County of Fairfax, Virginia

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

October 17, 2012

Ajay K. Sharma, P.E.
14950 Hopewells Landing Drive
Gainesville, VA 20155

Re: Special Exception Application SE 2012-MA-004

Dear Mr. Sharma:

At a regular meeting of the Board of Supervisors held on October 16, 2012, the Board approved Special Exception Application SE 2012-MA-004 in the name of Jooan Peace, Inc. The subject property is located at 4119 Hummer Road on approximately 26,939 square feet of land, zoned R-2 and HC in the Mason District [Tax Map 59-4 ((6)) 20B]. The Board's action permits parking in an R District, pursuant to Section 9-609 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.

2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Plat approved with the application, as qualified by these development conditions.

3. This Special Exception is subject to the provisions of Article 17, Site Plans, as 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.

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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. In addition to the tree protection fencing, extraordinary measures shall be employed, as determined to be necessary by UFM, to adequately protect the critical root zones of the off-site trees in these areas.

13. Supplemental landscaping shall be provided, consistent with Exhibit A of these conditions, in order to enhance the screening of the parking lot for the townhouse development located across Hummer Road to the west (Tax Map 59-4 ((23)) 6,7,8 and 9).

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.

The Board also:

- Modified the transitional screening requirement along the northern property line in favor of the SE plat and development conditions.
- Modified the transitional screening requirement along the western property line in favor of the SE plat.
- Waived the barrier requirements along the western property line.

Sincerely,

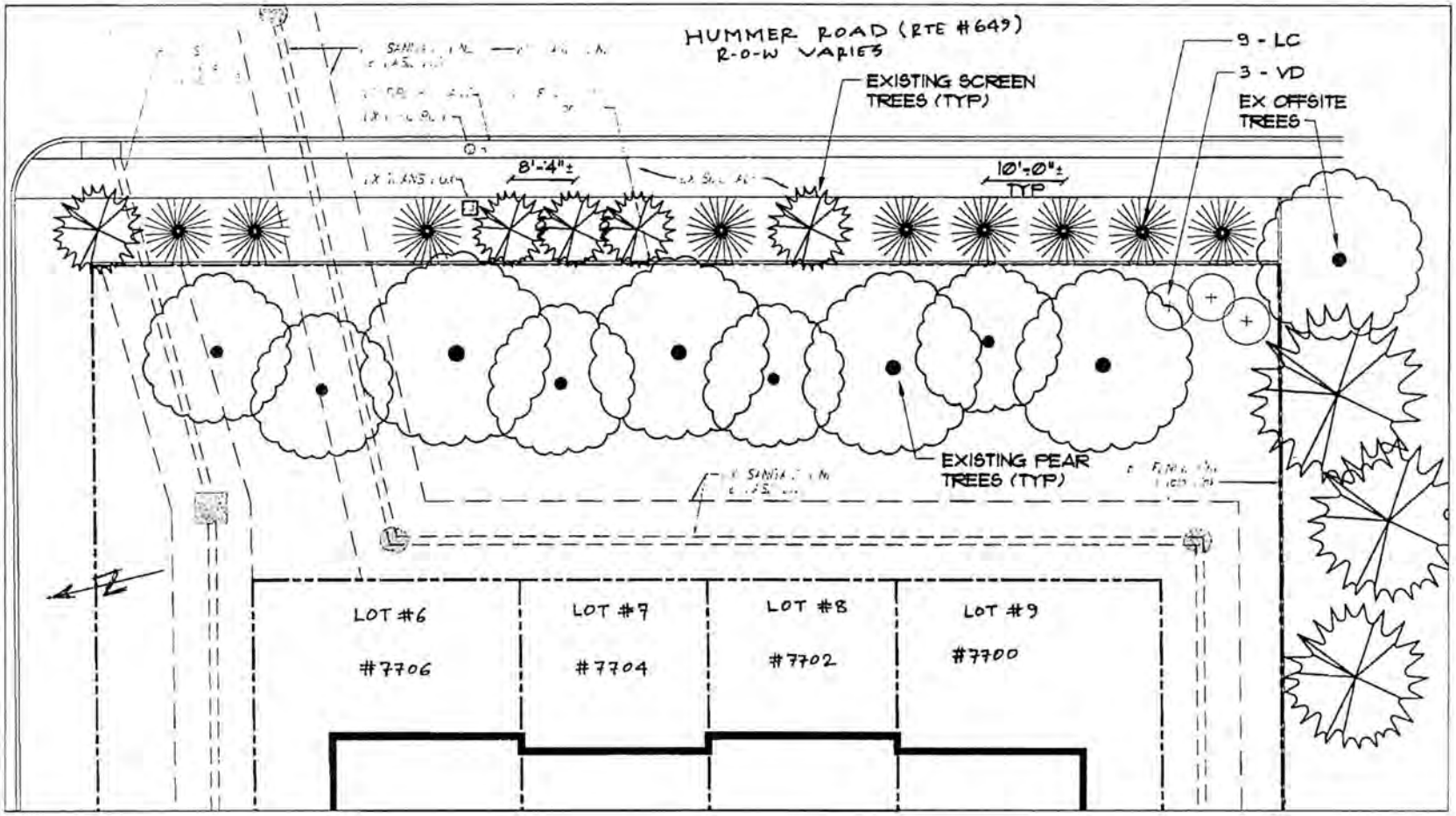
Catherine A. Chianese
Clerk to the Board of Supervisors

Cc: Chairman Sharon Bulova
Supervisor Penelope Gross, Mason District
Tim Shirocky, Acting Director, Real Estate Division, Dept. of Tax Administration
Barbara C. Berlin, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Angela K. Rodeheaver, Section Chief, Transportation Planning Division
Donald Stephens, Transportation Planning Division
Ken Williams, Plans & Document Control, ESRD, DPWES
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
Planning Commission
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation

EXHIBIT A

PLANTING SCHEDULE

KEY	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	COMMENTS
LC	9	CUPRESSUS x LEYLANDII	LEYLAND CYPRESS	6'-8' Ht	B&B
VD	3	VIBURNAM DENTATUM	DOUBLEFILE VIBURNAM	36"	B&B



LANDSCAPE PLAN:

Dominion Engineers, Inc.
Planners · Civil Engineers · Landscape Architects · Structural Engineers

4119 HUMMER ROAD

AS NOTED

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