



APPLICATION ACCEPTED: June 14, 2012
PLANNING COMMISSION: April 25, 2013
BOARD OF SUPERVISORS: Not Yet Scheduled

County of Fairfax, Virginia

April 10, 2013

STAFF REPORT

SPECIAL EXCEPTION

APPLICATION SE 2012-PR-012

PROVIDENCE DISTRICT

APPLICANT: TD Bank, National Association

ZONING: C-5, H-C

PARCEL(S): 50-3 ((5)) (5)-501

ACREAGE: 0.63 acres

SPECIAL EXCEPTION CATEGORY: Category 5: Drive-In Financial Institution

PLAN MAP: Community-Serving Retail

PROPOSAL: To replace existing 2,040 sf service station with a 2,552 sf bank branch building w/two drive-thru lanes.

STAFF RECOMMENDATIONS:

Staff recommends that SE 2012-PR-012 be approved subject to the development conditions contained in Appendix 1.

Michael H. Lynskey

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



Staff recommends that the following waivers and modifications be approved:

- Waiver of the loading space requirement for the drive-in financial institution use.
- Deviation from the Tree Preservation Target per 122-2-3(b) of the County Code in favor of landscaping shown on the SE plat.
- Modification of the major trail requirement in favor of 5-foot concrete sidewalks.

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

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

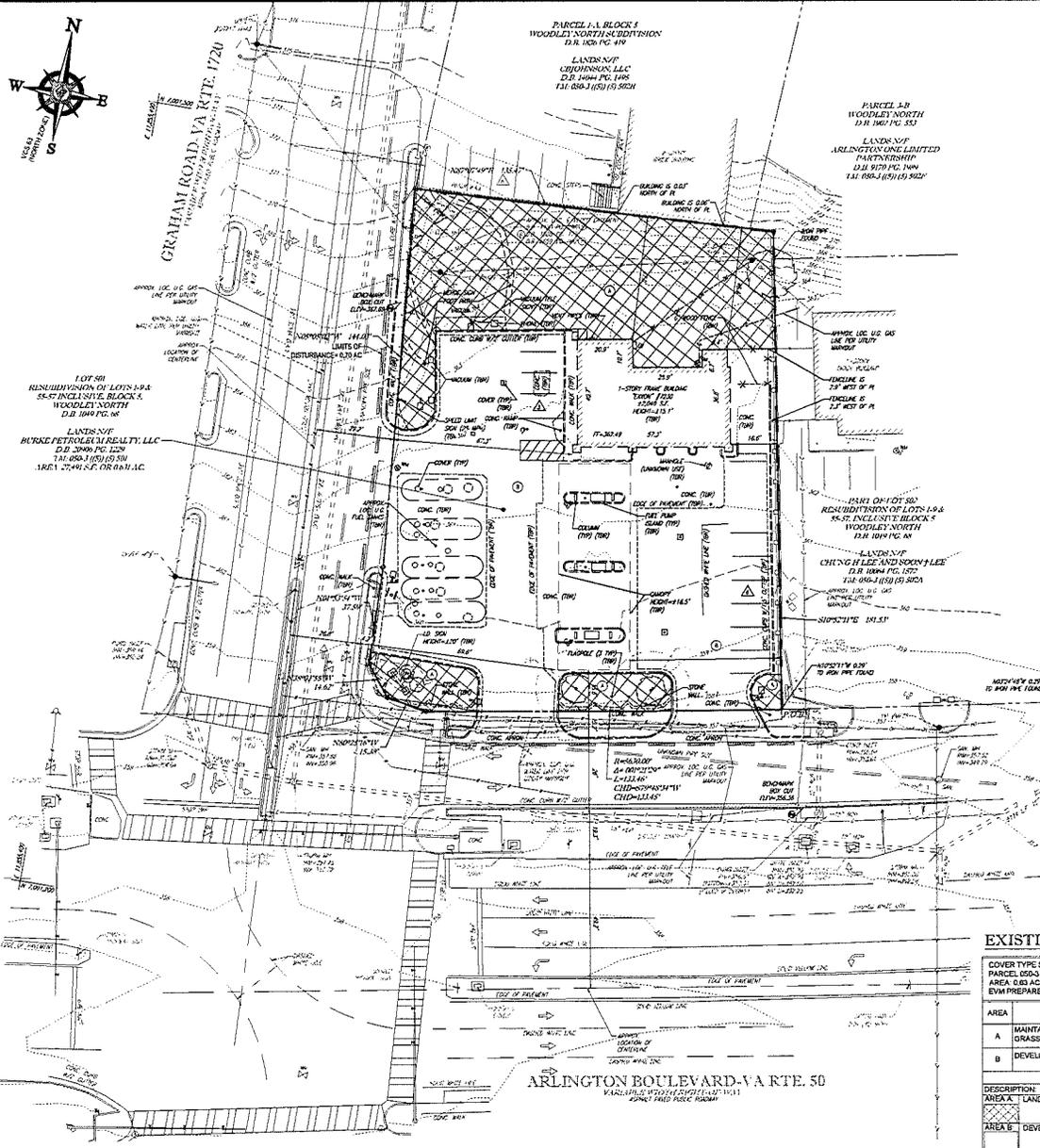
The approval of this Special Exception does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

O:\mlynsk\TD Bank SE 2012-PR-012\Final Staff Report\SR Cover.doc



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).



Tree Condition Analysis for Parcel 050-3 (5) (5) 501

Tree Condition Analysis Performed by Nicholas Georgas, ISA Certified Arborist MA-5061A on 03/16/12

#	Species	Size (DBH in inches)	Condition Rating (%)	Spunks Rating (%)	Preserve or Remove (%)	Remarks	CRZ (feet)
1	Arbutus Pear	15	80%	60%	Remove		15
2	Arbutus Pear	15	80%	60%	Remove		15
3	Mulberry	16	65%	55%	Remove		18

TREE PRESERVATION NARRATIVE

THIS NARRATIVE IS PROVIDED TO SERVE AS THE REQUIRED TREE PRESERVATION NARRATIVE PER SECTION 12-2559 OF THE COUNTY OF FAIRFAX PUBLIC FACILITIES MANUAL FOR THE REDEVELOPMENT OF PARCEL 050-3 (5) (5) 501, FALLS CHURCH, FAIRFAX COUNTY, VA.

- THERE ARE NO HAZARDOUS TREES ON-SITE.
- THERE ARE NO INVASIVE SPECIES LOCATED ON-SITE.
- CURRENTLY THERE ARE NO "HERITAGE", "SPECIMEN", "MEMORIAL", OR "STREET" TREES LOCATED ON-SITE OR LOCATED OFF-SITE ADJACENT TO THIS DEVELOPMENT SITE THAT WILL NEED TO BE PROTECTED.
- NO TREES ARE TO REMAIN ON-SITE. SEE DEVIATION REQUEST ON SHEET 4. 10-YEAR TREE CANOPY WILL BE MET THROUGH PROPOSED PLANTINGS.
- OFF-SITE TREES WITH CRITICAL ROOT ZONES WITHIN THE SUBJECT PROPERTY'S LIMITS OF CLEARING AND GRADING WILL HAVE ROOT PRUNING PERFORMED ALONG THE LIMITS OF WORK. ROOT PRUNING IN ACCORDANCE WITH FAIRFAX COUNTY PERMITS 7-15 WILL OCCUR BEFORE ROUGH GRADING OF THE SITE. ROOT PRUNING ACTIVITIES WILL BE SPECIFIED WITH THE SITE PLAN.
- TREE PROTECTION FENCING WILL BE INSTALLED IN ACCORDANCE WITH FAIRFAX COUNTY PFM REGULATIONS. TREE PROTECTION MEASURES WILL BE SPECIFIED WITH THE SITE PLAN.
- NO TREES ARE TO BE TRANSPORTED ON-SITE.



EXISTING VEGETATION MAP (EVM)

COVER TYPE SUMMARY TABLE (FOR LIMITS OF SPECIAL EXCEPTION ONLY)
 PARCEL 050-3 (5) (5) 501, FALLS CHURCH, FAIRFAX COUNTY, VA
 AREA 0.83 ACRES (27,420 SF) (LIMITS OF SPECIAL EXCEPTION AREA)
 EVM PREPARED BY NICHOLAS GEORGAS, ISA CERTIFIED ARBORIST MA-5061A ON 03/16/12

AREA	COVER TYPE	PRIMARY SPECIES	SUCCESSIONAL STAGE	ACREAGE	CONDITION	COMMENTS
A	MAINTAINED GRASSLANDS	PEAR AND MULBERRY	NA	0.20 AC	FAIR	SEE DESCRIPTION BELOW
B	DEVELOPED LAND	NA	NA	0.43 AC	NA	SEE DESCRIPTION BELOW
				TOTAL ACREAGE	0.83 AC	

DESCRIPTION:
 AREA A: LANDSCAPED TREE CANOPY THAT IS PROVIDED THROUGH NURSERY GROWN TREES.
 AREA B: DEVELOPED AREA CONSISTING OF CONCRETE CURB AND GUTTER, GRAVEL, ASPHALT, AND EXISTING SERVICE STATION.

BOHLER ENGINEERING

CIVIL AND CONSULTING ENGINEERS
 SURVEYORS
 PROJECT MANAGERS
 ENVIRONMENTAL CONSULTANTS

1000 W. WASHINGTON AVENUE
 SUITE 200
 FALLS CHURCH, VA 22034
 PHONE: (703) 759-9500
 FAX: (703) 759-9501
 WWW: www.BohlerEngineering.com

REVISIONS

REV	DATE	COMMENT	BY
1	05/17/12	REV. PER COUNTY COMMENTS	NTG
2	08/02/12	REV. PER COUNTY COMMENTS	NTG
3	12/04/12	REV. PER COUNTY COMMENTS	NTG
4	02/22/13	REV. PER CLIENT COMMENTS	NTG
5	03/22/13	REV. PER COUNTY COMMENTS	NTG
6	04/02/13	REV. PER COUNTY COMMENTS	NTG

NOT APPROVED FOR CONSTRUCTION

PROJECT NO. 518719
 DRAWN BY: MGO
 CHECKED BY: MGO
 DATE: 03/16/12
 SCALE: AS SHOWN
 SHEET NO. 2 OF 2

SPECIAL EXCEPTION PLAT

FD

LOCATION OF SITE:
 7230 ARLINGTON BOULEVARD
 PROVIDENCE DISTRICT
 FALLS CHURCH
 FAIRFAX COUNTY, VIRGINIA

BOHLER ENGINEERING

22636 DAVIS DRIVE, SUITE 200
 STERLING, VIRGINIA 20166
 Phone: (703) 759-9500
 Fax: (703) 759-9501
 www.BohlerEngineering.com

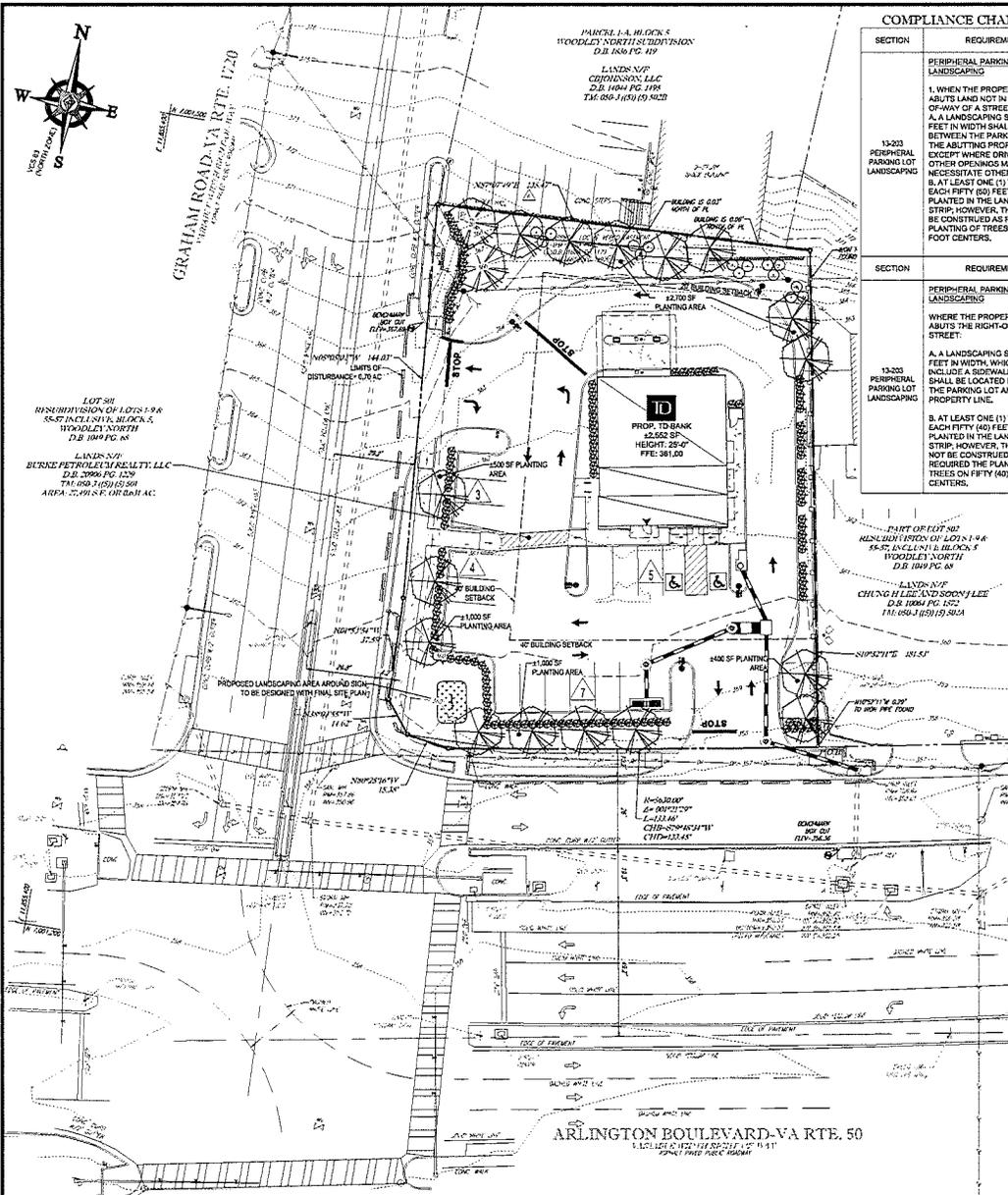
Professional Engineer
 License No. 34168
 02/27/13

EXISTING CONDITIONS PLAN/EXISTING VEGETATION MAP

SHEET NUMBER
2
 OF 2

THE CLIENT AGREES TO HOLD THE CONSULTANT HARMLESS FROM AND TO INDEMNIFY THE CONSULTANT AGAINST ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, THAT MAY BE ASSERTED AGAINST OR INCURRED BY THE CONSULTANT OR ITS EMPLOYEES, AGENTS, OR SUBCONTRACTORS IN CONNECTION WITH THE PERFORMANCE OF THE CONSULTANT'S OBLIGATIONS UNDER THIS AGREEMENT. THE CONSULTANT'S OBLIGATIONS UNDER THIS AGREEMENT SHALL BE LIMITED TO THE EXTENT PERMITTED BY APPLICABLE LAW.





COMPLIANCE CHART FOR THE FAIRFAX COUNTY ZONING ORDINANCE

SECTION	REQUIREMENTS	CALCULATIONS (REQUIRED/PROPOSED)	COMPLIANCE	
13-203 PERIPHERAL PARKING LOT LANDSCAPING	PERIPHERAL PARKING LOT LANDSCAPING	NORTH PROPERTY LINE REQUIRED: 135 LF OF PROPERTY LINE 3 TREES REQUIRED 3 TREES PROVIDED	EAST PROPERTY LINE REQUIRED: 181 LF OF PROPERTY LINE 4 TREES REQUIRED 4 TREES PROVIDED	COMPLIES
	1. WHEN THE PROPERTY LINE ADJUTS LAND NOT IN THE RIGHT-OF-WAY OF A STREET: A. A LANDSCAPING STRIP FOUR (4) FEET IN WIDTH SHALL BE LOCATED BETWEEN THE PARKING LOT AND THE ADJUTING PROPERTY LINE, EXCEPT WHERE DRIVEWAYS OR OTHER OPENINGS MAY NECESSITATE OTHER TREATMENT. B. AT LEAST ONE (1) TREE FOR EACH FIFTY (50) FEET SHALL BE PLANTED IN THE LANDSCAPING STRIP; HOWEVER, THIS SHALL NOT BE CONSTRUED AS REQUIRED THE PLANTING OF TREES ON FIFTY (50) FOOT CENTERS.			
13-203 PERIPHERAL PARKING LOT LANDSCAPING	PERIPHERAL PARKING LOT LANDSCAPING	ARLINGTON BLVD REQUIRED: 148 LF OF PROPERTY LINE (EXCLUDES ENTRANCES) 4 TREES REQUIRED 4 TREES PROVIDED	GRAHAM ROAD REQUIRED: 190 LF OF PROPERTY LINE (EXCLUDES ENTRANCES) 5 TREES REQUIRED 5 TREES PROVIDED	COMPLIES
	WHERE THE PROPERTY LINE ADJUTS THE RIGHT-OF-WAY OF A STREET: A. A LANDSCAPING STRIP TEN (10) FEET IN WIDTH, WHICH SHALL NOT INCLUDE A SIDEWALK OR TRAIL, SHALL BE LOCATED BETWEEN THE PARKING LOT AND THE PROPERTY LINE. B. AT LEAST ONE (1) TREE FOR EACH FIFTY (50) FEET SHALL BE PLANTED IN THE LANDSCAPING STRIP; HOWEVER, THIS SHALL NOT BE CONSTRUED AS REQUIRED THE PLANTING OF TREES ON FIFTY (50) FOOT CENTERS.			

