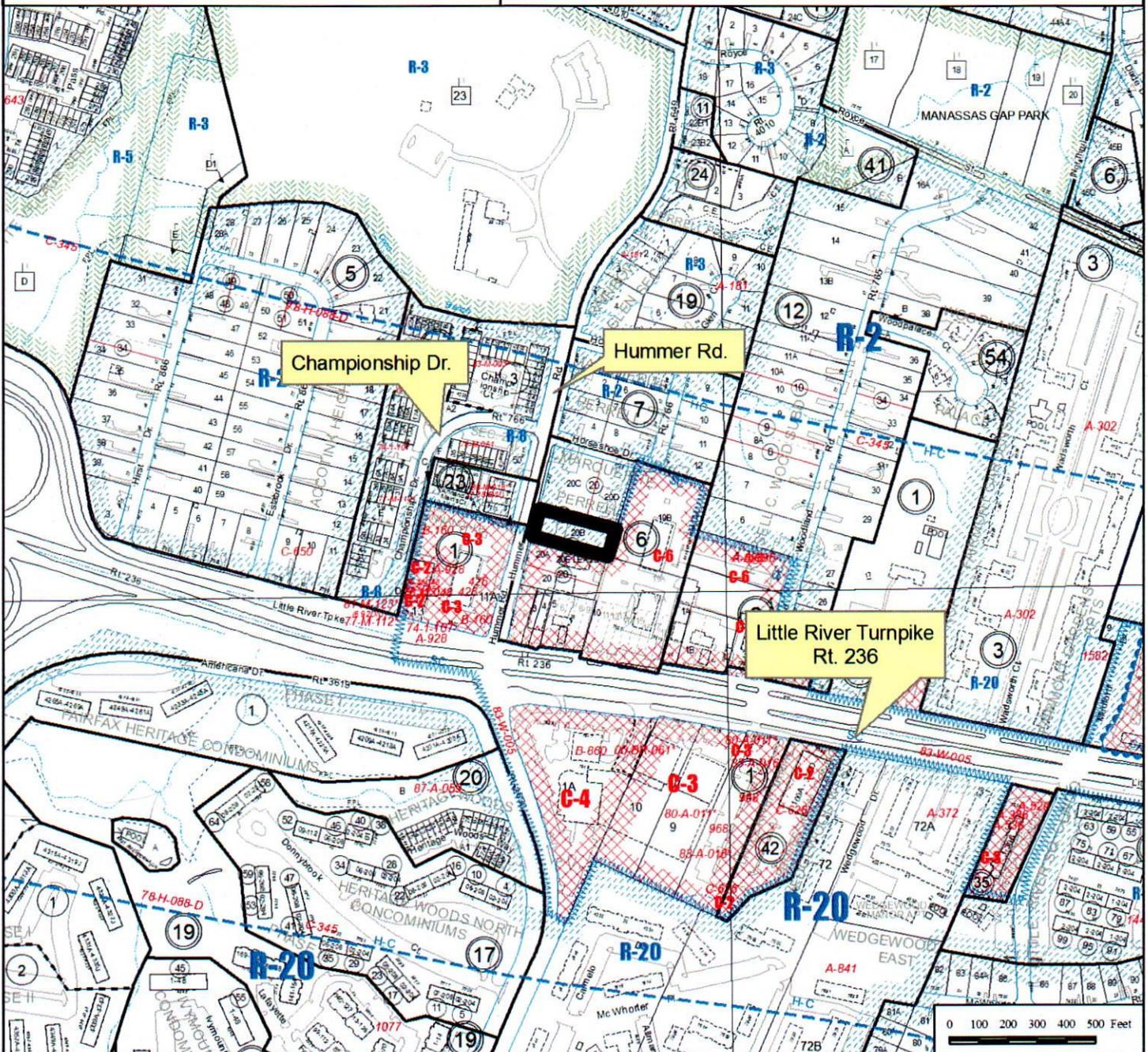
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Exception

SE 2012-MA-004



Applicant: JOOAN PEACE, INC.
Accepted: 03/06/2012 - AMENDED 4/10/2012
Proposed: PARKING IN R DISTRICT
Area: 26,939 SF OF LAND; DISTRICT - MASON
Zoning Dist Sect: 09-0609
Art 9 Group and Use: 6-05
Located: 4119 HUMMER ROAD, ANNANDALE, VA 22003
Zoning: R- 2
Plan Area: 1
Overlay Dist: HC, SC
Map Ref Num: 059-4 /06/ /0020B



SPECIAL EXCEPTION PLAT

4119 HUMMER ROAD

SE 2012-MA-004

GENERAL NOTES:

- THE PROPERTY DEPICTED ON THIS SPECIAL EXCEPTION PLAT (PLAT) IS LOCATED ON FAIRFAX COUNTY TAX ADJUDICATION MAP # 1094-04-00000. THE PROPERTY IS ZONED R-2.
- THE PROPERTY IS IN THE NAME OF "JOHN PENCE INC." (INC). DEED BOOK: 21375 0036. 1204 RECORDED IN FAIRFAX COUNTY, VA.
- DEVELOPER: JOHN PENCE INC.
4119 HUMMER RD.
MANASSAS
VA 20108
- THE BOUNDARY INFORMATION SHOWN HEREON IS BASED ON RECORDS AND INFORMATION OF PUBLIC RECORDS. NO TITLE REPORT WAS FORWARDED.
- THE CONTOUR INTERVAL AS SHOWN ON THE PLAT IS 2 FEET BASED ON THE FIELD RUN TOPOGRAPHIC SURVEY PERFORMED BY DOMINION ENGINEERS INC. IN FEBRUARY 2011.
- THE PROPERTY DEPICTED ON THIS SPECIAL EXCEPTION PLAT IS IN THE MASON INDUSTRIAL DISTRICT AND ACCIDENT UNDER INTEREST.
- THE FAIRFAX COUNTY COMPREHENSIVE PLAN REQUIRES DEVELOPMENT OF THE PROPERTY AT A DENSITY OF 2 RESIDENTIAL UNITS PER 1 AC.
- A POTENTIAL LOCATION FOR A SIGN FACILITY HAS BEEN SHOWN ON THE PLAN. SEE SHEET 2 FOR ADDITIONAL INFORMATION AND SPECIFIC DETAILS CONCERNING THE SIGN FACILITY. ANY EXCAVATION OR INSTALLATION REQUIRED FOR A SIGN FACILITY SHALL STRICTLY ADHERE TO THE SIGNAGE AND REGULATIONS AS SET FORTH BY FAIRFAX COUNTY AND THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES (DPW). THE PROJECT APPLICANT WITH HIGH QUALITY CONTROL REQUIREMENTS AND SIGN QUALITY CONTROL REQUIREMENTS. THE SIGNAGE PLAN AND A GRAVEL STABILIZATION UNDERDRAIN IS A TREE BOX FILLER HAS ALSO BEEN PROPOSED TO MEET THE SIGN REQUIREMENTS. AN ADEQUATE OUTFALL ANALYSIS HAS BEEN SHOWN ON SHEET 4 OF THE PLAN SET.
- AN EROSION AND SEDIMENT CONTROL PLAN SHALL BE SUBMITTED AS A PART OF THE SITE PLAN TO FAIRFAX COUNTY FOR REVIEW AND APPROVAL.
- TO THE BEST OF OUR KNOWLEDGE, AND WITHOUT INTENT TO BE A TITLE REPORT, THERE ARE NO ENCUMBRANCES EQUAL TO OR GREATER THAN 2" ON THE SITE.
- THERE ARE NO KNOWN HAZARDOUS OR TOXIC SUBSTANCES ON THIS SITE. IF ANY SUCH SUBSTANCES ARE FOUND, THE METHODS FOR DISPOSAL SHALL adhere TO COUNTY, STATE OR FEDERAL LAW.
- THE DEVELOPMENT WILL BE SERVED BY PUBLIC WATER AND SEWAGE DISPOSAL SYSTEM.
- ALL PROPOSED PUBLIC UTILITIES WILL BE PLACED UNDERGROUND. THE UTILITY LAYOUT SHOWN HEREON IS PRELIMINARY AND SUBJECT TO CHANGE BASED ON THE FINAL ENGINEERING. ALL NECESSARY PUBLIC UTILITIES, IF FEASIBLE, ACCESSIBLE TO THE SITE, WILL BE EXTENDED BY THE DEVELOPER AND/OR UTILITY COMPANY.
- AS PER THE FAIRFAX COUNTY OVERSEAS BAY PRESERVATION AREA MAP, THE SITE IS OVERSEE RESERVE PROTECTION AREA (OPA).
- PARKING LOT LIGHTING SHALL BE FULL CUT-OFF, FURN-FLAME, DOWNWARD DIRECTING, AND WITH A MAXIMUM HEIGHT OF 15 FEET. ALL OUTSIDE LIGHTING SHALL CONFORM TO THE ARTICLE 14 OF THE FAIRFAX COUNTY ZONING ORDINANCE.
- A SIGN PERMIT SHALL BE OBTAINED FOR THE PROPOSED SIGN AND SHALL MEET THE REQUIREMENTS OF ARTICLE 12.2-208 (6) OF THE FAIRFAX COUNTY ZONING ORDINANCE.
- THE SUBJECT PROPERTY LIES OUTSIDE THE APPLICABLE RECREATION OPEN SPACE DISTRICT.
- TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO KNOWN ENCUMBRANCES OR EASEMENTS LOCATED ON THE SITE.
- AS PER FEMA FIRM PANEL 1702020020E, THIS PROPERTY LIES IN ZONE X WHICH IS OUTSIDE THE 500-YR FLOOD PLAIN LIMIT.
- THE PROPOSED UNITS OF CLEARING AND GRADING ARE SHOWN ON THE PLAN ARE APPROXIMATE. THESE LIMITS ARE SUBJECT TO ADJUSTMENT AT THE TIME OF FINAL GRADING AND ENGINEERING.
- ANY AND ALL OFF-SITE DRIVING FROM PARKING AREAS AND UTILITY CROSSINGS SHALL BE ALIGNED WITH THE CENTERLINE OF THE ADJACENT DRIVE.
- PRIVATE STREETS, DRIVE WALKS AND PARKING SPACES SHALL CONFORM TO THE STANDARDS SET FORTH BY THE FAIRFAX COUNTY PUBLIC WORKS DEPARTMENT (UNLESS A WALKER OR WHEELCHAIR USER'S STANDARDS IS INDICATED FROM SPINALS).
- PARKING WILL BE PROVIDED IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 11.1 OF THE FAIRFAX COUNTY ZONING ORDINANCE. THE NUMBER OF PARKING SPACES PROVIDED MAY BE ADJUSTED BASED ON THE ACTUAL NUMBER OF SEATS PROVIDED. THE NUMBER OF PARKING SPACES WILL ONLY BE REDUCED TO A LESSEY NUMBER OF SEATS ARE CONSTRUCTED IN ACCORDANCE WITH THE ARCHITECTURAL PLANS. THE REDUCTION IN PARKING SPACES WILL BE IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 11.1. THE APPLICANT REQUESTS THE RIGHT TO DEVELOP A LESSEY AMOUNT OF 60000 FLOOR AREA THIS THAT NUMBER REDUCED HEREON AND REDUCE THE NUMBER OF PARKING SPACES ACCORDINGLY (SEE GENERAL NOTE 16 ABOVE).
- THE DISTANCE FROM THE BUILDING(S) TO AN INDIVIDUAL PROPERTY LINE HAS BEEN SHOWN ON THE PLAN.