LANDSCAPE LEGEND

SYMBOL	QTY	TYPE/USE	10 YEAR CANOPY COVERAGE	10 YEAR CANOPY COVERAGE TOTAL
	18	2 1/2" CATEGORY IV DECIDUOUS TREE	200	3,600
	15	24-30" DECIDUOUS NATIVE SHRUB		
	131	18-24" EVERGREEN HEDGE SHRUB		

AT THE TIME OF SITE PLAN PLANTING DIVERSITY MEETING THE REQUIREMENTS OF SECTION 12-0515.1L OF THE FAIRFAX COUNTY PFM WILL BE MET. TREE PLANTINGS ON SITE SHALL NOT BE COMPOSED OF MORE THAN 30 PERCENT OF ONE PLANT SPECIES OR 60 PERCENT OF ONE GENUS.

ALL TREES USED ON SITE WILL BE FROM THE FAIRFAX COUNTY PFM AND WILL BE SUITABLE FOR THE CONDITIONS OF THE SITE.

EXAMPLES OF TREES THAT MAY BE USED (BUT ARE NOT LIMITED TO): INCLUDE: RED MAPLE, WILLOW OAK, EASTERN RED CEDAR, EASTERN REDBUD, AMERICAN BEECH, AND AMERICAN HOLLY.

PLANTING AREAS ARE SUBJECT TO CHANGE BASED ON FINAL ENGINEERING AT TIME OF SITE PLAN.

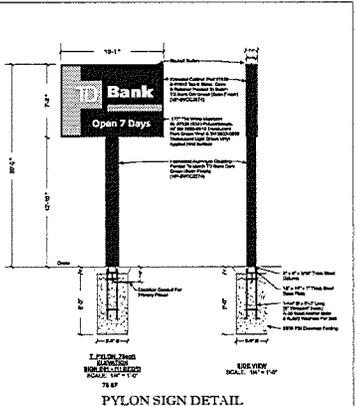


TABLE 12.3 TREE PRESERVATION TARGET CALCULATIONS AND STATEMENT

ITEM	DESCRIPTION	VALUE
A	PRE-DEVELOPMENT AREA OF EXISTING TREE CANOPY (S)	700
B	PERCENTAGE OF GROSS SITE AREA COVERED BY EXISTING TREE CANOPY	2.5%
C	PERCENTAGE OF 10-YEAR TREE CANOPY REQUIRED FOR SITE (SEE PFM TABLE 12.6)	10%
D	PERCENTAGE OF THE 10-YEAR TREE CANOPY REQUIREMENT THAT SHOULD BE MET THROUGH TREE PRESERVATION	2.5%
E	PROPOSED PERCENTAGE OF CANOPY REQUIREMENT THAT WILL BE MET THROUGH TREE PRESERVATION	0.0%
F	HAS THE TREE PRESERVATION TARGET MINIMUM BEEN MET?	NO
G	IF NO FOR LINE F, THEN A REQUEST TO DEVIATE FROM THE TREE PRESERVATION TARGET SHALL BE PROVIDED ON THE PLAN THAT STATES ONE OR MORE OF THE JUSTIFICATIONS LISTED IN 12-097.3	SEE DEVIATION REQUEST ON THIS SHEET
H	IF STEP G REQUIRES A NARRATIVE, IT SHALL BE PREPARED IN ACCORDANCE WITH 12-067.4	
I	PLACE THIS INFORMATION PRIOR TO THE 10-YEAR TREE CANOPY CALCULATIONS AS PER INSTRUCTIONS IN TABLE 12.12	

TABLE 12.12 10-YEAR TREE CANOPY CALCULATION WORKSHEET

STEP	DESCRIPTION	TOTALS
A. TREE PRESERVATION TARGET AND STATEMENT		
A.1	PLACE THE TREE PRESERVATION TARGET CALCULATIONS AND STATEMENT HERE PRECEDING THE 10-YEAR TREE CANOPY CALCULATIONS	
B. TREE CANOPY REQUIREMENT		
B1	IDENTIFY GROSS SITE AREA =	27,401
B2	SUBTRACT AREA DEDICATED TO PARKS AND ROAD FRONTAGE =	0
B3	SUBTRACT AREA OF EXEMPTIONS =	0
B4	ADJUSTED GROSS SITE AREA (B1-B2-B3) =	27,401
B5	IDENTIFY SITES ZONING AND OR USE = COMMERCIAL	
B6	PERCENTAGE OF 10-YEAR TREE CANOPY REQUIRED =	10%
B7	AREA OF 10-YEAR TREE CANOPY REQUIRED (B4 X B6) =	2,740
B8	MODIFICATION OF 10-YEAR TREE CANOPY REQUIREMENTS REQUESTED?	NO
B9	IF B8 YES, THEN LIST PLAN SHEET WHERE MODIFICATION REQUEST IS LOCATED	N/A
C. TREE PRESERVATION		
C1	TREE PRESERVATION TARGET AREA =	80
C2	TOTAL CANOPY AREA MEETING STANDARDS OF § 12-0200 =	0
C3	TOTAL CANOPY AREA PROVIDED BY UNIQUE OR VALUABLE FOREST OR WOODLAND COMMUNITIES =	0
C4	TOTAL CANOPY AREA PROVIDED BY C2 X 1.25 =	0
C5	TOTAL CANOPY AREA PROVIDED BY C3 X 1.25 =	0
C6	TOTAL CANOPY AREA PROVIDED BY "HERITAGE," "MEMORIAL," "SPECIMEN," OR "STREET" TREES =	0
C7	TOTAL CANOPY AREA PROVIDED BY C4 X 1.5 TO 3.0 =	0
C8	CANOPY AREA OF TREES WITHIN RESOURCE PROTECTION AREAS AND 100-YEAR FLOODPLAINS =	0
C9	TOTAL CANOPY AREA PROVIDED BY C8 X 1.0 =	0
C10	TOTAL OF C3, C5, C7, AND C9 =	0
D. TREE PLANTING		
D1	AREA OF CANOPY TO BE MET THROUGH TREE PLANTING (B7-C10) =	2,740
D2	AREA OF CANOPY PLANTED FOR AIR QUALITY BENEFITS =	0
D3	AREA OF CANOPY PLANTED FOR ENERGY CONSERVATION =	0
D4	AREA OF CANOPY PLANTED FOR WATER QUALITY BENEFITS =	0
D5	AREA OF CANOPY PLANTED FOR WATER QUALITY BENEFITS =	0
D6	AREA OF CANOPY PROVIDED BY NATIVE TREES =	0
D7	AREA OF CANOPY PROVIDED BY NATIVE TREES =	0
D8	AREA OF CANOPY PROVIDED BY NATIVE TREES =	0
D9	AREA OF CANOPY PROVIDED BY IMPROVED CULTIVARS AND VARIETIES =	0
D10	AREA OF CANOPY PROVIDED BY IMPROVED CULTIVARS AND VARIETIES =	0
D11	AREA OF CANOPY PROVIDED THROUGH TREE SEEDLINGS =	0
D12	AREA OF CANOPY PROVIDED THROUGH TREE SEEDLINGS =	0
D13	AREA OF CANOPY PROVIDED THROUGH NATIVE SHRUBS OR WOODY SIZED TREES =	0
D14	AREA OF CANOPY PROVIDED THROUGH NATIVE SHRUBS OR WOODY SIZED TREES =	0
D15	AREA OF CANOPY PROVIDED THROUGH NATIVE SHRUBS OR WOODY SIZED TREES =	0
D16	PERCENTAGE OF D14 REPRESENTED BY D15 =	0
D17	AREA OF CANOPY NOT MEETING MULTIPLIER CRITERIA =	3,600
D18	TOTAL CANOPY AREA PROVIDED THROUGH TREE PLANTING =	3,600
D19	IS AN OFFSITE PLANTING RELIEF REQUESTED?	NO
D20	CANOPY AREA REQUESTED TO BE PROVIDED THROUGH OFFSITE BANKING OR TREE FUND =	N/A
D21	AMOUNT TO BE DEPOSITED INTO THE TREE PRESERVATION AND PLANTING FUND =	\$0
E. TOTAL OF 10-YEAR TREE CANOPY PROVIDED		
E1	TOTAL OF CANOPY AREA PROVIDED THROUGH TREE PRESERVATION (C10) =	0
E2	TOTAL OF CANOPY AREA PROVIDED THROUGH TREE PLANTING (D17) =	3,600
E3	TOTAL OF CANOPY AREA PROVIDED THROUGH OFFSITE MECHANISMS (D19) =	0
E4	TOTAL OF 10-YEAR TREE CANOPY PROVIDED =	3,600
	PERCENTAGE OF 10-YEAR TREE CANOPY PROVIDED =	13.15%

BOHLER ENGINEERING
 CIVIL CONSULTING ENGINEERS
 PROJECT MANAGERS
 ENVIRONMENTAL CONSULTANTS
 12238 DAVIS DRIVE, SUITE 202
 STERLING, VIRGINIA 20164
 Phone: (703) 796-5000
 Fax: (703) 796-0021
 www.BohlerEngineering.com

REVISIONS

REV	DATE	COMMENT	BY
1	05/17/12	REVISED COUNTY COMMENTS	NTG
2	08/02/12	REVISED COUNTY COMMENTS	NTG
3	10/04/12	REVISED COUNTY COMMENTS	NTG
4	02/08/13	REVISED CLIENT COMMENTS	NTG
5	03/22/13	REVISED COUNTY COMMENTS	NTG
6	04/02/13	REVISED COUNTY COMMENTS	NTG

NOT APPROVED FOR CONSTRUCTION

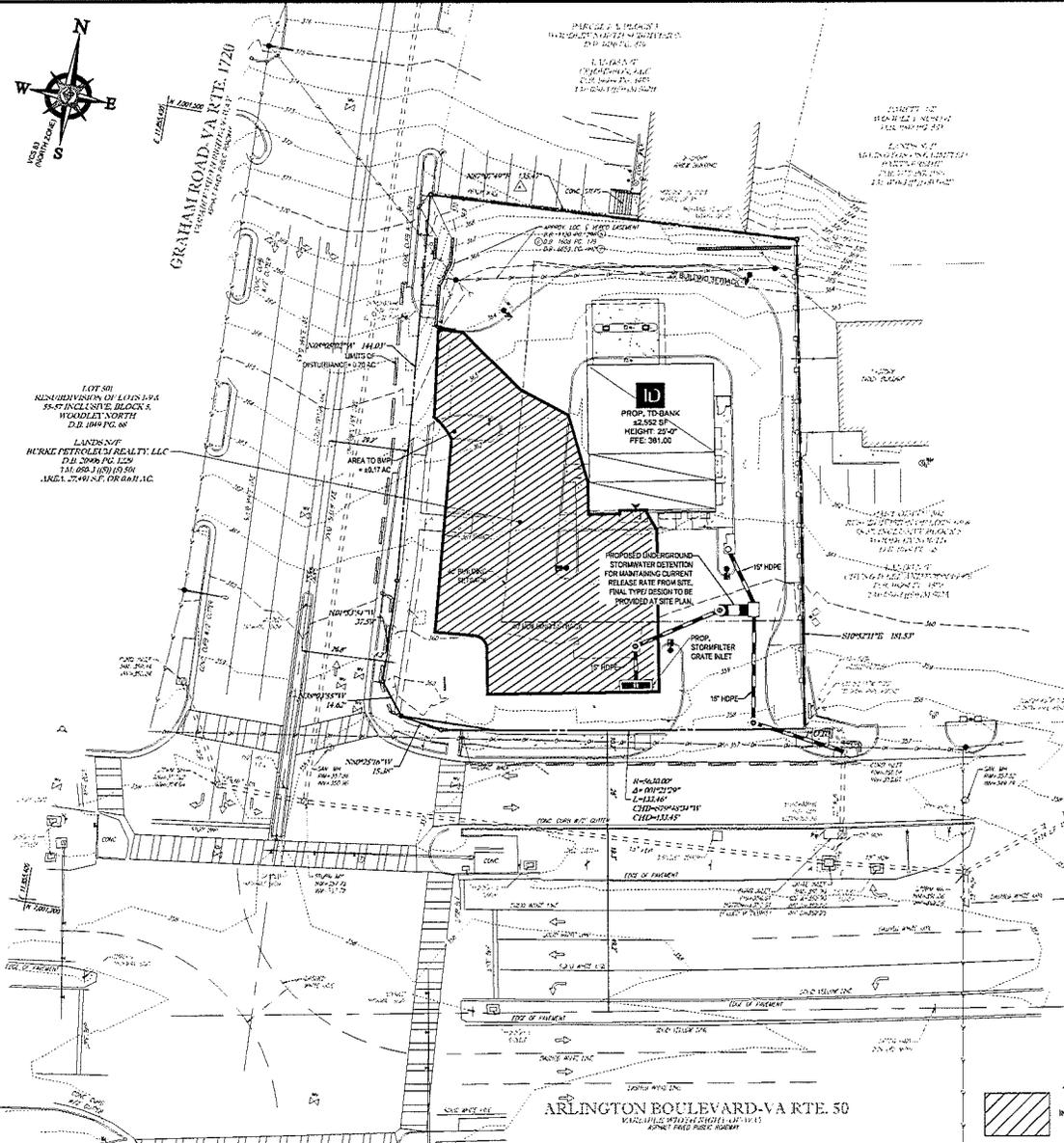
SPECIAL EXCEPTION PLAT
 FOR

 LOCATION OF NTP:
 7230 ARLINGTON BOULEVARD
 PROVIDENCE DISTRICT
 FALLS CHURCH
 FAIRFAX COUNTY, VIRGINIA

BOHLER ENGINEERING
 22338 DAVIS DRIVE, SUITE 202
 STERLING, VIRGINIA 20164
 Phone: (703) 796-5000
 Fax: (703) 796-0021
 www.BohlerEngineering.com

LANDSCAPE PLAN

SHEET NUMBER
4
 OF 6



LOT 60
SUBDIVISION OF LOTS A-F
56.57 ACRES, BLOCK 6
WOODLIE NORTH
D.D. 1947 PG. 68

LANDS OF
MURAL PETROLEUM REALTY, LLC
D.D. 2009 PG. 129
741,895.4 SQ. FT. (16.9 AC.)
LAND 37.49 AC. OR 868.1 AC.

SECTION 1
ARLINGTON BOULEVARD VA RTE. 50
SECTION 2
GRAHAM ROAD VA RTE. 1720

ARLINGTON BOULEVARD VA RTE. 50
SECTION 1
SECTION 2

PRE TO POST SWM SUMMARY (SUBJECT TO CHANGE WITH SITE PLAN FINAL DESIGN)

YEAR STORM	Tc	INTENSITY (MMHR)	SITE AREA (AC.)	IMPERVIOUS PRE (AC.)	IMPERVIOUS POST (AC.)	WEIGHTED FACTOR (PRE DEVELOPED)	WEIGHTED FACTOR (POST DEVELOPED)	PRE DEVELOPED RELEASE RATE (CFD)	POST DEVELOPED RELEASE RATE (CFD)
2	5 MIN	5.45	0.83	0.43	0.48	0.73	0.78	2.53	2.83
10	5 MIN	7.37	0.83	0.43	0.55	0.73	0.76	3.37	3.51

MINIMUM STORMWATER INFORMATION FOR REZONING, SPECIAL EXCEPTION, SPECIAL PERMIT AND DEVELOPMENT PLAN APPLICATIONS:
THE FOLLOWING INFORMATION IS REQUIRED TO BE SHOWN OR PROVIDED ON ALL ZONING APPLICATIONS OR A VARIANCE REQUEST OF THE SUBMITTER. REQUIREMENT WITH JUSTIFICATION SHALL BE ATTACHED. NOTE: VARIANTS WILL BE ACTED UPON SEPARATELY. FAILURE TO QUANTITATIVELY ADDRESS THE REQUIRED SUBMISSION INFORMATION MAY RESULT IN A DELAY IN PROCESSING THIS APPLICATION.

THIS INFORMATION IS REQUIRED UNDER THE FOLLOWING ZONING ORDINANCE PARAGRAPHS:
SPECIAL PERMIT (8-1-1) 24.1 SPECIAL EXCEPTIONS (8-1-1) 24.2
CLUSTER SUBDIVISION (8-1-1) 19.1 TO 19.4 COMMERCIAL REDEVELOPMENT DISTRICT (8-2-2) (1) & (2) & (4) & (14)
DEVELOPMENT PLAN (8-1-1) 24.1 & 24.2 DEVELOPMENT PLAN (8-1-1) 24.1 & 24.2
POP. II DISTRICT (EXCEPT PH.1) (8-2-2) (1) & (4) AMBASSADOR (8-2-2) (1) & (4)

- 1. A PLAN IS A MINIMUM SCALE OF 1"=40' UNLESS IT IS SPECIFIED ON ONE SHEET WITH A MINIMUM SCALE OF 1"=100'.
- 2. A CHANGING SYSTEMS STORMWATER MANAGEMENT FACILITIES AND LIMITS OF CLEARING AND GRADING ACCORDANCE: THE STORMWATER MANAGEMENT FACILITIES, STORM DRAINAGE PIPE SYSTEMS AND OUTLET PROTECTION, FLOW SPILLWAYS, ACCESS ROADS, SITE CUTOFFS, ENERGY DISSIPATION DEVICES, AND STREAM STABILIZATION HEADWORKS AS SHOWN ON THIS SHEET.
- 3. PROVIDE AN ON-SITE STORMWATER MANAGEMENT FACILITY MAY BE REQUIRED UNLESS THE POST DEVELOPMENT IMPERVIOUS AREA IS REDUCED AS THE SITE PLAN OR VARIANCE IS APPROVED.

FACILITY NAME/TYPE & NO.	ON-SITE AREA SERVED (ACRES)	OF ACRES AREA (ACRES)	DRAINAGE AREA (ACRES)	FOOTPRINT AREA (SF)	STORAGE VOLUME (CF)	IF FLOW HEIGHT (FT)	IF FLOW HEIGHT (FT)
STORM FILTER	0.17 AC.	0.00 AC.	0.17 AC.	15 SF	N/A	N/A	N/A
10' DETENTION (QUANTITY)	0.43 AC.	0.00 AC.	0.43 AC.	300 SF	1,000'	N/A	N/A

TO BE REDUCED TO MINIMUM REQUIRED BY FINAL DESIGN

- 4. ON-SITE DRAINAGE CHANNELS, CUTOFFS AND PIPE SYSTEMS ARE SHOWN ON THIS SHEET. FLOW HEIGHT AND OUTLET PIPE ELEVATION ARE NOT APPLICABLE.
- 5. MAINTENANCE ACCESS (ROADS) TO STORMWATER MANAGEMENT FACILITIES ARE NOT APPLICABLE. TYPE OF MAINTENANCE ACCESS ROAD SURFACE NOTED ON THE PLAN IS NOT APPLICABLE.
- 6. LANDSCAPING AND TREE PRESERVATION SHOWN IN AND NEAR THE STORMWATER MANAGEMENT FACILITY IS SHOWN ON THIS SHEET. LANDSCAPING IS SHOWN ON SHEET 1720-01.
- 7. A STORMWATER MANAGEMENT NARRATIVE WHICH CONTAINS A DESCRIPTION OF HOW DETENTION AND BEST MANAGEMENT PRACTICES REQUIREMENTS WILL BE MET IS PROVIDED ON THIS SHEET.
- 8. A DESCRIPTION OF THE DRAINAGE CONTRIBUTION OF EACH Hatched SITE OUTLET DETERMINED DOWNSTREAM FROM THE SITE TO A POINT WHICH IS AT LEAST TWO TIMES THE SITE AREA OR WHICH HAS A DRAINAGE AREA OF AT LEAST ONE SQUARE MILE (260 ACRES) IS PROVIDED ON THIS SHEET.
- 9. A DESCRIPTION OF HOW THE OUTFALL REQUIREMENTS, INCLUDING CONTRIBUTING DRAINAGE AREAS OF THE PUBLIC FACILITIES MANUAL WILL BE SATISFIED IS PROVIDED ON THIS SHEET.
- 10. EXISTING TOPOGRAPHY WITH MAXIMUM CONTOUR INTERVALS OF TWO (2) FEET AND A NOTE AS TO WHETHER IT IS AN AN SWAY OR FIELD ROAD IS PROVIDED ON SHEET 1720-01.
- 11. A SUBMISSION WAIVER IS REQUESTED FOR: N/A
- 12. STORMWATER MANAGEMENT IS REQUIRED AT THIS TIME BECAUSE: PRE TO POST IMPERVIOUS AREA IS INCREASED.

STORM WATER MANAGEMENT & BMP NARRATIVE

THE SUBJECT SITE CONSISTS OF AN EXISTING GAS STATION ON LOT 60 WITH MODERATE SLOPES. THE PROPOSED SITE SHALL CONSIST OF A BAY WITH A REMOTE DRIVETHRU CANOPY, ONE (1) STORMWATER BMP STRUCTURE OR EQUIVALENT, LANDSCAPING DETENTION, UTILITIES AND ASSOCIATED PARKING.

THE INCREASE IN IMPERVIOUS AREA FOR THIS SITE IS CURRENTLY 14.6% LESS THAN A 20% INCREASE. THEREFORE, THE SITE QUALIFIES AS REDEVELOPMENT UNDER THE PLAN. THEREFORE, A MINIMUM PHOSPHORUS REMOVAL EFFICIENCY OF 10% IS REQUIRED TO COMPLY WITH SECTION 8.0.2.0 OF THE PUBLIC FACILITIES MANUAL (PFM). THIS 10% IS REDUCED TO 5% WHEN IMPERVIOUS PERCENTAGE CHANGES FROM PRE TO POST DEVELOPMENT. BEST MANAGEMENT PRACTICES (BMP) WILL BE PROVIDED FOR THE SUBJECT SITE THROUGH A STORMWATER BMP OR EQUIVALENT STRUCTURE AS A MINIMUM 10% PHOSPHORUS OR AS OTHERWISE APPROVED BY THE DEVELOPMENT PLAN. THE BMP TREATMENT FACILITY WILL BE LOCATED WITHIN THE FINAL SITE PLAN. IF, DUE TO EXCESS CONSTRAINTS, RECONSTRUCTION NEEDS TO BE MADE TO THIS BMP FACILITY, THE APPLICANT RECEIVES THE RIGHT TO REPLACE THE STORMWATER BLEED OR EQUIVALENT STRUCTURE WITH A SIMILAR BMP TREATMENT WHICH WILL STILL PROVIDE THE 10% MINIMUM PHOSPHORUS REMOVAL REQUIREMENT OR AS OTHERWISE APPROVED BY THE DEVELOPMENT PLAN.

SEE PRE TO POST SWM SUMMARY ON THIS SHEET FOR PRE-DEVELOPMENT TO POST-DEVELOPMENT CALCULATIONS.

OUTFALL ANALYSIS

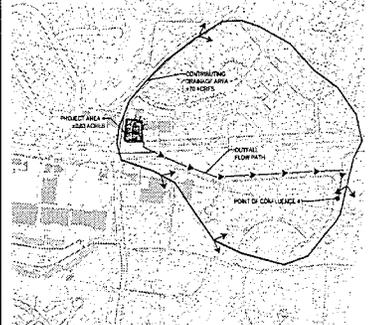
THE PROPOSED REDEVELOPMENT OUTFALL TO THE SOUTH INTO A PIPED STORM SYSTEM. THIS CLOSED STORM SEWER SYSTEM ULTIMATELY LEADS TO THE POTOMAC RIVER THROUGH THE GAMMERS RUN WATERSHED.

THE PROPOSED REDEVELOPMENT FLOW (HAS ACRES SITE AREA) WAS TRACED TO A POINT AT LEAST 100X THE SITE AREA AS REQUIRED UNDER A SPECIAL EXCEPTION. THE SYSTEM IS COMPLETELY PIPED UP TO THE 100X DRAINAGE AREA.

A COMBINATION OF A SITE ELEVATION, SITE VISIT, AND FAIRFAX COUNTY GIS TOPOGRAPHY/STORM PIPES, WERE UTILIZED TO FINALIZE THE ADEQUATE OUTFALL STUDY ON THIS SHEET.

THE OUTFALL FOR THE SITE (HAS ACRES) GOES TO THE SOUTHWEST. THE OUTFALL STUDY CAN BE CONSIDERED WHEN THE TOTAL AREA TO THE OUTFALL SYSTEM WELLS OR EXCEEDS 100X THE AMOUNT (AC) AREAS. THE WATER FOR THIS OUTFALL AREA IS CAPTURED BY EXISTING CURB BULLETS OR SHEET PILING TO PREVENT AT THE LIMITS OF DISTURBANCE.

THE WATER FROM WITHIN THE 100X EVENTUALLY ENTERS THE EXISTING PIPE SYSTEM DEPICTED ON THE OUTFALL MAP. THIS SHEET. THE FLOW PATH FOR OUTFALL TRAVELS TO THE SOUTHWEST UNTIL IT REACHES AN EXISTING STORMWATER STRUCTURE. A TOTAL OF APPROXIMATELY 15 ACRES IS IN THE OUTFALL OUTFALL AT THIS POINT THIS EXCEEDS THE 100X REQUIREMENT TO END THE OUTFALL STUDY (20 ACRES ACRES = 1114). A DETAILED ANALYSIS OF PIPE CAPACITY PER PFM REQUIREMENTS (80% RULE - PFM SECTION 8.0.2.0.2) WILL BE PROVIDED AT TIME OF SITE PLAN.



BOHLER ENGINEERING
CONSULTANT OFFICE
1000 W. MARKET STREET, SUITE 200
FALLS CHURCH, VA 22034
PHONE: (703) 709-0100
FAX: (703) 709-0101
WWW.BOHLERENGINEERING.COM

CITY & COUNTY ENGINEERS
PROJECT MANAGER
ENVIRONMENTAL CONSULTANTS
LANDSCAPE ARCHITECTS

REVISIONS

REV.	DATE	COMMENT	BY
1	06/17/12	REV. PER COUNTY COMMENTS	MTG
2	06/20/12	REV. PER COUNTY COMMENTS	MTG
3	12/04/12	REV. PER COUNTY COMMENTS	MTG
4	02/28/13	REV. PER CLIENT COMMENTS	MTG
5	02/27/13	REV. PER COUNTY COMMENTS	MTG
6	04/02/13	REV. PER COUNTY COMMENTS	MTG

NOT APPROVED FOR CONSTRUCTION

THE CITY ENGINEER HAS REVIEWED THIS PLAN AND HAS DETERMINED THAT IT DOES NOT COMPLY WITH THE REQUIREMENTS OF THE SUBDIVISION CONTROL ACT AND THE SUBDIVISION CONTROL REGULATIONS. THE CITY ENGINEER HAS NOTED THE DEFICIENCIES AND HAS PROVIDED THIS PLAN WITH THE NECESSARY COMMENTS TO BE CORRECTED. THIS PLAN IS NOT TO BE USED FOR CONSTRUCTION UNTIL IT HAS BEEN REAPPROVED BY THE CITY ENGINEER.

PROJECT NO. 10713
DRAWN BY: MBO
CHECKED BY: MBO
SCALE: AS NOTED
CAD: JLB

SPECIAL EXCEPTION PLAT

FOR

TD

SECTION OF 8770
7230 ARLINGTON BOULEVARD
PROVIDENCE DISTRICT
FALLS CHURCH
FAIRFAX COUNTY, VIRGINIA

BOHLER ENGINEERING

22835 DAVIS DRIVE, SUITE 200
STERLING, VIRGINIA 20154
PHONE: (703) 709-0100
FAX: (703) 709-0101
WWW.BOHLERENGINEERING.COM

PROFESSIONAL ENGINEER
MICHAEL CHAMBERLAIN
LIC. NO. 34156
03/27/13

SHEET TITLE
PRELIMINARY STORMWATER MANAGEMENT PLAN

SHEET NUMBER
5
OF 6

- Modification of major trail requirement in favor of 5-foot concrete sidewalks. These waivers and modifications are further discussed in the Zoning Ordinance Provisions section of this report.

LOCATION AND CHARACTER

The subject property is located at the northeast quadrant of the intersection of Arlington Boulevard and Graham Road in the Falls Church area. The property is zoned Neighborhood Commercial (C-5) and is developed with a 2,040 square foot (SF) Exxon service station with three pump islands and a canopy. A small area on the northern portion of the lot remains undeveloped and vegetated. Access to the site is from Graham Road and the Arlington Boulevard service drive.



Figure 2: Existing conditions.(source: Bing Maps)

NEIGHBORING USES

The subject site, Lot 501, is surrounded by retail commercial uses, including a market and a check-cashing business to the east, a Laundromat to the north, and the Graham Center strip shopping center to the west across Graham Road. A Shell service station is located to the south across Route 50 and the Loehmann's Plaza shopping center and Sunoco service station are located to the southwest. While not directly adjacent to the site, Graham Road Elementary School lies just to the northwest of the site.

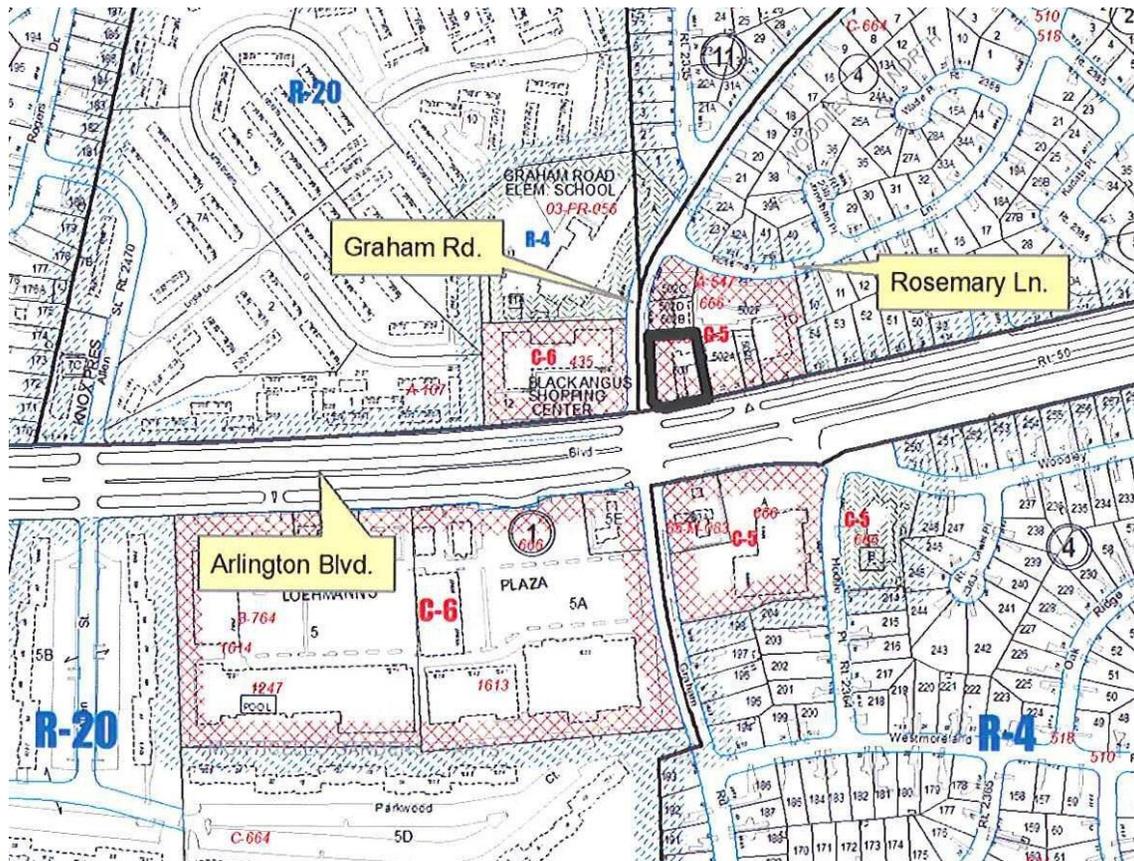


Figure 3: County zoning map.