- PROPOSED LANDSCAPING SHALL MEET OR EXCEED (UNLESS NOTED OTHERWISE) FAIRFAX COUNTY REQUIREMENTS INCLUDING INTEREST AND PERMEABILITY.
- ADDITIONAL SITE FEATURES SUCH AS DRIVEWAY SIGNS, LIGHTS, AND/OR WALLS IF REPRESENTED HEREON ARE FOR ILLUSTRATIVE PURPOSES ONLY. HOWEVER, THE FINAL FEATURES WILL BE IN SUBSTANTIAL CONFORMANCE WITH THESE SPACES.
- THIS DEVELOPMENT PROPOSED PUBLIC ACCESS EASEMENT THROUGH LOT # 204 TO ACCESS THE PROPOSED FABRIC FACILITY ON LOT # 203. THIS ACCESS EASEMENT SHALL BE PAVED PER THE STANDARDS SET FORTH BY THE FPM AND SHALL BE USED FOR SIGN ACCESS PURPOSES.
- THE DISTURBED AREA FOR THIS PROJECT IS 33,814 SF (0.77 AC).
- AS PER FAIRFAX COUNTY "ROADSIDE TRAIL PLANT" THERE IS A WALKWAY TRAIL (EQUIPMENT OR CONCRETE) TO BE BUILT IN NORTH PLANNED ALONG THE WEST SIDE (UPPER SIDE OF SUBJECT PROPERTY OF HUMMER ROAD).

ZONING REQUIREMENTS:		
TAX MAP # 0094-00-00000	REQ'D	PROPOSED
MIN. LOT AREA	15,000 SF	20,349 SF
MIN. BUILDING HEIGHT	6' FT	N/A
MIN. YARD REQUIREMENTS:		
FRONT	35'	N/A
SIDE	15'	N/A
REAR	25'	N/A
MAXIMUM FAR	0.20	N/A

TRANSITIONAL SCREENING WAIVER:

THIS APPLICATION SEeks TO APPLY FOR A MODIFICATION OF TRANSITIONAL SCREENING ALONG TO NORTHERN AND ITS WESTERN BOUNDARY, AND A WAIVER OF A TRANSITIONAL SCREEN BARRIER ALONG TO WESTERN BOUNDARY. JUSTIFICATION FOR THE APPLICATION FOLLOWS:

- Modification Transitional Screening - Western Boundary**
Per Zoning Ordinance Article 12.0-24.2, the application seeks approval of a transitional screening modification along the western property line to reduce the width of the transitional screening from 20 feet to 10 feet. A full transitional screening of 20 feet will require an on-site barrier to screening to screening access and will produce a reasonable use of the lot for its intended purpose. Instead, this applicant proposes to retain and protect the existing on-site barrier to screening of 10 feet which will provide the same level of screening and visual privacy as a full transitional screening. This modification is a reasonable use of the lot and will provide for an adequate urban appearance consistent with surrounding areas and the character of the neighborhood.
- Waiver Transitional Screening - Western Boundary**
Per Zoning Ordinance Article 12.0-24.2, the application seeks approval of a waiver of a transitional barrier along the western property line. Currently, the residential area within the lot from the property is separated by an existing 10-foot high fence and an existing on-site barrier to screening. The western side of the lot is a 10-foot wide driveway. As a result, the applicant proposes to waive the transitional barrier to screening along the western boundary due to the need for vehicle access to the lot and the existing level of screening of the adjacent site. The applicant proposes to provide a 10-foot wide driveway and an on-site barrier to screening and landscaping to provide an adequate urban appearance consistent with surrounding areas and the character of the neighborhood.

SITE TABULATIONS:

USE	HEIGHT
HOME OFFICE (UNDER SPECIAL PERMIT # 201004-04-001)	20 FT
VACANT	N/A
PROPOSED	N/A
GRASSY FLOOR AREA (GFA)	28,834 SF
EXISTING FLOOR AREA (EFA)	N/A
OVERLAY DISTRICT	N/A

PROPOSED STRUCTURES:

PROPOSED BUILDING	N/A
MAXIMUM FLOOR AREA RATIO (FAR) ALLOWED	0.20
PROPOSED FAR (BASED ON GFA)	N/A
MAXIMUM BUILDING HEIGHT ALLOWED	20 FEET
MAXIMUM BUILDING HEIGHT PROPOSED	N/A
APPROXIMATE YEAR OF CONSTRUCTION FOR EXISTING STRUCTURES:	1949
BUILDING	1949
GARAGE	1949
OPEN SPACE REQUIRED:	N/A
OPEN SPACE PROVIDED (PER U.S.A.):	44.1 %

PARKING TABULATION:

TOTAL PARKING PROVIDED FOR PROPOSED DEVELOPMENT	
NO. OF SEATS	104
NO. OF EMPLOYEES	20
PARKING FOR VISITORS/PATRONS (WHEN 4 SEATS)	26
PARKING FOR EMPLOYEES (WHEN 4 EMPLOYEE)	25
TOTAL PARKING PROVIDED	51

TOTAL PARKING PROVIDED FOR EXISTING BUILDING/CONTAINER	
NO. OF SEATS	100
NO. OF EMPLOYEES	20
PARKING FOR VISITORS/PATRONS (WHEN 4 SEATS)	20
PARKING FOR EMPLOYEES (WHEN 4 EMPLOYEE)	7
TOTAL PARKING PROVIDED	32

GRAND TOTAL OF PARKING REQUIRED:	81
TOTAL TRUCK PARKING PROVIDED:	4

TOTAL PARKING PROVIDED	
TOTAL ON-SITE PARKING PROVIDED (THIS APPLICATION)	49
TOTAL OFF-SITE PARKING PROVIDED:	32
GRAND TOTAL OF THE PARKING PROVIDED:	81
TOTAL TRUCK PARKING PROVIDED:	4

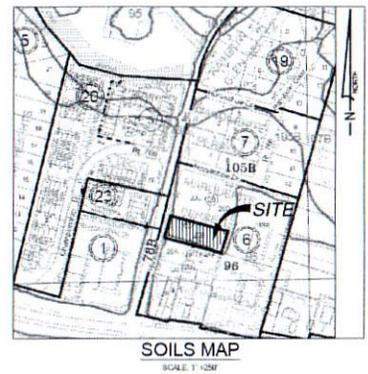
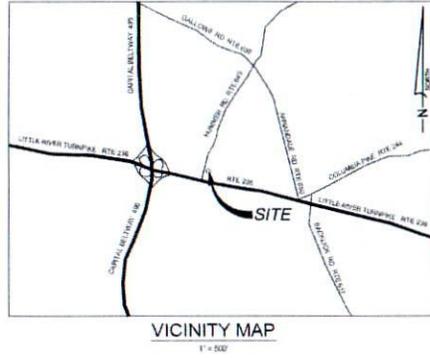
TREE COVER CALCULATIONS:

GRASSY FLOOR AREA (GFA):	28,834 SF
TREE PRESERVATION TARGET (%):	50% (34,417 SF)
EXISTING TREE COVER (%):	47.0% (13,574 SF)
EXISTING TREE COVER (T):	14,540
TREE PRESERVATION TARGET (%):	14,540 + 28,834 = 43,374 SF
3,800 SF (ORIGINAL PROPOSED), 1,800 SF (WITHIN LOT AREA)	3,800 + 1,800 = 5,600 SF (IN A-LAND PROPOSED)
TREE PRESERVATION TARGET (%):	3,800 SF + 1,800 SF = (TREE PRESERVATION TARGET IS MET)
TREE CANOPY BUFFER - NORTHERN SIDE	1,500 SF
- WESTERN SIDE	1,150 SF
- TOTAL BUFFER	2,650 SF
TREE CANOPY - INTERIOR PARKING	1,000 SF
TOTAL TREE CANOPY PROVIDED:	11,740 SF
> 8,079 SF (TREE CANOPY REQUIREMENT IS MET)	

PROPOSED TREE SHADE AREA IS APPROXIMATE ONLY. ACTUAL TREE SHADE AREA TO BE DETERMINED IN CONJUNCTION WITH FAIRFAX COUNTY FOREST MANAGEMENT DIVISION AT THE TIME OF FINAL SITE PLAN.

LOADING SPACE:

LOADING SPACES REQUIRED (AS SET FORTH IN SECTION 11-200)	1 NOS.
REQUIRED LOADING SPACE	1 NOS.
PROVIDED LOADING SPACE	1 NOS.



SOILS DATA									
SOIL NO.	SOLLWAVE	PROPOSED CLASS	POSSIBLE CROPPING SUPPORT	DRAINAGE	SPECIFIC DRAINAGE	PERCENTAGE OF PROPOSED	PERCENTAGE OF PROPOSED	PERCENTAGE OF PROPOSED	PERCENTAGE OF PROPOSED
100	MEAD/CALHOUN/3 COMPLEX	HU	SOGD	SOGD	SOGD	SOGD	SOGD	SOGD	SOGD
200	MEAD/CALHOUN/3 COMPLEX	HU	FAIRWE	FAIRWE	FAIRWE	FAIRWE	FAIRWE	FAIRWE	FAIRWE
300	MEAD/CALHOUN/3 COMPLEX	HU	FAIRWE	FAIRWE	FAIRWE	FAIRWE	FAIRWE	FAIRWE	FAIRWE

SHEET INDEX:

- COVER SHEET
- SPECIAL EXCEPTION PLAT
3. SIGNAGE PLAN AND COMPUTATION & CHECKLIST
4. OUTFALL DRAINAGE AREA MAPS, COMPUTATIONS & NARRATIVE
5. STREETSCAPE PLAN & DETAILS
6. EXISTING CONDITION, DEMOLITION PLAN AND VEGETATION MAP
7. CIRCULATION AND LANDSCAPE PLAN

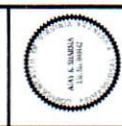
Dominion Engineers, Inc.
 Planners • Civil Engineers • Landscape Architects • Land Surveyors
 1480 HOPWELLS LANDING DRIVE, GAINESVILLE, VA 20145
 TEL: 703-261-1100 FAX: 703-261-1185