	Existing Zoning:	Existing Use:	Plan Recommendation:
North:	C-5	Laundromat	Community-serving retail (up to .35 FAR)
East:	C-5	7-11 store, check-cashing business	Community-serving retail (up to .35 FAR)
South:	C-5	Shell service station	Neighborhood-serving retail (up to .25 FAR)
Southwest:	C-6	Loehman's Plaza shopping center	Community-serving retail (up to .35 FAR)
West:	C-6	Graham Center shopping center	Retail and other Commercial uses
Northwest:	R-4	Graham Road Elementary School	Public facilities

BACKGROUND

- Circa 1950 the property under consideration was rezoned to General Business.
- January 27, 1953 the Board of Supervisors approved construction of a gasoline filling station and locating pumps closer to the street line than previously permitted.
- January 25, 1982 the Board of Supervisors approved SE 81-P-101 for the expansion of the existing service station, including new pump island and canopy
- February 1983 a Site Plan Waiver (Waiver Condition Plan) was issued for construction of the expanded service station.
- August 1994 a non-RUP was issued to Graham Road Exxon.

The application property is not subject to any proffered conditions.

DESCRIPTION OF PROPOSAL

Special Exception Plat (SE Plat): (copy at front of staff report)

Title of SE Plat: Special Exception Plat for TD Bank

Prepared by: Bohler Engineering

Original and Revision Dates: March 22, 2012, as revised through April 02, 2013

Plat Description: The Special Exception Plat (SE Plat) consists of six sheets.

Overview:

The applicant, TD Bank, N.A., seeks a special exception to allow a drive-in financial institution in a C-5 district and proposes to replace the existing 2,040 SF Exxon station on the site with a 2,552 SF bank branch building with a two-lane drive-thru facility.

Operational Details:

The number of employees at any one time will not exceed seven. A development condition has been prepared to ensure that this number is not exceeded. The hours of operation are proposed as follows:

	Lobby	Drive-Thru
Monday-Wednesday	8:30am - 5:00pm	8:00am - 8:00pm
Thursday & Friday	8:30am - 8:00pm	8:00am - 8:00pm
Saturday	8:30am - 3:00pm	8:30am - 3:00pm
Sunday	12:00am - 4:00pm	12:00am - 4:00pm

Access and Parking:

Two proposed vehicular entrances provide access to the site: one from the Arlington Boulevard service drive and one from Graham Road. A third existing entrance from the service drive will be removed.

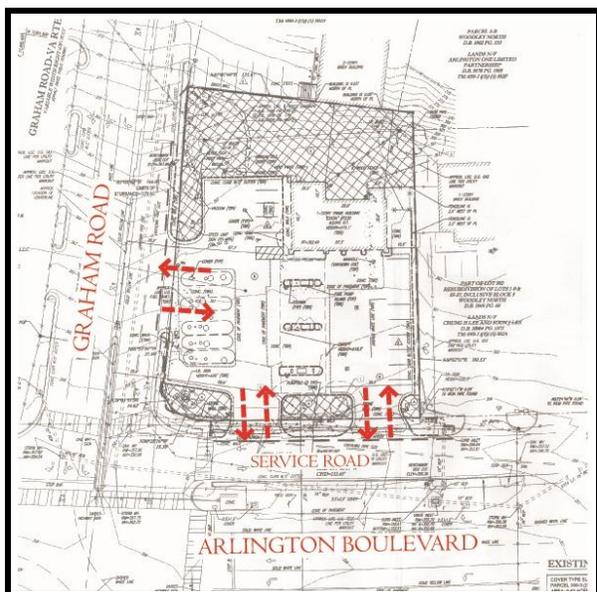


Figure 4: Existing site access.

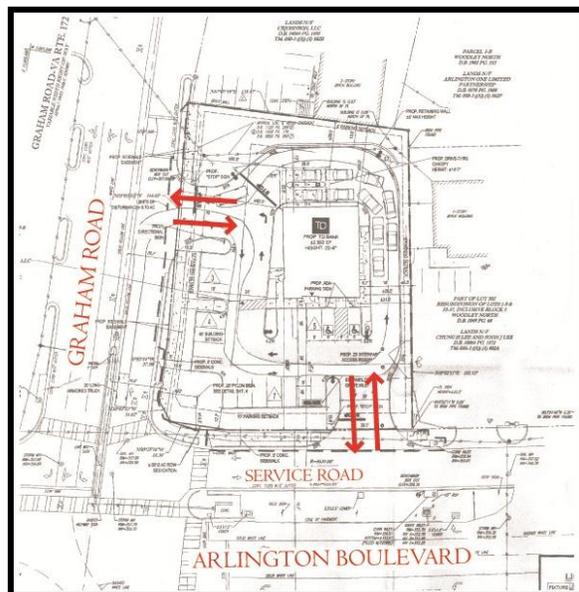


Figure 5: Proposed site access

As shown in the graphics, the Graham Road entrance will also be moved north approximately 45 feet from its current location, to gain additional distance from the intersection with Arlington Boulevard. An interparcel access easement will be reserved to allow future access to the parcel to the east. The SE plat includes a surface parking lot containing 19 parking spaces, two of which are ADA accessible. The applicant also requests a waiver to the loading space requirement, indicating that their unique garbage removal protocol eliminates the need for service vehicles to access the site.

Pedestrian Circulation:

The applicant proposes to replace the existing curb-abutted sidewalk on Graham Road with a 5-foot concrete sidewalk, separated from the curb by a grass strip. The proposed sidewalk on Graham Road will fall outside of the right-of-way, but will be included in an easement for public access/egress, and will be maintained by the applicant. An existing pedestrian crosswalk with curb ramps is proposed to connect the Graham Road sidewalk to the front entrance of the building. The current sidewalk alignment along the Arlington Boulevard service drive will also be maintained and the sidewalk will be reconstructed to meet current standards for a 5-foot wide concrete sidewalk.

In order to not disturb an existing utility pole and flashing school speed limit sign, a slight "jog" has been added to the sidewalk north of the Graham Road access, as well as two small retaining walls, one of which includes a safety railing. This recent change to the SE plat has not been reviewed by FCDOT or VDOT, requiring a development condition to ensure that proper reviews and approvals are obtained at site plan stage.

Retaining Wall:

An additional retaining wall, in the northeast corner of the site, is required to accommodate the grading of the drive-thru lanes. This retaining wall, as well as the previously-mentioned walls, will be conditioned to feature brick materials that are similar to those used on the building façade.

Ornamental Fence:

An option is included on the SE plat for an ornamental fence along the eastern site boundary, to discourage pedestrian traffic from passing through the drive-thru area, and to provide a sense of security for customers completing banking transactions.

Landscaping:

Existing landscaping on the site is sparse and of poor quality, leading the applicant to request a deviation from the Tree Preservation Target in order to remove such vegetation and replace with new plantings. The applicant proposes to plant 18 Category IV deciduous trees around the perimeter of the site as well as a mixture of evergreen hedges and deciduous shrubs along the periphery of the site and adjacent to the proposed building.

Stormwater:

Underground stormwater detention will be provided to meet requirements of the Public Facilities Manual (PFM) to reduce runoff generated by the proposed

construction. Best Management Practice (BMP) requirements for water quality control will be met through installation of one tree box Filterra unit, which shall provide at least a 10% overall reduction in phosphorus runoff from the site, per Section 6-401.2b of the PFM. No Resource Protection Areas (RPA) or floodplains exist on the site.

Signage:

One large pylon-mounted sign is proposed at the southwest corner of the site as well as several building-mounted signs. At least one freestanding directional sign has been indicated on Sheet 6 of the Plat, and shall feature no logos or other advertising, in order to comply with Ordinance requirements. A development condition has been included to ensure that all signs meet Article 12 of the Zoning Ordinance.

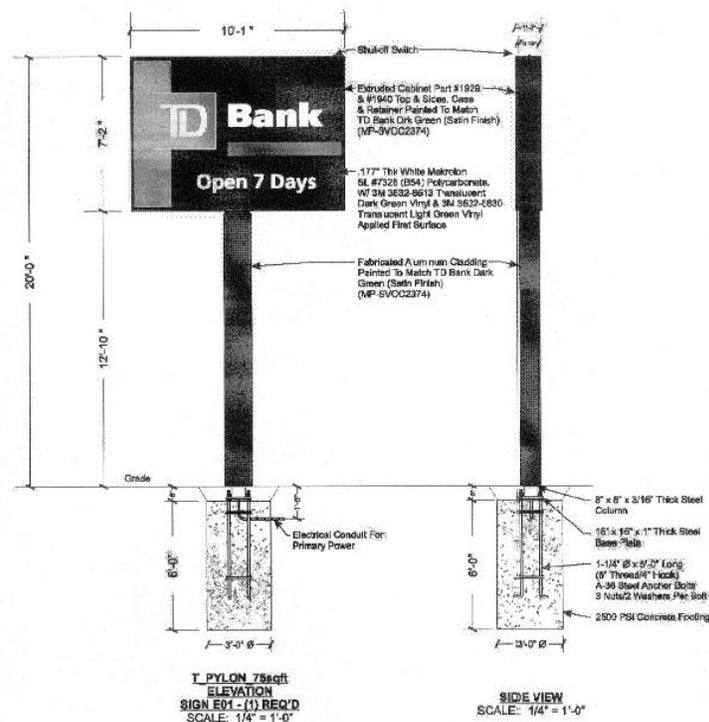


Figure 6: Pylon sign detail.

COMPREHENSIVE PLAN PROVISIONS (Appendix 5)

- Plan Area:** I
- Planning District:** Jefferson Planning District
- Planning Sector:** J9 Greenway Village Community Planning Sector
- Plan Map:** Community-Serving Retail

Plan Text:

In the Area I Volume of the Comprehensive Plan, 2011 Edition, amended through June 19, 2012, Jefferson Planning District, J9 Greenway Village Community Planning Sector, the Greenway Village sector of the Jefferson Planning District is described primarily as a low-density suburban neighborhood, consisting mainly of single-family detached homes, with commercial activity centered along the arterial roadways. The major objectives of the area focus on preserving the neighborhoods and buffering them from higher intensity uses and arterial roadways, while improving pedestrian and vehicular access and circulation.

The intersection of Arlington Boulevard and Graham Road is specifically mentioned as a commercial center for the area and is proposed to continue serving as community-serving and neighborhood-service retail into the future. The Transportation Plan calls for Arlington Boulevard to be expanded to a six-lane thoroughfare.

The Plan recognizes the commercial cluster centered on the Graham Road/Arlington Boulevard intersection and proposes to maintain the neighborhood and community-serving retail uses in that area. The recommendation for the specific parcel subject to current review reads as follows:

“The commercial area in the northeastern quadrant of the Graham Road/Route 50 intersection is planned for community-serving retail uses up to .35 FAR with effective buffering to the abutting single-family residential units. Special use permits and special exceptions in the residential areas should be carefully evaluated to ensure that they will not lead to commercial encroachment.”

These Comprehensive Plan Area Plan and Policy Plan Provisions are further discussed in the Land Use Analysis section of this report.

ZONING ORDINANCE PROVISIONS (Appendix 6)

C-5 Lot Requirements (Sect. 4-506, 4-507, 4-508 and 4-509)		
Standard	Required	Provided
Min. Lot Area	40,000 sq. ft.	27,491 sq. ft. ¹
Min. Lot Width	200 ft.	+/- 150 ft. ¹
Max. Building Height	40 ft.	+/- 25 ft.

C-5 Lot Requirements (Sect. 4-506, 4-507, 4-508 and 4-509)		
Standard	Required	Provided
Front Yard (Arlington Blvd.)	45° angle of bulk plane, not less than 40 ft.	+/- 80.0 ft. (building) +/- 77.0 ft. (building canopy)
Front Yard (Graham Rd.)	45° angle of bulk plane, not less than 40 ft.	+/- 62.0 ft. (building) +/- 60.0 ft. (drive-thru canopy)
Rear Yard	20 ft.	+/- 50.0 ft. (building) +/- 29.0 (drive-thru canopy)
Side Yard	N/A	+/- 31.0 ft. (building) +/- 28.0 ft. (building canopy)
Maximum FAR	0.30	0.10
Open Space	20%	+/- 20%
Parking Spaces	<p>Parking: 12 spaces (4 per 1000 sf)</p> <p>Stacking: eight (8) spaces in front of first window and two (2) spaces for each additional window; except that five (5) stacking spaces may be permitted in front of each of the first two (2) windows, provided that both windows shall always remain open when the drive-in facility is operational</p>	<p>Parking: 19 spaces</p> <p>Stacking: 10</p>
Loading Spaces	1 space	0 spaces ²
Screening / Buffering	None required	None

¹. Reduction in lot size and lot width for existing nonconforming lots permitted per Section 2-405-1 of the Zoning Ordinance.

². The applicant has requested a waiver of the loading space requirement.

ZONING ANALYSIS

Per Zoning Ordinance Sections 4-502-8 and 4-505-1C, a drive-in financial institution would be permissible by-right in a C-5 district only if vehicular access were provided by an internal circulation system of a shopping center. The current proposal, representing an independent site with its own access requirements, is only permissible as a Category 5 special exception use in the C-5 zoning district, pursuant to Section 4-504-4E of the Ordinance and in accordance with the provisions of both Articles 4 and Article 9 of the Ordinance.

Requested Waivers and Modifications

Waiver of Loading Space Requirement

According to the Zoning Ordinance Section 11-203, regarding loading spaces, a financial institution is required to follow Standard C: *“One (1) space for the first 10,000 square feet of gross floor area, plus one (1) space for each additional 20,000 square feet or major fraction thereof.”* The bank is proposed to be 2,552 square feet, which would require one (1) loading space. The applicant is requesting a waiver to the loading space requirement, indicating that they require no trash service or dumpsters due to their confidential paperwork being shredded and removed daily via courier service, along with limited kitchen garbage. Section 11-202-3B allows the Director to reduce the required space *“in an amount which is justified by a reduction in the need for such space by reason of a reduction in size or change in the nature of the use to which such is appurtenant”*. Staff has no objection to this waiver request.

Deviation from Tree Preservation Target

Section 122-2-3(a) of the County Code requires that *“the percentage of the development site covered by tree canopy at the time of plan submission shall equate to the minimum portion of the total 10-year tree canopy requirement that should be met by means of tree preservation”*. The total percentage of post-development tree canopy required for the site is 10 percent, per Section 122-2-1 of the County Code. In this application, the existing tree canopy on the site is only 2.9 percent of the gross site area, but is of poor quality. The applicant requests a deviation from the Tree Preservation Target due to the poor quality of the existing trees on the site, citing a justification per Chapter 122-2-3(b) of the County Code which allows such a deviation provided that *“meeting the tree preservation target would require the preservation of trees and forested areas that do not meet standards for health, structural condition, and other vegetation and risk management requirements”*. The applicant proposes a landscaping plan which includes the addition of 18 Category IV deciduous trees, which will result in tree canopy coverage of 13 percent of the site. Staff does not oppose this deviation request, in favor the landscaping plan on the SE plat.

Modification of major trail requirement

The County’s Proposed Trail Plan shows future major paved trails along both the Arlington Boulevard and Graham Road frontage. There are no other segments of existing major paved trail in the vicinity and, due to the existence of a service drive along Arlington Boulevard and the grade difference across the Graham Road frontage, installation of an 8-foot paved trail on this site would be problematic. The applicant proposes to upgrade existing sidewalks to 5-foot

wide, as well as to relocate the Graham Road sidewalk farther from the street, in lieu of the trail requirement.

General Special Exception Standards (Sect. 9-006)

All special exception uses shall satisfy the following general standards:

General Standards 1 and 2 require that the proposed use at the specified location *“be in harmony with the adopted Comprehensive Plan”* and *“with the general purpose and intent of the applicable zoning district regulations”*. Staff finds that the proposed drive-in financial institution is in harmony with the Comprehensive Plan and the purpose and intent of the C-5 zoning district, which is to provide locations for convenience shopping facilities that supply the necessities that usually require frequent purchasing while minimizing consumer travel. Staff finds that a drive-in financial institution is consistent with this purpose and would complement the existing neighborhood-oriented retail uses in the area.

General Standard 3 states that the proposed use shall *“be harmonious with and not adversely affect the use or development of neighboring properties”*. This standard also requires 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”*. Staff finds that the proposed drive-in financial institution use will be in harmony with the existing uses in the area and will contribute to the revitalization of the neighborhood. While it might have been ideal to further coordinate redevelopment between this parcel and neighboring parcels, the provided interparcel access reservation to the east will allow future redevelopment to take advantage of the connection to Graham Road and might reduce access requirements onto Route 50, if road widening should eliminate the service road in the future.

The property to the north is separated by a significant grade change which would make interparcel vehicular access difficult, even in a consolidated redevelopment plan, so an access reservation to that parcel was deemed unnecessary. However, an improved sidewalk will connect to that property to improve pedestrian access. Increased periphery landscaping will also positively contribute to the neighborhood while not hindering future development in the area. Overall, staff finds that this application meets the standard.