COVER SHEET
4119 HUMMER ROAD
 MASON DISTRICT, FAIRFAX COUNTY, VIRGINIA

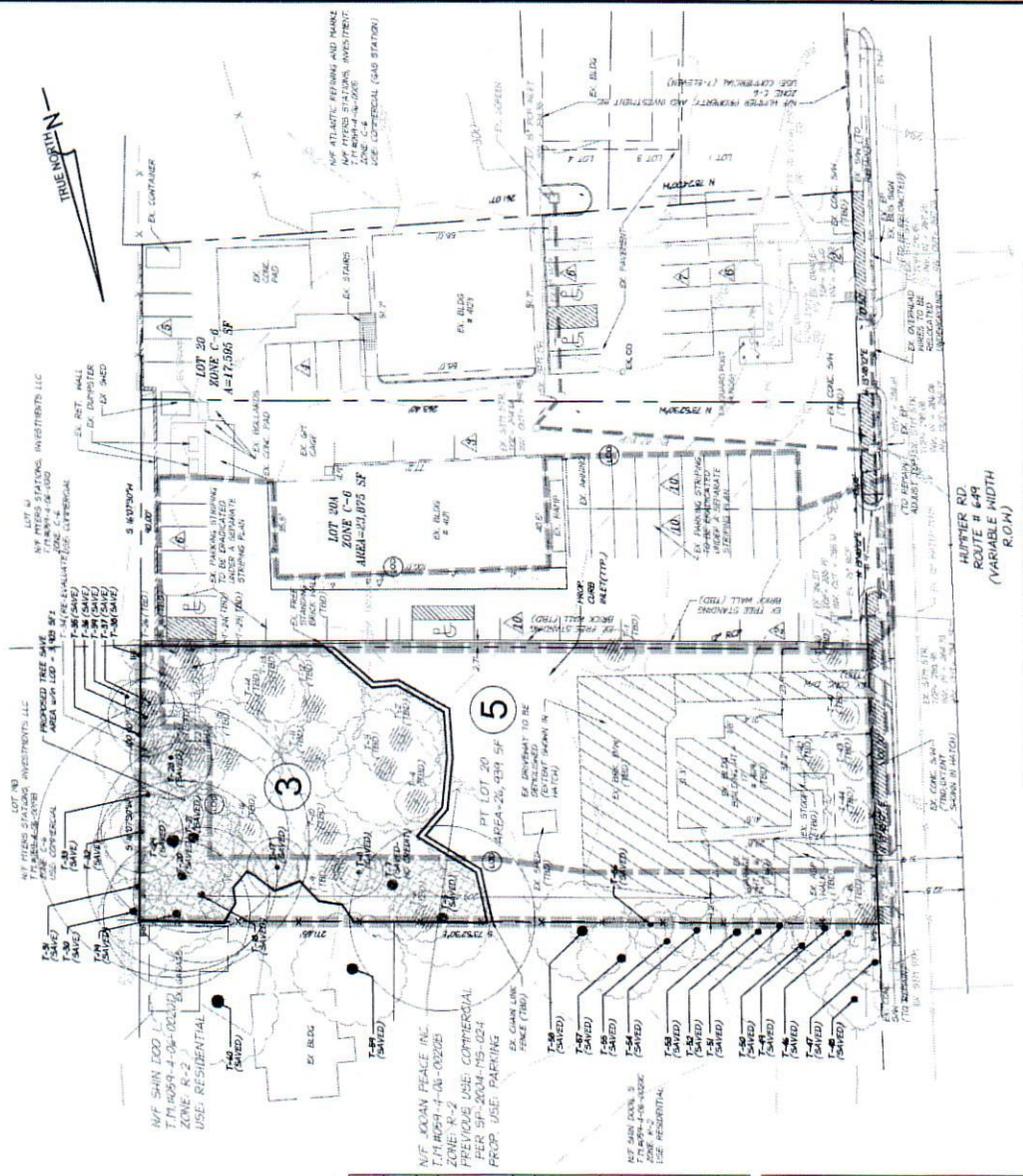


NO.	DATE	BY	REVISION
1			ISSUE FOR PERMITTING
2			ISSUE FOR PERMITTING
3			ISSUE FOR PERMITTING

SCALE	AS NOTED	DATE	08/22/11
PROJECT NO.	1941-016HUM		
PROJECT NAME	4119 HUMMER ROAD		
SHEET NO.	1	TOTAL SHEETS	7



NO.	DATE	DESCRIPTION
1	02/22/2011	AS NOTED
2	02/22/2011	AS NOTED
3	02/22/2011	AS NOTED
4	02/22/2011	AS NOTED
5	02/22/2011	AS NOTED
6	02/22/2011	AS NOTED
7	02/22/2011	AS NOTED
8	02/22/2011	AS NOTED
9	02/22/2011	AS NOTED
10	02/22/2011	AS NOTED



GRAPHIC SCALE
 (IN FEET) 1" = 20'
 0 20 40

EWIS SUMMARY TABLE

Code	Tree Type	Primary Species	Succession Stage	Condition	Storage	Comments
3	Upland Forest	Made to some form of pine	Sub-Climax	Fair	0.23 ac	This Code is assigned to large canopy trees with a canopy height of 40-60 feet. These trees are in good health and are in the early stages of succession.
5	Developed	Ornamental plantings	NA	Fair	0.39 ac	This Code is assigned to trees in areas that have been developed. These trees are in good health and are in the early stages of succession.

NOTE: 1. ANY EXISTING TREES THAT ARE PROPOSED TO BE REMOVED SHALL BE SELECTIVELY AND CAREFULLY REMOVED IN SECTIONS



TREE PRESERVATION CALCULATIONS

NO.	AREA	TYPE	CODE	ACRES	PERCENT	TOTAL ACRES
1	1	Upland Forest	3	0.23	100%	0.23
2	2	Developed	5	0.39	100%	0.39
3	3	Upland Forest	3	0.23	100%	0.23
4	4	Developed	5	0.39	100%	0.39
5	5	Upland Forest	3	0.23	100%	0.23
6	6	Developed	5	0.39	100%	0.39
7	7	Upland Forest	3	0.23	100%	0.23
8	8	Developed	5	0.39	100%	0.39
9	9	Upland Forest	3	0.23	100%	0.23
10	10	Developed	5	0.39	100%	0.39
11	11	Upland Forest	3	0.23	100%	0.23
12	12	Developed	5	0.39	100%	0.39
13	13	Upland Forest	3	0.23	100%	0.23
14	14	Developed	5	0.39	100%	0.39
15	15	Upland Forest	3	0.23	100%	0.23
16	16	Developed	5	0.39	100%	0.39
17	17	Upland Forest	3	0.23	100%	0.23
18	18	Developed	5	0.39	100%	0.39
19	19	Upland Forest	3	0.23	100%	0.23
20	20	Developed	5	0.39	100%	0.39
21	21	Upland Forest	3	0.23	100%	0.23
22	22	Developed	5	0.39	100%	0.39
23	23	Upland Forest	3	0.23	100%	0.23
24	24	Developed	5	0.39	100%	0.39
25	25	Upland Forest	3	0.23	100%	0.23
26	26	Developed	5	0.39	100%	0.39
27	27	Upland Forest	3	0.23	100%	0.23
28	28	Developed	5	0.39	100%	0.39
29	29	Upland Forest	3	0.23	100%	0.23
30	30	Developed	5	0.39	100%	0.39
31	31	Upland Forest	3	0.23	100%	0.23
32	32	Developed	5	0.39	100%	0.39
33	33	Upland Forest	3	0.23	100%	0.23
34	34	Developed	5	0.39	100%	0.39
35	35	Upland Forest	3	0.23	100%	0.23
36	36	Developed	5	0.39	100%	0.39
37	37	Upland Forest	3	0.23	100%	0.23
38	38	Developed	5	0.39	100%	0.39
39	39	Upland Forest	3	0.23	100%	0.23
40	40	Developed	5	0.39	100%	0.39
41	41	Upland Forest	3	0.23	100%	0.23
42	42	Developed	5	0.39	100%	0.39
43	43	Upland Forest	3	0.23	100%	0.23
44	44	Developed	5	0.39	100%	0.39
45	45	Upland Forest	3	0.23	100%	0.23
46	46	Developed	5	0.39	100%	0.39
47	47	Upland Forest	3	0.23	100%	0.23
48	48	Developed	5	0.39	100%	0.39
49	49	Upland Forest	3	0.23	100%	0.23
50	50	Developed	5	0.39	100%	0.39

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

DESCRIPTION OF THE APPLICATION

The applicant is seeking approval of a special exception, SE 2011-MA-004, to permit the construction of an overflow parking lot in a Residential District. The subject property is located at 4119 Hummer Road. The purpose of the overflow parking lot is to serve the patrons of the Ye Chon restaurant, located on the adjacent property to the south on Hummer Road.

WAIVERS & MODIFICATIONS REQUESTED:

- Modification of the transitional screening requirement along the northern property line in favor of the SE Plat and development conditions.
- Modification of the transitional screening requirement along the western property line in favor of the SE Plat.
- Waiver of the barrier requirement along the western property line.

LOCATION AND CHARACTER

The subject property is located on the east side of Hummer Road, approximately 200 feet north of Hummer Road/Little River Turnpike and approximately 1/3 mile east of the Capital Beltway interchange with Little River Turnpike.

The property is currently zoned R-2 with a Highway Corridor (HC) Overlay District. The Annandale CRD boundary is located immediately to the south of the site. A single-family detached residence is located on the property, but is proposed to be removed. The Ye Chon restaurant, as mentioned previously, is the adjacent property to the south, located at 4121 Hummer Road. The Ye Chon restaurant is in a freestanding structure and is adjacent to a freestanding bakery and strip commercial shopping center that extends to Little River Turnpike. A single-family residence is located to the north of the subject site. Across Hummer Road, to the west of the subject site, are a townhouse development and an office building. A surface parking lot serving a mid-rise office building borders the property to the east. Beyond the immediately adjacent properties, the surrounding area is primarily single-family residential, with commercial properties fronting Little River Turnpike.

See the following table and aerial photo for further clarification.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Residential; single-family detached	R-2 (HC)	Residential; 2-3 du/ac
South	Ye Chon Restaurant	C-6 (HC) (SC)	Retail and Other
East	Office with off-street parking	C-6 (HC) (SC)	Office
West (across Hummer Road)	Residential; single-family attached, Office	R-8 (HC), C-3 (HC) (SC)	Residential; 5-8 du/ac Office



BACKGROUND

- In 1949, the existing house was built on the subject property at 4119 Hummer Road. This application proposes to remove the existing house.
- In 2003, an addition to the house was constructed.
- In 2004, a variance application, VC 2004-MA-078, was submitted and later withdrawn, to permit parking spaces less than 10.0 feet from the front lot line and front yard coverage greater than 25 percent.
- On January 26, 2005, a special permit application, SP 2004-MA-024, was approved by the Board of Zoning Appeals to permit a home professional office and reduction to the minimum yard requirements and an error in building location to permit a dwelling to remain 30.9 feet, a roofed deck 25.6 feet and stairs 20.9 feet from the front lot line, and an addition to remain 9.2 feet from the side lot line.