General Standard 4 requires *“that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing or*

anticipated traffic". The proposed drive-in financial institution has been projected to generate less traffic than the previous gas station use, which should have a positive effect on the demands of the local road system. Two proposed entrances will provide access to the subject property, one each off of the Arlington Boulevard service drive and Graham Road. The Arlington Boulevard entrance replaces two existing entrances, which should improve congestion near the busy intersection, while the Graham Road entrance has been moved north from its existing location, to gain additional distance from Arlington Boulevard and to mitigate conflict with vehicles stacking at the intersection. Initial concerns with the substandard throat-length of the proposed Graham Road entrance have been addressed by the applicant, and a revised entrance layout now meets VDOT access standards.

Pedestrian connectivity will remain largely as before but will benefit from wider sidewalks and an additional buffer between the sidewalk and traffic lanes on Graham Road. Overall, staff finds that the vehicular and pedestrian traffic associated with the proposed use would be an improvement and not be hazardous or conflict with existing or anticipated traffic.

General Standard 5 stipulates that *"the Board shall require landscaping and screening in accordance with the provisions of Article 13"*. Since the zoning and land use of the proposed plan is similar to all surrounding uses, there is no transitional screening or barrier required. Also, since the parking area is fewer than 20 spaces, there is no requirement to provide either interior or periphery parking lot landscaping. The applicant is, however, proposing to install trees and landscaping along the periphery of the site, consistent with the periphery landscape requirements of Section 13-203 of the Ordinance. Staff finds that the application meets this standard.

General Standard 6 stipulates that *"open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located"*. In the C-5 zoning district, 20 percent of the gross area must be landscaped open space. As noted in the Zoning Ordinance Provisions section of this report, the subject application proposes to meet the requirement. As a result, staff finds that the application satisfies this standard.

General Standard 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"*. Adequate utilities, drainage, and parking have been provided with this application. The applicant has requested a waiver of the one required loading space and staff is not opposed. Staff finds that, with the approval of this waiver request, this standard will be satisfied.

General Standard 8 specifies 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*”. Several building-mounted signs are incorporated into the building façade and are detailed on Sheet 6 of the plans. The building-mounted signs appear to be in conformance with the placement criteria and within the size requirements found in Section 12-203 of the Zoning Ordinance.

The applicant proposes to erect one freestanding pylon sign, measuring 20 feet in height and consisting of 17.25 SF of sign area, which is in conformance with the requirements of Section 12-203-4, allowing one freestanding sign to a maximum height of 20 feet, and Section 12-205-2, allowing up to 80 SF of sign area. The applicant also proposes at least one secondary directional sign, which is permissible at up to two square feet in area under Section 12-103-2.G of the Zoning Ordinance.

Standards for All Category 5 Uses (Sect. 9-503)

This application is also subject to the three additional standards for all Category 5 special exception uses, which require conformance with the lot size and bulk regulations of the Zoning Ordinance, the performance standards specified in the applicable zoning district, and Article 17 of the Zoning Ordinance, which concerns site plans. With imposition of the proposed Development Conditions, staff finds that these standards have been met.

Additional Standards for Automobile-Oriented Uses, Car Washes, Drive-In Financial Institutions, Drive-Through Pharmacies, Fast Food Restaurants, Quick-Service Food Stores, Service Stations and Service Stations/Mini-Marts (Sect. 9-505)

Drive-in Financial Institutions, when permitted by special exception, must also satisfy the following additional standards:

Standard A stipulates that “*such a use shall have on all sides the same architectural features or shall be architecturally compatible with the building group or neighborhood with which it is associated*”. The building elevations included on the plan appear to have similar architectural features on all sides of the proposed building. While the proposed building will be more modern in appearance than the surrounding ones, it will generally be compatible in style to the neighboring commercial uses. Staff concludes that the application meets this standard and has proposed a development condition that stipulates that the architecture and drive-thru canopy shall be in substantial conformance with what is shown on the SE Plat.

Standard B states that the use *“shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties”*. The applicant is reserving a location for future interparcel connection to the east and is improving the sidewalk conditions along both street frontages. Interparcel access to the north is not included in this plan, since this connection would be difficult due to the existing grade change between properties. Staff concludes that this application meets the standard.

Standard C specifies that *“the site shall be designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation”*, and that *“parking and stacking spaces shall be located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the site”*. The applicant’s proposal meets general standards for vehicle parking and circulation within the site and there are sufficient stacking spaces proposed to meet the needs of the drive-in windows.

The proposed relocation of the Graham Road entrance does pose a significant grading challenge, though. Since Graham Road rises to the north, the elevation of the proposed entrance will be at least four feet higher than the existing entrance, and will result in an 8-10 foot elevation difference between the two entrances to the site. Connecting internal site circulation to both entrances makes it difficult to maintain reasonable drive aisle and parking area cross slopes. Due to these concerns, the applicant has revised their initial plan to: reduce the building footprint, elevate the drive-thrus slightly in the rear of the building, and add additional throat-length to the Graham Road entrance, allowing further flexibility in site grading.

A retaining wall, with a maximum height of three feet, will be required in the northeast portion of the site to connect with the existing slope, and two additional small retaining walls will be required on the north side of the Graham Road entrance, in order to protect an existing utility pole and sign (see the Pedestrian Circulation section above). Staff is satisfied with the preliminary grading exhibits that have been provided by the applicant, and is comfortable that, at the time of site plan, proper detailed grading will be feasible.

The applicant is proposing to improve sidewalks along both street frontages and is including a striped crosswalk to allow safe pedestrian access across the circulation lanes onsite. Pedestrian access and circulation through the site is sufficient to meet the standard.

Standard D states that *“the lot must be of sufficient area and width to accommodate the use and that any such use will not adversely affect any nearby existing or planned residential areas as a result of the hours of operation, noise generation, parking, glare or other operational factors”*. The proposed site plan meets all necessary use requirements and setback regulations within the site boundary and allows for adequate parking and vehicular flow within the site. In

addition, the hours of operation will be consistent with other commercial uses in the area and will not adversely affect neighboring properties, nor should other operational factors. Stacked cars idling at the drive-thru windows could be an issue, but the grade change and retaining wall at the rear of the lot will reduce those impacts to the adjacent property to the north. The grade change will also minimize headlight glare into adjoining properties. As a result, staff finds that the proposed use would not adversely affect any nearby existing or planned residential areas as a result of the hours of operation, noise generation, parking, glare, or other operational factors.

Standard E applies to drive-through pharmacies; therefore, this standard is not applicable to this application.

LAND USE ANALYSIS

Staff finds that the proposed drive-in financial institution is consistent with the recommendation of the Comprehensive Plan to retain community-serving retail use in this specific quadrant of the Graham Road/Arlington Boulevard intersection and will not create any additional encroachment into the residential neighborhoods that the Comprehensive Plan seeks to protect. There are no residential properties directly adjacent to the proposal site and the proposed use is in harmony with the surrounding commercial uses. Staff also finds that the proposed use will satisfy the intent of the Comprehensive Plan with regards to revitalizing existing commercial areas and will retain community-service retail uses in the area.

The Policy Plan provides guidance for traffic circulation impacts of drive-through commercial establishments both on and off-site. A traffic study submitted by the applicant has determined that the proposed use will be less vehicle-intensive than the existing service station and will reduce vehicle trips to and from the site (Appendix 4). Internal site circulation is a concern, as well, and the proposed SE plat has been determined to meet the minimum requirements for vehicle stacking and circulation. The drive-thru banking stalls are located near the rear of the lot, separated from the neighboring parcel by a large grade change and retaining wall, which will serve to minimize the noise effects of idling vehicles and drive-thru speakers. Vehicle parking requirements are exceeded on the plan and are contained on-site. An interparcel access reservation has been included for future connection to the commercial parcel to the east of the site, while a large grade difference to the north makes an interparcel connection to that neighboring parcel impractical.

Overall, staff finds that the proposed drive-in financial institution complements the surrounding uses, adheres to the Policy Plan guidance described above, and is in conformance with the Comprehensive Plan.

ENVIRONMENTAL ANALYSIS (Appendix 7)

LEED/Green Building

Although the site is not in an area where the Comprehensive Plan explicitly expects green development practices, Objective 13 of the Environment section of the Policy Plan encourages green building design in new construction and redevelopment (Appendix 5). Staff encourages the applicant to include such practices in its development plan. The applicant has agreed to pursue LEED certification for the project, and a development condition has been included to that effect.

Water Quality

Objective 2 of the Environment section of the Policy Plan encourages new development and redevelopment to apply innovative BMP's, infiltration techniques and better site design to minimize the negative effects of development on surface and groundwater resources in the County (Appendix 5). Staff feels that the proposed redevelopment presents an opportunity to incorporate additional innovative water quality measures. The applicant is meeting the minimum detention and BMP standards for redevelopment, by specifying underground detention and one Filterra unit. The Filterra, however, is only treating the runoff from approximately 27% of the site and the applicant is not proposing any innovative BMP's or LID techniques.

Tree Cover

While the applicant has provided a landscape plan that provides some landscaping to the previously barren site, staff feels there may be additional opportunities to provide landscaping that would enhance the appearance and function of the site. The applicant has included peripheral parking lot landscaping that is not technically required per the Ordinance, and has included limited landscaping adjacent to the proposed building. Additional interior landscaping would improve the appearance of the site.

Hazardous Materials

Staff remains concerned that the previous use of the site as a gas station might have contributed to soil and/or groundwater contamination on the site and recommends that a Phase I EPA assessment be performed on the site and any resulting contamination found be remediated. The applicant has agreed to perform a Phase I assessment on the site and remediate any revealed contamination; a development condition has been included to that effect.

Lighting

Staff would like assurance that adequate site lighting be provided per the Zoning Ordinance. The applicant has agreed to specify and install proper lighting at the time of site plan and a development condition to that effect has been included.

STORMWATER MANAGEMENT ANALYSIS (Appendix 8)

Stormwater Detention

The applicant proposes to increase impervious coverage on the site by .02 acres (3% of site), which will result in an increase in post-development runoff that is required to be detained onsite per the requirements of the PFM. The initial plans failed to show any detention measures on site, indicating that a waiver to such detention would be requested at the time of site plan. Staff felt that a waiver to stormwater detention did not meet the Comprehensive Plan's objectives to improve stormwater conditions of redevelopment sites and encouraged the applicant to provide adequate detention measures on the plan. The applicant revised the plans to show an underground stormwater detention facility to meet the requirements of the PFM.

Water Quality Control

Since the proposed impervious coverage of the site is increased less than 20%, the site qualifies as "redevelopment" per PFM 6-401.2B and is required to reduce phosphorus runoff by 10% from existing conditions. The applicant has proposed the installation of one tree box Filterra unit to meet PFM water quality requirements (also see the Environmental Analysis above).

TRANSPORTATION ANALYSIS (Appendices 4, 9 & 10)

A transportation study for the subject property, completed by Kimley-Horn and Associates and dated March 20, 2012, has been submitted as part of the application package. The study concludes that: 1) the proposed drive-in financial use will generate fewer vehicle trips per day than the existing service station use, 2) that circulation will operate in a safe and efficient manner, and 3) that the proposed change in use will have no adverse impact on traffic. Staff is satisfied with this report and has no issues with the traffic impacts of the proposal.

One significant issue during the review included:

Issue: Graham Road Entrance

Initially, staff had concerns that the throat length of the Graham Road entrance was insufficient, and of the resulting effect on curb radius and vehicle maneuverability. An access management waiver would have been required from VDOT to permit the short throat-length.

Resolution

The applicant revised the SE plat to add additional throat-length on Graham Road, and avoid the need for a VDOT waiver. There is still concern from VDOT that the minimal turning radius of the entrance may cause truck traffic to harm the sidewalk ramps, so heavy-duty CG-12 ramps may be required at site plan phase.

Other comments include:

Sidewalk Outside of Right-of-Way

Staff has noted that the sidewalk along Graham Road is proposed to be outside of the public right-of-way, although staff believes that the location is an improvement over the current curb-abutted location. A public access easement, however, will be required for the sidewalk and the owner of the site will be required to maintain it. The applicant has agreed to place an access easement on the proposed sidewalk and to be responsible for its maintenance. A condition requiring an easement and maintenance agreement has been included in Appendix 1.

Location and Orientation of Bicycle Racks

FCDOT staff requested that the applicant rotate the orientation of the proposed bicycle racks and shift their location slightly from that shown on the SE Plat (see Appendix 9 for details). A development condition has been included indicating that FCDOT approval will be required of the bicycle rack location and orientation at site plan.

URBAN FOREST MANAGEMENT DIVISION (UFMD) ANALYSIS (Appendix 11)

Deviation from Tree Preservation Target

The applicant requests a deviation from the Tree Preservation Target due to the poor quality of the existing trees on the site, citing a justification per Chapter 122-2-3(b) of the County Code. Staff does not object to the proposed deviation and recommends a directive from the Board of Supervisors to the Director of DPWES to permit such a deviation request.

Landscape Requirements

Staff initially noted that the plan does not sufficiently address aspects of landscaping requirements of the PFM regarding species diversity and minimum size of planting areas. The applicant has revised the plan to address Staff concerns and to providing additional interior landscaping.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The proposed drive-in financial institution on the subject property is consistent with the existing neighborhood and community-serving uses in the area and would not adversely impact the site or neighboring properties. Staff finds that the application is in harmony with the Comprehensive Plan and conforms to all applicable Zoning Ordinance Provisions.

Recommendations

Staff recommends approval of SE 2012-PR-012, subject to the proposed development conditions contained in Appendix 1.

Staff recommends approval of the following waivers and modifications:

- Waiver of the loading space requirement for the drive-in financial institution use.
- Deviation from the Tree Preservation Target per 122-2-3(b) of the County Code
- Modification of the major trail requirement to accept 5-foot concrete sidewalks.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The approval of this application 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. Special Exception Affidavit
3. Statement of Justification
4. Traffic Statement
5. Comprehensive Plan Provisions
6. Zoning Ordinance Provisions
7. DPZ – Environmental Analysis
8. DPWES – Stormwater Analysis
9. FCDOT Analysis
10. VDOT Analysis
11. DPWES – Urban Forest Management Division Analysis
12. Glossary of Terms

PROPOSED DEVELOPMENT CONDITIONS
SE 2012-PR-012
April 10, 2013

If it is the intent of the Board of Supervisors to approve SE 2012-PR-012, located at 7230 Arlington Boulevard, Tax Map 50-3((5))(5)-501, for a drive-in financial institution, pursuant to Sect. 4-504 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

GENERAL:

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception Amendment 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 Amendment is subject to the provision of Article 17, Site Plans as may be determined by the 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 for TD" prepared by Bohler Engineering, which is dated March 22, 2012 and revised through February 20, 2013 and these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. A copy of this Special Exception and the Non-Residential Use Permit shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.

OPERATIONAL:

5. Hours of operation of the bank shall not exceed 8:00 a.m. to 8:00 p.m. Monday through Friday, 8:00 a.m. to 3:00 p.m. on Saturdays, and 12:00 a.m. to 4:00 p.m. on Sundays.
6. There shall be a maximum of seven employees on-site at any one time.

ENVIRONMENTAL:

7. Prior to site plan approval, the applicant must perform a Phase I EPA assessment on the site and remediate any revealed contamination to the satisfaction of the Virginia Department of Environmental Quality (DEQ).

ARCHITECTURAL:

8. Architectural elevations and building materials shall be in substantial conformance with those shown on the SE Plat.
9. All retaining walls shall incorporate split-face CMU materials similar to the building façade.

LANDSCAPING:

10. Landscaping and sidewalk treatments shall be provided as generally shown on the Special Exception Plat, subject to review and approval of the Urban Forestry Management Division of the Department of Public Works and Environmental Services (DPWES).

TRANSPORTATION:

11. Prior to issuance of a Non-RUP, a 23-foot wide interparcel access easement shall be recorded, as depicted on the SE plat, to provide future access to the parcel to the east.
12. Prior to issuance of a Non-RUP, the applicant shall grant an easement to provide public access to the sidewalk along Graham Road. Such easement shall be subject to a private maintenance agreement in a form acceptable to the County Attorney.
13. Two drive-thru lanes shall be open to provide adequate vehicle stacking at all times.
14. The location and orientation of the retaining walls and sidewalk at the northwest corner of the site, from the Graham Road access north, shall be subject to FCDOT and VDOT review and approval at site plan.
15. Final layout of bicycle rack location and orientation shall be subject to FCDOT approval at site plan.

STORMWATER:

16. Stormwater management/BMP facilities shall be determined by DPWES to meet all PFM requirements prior to final site plan approval, regardless of any waiver requests.

SIGNAGE/LIGHTING:

17. All signage shall comply with the provisions of Article 12 of the Zoning Ordinance.
18. No freestanding commercial signs, other than the 20' pylon sign depicted on the SE plat, shall be permitted. Bank logos or other advertising shall not be placed on any directional signage.
19. All lighting, including streetlights, security lighting, signage lighting (during the allowed hours as listed within these conditions) and pedestrian or other incidental lighting, shall be in conformance with Part 9 of Article 14 of the Zoning Ordinance.