COMPREHENSIVE PLAN PROVISIONS (Appendix 4)

Plan Area:	Area I
Planning District:	Annandale Planning District
Planning Sector:	A1-Masonville Community Planning Sector
Plan Map:	Residential, 2-3 dwelling units per acre
Plan Text:	

In the Area I Volume of the Comprehensive Plan, 2011 Edition, amended through March 6, 2012, Annandale Planning District, A1 Masonville Community Planning Sector, page 90, the Plan states (in part):

“The Masonville Community Planning Sector contains stable residential neighborhoods. Infill development in these neighborhoods should be of a compatible use, type and intensity and in accordance with the guidance provided by the Policy Plan under Land Use Objectives 8 and 14.”

“Where substantial parcel consolidation is specified, it is intended that such consolidations will provide for projects that function in an efficient, well designed manner and provide for the development of adjacent unconsolidated parcels in conformance with the Area Plan.”

Additional relevant plan text can be found in Appendix 4.

ANALYSIS**Special Exception Plat** (Copy at front of staff report)

Title of SE Plat: Special Exception Plat, 4119 Hummer Road,
SE 2012-MA-004

Prepared By: Dominion Engineers, Inc.

Original and Revision Dates: August 22, 2011, as revised through
June 29, 2012

The SE Plat consists of seven sheets; an index is included on Sheet 1 of the SE Plat.

Description of Proposal:

The applicant, Jooan Peace, Inc., requests a Special Exception to allow the construction of an overflow off-site parking lot on the subject property located at 4119 Hummer Road. The purpose of the parking lot is to help serve the needs of the existing Ye Chon restaurant located on the adjacent property at 4121 Hummer Road.

The existing restaurant has an approved seating capacity of 104 seats with 25 employees. The restaurant is very popular and runs at its capacity almost every day during peak lunch and dinner hours, with significant wait periods. In addition, there is a bakery/cafeteria on the site of the restaurant that also generates parking space needs and must meet zoning ordinance parking requirements. The required number of off-street parking spaces for the two uses is 83 parking spaces, including four parking spaces for the handicapped. Currently, the site provides 49 parking spaces. The proposed overflow parking lot would provide an additional 50 parking spaces, for a total of 99 parking spaces for the two lots; providing 16 additional parking spaces more than what is required. (Note: The Statement of Justification states that 46 parking spaces are being proposed, but the SE plat shows 50 parking spaces. Staff is using the 50 parking space number as reflected on the SE plat.)

Currently, there is a 1,530 square foot single-family detached residence on the subject property with a detached garage (552 square feet), two open porches/porticos (20 square feet and 30 square feet respectively) and an enclosed porch (168 square feet). This house was built in 1949 and has been vacant for a number of years.

Originally, the applicant proposed to retain the residential structure, keeping it vacant with the plan to potentially turn it into an office in the future after having the property rezoned. However, the applicant has since proposed to demolish the residential structure to provide more area for parking, better circulation and more area for transitional screening. (Keeping the residential structure would not be permitted according to the Zoning Ordinance because one lot cannot have more than one primary use.)

Other information relating to the proposal:

- Parking lot lighting shall be full cut-off, non-glare, downward focusing, and with a maximum height of 12 feet. All outdoor light shall conform to Article 14 of the Zoning Ordinance.
- The subject property lies outside any flood plain, Resource Protection Area or Environmental Quality Corridors.
- The applicant is providing porous pavement and porous pavers and a bio-retention area that will provide BMP and stormwater management for 0.46 acres of the property. There is adequate outfall for the remaining 0.16 acres.
- Access to the parking lot will be through a proposed VDOT standard commercial entrance off of 4119 Hummer Road.
- The proposed parking lot will have vehicular connectivity to 4121 Hummer Road through inter-parcel access points as shown on the SE plat.
- In the most recent submittal, entrances to the overall site, including the restaurant and bakery, are proposed to be 30 feet wide to meet commercial entrance standards and 30 feet deep. A detail design will be submitted as part of the site plan review process. Note: Some of the sheets still indicate the entrances as less than 30 feet but the applicant understands that both entrances need to be 30 feet wide. A development condition has been written to ensure the entrances will be built to the required commercial standard.
- Even though the subject site is located outside the Annandale Revitalization District, the applicant has agreed to make the following streetscape improvements per the Annandale Revitalization District Standards:
 - Five foot wide brick sidewalk pavers will be constructed along the east side of Hummer Road in front of the subject site, the restaurant and the bakery, for a length of 260 feet.
 - Three acorn street lights will be installed to replace two existing street lights.
 - A six foot wide metal bench with black finish will be installed by the bus stop and will be maintained by the owner.
 - A trash receptacle will be installed by the bus stop and will be maintained by the owner.
 - A sodded grass strip will be added between the sidewalk pavers and the curb along Hummer Road.
- The bus stop sign along Hummer Road will be removed while the existing sidewalk is demolished and then re-established at the time the new sidewalk pavers are put in.
- A brick "plaza" planter, 25 feet wide by 40 feet long with a tree located in the middle will be constructed in the proposed parking lot.
- The existing fence and wall separating the subject site from the restaurant will be removed.
- The existing, adjoining restaurant is open 24 hours a day, seven days a week.
- There will be no attendants or employees employed for the parking lot site.
- There is a significant stand of trees located on the northeastern side of the lot that the applicant is proposing to save and protect.

- There is a significant stand of trees located on the northwestern side of the lot on the abutting residential property that the applicant is proposing to save and protect.
- A six foot high board on board wood fence will be erected along the northern property line with eight foot high posts. The fence will be located 17 feet away from the western side of the northern property line for a distance of approximately 160 feet travelling in an easterly direction, then the fence will shift back to run along the eastern side of the northern property line for a distance of approximately 90 feet. The reason the fence will shift is to protect the existing trees on and off-site as much as possible. (If the fence ran along the property line for the entire length of the northern property line the trees located on the abutting property to the north could be damaged and lost; if the fence ran 17 feet away from the northern property line for the entire length, then the existing trees on the subject property could be lost or damaged.)

Landscaping:

The applicant is proposing to save six significant trees along the eastern side of the northern property line and to plant 48 trees and over 82 shrubs. Along the western property line, the applicant is proposing to plant six trees and 15 shrubs. For interior parking lot plantings, the applicant is proposing to plant six trees and to satisfy the peripheral landscape canopy requirement, the applicant is proposing to save four trees and plant an additional deciduous tree. With the proposed plantings and tree savings, the applicant will meet the landscape requirements in terms of number of plant materials but is seeking a modification to reduce the required width of the transitional screening yard from 35 feet to 25 feet along the northern property line and from 35 feet wide to 21.5 feet wide along the western property line.

Land Use and Environmental Analysis (Appendix 4)

Parking as a primary use of property in residential districts may be approved as a Category 6 Special Exception. Although there is no specific comprehensive plan guidance for or against this type of use in the Masonville Planning Sector, development should be compatible in terms of use, type and intensity and meet the County's Land Use Policy Objectives 8 and 14 which serve to protect and maintain established neighborhoods.

The original application proposed to leave the residential structure intact, but without a plan for future intended use or occupancy. The residence has an undesirable history that limits the ability to sell or rent the home to future tenants. The Zoning Ordinance will not permit two primary uses on site; the applicant has revised the plans to depict the demolition of the structure.

The subject property serves as a transition between the commercial properties surrounding the Hummer Road/Little River Turnpike intersection (including Ye Chon), and a residential neighborhood extending farther north along Hummer Road and cross streets. The County's Land Use Policies recommend preventing commercial expansion

into established neighborhoods in order to preserve neighborhood character. However, Staff feels that the subject property's history and proximity to a busy restaurant diminishes its viability for continued use as a desirable single-family residence. With the screening and buffering proposed, use of this property as an overflow lot would provide an appropriate transition between adjacent commercial and residential areas and help limit the nuisance of haphazard overflow parking in front of other residences. Adverse impacts to the character of surrounding neighborhoods are not anticipated by the proposed development, and Staff finds it in substantial conformance with the Land Use Recommendations of the Comprehensive Plan.

Transportation Analysis (Appendix 5)

The proposed overflow parking lot will not create any additional trips because no new use or expansion to the existing use is being proposed.

The entrances need to be built to meet commercial standards. The applicant has agreed to build the entrances to meet the commercial standards and a development condition has been written to ensure that this is achieved.

Staff is concerned about how the circulation of the proposed overflow parking lot will function with the existing parking lot. The applicant states that a proposed circulation plan for Lots 20 (overflow parking lot) and 20A (restaurant lot- is not part of this SE application) will be submitted as a consolidated site plan (see note on Sheet 2); the proposed striping plan shall be subject to the approval of FCDOT. A development condition has been written to require a consolidated plan be submitted as part of the site plan review process.

Urban Forest Management Analysis (Appendix 6)

With the latest revisions to the SE Plat, the applicant has adequately addressed all previous Urban Forestry issues. The applicant is proposing to retain and protect existing quality trees. A development condition has been written to ensure that the applicant use the proper means to preserve these trees. In addition, concern was expressed regarding being able to maintain the proposed trees to be located within a 17 foot wide strip on the northern side of the fence. Staff has found that sometimes, when fences are installed that "hide" landscaping, the property owner neglects maintaining the landscaping even though proper maintenance is a Zoning Ordinance requirement (Sect. 13-106). A development condition has been written that requires the applicant to install a gate in the fence to ease access to the screening yard located on the side of the fence facing the abutting property.

Storm Water Management Analysis (Appendix 7)

The property is located in the Accotink Creek Watershed. There is no RPA or floodplain on the site. A potential location for a SWM facility is shown on Sheet 3 of the plan set. The application addresses both SWM quality and quantity control requirements by using porous asphalt with gravel storage located underneath. A tree box filter has also been

proposed to meet the BMP requirements. During the site plan review process, BMP computations will be required to be shown for the tree box filter and porous pavement. An outfall analysis has been shown on Sheet 4 of the plan set. With the revisions to the SE Plat, the applicant has described the adequacy and stability of the outfall. A more detailed outfall study will be performed at the time of site plan review.

ZONING ORDINANCE ANALYSIS (Appendix 8)

From the following table, it has been demonstrated that the applicant either meets the Zoning Ordinance Bulk standards for the R-2 district or the standards are not applicable since the applicant is not proposing any structures.

Bulk Standards R-2 Zoning		
Standard	Required	Proposed
Lot Size	18,000 sq. ft. min.	26,939 sq. ft.
Lot Width	100 feet min.	100 feet
Building Height	60 feet max.	N/A
Front Yard	35 feet	N/A
Side Yard	15 feet	N/A
Rear Yard	25 feet	N/A
FAR	0.20	N/A
Open Space	N/A	44.31%
Parking Spaces*	83 including 4 handicapped accessible*	98
Loading Spaces*	1*	1

*For adjoining use on tax map 59-4 ((6)) 20A

Requested Waivers and Modifications Analysis:

Modification of the transitional screening requirement along the northern property line

The applicant is requesting a modification of the Transitional Screening 2 requirement along the northern property line, where the subject property abuts two single-family detached properties. According to the Zoning Ordinance Section 13-303, Transitional Screening 2, consisting of an unbroken strip of open space a minimum of 35 feet wide and planted with a mixture of trees. The applicant is seeking to reduce the width of the transitional screening yard from 35 feet wide to 25 feet wide. The applicant has stated that providing the full transitional screening yard width of 35 feet would result in an undue hardship by eliminating 14 parking spaces and would preclude a reasonable use of the lot for its requested purpose. Instead, the applicant proposes to retain and protect the existing quality canopy trees in the proposed 25 foot buffer, while removing

the undesirable and non-native species, and install a dense planting of deciduous and evergreen trees that are more compatible with an urbanizing area. In addition, a Barrier D, E (as may be required by the Director), or F, is required to be provided. The applicant is proposing to provide a Barrier F by installing a six foot high solid wood, board on board fence along the northern property line (Sheet 2). The installation of the solid wood fence along with the proposed dense landscaping should meet the purposes and intent of the transitional screening requirement; therefore, Staff supports this modification as shown on the SE plat with the proposed development condition to install a gate in the fence as discussed previously, subject to UFM approval.

Modification of the transitional screening requirement along the western property line

The applicant is also requesting a modification of the Transitional Screening 2 requirement along the western property line where the subject property is across Hummer Road from a fenced townhouse development. The applicant is seeking to reduce the width of the transitional screening yard from 35 feet wide to 21.5 feet wide. Based upon the need for vehicular access to the site and the existing layout constraints of the adjacent site, a continuous transitional screen cannot be provided along the western boundary. Previous design concepts to resolve this site design issue proved to be infeasible as they would shift the travel aisle farther east, resulting in non-alignment with the travel aisles for the parking proposed for the abutting parcel (the restaurant/bakery property). As a result, a full transitional screening of 35 feet would preclude the use of the site for its requested purpose. Instead, the Applicant proposes to modify the proposed buffer to a width of approximately 21.5 feet and install a dense entry planting of deciduous, evergreen trees and medium size shrubs that will make for both an attractive urban streetscape entrance and a transitional buffer to the residential area across the street. Staff supports this modification as shown on the SE plat, subject to UFM approval. A development condition has been written to require that sight distances are maintained.

Waiver of the barrier requirement along the western property line

The applicant is requesting a waiver of the Barrier requirement along the western property line where the subject property is across Hummer Road from a townhouse development. Currently, the townhouse development across the street from this property is protected by an existing 6 foot high wood fence and landscape planting along the western side of Hummer Road. As noted in the discussion for a modification to transitional screening for the western boundary (see above), a continuous transitional screen and barrier cannot be provided along the western boundary due to the need for vehicular access to the lot, providing adequate sight distance and due to the existing layout constraints of the adjacent site (the restaurant/bakery property). Due to the required 30-foot long access way, two segments remain which could support the fence, consisting of a 12-foot long strip and a 26-foot long strip, respectively. The applicant is proposing to provide a number of streetscape improvements per the Annandale Revitalization District Standards, as detailed previously in this report. If a fence were installed where possible, it might detract from the proposed streetscape improvements.

Staff supports this waiver of the barrier requirement in favor of the proposed streetscape improvements.

Zoning Ordinance Provisions (Appendix 8)

General Special Exception Standards (Sect. 9-006)

Par. 1 requires that the proposed use be in harmony with the Comprehensive Plan. The Comprehensive Plan designates the subject parcel as "Residential, 2-3 dwelling units per acre." The applicant proposes an off-street parking lot; specifically, an overflow parking lot for an adjacent restaurant. There is no specific comprehensive plan guidance for or against this type of use in the Masonville Planning Sector. However, the Comprehensive Plan does specify that development should be compatible in terms of use, type and intensity and should meet the County's Land Use Policy Objectives 8 and 14 which serve to protect and maintain established neighborhoods. The subject property is a transition area between the commercial properties surrounding the Hummer Road/Little River Turnpike intersection and a residential neighborhood extending further north along Hummer Road and cross streets. It is located just north of the Annandale CRD boundary. The County's Land Use Policies seek to prevent commercial expansion into established neighborhoods in order to preserve the neighborhood. However, Staff concludes that given the subject property's history and proximity to a busy restaurant and commercial node, its viability for continued use as a single-family residence is significantly diminished. The property has not been able to be used as a single family residence for a number of years. With the screening and buffering proposed, this property as an overflow lot would provide an appropriate transition between adjacent commercial and residential areas and help limit the nuisance of haphazard overflow parking in front of the other residences. Adverse impacts to the character of surrounding neighborhoods are not anticipated by the proposed development. Therefore, Staff concludes that the proposed use is in harmony with the Comprehensive Plan and that this standard has been met.

Par. 2 requires that the proposed use be in harmony with the purpose and intent of the applicable zoning district regulations. The purpose and intent of the R-2 - Residential District in addition to providing for single family detached dwelling at a density not to exceed two dwelling units per acre; is "to allow other selected uses which are compatible with the low density residential character of the district." The proposed use, off-street parking of motor vehicles, is considered a Category 6 – Miscellaneous Provisions Requiring Board of Supervisors' Approval Special Exception and needs to meet the provisions of Sect. 9-609, see discussion below. Staff concludes that the proposed use meets the purpose and intent of the applicable zoning district regulations.

Par. 3 requires that the proposed use be harmonious with and not adversely affect the use or development of neighboring properties in accordance with applicable zoning district regulations and the adopted Comprehensive Plan. It further states that the location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or

buildings or impair the value thereof. The parking lot is proposed to be sited abutting a restaurant along its southern boundary line. An office building and associated parking lot is located to the east of the site. A townhouse development and an office building are located across Hummer Road to the west of the site and single-family detached residential is located to the north of the site. Currently, the site contains a single-family detached residence. This house has remained vacant for many years due to an unfortunate history and due to its close proximity to the abutting commercial shopping area that consists of a very busy restaurant that is open 24 hours a day, seven days a week, a bakery, and a Seven-Eleven convenience store among other retail uses. The proposal is to provide a dense 25 foot wide transitional screening yard along the northern property line with a six foot high, solid wood fence, a dense 21.5 foot wide transitional screening yard along the western property line. These transitional screening yards will provide a better buffer/transition for homes to the north and west than the current residential use. In addition, the applicant is proposing to make a number of streetscape improvements per the Annandale Revitalization District standards that will incorporate brick sidewalk pavers, acorn lighting fixtures, a bench, a trash receptacle, etc. Staff concludes that this standard has been met.

Par. 4 states that 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. The applicant's main purpose with this application is to provide additional off-street parking to address the need for more parking to serve a popular restaurant. The proposed use will not create any additional traffic but rather will serve the needs of the adjoining restaurant. Should this use be approved, the traffic situation in this area should improve as it relates to having sufficient parking provided off-street. In addition, this application will improve both an entrance on-site and one off-site by constructing them to meet the commercial standard. In an earlier SE plat submittal, Staff was concerned about the proposed internal circulation on the site; however, the most recent SE plat submittal adequately addresses the internal circulation concerns. Staff concludes that this standard has been met.

Par. 5 states that, in addition to the standards which may be set forth in this Article for a particular category or use, the Board may require landscaping and screening in accordance with the provisions of Article 13. As mentioned previously, the applicant is proposing to provide dense transitional screening yards along the northern and western property lines. In addition, the applicant is proposing to provide a six foot high solid, wooden fence along the northern property line. The applicant will be meeting the interior parking lot planting requirements and the peripheral parking lot standards. Staff concludes that this standard has been met.

Par. 6 states that open space should be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located. In the R-2 district, there is no minimum open space requirement for a conventional subdivision. Cluster subdivisions require 25% of the gross area shall be open space. No other open space requirement is specified for the R-2 district. The applicant is providing 44.31% open space for the gross site area.

Par. 7 states that 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. An off-street parking lot does not involve the use of any sanitary sewer facility. The applicant is proposing to meet storm water requirements by providing porous pavement, porous pavers and a bio-retention area that will provide BMP and stormwater management for 0.46 acres of the property. There is adequate outfall for the remaining 0.16 acres. The required amount of parking for the adjoining property this use will serve is 83 parking spaces and one loading space. The subject site and the adjoining restaurant/bakery site propose to provide 99 parking spaces and one loading space. Staff is recommending via a development condition that a consolidated site plan be submitted for the site plan review process. Therefore, this standard has been met.

Par. 8 states that 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. A directional sign is proposed for the parking lot, as shown on the SE Plat; however, no additional commercial sign is being proposed. There is an existing wall sign on the restaurant and a wall sign on the bakery.

Provisions for Parking in R Districts: Sect. 9-609

The Board may approve a special exception authorizing a parcel of land in an R district to be used for off-street parking of motor vehicles, but only in accordance with the following conditions:

Condition 1 states that no charges shall be levied to use the parking facility. The applicant will not levy any charges to use the parking lot. A development condition has been written to ensure that this condition is met.

Condition 2 specifies that no vehicle repair work shall be permitted except for emergency situations. The parking facility's main purpose shall be the parking of vehicles in operating condition. The purpose of the parking lot is to serve the customers of the adjoining restaurant. A development condition has been written to ensure that this condition is met.

Condition 3 states that the off-street parking spaces shall meet the Public Facilities Manual requirements and shall be provided with safe and convenient access to a street. The overflow parking lot is designed to be served by two curb cuts off of Hummer Road. These entrances will be curbed and will meet the commercial driveway standards as specified in the Public Facilities Manual. Verification that these standards have been met will occur as part of the site plan review process.

Condition 4 requires that the Zoning Ordinance provisions for off-street parking spaces are met as specified in Par. 11 of Sect. 11-102. The required amount of parking for the adjoining property this use will serve is 83 parking spaces and one loading space. The subject site and the adjoining restaurant/bakery site propose to meet the off-street

parking space provision by providing 99 parking spaces and one loading space; the two parcels will be the subject of a consolidated site plan.

Condition 5 specifies that the parking spaces comply with the geometric design standards as presented in the Public Facilities Manual. Staff has reviewed the geometric design of the proposed parking lot and concludes that these standards have been met.

Condition 6 requires that the parking lot setback on any lot line abutting the R district shall meet the minimum required yard setback as required in the R district. The parking that abuts the R district is along a side yard. The minimum required side yard setback in the R-2 district is 15 feet. The parking along this side yard will be set back 25 feet; this standard has been met.