GREEN BUILDING:

20. A. The Applicant shall include, as part of the site plan submission and building plan submission for the building, a list of specific credits within the most current version of the U. S. Green Building Council's Leadership in Energy and Environmental Design — New Construction (LEED[®]-NC) rating system, or other LEED rating system determined to be applicable to the financial institution by the U. S. Green Building Council (USGBC), that the Applicant anticipates attaining. At least one principal participant of the Applicant's project team shall be a Licensed Architect, Licensed Landscape Architect, or Professional Engineer, and a LEED Accredited Professional, and such professional shall provide certification statements at both the time of site plan review and the time of building plan review confirming that the items on the list are expected to meet at least the minimum number of credits necessary to attain LEED certification for the financial institution.

B. Prior to approval of the site plan, the applicant will post a "green building escrow," in the form of cash or a letter of credit from a financial institute acceptable to DPWES as defined in the Public Facilities Manual, in the amount of \$70,000. This escrow will be in addition to and separate from other bond requirements and will be released upon demonstration of attainment of certification, by the U.S. Green Building Council, under the most current version of the LEED[®]-NC rating system or other LEED rating system determined, by the U.S. Green Building Council, to be applicable to the building. The provision to the Environment and Development Review Branch of DPZ, within two years of issuance of the RUP/non-RUP for the

building, of documentation from the U.S. Green Building Council that the building has attained LEED certification will be sufficient to satisfy this commitment.

C. If the applicant provides to the Environment and Development Review Branch of DPZ, within two years of issuance of the RUP/non-RUP for the building, documentation demonstrating that LEED certification for the building has not been attained but that the building has been determined by the U.S. Green Building Council to fall within three points of attainment of LEED certification, 50% of the escrow will be released to the applicant; the other 50% will be released to Fairfax County and will be posted to a fund within the County budget supporting implementation of County environmental initiatives.

D. If the applicant fails to provide, within two years of issuance of the RUP/non-RUP for the building, documentation to the Environment and Development Review Branch of DPZ demonstrating attainment of LEED certification or demonstrating that the building has fallen short of certification by three points or less, the entirety of the escrow for that building will be released to Fairfax County and will be posted to a fund within the county budget supporting implementation of county environmental initiatives.

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

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

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted as evidenced by the issuance of a Non-Residential Use Permit for the use. 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: December 3, 2012
 (enter date affidavit is notarized)

I, Lauren K. Keenan, Esquire, 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

116731

in Application No.(s): SE 2012-PR-012
 (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)
TD Bank, National Association Michael E. Powell	12000 Horizon Way Mount Laurel, NJ 02054	Applicant/Lessee Agent
Bean, Kinney & Korman, P.C. Frederick R. Taylor, Esquire Lori K. Murphy, Esquire Lauren K. Keenan, Esquire	2300 Wilson Blvd., 7th Floor Arlington, VA 22201	Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent
Bohler Engineering, VA, LLC Michael J. O'Hara Daniel M. Duke	22636 Davis Drive, Suite 250 Sterling, VA 20164	Engineer/Agent Agent Agent
Kimley- Horn and Associates, Inc. Edward Y. Papazian Matthew J. Horne	11400 Commerce Park Drive, Suite 400 Reston, VA 20191	Transportation Engineer/Agent Agent Agent
Burke Petroleum Realty, LLC William P. Crowe	6820-B Commercial Drive Springfield, VA 22151	Title Owner/Lessor 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: December 3, 2012
 (enter date affidavit is notarized)

116731

for Application No. (s): SE 2012-PR-012
 (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)
 TD Bank, National Association
 2035 Limestone Road
 Wilmington, DE 19808

DESCRIPTION OF CORPORATION: (check one statement)

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

NAMES OF SHAREHOLDERS: (enter first name, middle initial and last name)
 TD Bank US Holding Company

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

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

Special Exception Attachment to Par. 1(b)DATE: December 3, 2012
(enter date affidavit is notarized)

116731

for Application No. (s): SE 2012-PR-012
(enter County-assigned application number (s))**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)
TD Bank US Holding Company
Two Portland Square
Portland, ME 04101**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)
TD USP&C Holdings, ULC**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)
TD USP&C Holdings, ULC
900 Home Oil Tower
234-8th Avenue S.W.
Alberta, Calgary
T2P 2Z2 Canada**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)
The Toronto-Dominion Bank(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

Special Exception Attachment to Par. 1(b)DATE: December 3, 2012
(enter date affidavit is notarized)

116731

for Application No. (s): SE 2012-PR-012
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
 The Toronto-Dominion Bank
 P.O. Box 1
 Toronto-Dominion Centre
 Toronto, Ontario
 M5K 1A2 Canada

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)

The Toronto-Dominion Bank is a publicly traded company and the shareholders change daily.

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
 Bean, Kinney & Korman, P.C.
 2300 Wilson Blvd., 7th Floor
 Arlington, VA 22201

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Jonathan C. Kinney
 James W. Korman

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

Special Exception Attachment to Par. 1(b)DATE: December 3, 2012
(enter date affidavit is notarized)

116731

for Application No. (s): SE 2012-PR-012
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
 Bohler Engineering VA, LLC
 22636 Davis Drive
 Suite 250
 Sterling, VA 20164

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)

Bohler Engineering, PC
 Adam J. Volanth
 Daniel M. Duke
 Mark R. Joyce

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
 Bohler Engineering, PC
 22636 Davis Drive
 Suite 250
 Sterling, VA 20164

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)

Ludwig H. Bohler

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

Special Exception Attachment to Par. 1(b)DATE: December 3, 2012
(enter date affidavit is notarized)

116731

for Application No. (s): SE 2012-PR-012
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
 Kimley-Horn and Associates, Inc.
 11400 Commerce Park Drive, Suite 400
 Reston, VA 20191

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

Burke Petroleum Realty, LLC
 6820-B Commercial Drive
 Springfield, VA 22151

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)

Burke Petroleum Holding, LP
 Burke SPE, Inc.

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

Special Exception Attachment to Par. 1(b)DATE: December 3, 2012
(enter date affidavit is notarized)

116731

for Application No. (s): SE 2012-PR-012
(enter County-assigned application number (s))**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)Burke SPE, Inc.
6820-B Commercial Drive
Springfield, VA 22151**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)Eyob (NMI) Mamo
Gerald (NMI) Schaeffer**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)Burke Petroleum Holding SPE, Inc.
6820-B Commercial Drive
Springfield, VA 22151**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)Eyob (NMI) Mamo
Gerald (NMI) Schaeffer(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: December 3, 2012
 (enter date affidavit is notarized)

116731

for Application No. (s): SE 2012-PR-012
 (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)
 Burke Petroleum Holding, LP
 6820-B Commercial Drive
 Springfield, VA 22151

(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)

Burke Petroleum Holding SPE, Inc.,
 General Partner, does not own 10% or more
 of Burke Petroleum Realty, LLC, The Title
 Owner

Eyob (NMI) Mamo, Limited Partner

Gerald (NMI) Schaeffer, 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: December 3, 2012
 (enter date affidavit is notarized)

116731

for Application No. (s): SE 2012-PR-012
 (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.

Application No.(s): SE 2012-PR-012
(county-assigned application number(s), to be entered by County Staff)

SPECIAL EXCEPTION AFFIDAVIT

DATE: December 3, 2012
(enter date affidavit is notarized)

116731

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: Lauren Keenan
(check one) Applicant Applicant's Authorized Agent

Lauren K. Keenan, Esq.
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 3rd day of December 20 12, in the State/Comm. of Virginia, County/City of Arlington.

Nidia J. Coton
Notary Public

My commission expires: July 31, 2014.





Revised STATEMENT OF JUSTIFICATION
Revised April 3, 2013

Special Exception Application
Application of TD Bank, N.A.
Case Name: TD Bank – 7230 Arlington Boulevard
GPIN# 0503 05050501

1. Zoning

This is an application under Zoning Ordinance Sections 4-504(4)(E) (C-5 Neighborhood Retail Commercial District) for a drive-in financial institution in a C-5 District. The applicant also seeks a waiver of the loading space requirement (Section 11-203).

The subject property consists of 27,491 square feet (0.631 acres) and is not located within any overlay districts. The property is currently used as a gasoline station.

2. Proposed Operation

The proposed bank will be a drive-in bank with a two-lane drive-through with a bailout lane. The proposed bank will provide banking services to the area and provide a critical part of the community with a full service bank, one that offers hours of operation that meet the realistic needs of its neighbors and one at which bank officers will be on site for what would be considered extended hours in this area. This will allow the bank to meet the full range of customers' banking needs.

The hours of operation of the proposed bank would be as follows:

	Lobby	Drive-in
Monday-Wednesday	8:30-5:00	8:00-8:00
Thursday & Friday	8:30-8:00	8:00-8:00
Saturday	8:30-3:00	8:30-3:00
Sunday	12:00-4:00	12:00-4:00

The number of employees at any one time will not exceed seven. The expected number of patrons at the bank will be comparable to other banks in the general vicinity.

3. Location of Property and Current Use

The subject property is located at the northeast corner of the intersection of Arlington Boulevard (VA Rte. 50) and Graham Road (VA Rte. 1720). Presently the site is improved with an Exxon gas station.



4. Surrounding Area

The surrounding area consists of a 7-11 and a low rise office building to the east of the property. A laundry (formerly, a dry cleaning plant) is located to the north of the site. Across the intersection to the west and south are two *circa* 1950s strip shopping centers and diagonally across the intersection is Loehman's plaza, a substantial *circa* 1980s shopping center.

5. Special Exception Application

The General Special Exception Standards, Fairfax County Code Sec. 9-006, provides, in part, that the proposed use be in harmony with the Comprehensive Plan and Zoning Regulations. The proposed development is in harmony with the Comprehensive Plan, which permits a drive-through bank subject to certain conditions which have been addressed in this application.

The proposed building, utility locations, landscaping and parking lot configurations are subject to final engineering, but will remain in substantial conformance as depicted on the Special Exception Plat. The Special Exception Plat includes six sheets:

- Sheet One: Cover Sheet
- Sheet Two: Existing Conditions Plan/Existing Vegetation Map
- Sheet Three: Special Exception Plat
- Sheet Four: Landscape Plan
- Sheet Five: Preliminary Stormwater Management Plan
- Sheet Six: Building Elevations/Site Details

The proposed development includes a 2,552± square foot TD Bank with an FAR of less than 0.1. The proposed bank will be located on a parcel consisting of 27,491 square feet (0.631 acres). The minimum lot size is 40,000 square feet and a waiver of the minimum lot area is being requested.

The bank proposes a 4-foot parking setback along both the northern and eastern property lines. The bank also proposes a 10-foot parking setback along the southern and western property lines.

6. Traffic Impact of Proposed Use

This site is located in a general commercial area. Therefore, any increase in traffic on Arlington Boulevard should be minimized because the bank will draw primarily upon customers that are already visiting the area shopping center and other retail establishments. Further, Kimley-Horn and Associates, Inc. has provided an additional traffic statement, regarding the reduction in traffic overall. That Traffic Statement, dated March 20, 2012, is attached hereto. The traffic study was also sent to Fairfax County Department of Transportation on May 30, 2012.



7. Access and Connectivity

The proposed use fronts on Arlington Boulevard. Access to the site is achieved via a service drive along Arlington Boulevard and along Graham Road. The drive through will be accessed by a one-way drive aisle. Internal to the site, connectivity is provided by a concrete sidewalk.

8. Description of Facade and Architecture

The interior of the space will conform to TD Bank's high quality design standards. The exterior of the building will conform to the elevations located on Sheet 6 of 6 of the enclosed plans.

The bank tenant location will continue to feature a CMU and EIFS exterior and split-face CMU block at the base of the structure. Doors and sun louvers will be glass and aluminum. A parapet will feature the traditional green TD Bank logos of "TD," and the TD Bank sign will be displayed on the front of the bank's façade.

The drive-through features CMU supports and split-face CMU block at the base, mirroring the design and façade of the bank. The canopy will be flat and will extend over all two drive aisles.

9. Conformity to Comprehensive Plan Provisions, Applicable Ordinances and Waivers

The proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards and any applicable conditions, and for the waivers and exception sought by the applicant as are specifically noted with this justification.

In this case, the applicant seeks a waiver of the loading space requirement (11-203, Standard C). This request is shown on the plans. *See*, Sheet 3 of 6.

The subject property is located in the J9 Greenway Village Community Planning Sector of the Jefferson Planning District. According to the Comprehensive Plan, the commercial area located at the northeastern corner of Arlington Boulevard and Graham Road is planned for community-serving community retail uses up to a 0.35 FAR. This application conforms to this plan.

Waivers

The applicant requests a waiver of the loading space requirement, 11-203, on the basis that due to security requirements, the bank disposes of all trash, recycling and documents off-site, confidentially.



10. Hazardous Conditions and Recycling

There are no known hazardous or toxic substances under Federal, State or Local regulation to be generated, utilized, stored, treated, and/or disposed of on this site or otherwise associated with this application.

TD Bank does not use dumpsters or dumpster enclosures due to the nature of the business which requires protection of confidential financial data. Approximately one kitchen-sized bag of kitchen garbage plus confidential trash, which is bagged separately, is removed by a TD Bank courier daily and shredded and recycled.

11. Environment and Stormwater Management Facilities

There are no significant environmental features (wetlands, streams, and habitat) on this site. The proposed site is currently improved with a gas station. BMP will be provided for the subject property through on site detention, if required. Final type design to be provided at site plan, if required. *See* Sheet 5 of 6, Landscape Plan. Preliminary Stormwater Management Plan

Outfall channels south to an open channel storm system which discharges into a closed channel leading to the Potomac River. The proposed development will decrease the peak runoff rate and adequate outfall will exist. *See* Sheet 5 of 6, Landscape Plan.

12. Landscaping

TD Bank exceeds the local jurisdiction's requirements for greenspace. In this case, the County requires tree canopy in the amount 2,749 square feet, combined with tree preservation and tree plantings. The proposed vegetation will include preservation of some greenspace as well as the planting of deciduous trees. The bank will provide 3,600 square feet of tree cover. This greenspace represents 20%+/- of the site. Additionally, the bank will plant the areas surrounding the bank with grass and low shrubbery. *See* Sheet 4 of 6.

Deviation from the tree preservation target is requested due to the lack of healthy and desirable trees. Additional information is provided on Sheet 4 of 6.

A handwritten signature in black ink, appearing to read 'Frederick R. Taylor', written over a horizontal line.

Frederick R. Taylor
Lori K. Murphy
Attorneys and Agents for the Applicant



Kimley-Horn
and Associates, Inc.

Memorandum

To: Lori K. Murphy, Esq. LEED AP
Bean Kinney and Korman

From: Edward Y. Papzian, P.E. *EYP*
Kimley-Horn and Associates, Inc.

Date: March 20, 2012

Subject: Traffic Statement
TD Bank
7230 Arlington Boulevard

■
11400 Commerce Park Drive
Suite 400
Reston, Virginia
20191

EXECUTIVE SUMMARY

This traffic statement demonstrates that the proposed drive-in financial institution at 7230 Arlington Boulevard will result in no adverse traffic impact and will result in fewer trips than is generated by the existing gasoline service station on the property. This traffic statement also describes vehicle circulation and concludes that the proposed drive-in financial institution will operate in a safe and efficient manner.

INTRODUCTION

This memorandum serves as a traffic statement for the proposed TD Bank with drive-thru at 7230 Arlington Boulevard in the Falls Church area of Fairfax County, Virginia. The property is located in the northeast corner of Arlington Boulevard (US 50) and Graham Road.

The site consists of 0.63 acres and currently contains a gasoline service station. It is in the C-5 zone (neighborhood retail). The proposed drive-in financial institution requires a special exception.

The proposed development involves the removal of the existing gasoline service station and its replacement with the bank with three drive-thru lanes.

TRIP GENERATION COMPARISON

Since the proposed drive-in financial institution will replace the existing gasoline service station, the AM and PM peak hour trips were compared. The existing gasoline service station contains six fueling positions. The proposed bank with drive-thru lanes consists of 2,900 square feet of gross floor area and three drive-thru lanes.

■
TEL: 703.674.1300
FAX: 703.674.1350



The trip generation figures used in this analysis are from the Institute of Transportation Engineers (ITE) Trip Generation Report, 8th Edition. The trip comparison was based on the number of fueling positions at the gasoline service station and the number of drive-thru lanes at the bank. This comparison does not include any reductions for pass-by trips. This is due to the absence of data on pass-by percentages for both of the uses considered in this analysis and the desire to avoid distorting the comparison.

The trip calculations are shown in Table 1 below:

	AM Peak Hour			PM Peak Hour		
	In	Out	Two-Way	In	Out	Two-Way
Condition Existing						
Gasoline Service Station with 6 Fueling Positions ITE LU Code 944	39	37	76	41	42	83
Proposed						
Bank with 3 Drive-Thru Lanes ITE LU Code 912	16	12	28	40	42	82
Net Decrease in Trips	23	25	48	1	-	1

These figures show that the proposed drive-in financial institution will generate fewer trips than the existing gasoline service station.

It should be noted that the business model for TD Bank calls for its banks to be open seven days per week with extended hours. This would result in a spreading of vehicle trips over these extended hours and lower trip generation figures during the peak hours than indicated in the ITE Trip Generation Report. Notwithstanding the above, this analysis is based on use of the Trip Generation Report.

VEHICLE CIRCULATION

The vehicle circulation for the proposed drive-in financial institution will operate in a safe and efficient manner. Seven vehicle stacking spaces are provided at the drive-thru window along the side of the building. Five vehicle stacking spaces are provided at the next drive-thru window. Four vehicle stacking spaces are provided at the third drive-thru window. This means that there are 16 vehicle stacking spaces provided at the three drive-thru windows, and 12 stacking spaces at the first two drive-thru windows. This is in accordance with the County's requirement of five spaces for each of the first two drive-thru windows. The proposed bank property is served by an access point along both Graham Road



Kimley-Horn
and Associates, Inc.

and along the Arlington Boulevard frontage road. This provides for effective dispersal of traffic entering and exiting the property.

CONCLUSIONS

It is concluded that the proposed drive-in financial institution at 7230 Arlington Boulevard will have no adverse impact on traffic. The trip generation for this facility is less than the existing gasoline service station on the property. The proposed special exception will not overburden the area roadway network. The vehicle circulation for the plan will operate in a safe and efficient manner. Sufficient stacking is provided for the drive-thru windows in accordance with County requirements.

The property is served by an access point along both Graham Road and the Arlington Boulevard frontage road. This provides for effective dispersal of traffic entering and exiting the property.

Selected applicable excerpts from the Fairfax County Comprehensive Plan, 2011 Edition. For the full, unabridged, plan please visit the website of the Fairfax County Planning and Zoning Department or view a copy in person at the Fairfax County Planning and Zoning office.

JEFFERSON PLANNING DISTRICT PLAN (amended through 6/19/2012)

CONCEPT FOR FUTURE DEVELOPMENT *(excerpt)*

The planning guidance provided by the Concept for Future Development is one of the principal elements used in formulating Area Plan recommendations. The Concept and its associated land use guidance recommend the predominant use and character envisioned for land areas within each planning district although within the Planning District, there may be land areas planned for a distinctly different land use than that envisioned by the Concept.

Suburban Neighborhoods comprise the remainder of the Jefferson Planning District and are to be protected and enhanced by ensuring compatible relationships between uses.

MAJOR OBJECTIVES

The primary planning objectives for the Jefferson Planning District are:

- Preserve stable residential neighborhoods, well buffered from higher intensity use and through-traffic arterials;
- Concentrate commercial activity and higher density residential units in the Merrifield Suburban Center;
- Provide for improved pedestrian and vehicular access and circulation; and
- Identify, preserve and promote awareness of heritage resources through research, survey and community involvement.

DISTRICT-WIDE RECOMMENDATIONS *(excerpt)*

ENVIRONMENT

The Jefferson Planning District typifies the environmental constraints and opportunities of older suburban sections of Fairfax County. Relative to other sections of the County, a limited opportunity to preserve environmental amenities remains. Therefore, environmental policies for Jefferson should focus on reclamation and improvement.

The most significant environmental features of the Jefferson Planning District include the Tripps Run and Holmes Run Stream Valleys which constitute the watershed for Lake Barcroft. The lake is an important source of private recreation. In addition, major impoundments have been constructed in the Route 50/I-495 area to protect Holmes Run and Lake Barcroft.

Older, developed portions of the County often have fair to poor surface water quality. This is due primarily to nonpoint source pollution in the form of runoff which contains high levels of

fertilizers, pesticides, sediment, and hydrocarbons. Older suburban areas such as the Jefferson Planning District do not have the benefit of state-of-the-art water quality control practices except in the more recently developed Route 50/I-495 area. Therefore, they are a particular challenge in the County's efforts to improve surface water quality and meet the spirit of the Chesapeake Bay Act.

J9 GREENWAY VILLAGE COMMUNITY PLANNING SECTOR

CHARACTER

The Greenway Village Community Planning Sector is generally bounded by Route 29, Tripps Run, Route 50, and Graham Road. The Greenway Village planning sector is predominately developed with low density residential uses characterized by stable neighborhoods comprised of single-family detached houses.

Retail and office uses are located in a strip along Route 29. Much of this strip development consists of houses converted to commercial uses. Other commercial development in the Greenway Village planning sector is located at the intersection of Graham Road and Route 50. This commercial center includes retail and office uses and is part of the larger commercial complex formed by Loehmann's Plaza and the Black Angus Shopping Center.

The Tripps Run Stream Valley forms the eastern boundary of the sector and is channelized along the entire length of this sector. Stands of mature trees and varied topography, especially in the western portion of the sector are of environmental and aesthetic significance.

Although this sector is densely developed, and consists of older neighborhoods, there has been less destruction of the original landscape. There is a possibility that portions of historic and prehistoric archaeological sites have survived.

CONCEPT FOR FUTURE DEVELOPMENT

The Concept for Future Development recommends the areas of the Greenway Village Planning Sector develop as Suburban Neighborhoods.

RECOMMENDATIONS *(excerpts)*

LAND USE

The Greenway Village sector is largely developed as stable residential neighborhoods. Infill development in these neighborhoods should be of a compatible use, type and intensity in accordance with the guidance provided by the Policy Plan under Land Use Policy Objectives 8 and 14.

Figure 36 indicates the geographic location of land use recommendations for this sector. Where recommendations are not shown on the General Locator Map, it is so noted.

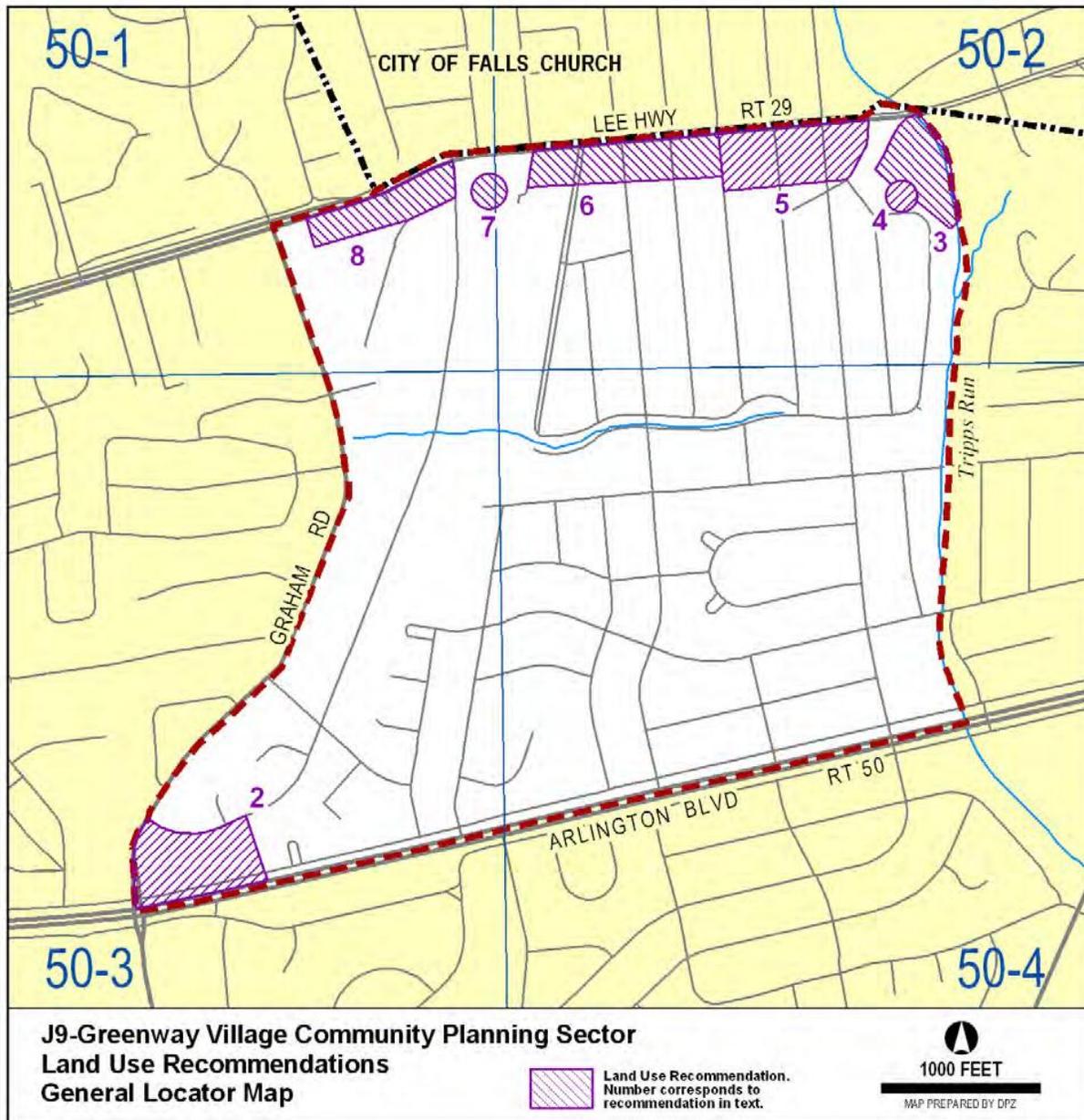


Figure 36.

1. The entire Route 50 service drive frontage is developed and should remain in single-family residential use. Requests for special exception or special use permit uses for commercial-type use in this area should be carefully evaluated to ensure that they will not lead to commercial encroachment in the area. [Not shown]
2. The commercial area in the northeastern quadrant of the Graham Road/Route 50 intersection is planned for community-serving retail uses up to .35 FAR with effective buffering to the abutting single-family residential units. Special use permits and special exceptions in the residential areas should be carefully evaluated to ensure that they will not lead to commercial encroachment.

POLICY PLAN (amended through 6/19/2012)**GOALS** (*excerpts*)

Quality of Life - The primary goal of Fairfax County's policies and priorities is to achieve an outstanding quality of life through:

- Economic prosperity and expanding opportunity;
- Access to high quality education, public services and facilities;
- A balance between access to convenient multi-modal transportation and residential, commercial and industrial growth; and
- A pleasing physical and cultural environment in which to live and work.

Land Use - The County's land use policies should maintain an attractive and pleasant quality of life for its residents; provide for orderly and coordinated development for both public and private uses while sustaining the economic and social well-being of the County; provide for an adequate level of public services and facilities, including a system of transportation facilities, to sustain a high quality of life; and ensure sound environmental practices in the development and redevelopment of land resources. Growth should take place in accordance with criteria and standards designed to preserve, enhance, and protect an orderly and aesthetic mix of residential, commercial/industrial facilities, and open space without compromising existing residential development. The Comprehensive Land Use Plan should set forth long-range recommendations and implementation techniques to ensure the envisioned coordination of harmonious development, while still achieving our economic goals. Densities and heights in excess of those compatible with these goals should be discouraged, nor should these policies be construed as incompatible with the County's affordable housing goal.

Environmental Protection - The amount and distribution of population density and land uses in Fairfax County should be consistent with environmental constraints inherent in the need to preserve natural resources and to meet or exceed federal, state and local standards for water quality, ambient air quality and other environmental standards. Development in Fairfax County should be sensitive to the natural setting, in order to prevent degradation of the County's natural environment.

Energy Conservation - Fairfax County should promote energy efficiency and energy conservation within the public, commercial, residential, and industrial sectors.

Revitalization - Fairfax County should encourage and facilitate the revitalization of older commercial and residential areas of the County where present conditions warrant. Revitalization initiatives should encourage business development, promote public and private investment and reinvestment, and seek to prevent or eliminate the negative effects of deteriorating commercial and industrial areas. Revitalization efforts should work in concert with other community programs and infrastructure improvements and strive to foster a sense of place unique to each area, thereby contributing to the social and economic well-being of the community and the County.

Private Sector Facilities - Fairfax County should continue to encourage the development of appropriately scaled and clustered commercial and industrial facilities to meet the need for convenient access to needed goods and services and to employment opportunities. Particular attention should be given to the needs of small and minority businesses.

LAND USE (amended through 9/22/2008)

COUNTYWIDE OBJECTIVES AND POLICIES (*excerpts*)

LAND USE PATTERN

Objective 7: Fairfax County should reserve and/or conserve areas which provide primarily community-serving retail and service uses.

Policy a. Preserve or establish areas of the County which provide necessary commercial and professional services to the community.

Policy b. Implement programs to improve older commercial areas of the County to enhance their ability to provide necessary community services.

Policy c. Encourage redevelopment projects in commercial areas that would preserve or increase desirable community services.

Redevelopment

The County's system of public facilities, services and infrastructure is based on accommodating demand generated by existing and planned land uses. Unanticipated redevelopment can pose a substantial potential problem for the continued provision of these public necessities if land uses of a higher intensity than envisioned by the Comprehensive Plan are developed. Consequently, it is critical that redevelopment be in conformance with the Comprehensive Plan to assist the County in maintaining its high level of commitment to providing public facilities, services and infrastructure.

Objective 9: Non-residential redevelopment should be in accord with the recommendations of the Comprehensive Plan.

Policy a. Ensure that the general use(s) and density/intensity approved during the zoning process are in accordance with those identified in the Comprehensive Plan.

Policy b. Allow interim improvements to existing uses in areas where an eventual change in land use is directed by the Plan should these improvements be beneficial in the short run, as indicated by the "Guidelines for Interim Improvements" in the Land Use Appendix.

Policy c. Ensure that the redevelopment of existing uses is consistent with the provision of adequate transportation and public facilities.

Policy d. Optimize stormwater management and water quality controls and practices for non-residential redevelopment consistent with revitalization goals.

Policy e. Ensure that previously contaminated redevelopment sites are remediated to the extent that they will not present unacceptable health or environmental risks for the specific uses proposed for these sites.

Objective 14: Fairfax County should seek to achieve a harmonious and attractive development pattern which minimizes undesirable visual, auditory, environmental and other impacts created by potentially incompatible uses.

Policy b. Encourage infill development in established areas that is compatible with existing and/or planned land use and that is at a compatible scale with the surrounding area and that can be supported by adequate public facilities and transportation systems.

Policy i. Minimize the potential adverse impacts of the development of frontage parcels on major arterials through the control of land use, circulation and access.

APPENDIX 5

GUIDELINES FOR DRIVE-THRU WINDOWS AND OTHER DRIVE-THRU FACILITIES

Drive-thru windows for commercial establishments and other drive-thru facilities have the potential to cause serious on-site and off-site traffic circulation problems. To address these potential problems, drive-thru windows and other drive-thru facilities should be approved only if the size and configuration of the lot are adequate to achieve a safe drive-thru facility, parking circulation and pedestrian system. All activity generated by the use must be accommodated on the site. Noise, glare and other nuisance aspects related to drive-thru facilities must not adversely affect adjacent properties.

ENVIRONMENT (amended through 7/27/2010) (excerpts)

ENVIRONMENTAL POLLUTION

Our decision to occupy and alter Fairfax County's landscape has resulted in increased volumes and concentrations of specific pollutants in the air, in surface and ground waters, and in the soil. These pollutants can harm both the natural and the human environment.

In recognition of the impacts of human activity on the environment, most existing regulatory authority to protect the environment has been focused on the control of pollution.

Although Fairfax County does not have to contend with the more serious forms of pollution associated with heavy industry, the conversion of land to urban uses and our dependence on the automobile have resulted in unacceptable amounts of pollution.

Water Quality (excerpts)**Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County.**

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

Policy f. Where practical and feasible, retrofit older stormwater management facilities to perform water quality functions to better protect downstream areas from degradation.

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:

- 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 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.
- 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.
- 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.

Policy n. Optimize stormwater management and water quality controls and practices for redevelopment consistent with revitalization goals.

Policy o. Ensure that development and redevelopment sites that have been subject to contamination by toxic substances or other hazardous materials are remediated to the extent that they will not present unacceptable health or environmental risks for the specific uses proposed for these sites and that unacceptable health or environmental risks will not occur as a result of contamination associated with nearby properties.

Development proposals should implement best management practices to reduce runoff pollution and other impacts. Preferred practices include: those which recharge groundwater when such

recharge will not degrade groundwater quality; those which preserve as much undisturbed open space as possible; and, those which contribute to ecological diversity by the creation of wetlands or other habitat enhancing BMPs, consistent with State guidelines and regulations.