Condition 7 requires that the parking lot light fixtures meet the performance standards for outdoor lighting set forth in Part 9 of Article 14. The applicant is proposing to provide parking lot lighting that will be full cut-off, non-glare, downward focusing and with a maximum height of 12 feet. The proposed outdoor parking lot lighting fixtures will meet the Zoning Ordinance performance standards for outdoor lighting.

Condition 8 requires that the off-street parking lot comply with the provisions of landscaping and screening set forth in Article 13. The applicant is proposing to modify the transitional screening and barrier requirements in favor of that shown on the SE plat. Staff supports the proposed modifications due to existing conditions and the unique geometries of the site. Therefore, staff concludes that the intent of this condition has been addressed.

Highway Corridor Overlay District Requirements

The application is located in the Highway Corridor Overlay District. The Highway Corridor Overlay District imposes additional requirements on certain uses within the overlay district. These requirements do not apply to the application request for an overflow parking lot in an R district.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The applicant proposes to establish an overflow parking lot in a Residential District, just to the north of the Annandale CRD boundary. The lot is located between a residential district and a commercial district. The lot could serve as an effective transition and buffer between the two districts by establishing an effective edge to separate and define the residential district from the commercial district. With the screening and buffering proposed, Staff concludes that developing this property as an overflow parking lot will provide an appropriate transition between adjacent commercial and residential areas and will help limit the nuisance of haphazard overflow parking in front of nearby

residences. Even though the subject site is located outside the Annandale Revitalization District, the applicant is proposing to upgrade the streetscape along Hummer Road. Adverse impacts to the character of surrounding neighborhoods are not anticipated by the proposed development. The applicant's proposal is in harmony with the Comprehensive Plan. Staff concludes that, overall, the application meets the development standards for the site with the imposition of the proposed development conditions.

Recommendations

Staff recommends approval of SE 2012-MA-004, subject to development conditions consistent with those contained in Appendix 1.

Staff recommends approval of a modification of the transitional screening requirement along the northern property line in favor of the SE Plat and development conditions.

Staff recommends approval of a modification of the transitional screening requirement along the western property line in favor of the SE Plat.

Staff recommends approval of a waiver of the barrier requirement along the western property line.

It should be noted that it is not the intent of the Staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards; and that, should this application be approved, such approval does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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

APPENDICES

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

DEVELOPMENT CONDITIONS

SE 2012-MA-004

July 12, 2012

If it is the intent of the Board of Supervisors to approve SE 2012-MA-004, located at Tax Map 59-4 ((6)) 20B (4119 Hummer Road) for a special exception to permit parking in an R District pursuant to Sect. 9-609 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled "Special Exception Plat, 4119 Hummer Road, SE 2012-MA-004" prepared by Dominion Engineers, Inc., dated August 22, 2011, as revised June 29, 2012, consisting of seven sheets, and these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. A consolidated site plan shall be submitted during the site plan review process to ensure adequate access, internal circulation and parking for Tax Map parcels 59-4 ((6)) 20B and 59-4 ((6)) 20A.
5. A gate shall be placed within the western section of the proposed board on board fence to allow for maintenance of on-site landscaping.
6. No fee shall be charged for the use of the parking lot.
7. The off-street parking facility shall be used solely for the parking of vehicles in operating condition. No motor vehicle repair work except emergency service shall be permitted in association with any such off-street parking.

8. The following streetscape improvements per the Annandale Revitalization District Standards shall be accomplished as shown on the SE plat:
 - o Five foot wide brick sidewalk pavers shall be constructed along the east side of Hummer Road in front of the subject site, the restaurant and the bakery, for a length of 260 feet.
 - o Three acorn street lights shall be installed to replace two existing street lights.
 - o A six foot wide metal bench with black finish shall be installed by the bus stop and shall be maintained by the property owner.
 - o A trash receptacle shall be installed by the bus stop and shall be maintained by the property owner.
 - o A sodded grass strip shall be planted between the sidewalk pavers and the curb along Hummer Road.
9. Adequate sight distance at the entrances off of Hummer Road shall be provided, to VDOT's satisfaction, at the time of site plan review and prior to the issuance of a Non-RUP. Any tree or shrub determined to impede sight distance shall be replaced with an appropriate size/species or relocated elsewhere on the site, as determined by UFM.
10. Irrespective of any signs shown on the SE plat, all signage shall comply with the provisions of Article 12 of the Zoning Ordinance. The sign depicted at the Hummer Road entrance on the SE plat shall be directional only, and shall not contain any commercial identification for the adjacent business.
11. The site shall be monitored daily and shall be kept free from litter and debris by the applicant and successors.
12. All trees shown to be preserved on the SE Plat (on the northern and northeastern boundary) shall be protected by tree protection fencing. Tree protection fencing shall be in the form of four foot high, fourteen gauge welded wire attached to six foot steel posts driven eighteen inches into the ground and placed no further than ten feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees, shall be erected at the limits of clearing and grading adjacent to the tree preservation areas.

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

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: 04/06/2012
 (enter date affidavit is notarized)

I, Ajay K Sharma, 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

115468

in Application No.(s): SE-2012-MA-004
 (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.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
JOOAN PEACE, INC.	4121 HUMMER ROAD ANNANDALE, VA 22003	APPLICANT/TITLE OWNER
Mr. DANIEL H. SHIN	4121 HUMMER ROAD ANNANDALE, VA 22003	AGENT FOR APPLICANT/TITLE OWNER
DOMINION ENGINEERS, INC.	14950 HOPEWELLS LANDING DRIVE GAINESVILLE, VA 20155	AGENT
AJAY K SHARMA, P.E.	14950 HOPEWELLS LANDING DRIVE GAINESVILLE, VA 20155	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: 04/06/2012
(enter date affidavit is notarized)

115468

for Application No. (s): SE-2012-MA-004
(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) JOOAN PEACE, INC.
4121 HUMMER ROAD
ANNANDALE, VA 22003

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)

DANIEL H SHIN
SEONG J SHIN

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

*** All listings which include partnerships, 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: 04/06/2012
(enter date affidavit is notarized)

115468

for Application No. (s): SE-2012-MA-004
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
DOMINION ENGINEERS, INC.
14950 HOPEWELLS LANDING DRIVE
GAINESVILLE, VA 20155

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)
AJAY K SHARMA

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: 04/06/2012
(enter date affidavit is notarized)

115468

for Application No. (s): SE-2012-MA-004
(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)

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

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

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

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: 04/06/2012
(enter date affidavit is notarized)

115468

for Application No. (s): SE-2012-MA-004
(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: 04/06/2012
(enter date affidavit is notarized)

115468

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

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

NONE

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

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

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

WITNESS the following signature:

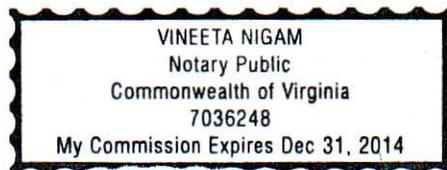
(check one) Ajay K Sharma [] Applicant [x] Applicant's Authorized Agent

AJAY K SHARMA, Agent for the Applicant
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 6th day of April 2012, in the State/Comm. of Virginia, County/City of Prince William

Vineeta Nigam
Notary Public

My commission expires: 12/31/2014



A. Type of Operation/Description of Proposed Use:

The development proposes to construct an overflow off-site parking lot on the property located at 4119 Hummer Road. The parking lot will serve the need of the existing Ye Chon restaurant located on the adjacent property of 4121 Hummer Road. The total numbers of proposed parking spaces are 46 as shown on the attached Special Exception Plat.

Existing Yechon restaurant has an approved seating capacity of 104 with 25 employees. The restaurant runs at 100% of its capacity almost every day during peak lunch and dinner hours with significant wait period. Also, during peak hours not all tables are occupied with 4 people and hence results in higher number of required parking than the one required per Fairfax County Zoning Ordinance. Professionally, we believe a parking ratio of 1 per 4 seats is justified where the restaurants are part of a large shopping centers and peaks hours at restaurants coincide with non-peak hours of other retail/uses resulting in pooling of common parking spaces. For a stand-alone restaurant running at 100% of its capacity every day, it results in lack of sufficient number of parking spaces.

Access to the parking lot will be through a proposed VDOT standard commercial entrance off of 4119 Hummer Road. Proposed parking lot will have vehicular connectivity to 4121 Hummer Road through inter-parcel access points as shown on the Special Exception Plat.

The development proposes to demolish the existing building on the parcel of 4119 Hummer Road. The property was previously approved for Home Professional office under Special Permit #SP-2004-MA-024.

B. Hours of Operation:

The operating hours of the parking lot is expected to be 24 hours a day and seven days a week.

C. Estimated Numbers of Patrons/Clients/Speakers/ etc.:

The numbers of patrons to this parking lot will be limited to parking occupancy of 46 vehicles resulting in $46 \times 4 = 184$ patrons at any given time.

D. Proposed Number of Employees/Attendants/Teachers:

None. There will not be any attendants or employees employed at the site.

D. Estimate of traffic impact of the proposed use, including the maximum expected trip generation and the distribution of such trips by mode and time of the day.

The development will not create any additional traffic as it does not create any additional use or adds to existing gross area of the restaurant. As per ITE trip generation manual, for quality restaurant assuming a trip rate of 3trips/seat, the total trip generated from the existing restaurants (YeChon, and Breeze Bakery Cafe) is 612 VPD(Annual Average daily Traffic). The AM Peak Hour traffic is 7 VPH (4 VPH in/3 VPH out) and and PM peak hour traffic is 49 VPH(34 VPH in/15 VPH out).

C. Vicinity or general area to be served by the use.

The development will primarily serve Annandale and its surrounding areas.

D. Description of building façade and architecture of proposed new building or additions.

None. The development does not intend to construct any new building or make an addition to existing building on the subject parcel.

E. A listing, if known, of all hazardous or toxic substances as set forth in Title 40, Code Of Federal Regulations Parts 116.4.302.4 and 355; all hazardous waste as set forth in Virginia Department of Environmental Quality Hazardous Waste Management Regulations; and/or petroleum products as defined in Title 40, Code of Federal Regulations Part 280; to be generated, utilized, stored, treated, and/or disposed of on site and the size and contents of any existing and proposed storage tanks or containers.

None

F. A statement that the proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards and any applicable conditions, or if any waiver, exception or variance is sought by the applicant from such ordinances, regulations, standards, and

conditions. Such shall be specifically noted with the justification for any such modification.

1. Modification: Transitional Screening - Northern Boundary

Per Zoning Ordinance Article 13-304.2, this application seeks approval of a transitional screening modification along the northern property line to reduce the width of the transitional screening landscape buffer from 35 feet to 25 feet. A full transitional screening of 35 feet will result in an undue hardship by eliminating 14 parking spaces and will preclude a reasonable use of the lot for its intended purpose. Instead, the Applicant proposes to retain and protect the existing quality canopy trees in the proposed 25 foot buffer while removing the undesirable and nonnative species, install a board on board wood fence as a visual barrier, and install a dense planting of new deciduous and evergreen trees that are more compatible with an urbanizing area.

2. Modification: Transitional Screening - Western Boundary

Per Zoning Ordinance Article 13-304.2, this application seeks approval of a transitional screening modification along the western property line to reduce the width of the transitional screening from 35 feet to approximately 21.5 feet. Based upon the need for a vehicular access to this site and the existing layout constraints of the adjacent site, a continuous transitional screen cannot be provided along the western boundary. Previous design concepts to resolve this site design issue proved to be unfeasible as it would shift the travel isle further east resulting in non-alignment with the travel isles for the parking proposed for Parcel 1 (the Seven-Eleven Parcel). As a result, a full transitional screening of 35 feet will preclude the use of the site for its intended purpose. Instead, the Applicant proposes to modify the proposed buffer to approximately 21.5 feet and install a dense entry planting of new deciduous, evergreen trees and medium size shrubs that will make for both an attractive urban streetscape entrance in a rapidly urbanizing area and a transitional buffer to the residential area across the street.

3. Waiver: Transitional Barrier - Western Boundary

Per Zoning Ordinance Article 13-304.2, this application seeks approval of a waiver of a transitional barrier along the western property line. Currently, the residential area across the street from this property is protected by an existing 6 foot high wood fence and attractive landscape planting along the

western side of Hummer Road. As noted in the request for a modification to transitional screening for the western boundary (Note # 2 above), a continuous transitional screen and barrier cannot be provided along the western boundary due to the need for vehicular access to the lot and the existing layout constraints of the adjacent site (the Seven-Eleven Parcel). In addition, it has been noted that this commercial land use is in an area that is rapidly changing and becoming more urbanized. As noted by many urban planners, there is a need for more, and better, pedestrian access and streetscape amenities in these urbanizing areas. Many residents and customers have also noted that barriers and other visual obstructions to commercial and semi-public areas may encourage potential crime activity and may hinder crime prevention. Finally, it is well known that commercial owners like to have unobstructed visual access to their property between a height of 18"-24" and the lower branches of canopy trees. As a result, the Applicant is proposing that a more urban designed streetscape will better serve this changing area and will increase property values. The Applicant requests that a waiver to the transitional barrier be granted in lieu of a more urban streetscape design that incorporates hardscape paving, lighting, and landscape planting that allows pedestrian visibility into the adjacent commercial area while other landscape planting screens the required vehicular access to the lot. The Applicant believes that this design solution will better serve this rapidly changing and urbanizing area.



County of Fairfax, Virginia

MEMORANDUM

DATE: June 25, 2012

TO: Barbara Berlin, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: **Land Use Analysis and Environmental Assessment:**
SE 2012-MA-004, Daniel H. Shin (4119 Hummer Road)

The memorandum, prepared by Scott Brown, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the special exception plans dated August 22, 2011 and revised through June 19, 2012. The extent to which the application conforms to the applicable guidance contained in the Comprehensive Plan is noted. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

DESCRIPTION OF THE APPLICATION

The applicant, Daniel H. Shin, requests a special exception to construct an overflow parking lot on the Subject Property located at 4119 Hummer Road, to serve the patrons of the Ye Chon restaurant, located on the adjacent property to the south on Hummer Road.

LOCATION AND CHARACTER OF THE AREA

The Subject Property is 26,939 square feet in area, or 0.62 acres. The property is zoned R-2 Residential and is occupied by a vacant single-family detached residence with 1,459 square feet of floor area. The property is located on the east side of Hummer Road, approximately 200 feet north of Hummer Road/Little River Turnpike and approximately 1/3 mile east of the Capital Beltway interchange with Little River Turnpike.

The Subject Property is adjacent to single-family residences on its north side, and across Hummer Road from single-family attached residences on its west side. A surface parking lot serving a mid-rise office building borders the property's east property boundary. To the south,

Department of Planning and Zoning
Planning Division
12055 Government Center Parkway, Suite 730
Fairfax, Virginia 22035-5509
Phone 703-324-1380
Fax 703-324-3056
www.fairfaxcounty.gov/dpz/



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DEPARTMENT OF
**PLANNING
& ZONING**

between the Subject Property and Little River Turnpike is a strip commercial shopping center that includes the adjacent Ye Chon restaurant to which the proposed parking lot is intended to serve. Beyond the immediately adjacent properties, the surrounding area is primarily single family residential, with commercial properties fronting Little River Turnpike.

COMPREHENSIVE PLAN MAP: Residential, 2-3 dwelling units per acre

COMPREHENSIVE PLAN CITATIONS:

Fairfax County Comprehensive Plan, 2011 Edition, Annandale Planning District, Amended through March 6, 2012, A1-Masonville Community Planning Sector, Land Use Recommendations, p. 90:

“Land Use

The Masonville Community Planning Sector contains stable residential neighborhoods. Infill development in these neighborhoods should be of a compatible use, type and intensity and in accordance with the guidance provided by the Policy Plan under Land Use Objectives 8 and 14.

Where substantial parcel consolidation is specified, it is intended that such consolidations will provide for projects that function in an efficient, well designed manner and provide for the development of adjacent unconsolidated parcels in conformance with the Area Plan.”

Environment

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

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, pages 8-9:

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

Policy k: For new development and redevelopment, apply better site design and low impact development (LID) techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County’s streams, some or all of the following practices should be considered where not in conflict with land use compatibility objectives: The

concentration of growth in mixed-use, transit-oriented centers in a manner that will optimize the use of transit and non-motorized trips and minimize vehicular trips and traffic congestion.

- Minimize the amount of impervious surface created. Site buildings to minimize impervious cover associated with driveways and parking areas and to encourage tree preservation.
- Where feasible, convey drainage from impervious areas into pervious areas.
- Encourage cluster development when designed to maximize protection of ecologically valuable land. Encourage the preservation of wooded areas and steep slopes adjacent to stream valley EQC areas.
- Encourage fulfillment of tree cover requirements through tree preservation instead of replanting where existing tree cover permits. Commit to tree preservation thresholds that exceed the minimum Zoning Ordinance requirements.
- Where appropriate, use protective easements in areas outside of private residential lots as a mechanism to protect wooded areas and steep slopes.
- Encourage the use of open ditch road sections and minimize subdivision street lengths, widths, use of curb and gutter sections, and overall impervious cover within cul-de-sacs, consistent with County and State requirements.
- Encourage the use of innovative BMPs and infiltration techniques of stormwater management where site conditions are appropriate, if consistent with County requirements.
- Apply nonstructural best management practices and bioengineering practices where site conditions are appropriate, if consistent with County requirements.
- Encourage shared parking between adjacent land uses where permitted.
- Where feasible and appropriate, encourage the use of pervious parking surfaces in low-use parking areas.

- Maximize the use of infiltration landscaping within streetscapes consistent with County and State requirements. . .”

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, page 18:

“Objective 10: Design and construct buildings and associated landscapes to use energy and water resources efficiently and to minimize short- and long-term negative impacts on the environment and building occupants.

- 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.
- Policy c. Use open space/conservation easements as appropriate to preserve woodlands, monarch trees, and/or rare or otherwise significant stands of trees, as identified by the County.”

LAND USE ANALYSIS

The Subject Property is located in the Masonville Community Planning Sector and borders the Annandale Central Business District. It is planned for residential use at 2 to 3 dwelling units per acre.

The proposed use of the property is an overflow parking lot for Ye Chon restaurant, located on the adjacent property to the south on Hummer Road. Parking as a primary use of property in residential districts may be approved as a Category 6 Special Exception. Although there is no specific comprehensive plan guidance for or against this type of use in the Masonville Planning Sector, development should be compatible in terms of use, type and intensity and meet the County’s Land Use Policy Objectives 8 and 14 which serve to protect and maintain established neighborhoods.

The original application proposed to leave the residential structure intact, but would remain vacant and without a plan for future intended use or occupancy. The residence has an undesirable history that limits the ability to sell or rent the home to future tenants. With the development of the proposed parking lot, it is even more unlikely the site would remain viable as a future residence, due to the loss of yard area and the expected frequent activity of the proposed lot. Staff suggested rather than leaving the structure vacant, the applicant consider using the house in some way to support the restaurant, provide upkeep to the house, or consider removing the structure altogether. The applicant has opted to demolish the structure.

The subject property is a transition point between the commercial properties surrounding the Hummer Road/Little River Turnpike intersection (including Ye Chon), and a residential neighborhood extending further north along Hummer Road and cross streets. The County's Land Use Policies would serve to prevent commercial expansion into established neighborhoods so that neighborhood character is preserved. However, planning staff feels that the subject property's history and proximity to a busy restaurant diminishes its viability for continued use as a desirable single-family residence. With the screening and buffering proposed, this property as an overflow lot would provide an appropriate transition between adjacent commercial and residential areas and help limit the nuisance of haphazard overflow parking in front of other residences. Adverse impacts to the character of surrounding neighborhoods is not anticipated by the proposed development, and planning staff finds it in substantial conformance with the Land Use Recommendations of the Comprehensive Plan.

Screening & Buffering

Because the subject property is bordered to the north by a residential property, a 25-foot minimum setback for the parking lot is required, and a Type 2 (35-foot) transitional screening buffer yard is required. In the original SE application, only 23.5' was provided between the parking lot and northern property line. The applicant's revised plans propose demolition of the residential structure and additional parking spaces are added to the area of the property closest to Hummer Road. The rearrangement of the parking has allowed the applicant to now provide the full 25 foot buffer adjacent to the neighboring residential property to the north.

The applicant is requesting a modification to the 35-foot transitional screening requirement. The zoning ordinance allows a reduction of the transitional screening by up to one-third of the required width where a barrier wall is provided. The applicant originally provided a barrier wall only along the portion of the property where parking was provided, and not where the residential structure would remain. The new SE plat now shows the barrier wall along the entire length of the northern property line. The wall will be pre-cast concrete with brick panels. An Exhibit showing the material and appearance of the wall was included in the resubmission along with the revised plans. The total area of the proposed buffer yard is fully vegetated with new shrub, evergreen and deciduous trees.

The applicant is also requesting a waiver of the transitional screening and barrier required between the western property boundary and the townhomes located on the opposite side of Hummer Road. The applicant's justification is that the townhomes have an existing 6' tall fence and 30' wide buffer with deciduous and evergreens along Hummer Road. Additionally, the applicant is providing upgrades to the streetscape along Hummer Road on their side of the street to enhance the appearance of their properties.

Resolution

In the SE plat dated June 19, 2012, the applicant has modified the transitional screening along the northern and western property boundaries. On the north side, the transitional screening yard remains the same width (25'), but the fence is now proposed as a board-on-board wood fence rather than an architectural wall. The fence is also moved away from the northern property line by 17' on the western half of the property, so that the transitional screening vegetation is located

between fence and adjacent residence. The fence then shifts to 3' west of the northern property on the eastern half to avoid impacts to existing trees.

On the western boundary, the applicant is proposing a transitional screening yard of 21.5' in width adjacent to Hummer Road, and is seeking a transitional screening modification from the required 35' width, with a justification that the full width could not be provided without impacting adequate vehicular access and parking (parking has been reduced by 6 spaces from the previous submittal). A waiver of the barrier requirement along the west side is also requested. Justification for the waiver is that vehicular access is needed from Hummer Road and the property across the street has an existing 6' high wood fence.

Planning staff finds the proposed screening and buffering of the subject property is improved from the previous submission and will provide adequate compatibility of character to its surroundings and in substantial conformance with the Comprehensive Plan, subject to comments from the Urban Forestry Management Division.

Streetscape Improvements

The applicant is providing upgrades to the streetscape along Hummer Road. A new 5' sidewalk with pavers will be provided along Hummer Road in front of both the subject property and Ye Chon property, helping to unify the streetscape. Ornamental light poles, trash receptacles and benches will also be added to the streetscape.

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. Particular emphasis is given to opportunities provided by this application to conserve the county's remaining natural amenities.

Annandale Planning District – Areawide Recommendations, Environment

The Annandale Planning District's areawide environmental recommendations recognizes that little undeveloped land remains in the district, so environmental goals are focused on preserving and improving the ecological resources that already existing, particularly tree cover.

Tree Preservation

The eastern half of the Subject Property is undisturbed with several new trees. The existing tree canopy covers approximately 48% of the lot. The applicant is proposing to save less than the required 14.34% tree preservation target, but has applied tree save credit to meet and slightly exceed the tree preservation target.

The removal of the existing structure from the property in the new SE plans provides additional site design flexibility. The applicant has added fifteen additional parking spaces beyond the original submission without significantly improving tree preservation. The proposed number of

parking spaces serving both properties (subject + Ye Chon) is now 104, whereas the zoning ordinance requires only 83 spaces. The need for additional parking is understood, as Ye Chon is a very busy restaurant; however, the applicant could provide additional tree preservation while also providing adequate parking. The applicant should strive to meet any remaining Urban Forestry Management Division's recommendations, as additional measures could be made to accommodate additional tree canopy cover without limiting the ability to provide adequate parking.

Resolution

The revised SE plat dated June 19, 2012 has modified the proposed parking lot by eliminating six parking spaces. This has allowed the applicant to provide additional tree save area, and they now meet their tree preservation target. This issue is adequately resolved, subject to further recommendations by Urban Forestry Management.

Water Quantity and Quality

There are no Resource Protection Areas (RPA) or Environmental Quality Corridors (EQC) on this site. The subject property is located in the Accotink Creek watershed. The impervious area for this site will increase from 22.05% to 62.36% as a result of the proposed development. Best Management Practices (BMPs) will be required. The applicant is providing porous asphalt and bio-retention areas that will provide BMP and stormwater management for 0.46 acres of the property. There is adequate outfall for the remaining 0.16 acres.

The proposed lot provides an area of permeable pavement for a row of 11 parking spaces. Additional features include a small bioretention area in the southwest corner of the property, the tree save area in the northeast corner, and the vegetated buffer area along the north property line. These features will all help reduce the impermeable surface area. However, as noted in the previous section, the parking area has increased from the original plans by 15 spaces and the total amount of parking between the two lots is more than double the parking required by the zoning ordinance. Additional opportunities to reduce impervious surface area and preserve more of the site's existing mature trees are encouraged.

Resolution

The revised SE plat dated June 19, 2012 has modified the proposed parking lot by eliminating six parking spaces. Additional tree save area is now provided, and the applicant has also added areas of porous pavers.

COUNTYWIDE TRAILS PLAN

The Countywide Trails Plan shows that a major paved trail (8' or wider) is planned on the west side of Hummer Road opposite the subject property.

PGN/STB



County of Fairfax, Virginia

MEMORANDUM

DATE: June 25, 2012

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

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

FILE: 3-5 (SE 2012-MA-004)

SUBJECT: Transportation Impact

REFERENCE: SE 2012-MA-004 Mr. Daniel H. Shin, 4119 Hummer Road
Traffic Zone: 1435
Land Identification Map: 59-4 ((6)) 20B

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on plats made available to this office dated August 22, 2011, and revised through June 19, 2012. The applicant proposes to construct an overflow parking lot for the existing Ye Chon restaurant located on the adjacent parcel to the south. The applicant has closed the middle entrance per VDOT and County requests.

- The northernmost entrance shown 24' wide should be a minimum of 30' wide per VDOT commercial entrances.
- The next entrance south should be 30' wide and would be better if aligned with the travel aisle on the south side of the restaurant building for better access to the dumpster location and parking on that side of the building.
- One way circulation should be considered in the overflow parking lot; one-way westbound just north of the restaurant where angle parking is shown.

AKR/LAH/lah



COMMONWEALTH of VIRGINIA
DEPARTMENT OF TRANSPORTATION

GREGORY A. WHIRLEY
COMMISSIONER

4975 Alliance Drive
Fairfax, VA 22030
April 20, 2012

To: Ms. Barbara Berlin
Director, Zoning Evaluation Division

From: Kevin Nelson
Virginia Department of Transportation – Land Development Section

Subject: SE 2012-MA-004 Shin (4119 Hummer Road)
Tax Map # 59-4((06))0020B

All submittals subsequent to the first submittal shall provide a response letter to the previous VDOT comments. Submittals without comment response letters are considered incomplete and will be returned without review.

I have reviewed the above plan submitted on May 23, 2012, and received June 1, 2012. The following comments are offered:

1. The existing entrance shall be closed. It does not meet current standards under the existing or proposed conditions.
2. Why is the building structure being removed which was shown on the original submittal?
3. The proposed entrance shall be a 30' wide CG-11.
4. The proposed entrance depth shall be a minimum of 30' from the face of the street curbline.
5. No pavers will be permitted within the right of way. They are not consistent with other development in this area and VDOT does not maintain them.
6. A typical section should be shown for Hummer Road beyond the back of the curb and shall meet VDOT requirements.
7. Right of way should be provided 3' beyond the sidewalk.
8. No acorn lights shall be placed within the right of way.
9. No business signs shall be permitted within the VDOT right of way.
10. No benches shall be placed within the VDOT right of way.
11. No trash cans shall be placed within the VDOT right of way.
12. The crosswalks at the driveways shall not be striped.

If you have any questions, please call me.

cc: Ms. Angela Rodeheaver
fairfaxspex2012-MA-004se2Shin6-8-12BB



County of Fairfax, Virginia

MEMORANDUM

June 29, 2012

TO: Miriam Bader, Staff Coordinator
Zoning Evaluation Division, DPZ

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

SUBJECT: 4119 Hummer Road, SE 2012-MA-004

RE: Request for assistance dated June 29, 2012

The Urban Forest Management Division has no further comments and is recommending approval of the Special Exception Plat SE 2012-MA-004 based on the fourth submission with an engineer signature date of June 29, 2012.

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

NJD/
UFMID #: 168981

cc: RA File
DPZ File





MEMORANDUM

DATE: March 26, 2012

TO: Suzie Zottl, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Thakur Dhakal, Senior Engineer III 
Site Development and Inspections Division
Department of Public Works and Environmental Services

SUBJECT: Special Exception Application #SE 2012-MA-004, 4119 Hummer Road,
Special Exception Plat dated 6th March 2012, LDS Project #9474-ZONA-
001-1, Tax Map #059-4-06-0020-B, Mason District

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

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on this site. Water quality controls are required for this project (PFM 6-0401.2, CBPO 118-3-2(f) (2)). The location of Tree Box Filter and Porous Pavement are depicted on the plat. In the site plan submission the BMP computations must be shown for Tree Box Filter and Porous Pavement.

Floodplain

There are no regulated floodplains on the property.

Downstream Drainage Complaints

There is an erosion complaint for the subject property in 1993, but no downstream drainage complaints on file. More information on this complaint is available from the Maintenance & Stormwater Management Division (703-877-2800).

Stormwater Detention

Stormwater detention is required, if not waived (PFM 6-0301.3).

Site Outfall

An outfall narrative has been provided, however, the description of the adequacy and stability of the outfall is not a part of the statement (ZO 9-011.J (2) (c)).



Suzie Zottl, Staff Coordinator
Special Exception Plan Application #SE 2012-MA-004, 4119 Hummer Road
March 26, 2012
Page 2 of 2

Stormwater Planning Comments

This case is located in the Accotink Creek Watershed. There are two Stormwater pond retrofit plans (AC 9168 and AC9169) located near the subject site.

Dam Breach

None of this property is within the dam breach inundation zone.

These comments are based on the 2011 version of the Public Facilities Manual (PFM). A new Stormwater ordinance and updates to the PFM's Stormwater requirements are being developed as a result of changes to state code (see 4VAC50-60 adopted May 24, 2011). The site plan for this application may be required to conform to the updated PFM and the new ordinance.

Please contact me at 703-324-1720 if you require additional information.

SR/

cc: Fred Rose, Chief, Watershed Planning & Assessment Branch, Stormwater Planning
Division, DPWES
Bijan Sistani, Chief, South Branch, SDID, DPWES
Zoning Application File

9-006 General Standards

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

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

Provisions for Parking in R Districts

The Board may approve a special exception authorizing a parcel of land in an R district to be used for off-street parking of motor vehicles, but only in accordance with the following conditions:

1. No charge shall be made for the use of such parcel for parking purposes.
2. All such off-street parking facilities shall be used solely for the parking of vehicles in operating condition. No motor vehicle repair work except emergency service shall be permitted in association with any such off-street parking.
3. All such off-street parking space shall be provided with safe and convenient access to a street. If any such space is located contiguous to a street, the street side thereof shall be curbed, and ingress and egress shall be provided only through driveway openings through the curb of such dimension, location and construction as may be approved by the Director in accordance with the Public Facilities Manual.
4. All such off-street parking areas shall be in accordance with the provisions of Par. 11 of Sect. 11-102.
5. All such off-street parking spaces and areas shall comply with the geometric design standards presented in the Public Facilities Manual.
6. There shall be no parking of vehicles closer to any lot line which abuts an R district than a distance equal to the dimension of the abutting corresponding yard as required by this Ordinance.
7. All lighting fixtures used to illuminate such off-street parking areas shall be in conformance with the performance standards for outdoor lighting set forth in Part 9 of Article 14.
8. All such off-street parking shall comply with the provisions for landscaping and screening set forth in Article 13.

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		