Proposals that include the use or storage of hazardous materials should provide adequate containment facilities, monitoring, and spill prevention strategies to protect surface and groundwater resources consistent with State regulations. Site investigations and remedial actions, as appropriate, should be pursued to ensure that site contamination on or near properties subject to development proposals will not present unacceptable health or environmental risks.

ENVIRONMENTAL RESOURCES *(excerpt)*

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

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

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

RESOURCE CONSERVATION AND GREEN BUILDING PRACTICES *(excerpt)*

The energy shortage in the United States in the 1970s highlighted the finite nature of our natural resources. Since the 1970s, efforts have been pursued at the federal level to enhance energy efficiency and the efficient use of water resources. While such efforts are best addressed at the federal level, local efforts to conserve these resources should be encouraged.

The “green building” concept provides a holistic approach to the reduction of adverse environmental impacts associated with buildings and their associated facilities and landscapes.

Objective 13: 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. Consistent with other Policy Plan objectives, encourage the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. These practices can include, but are not limited to:

- Environmentally-sensitive siting and construction of development.
- Application of low impact development practices, including minimization of impervious cover (See Policy k under Objective 2 of this section of the *Policy Plan*).
- Optimization of energy performance of structures/energy-efficient design.
- Use of renewable energy resources.
- Use of energy efficient appliances, heating/cooling systems, lighting and/or other products.

- Application of water conservation techniques such as water efficient landscaping and innovative wastewater technologies.
- Reuse of existing building materials for redevelopment projects.
- Recycling/salvage of non-hazardous construction, demolition, and land clearing debris.
- Use of recycled and rapidly renewable building materials.
- Use of building materials and products that originate from nearby sources.
- Reduction of potential indoor air quality problems through measures such as increased ventilation, indoor air testing and use of low-emitting adhesives, sealants, paints/coatings, carpeting and other building materials.

Encourage commitments to implementation of green building practices through certification under established green building rating systems (e.g., the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED®) program or other comparable programs with third party certification). Encourage commitments to the attainment of the ENERGY STAR® rating where applicable and to ENERGY STAR qualification for homes. Encourage the inclusion of professionals with green building accreditation on development teams. Encourage commitments to the provision of information to owners of buildings with green building/energy efficiency measures that identifies both the benefits of these measures and their associated maintenance needs.

Selected applicable Zoning Ordinance Provisions from the Fairfax County Zoning Ordinance, dated November 20, 2012. For the full, unabridged, ordinances please visit the website of the Fairfax County Planning and Zoning Department or view a copy in person at the Fairfax County Planning and Zoning office.

ARTICLE 2 – GENERAL REGULATIONS

PART 4 2-400 QUALIFYING LOT AND YARD REGULATIONS

2-405 Permitted Reduction in Lot Size Requirements for Certain Existing Lots (*excerpt*)

1. If a lot was recorded prior to March 1, 1941, or if a lot was recorded prior to the effective date of this Ordinance, and said lot met the requirements of the Zoning Ordinance in effect at the time of recordation, then such lot, either as a single lot or in combination with other such lots pursuant to a Building Permit, may be used for any use permitted in the zoning district in which located under this Ordinance even though the lot(s) does not meet the minimum district size, lot area, lot width and/or shape factor requirements of the district, provided all other regulations of this Ordinance can be satisfied.

ARTICLE 4 – COMMERCIAL DISTRICT REGULATIONS

PART 5 4-500 C-5 NEIGHBORHOOD RETAIL COMMERCIAL DISTRICT

4-501 Purpose and Intent

The C-5 District is established to provide locations for convenience shopping facilities in which those retail commercial uses shall predominate that have a neighborhood-oriented market of approximately 5000 persons, and which supply necessities that usually require frequent purchasing and with a minimum of consumer travel. Typical uses to be found in the Neighborhood Retail Commercial District include a food supermarket, drugstore, personal service establishments, small specialty shops, and a limited number of small professional offices.

Areas zoned for the C-5 District should be located so that their distributional pattern throughout the County reflects their neighborhood orientation. They should be designed to be an integral, homogeneous component of the neighborhoods they serve, oriented to pedestrian traffic as well as vehicular. The district should not be located in close proximity to other retail commercial uses.

Because of the nature and location of the Neighborhood Retail Commercial District, they should be encouraged to develop in compact centers under a unified design that is architecturally compatible with the neighborhood in which they are located. Further, such

districts should not be so large or broad in scope of services as to attract substantial trade from outside the neighborhood. Generally, the ultimate size of a C-5 District in a given location in the County should not exceed an aggregate gross floor area of 100,000 square feet or an aggregate site size of ten (10) acres.

4-502 Permitted Uses *(excerpt)*

8. Drive-in financial institutions, limited by the provisions of Sect. 505 below.

4-504 Special Exception Uses *(excerpt)*

For specific Category uses, regulations and standards, refer to Article 9.

4. Category 5 - Commercial and Industrial Uses of Special Impact, limited to:
 - E. Drive-in financial institutions

4-505 Use Limitations *(excerpt)*

1. Fast food restaurants, drive-in financial institutions and quick-service food stores shall be permitted by right in accordance with the following:

C. For all of the above, the shopping center and the building in which such drive-in financial institution, fast food restaurant, or quick-service food store is located shall be subject to an approved unified site plan. In addition, vehicular access to the use shall be provided only via the internal circulation system of the shopping center.

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

4-506 Lot Size Requirements

1. Minimum lot area: 40,000 sq. ft.
2. Minimum lot width: 200 feet
3. The minimum lot size requirements may be waived by the Board in accordance with the provisions of Sect. 9-610.

4-507 Bulk Regulations

1. Maximum building height: 40 feet
2. Minimum yard requirements
 - A. Front yard: Controlled by a 45° angle of bulk plane, but not less than 40 feet

- B. Side yard: No Requirement
- C. Rear yard: 20 feet
- 3. Maximum floor area ratio: 0.30
- 4. Refer to Sect. 13-301 for provisions that may qualify the minimum yard requirements set forth above.

4-508 Open Space

20% of the gross area shall be landscaped open space

4-509 Additional Regulations

- 1. Refer to Article 2, General Regulations, for provisions which may qualify or supplement the regulations presented above.
- 2. Refer to Article 11 for off-street parking, loading and private street requirements.
- 3. Refer to Article 12 for regulations on signs.
- 4. Refer to Article 13 for landscaping and screening requirements.
- 5. Refer to Article 17 for uses and developments which are subject to site plan provisions

ARTICLE 9 – SPECIAL EXCEPTIONS

PART 0 9-000 GENERAL PROVISIONS

9-001 Purpose and Intent

There are certain uses, like those regulated by special permit, which by their nature or design can have an undue impact upon or be incompatible with other uses of land. In addition, there are times when standards and regulations specified for certain uses allowed within a given district should be allowed to be modified, within limitations, in the interest of sound development. These uses or modifications as described may be allowed to locate within given designated zoning districts under the controls, limitations, and regulations of a special exception.

The Board of Supervisors may approve a special exception under the provisions of this Article when it is concluded that the proposed use complies with all specified standards and that such use will be compatible with existing or planned development in the general area. In addition, in approving a special exception, the Board may stipulate such conditions and restrictions, including but not limited to those specifically contained herein, to ensure that the use will be compatible with the neighborhood in which it is proposed to be located. Where such cannot be accomplished or it is determined that the

use is not in accordance with all applicable standards of this Ordinance, the Board shall deny the special exception.

9-003 Limits on Authority

The Board shall have no authority to waive any of the regulations or standards prescribed for any use or purpose for which a special exception is required, however, the Board may modify the additional standards for a special exception use where deemed necessary as long as the resultant development will not adversely affect the use or development of adjacent properties.

9-006 General Standards

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

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

9-007 Conditions and Restrictions

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

PART 5 9-500 CATEGORY 5 COMMERCIAL AND INDUSTRIAL USES OF SPECIAL IMPACT**9-501 Category 5 Special Exception Uses** (*excerpt*)

6. Drive-in financial institutions

9-502 Districts in Which Category 5 Uses May be Located (*excerpt*)

2. Category 5 uses may be allowed by special exception in the following districts:
C-5 District: Limited to uses 2, 3, 6, 11, 15, 17, 20, 21, 23, 27, 33, 34, 36, 37, 38, 39 and 41

9-503 Standards for all Category 5 Uses

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

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

9-505 Additional Standards for Automobile-Oriented Uses, Car Washes, Drive-In Financial Institutions, Drive-Through Pharmacies, Fast Food Restaurants, Quick-Service Food Stores, Service Stations and Service Stations/Mini-Marts

1. In all districts where permitted by special exception: (*excerpt*)
 - A. Such a use shall have on all sides the same architectural features or shall be architecturally compatible with the building group or neighborhood with which it is associated.

B. Such a use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties.

C. The site shall be designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation. Parking and stacking spaces shall be provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the site.

D. In reviewing such a use or combination of uses, it shall be determined that the lot is of sufficient area and width to accommodate the use and that any such use will not adversely affect any nearby existing or planned residential areas as a result of the hours of operation, noise generation, parking, glare or other operational factors.

3. In the C-5 and C-6 Districts, in addition to Par. 1 above: (*excerpt*)

A. There shall be no outdoor storage or display of goods offered for sale except for the outdoor storage or display of goods permitted at a service station or service station/mini-mart.

ARTICLE 11 – OFF-STREET PARKING AND LOADING, PRIVATE STREETS

PART 1 11-100 OFF-STREET PARKING

11-104 Minimum Required Spaces for Commercial and Related Uses (*excerpt*)

Minimum off-street parking spaces accessory to the uses hereinafter designated shall be provided as follows:

5. Drive-In Financial Institution:

Four (4) spaces per 1000 square feet of gross floor area for customer service, lobby and teller area, plus additional space as required herein for any associated offices. In addition, there shall be eight (8) stacking spaces in front of the first window and two (2) stacking spaces in front of each additional window; except that five (5) stacking spaces may be permitted in front of each of the first two (2) windows, provided that both windows shall always remain open when the drive-in facility is operational

PART 2 11-200 OFF-STREET LOADING

11-201 Applicability

In any R, C or I district, all structures built and all uses established hereafter shall provide accessory off-street loading spaces in accordance with the following regulations. In the PDH, PDC, PRC and PRM Districts, the provisions of this Part shall have general application as determined by the Director. In the PTC District off-street loading shall be provided in accordance with Sect. 6-509 and provisions of this Part shall be used as a guide. When an existing structure or use is expanded, accessory off-street loading spaces

shall be provided in accordance with the following minimum requirements for the entire structure or use, as expanded or enlarged.

11-202 General Provisions (*excerpt*)

3. All required off-street loading spaces and their appurtenant aisles and driveways shall be deemed to be required space on the lot on which the same are situated and shall not be encroached upon or reduced in any manner except upon approval by the Director in accordance with the following circumstances:
 - A. Such space may be reduced by the amount to which other space, conforming to the provisions of this Ordinance, is provided for the use that is involved, or
 - B. Such space may be reduced in an amount which is justified by a reduction in the need for such space by reason of a reduction in size or change in the nature of the use to which such is appurtenant, or
 - C. Such space may be reduced for an existing structure or use to provide an accessibility improvement.

11-203 Minimum Required Spaces (*excerpt*)

Minimum off-street loading spaces accessory to the uses hereinafter designated shall be provided in accordance with the following schedule:

Standard C: One (1) space for the first 10,000 square feet of gross floor area, plus one (1) space for each additional 20,000 square feet or major fraction thereof.

6. Financial Institution or Drive-In Financial Institution: Standard C.

ARTICLE 12 – SIGNS

PART 2 12-200 SIGN REGULATIONS BY USE AND DISTRICT

12-203 Commercial Uses - General (*excerpts*)

The following regulations shall apply to all signs which are accessory to permitted, special permit and special exception uses located in a C district or the commercial area of a P district, except as provided in Par. 12 of Sect. 207 below. The regulations of this section are supplemented by the provisions set forth in Sections 204, 205 and 206 below.

1. Building-mounted signs may be located anywhere on the surface of the walls or roof of the building, but no part of any sign shall extend above or beyond the perimeter of the building wall, parapet wall or roof, except as permitted by Par. 2 below. No sign shall be located on a chimney, flue, antenna, monopole, transmission tower or cable, smokestack, or other similar rooftop structures and mechanical appurtenances. A sign may be mounted flat against a rooftop penthouse wall or rooftop screening wall

which is an integral architectural element of the building through the continuation of materials, color, and design exhibited by the main portion of the building. Such signs shall conform to the following:

- A. No part of the sign shall extend above or beyond the perimeter of the penthouse wall or screening wall to which it is attached or project outward from the penthouse wall or screening wall.
 - B. The sign shall not extend more than twelve (12) feet above the lowest point of the wall, and shall be limited to identification signs consisting of an organizational logo and/or the name of a company or premises.
4. Unless further restricted by the provisions that follow, no freestanding sign shall exceed a height of twenty (20) feet.
 8. Building-mounted signs on buildings housing only one (1) tenant or multiple tenants that access the building via a common outside entrance(s) shall not exceed one and one-half (1 ½) square feet of sign area for each of the first 100 linear feet of building frontage plus one (1) square foot of sign area for each linear foot over 100 linear feet of building frontage. No one sign, however, shall have a sign area in excess of 200 square feet

12-205 Commercial Uses With Frontage on Primary Highways and Major Thoroughfares
(*excerpt*)

The following regulations shall supplement the provisions set forth in Sect. 203 above and shall apply to all uses located on commercially zoned lands which have frontage on a primary highway or on a major thoroughfare as shown on the adopted comprehensive plan but which are not located in a Sign Control Overlay District.

1. Building-mounted signs shall be limited to the sign area as specified in Sect. 203 above.
2. An individual enterprise which is not located within or on the same lot with a shopping center shall be permitted one (1) freestanding sign. Such sign shall be limited to a maximum sign area of eighty (80) square feet.

12-208 Special Permit, Special Exception Uses (*excerpt*)

The following regulations shall apply to signs accessory to all uses which require approval of a special permit or special exception as set forth in Articles 8 and 9. In addition, the regulations shall apply to signs accessory to such uses where they are permitted by right and to existing such uses which were established prior to the effective date when a special permit or special exception was required for a given use in a given zoning district.

The BZA, in approving a special permit use, and the Board, in approving a special exception use, may specify the area, height, color or illumination of a sign accessory to such a use; but in no event shall the area or height of a sign exceed the limits prescribed below.

1. In all C districts, I districts and commercial areas of P districts, signs accessory to special permit and special exception uses shall be subject to the applicable provisions set forth in Sections 203, 204, 205, 206 and 207 above.

ARTICLE 13 – LANDSCAPING AND SCREENING

PART 4 13-400 TREE CONSERVATION

13-401 Tree Conservation

Tree conservation shall be provided as required by Chapter 122 of The Code and the Public Facilities Manual.

From section 122-2-3 of the Fairfax County Code:

Section 122-2-3. - Tree Preservation Requirements. (excerpts)

- a) *Except as provided for in [§ 122-2-3\(b\)](#), the percentage of the development site covered by tree canopy at the time of plan submission shall equate to the minimum portion of the total 10-year tree canopy requirement of [§ 122-2-2\(a\)](#) that should be met by means of tree preservation. This minimum portion shall be identified in plats and plans as the "tree preservation target."*
- b) *Deviations, in whole or part, from the tree preservation target may be requested under the following conditions:*
 1. *Meeting the tree preservation target would prevent the development of uses or densities otherwise allowed by the Zoning Ordinance;*
 2. *Meeting the tree preservation target would require the preservation of trees and forested areas that do not meet standards for health, structural condition, and other vegetation and risk management requirements.*
 3. *Construction activities could be reasonably expected to impact existing trees or forested areas used to meet the tree preservation target to the extent they would not likely survive in a healthy and structurally sound manner for a minimum of ten (10) years in accordance with the post-development standards for trees and forested areas.*

ARTICLE 14 – PERFORMANCE STANDARDS**PART 1 14-100 GENERAL PROVISIONS****14-101 Applicability** (*excerpts*)

1. No permitted, special permit or special exception use hereafter established, altered, modified or enlarged shall be operated or designed so as to conflict with the applicable performance standards established by this Article, except as qualified in Sect. 102 below.
2. Except as provided in Sections 904 and 905 below, all outdoor lighting fixtures shall comply with the following:
 - D. Internally illuminated signs, except those which bear a state or federal registered trademark, shall have an opaque background and translucent text and symbols, or shall have a translucent background that is not white, off-white or yellow in color. In addition, internally illuminated signs must comply with the provisions of Article 12.

All illuminated signage located on the sides of a canopy shall be internally illuminated or backlit



County of Fairfax, Virginia

MEMORANDUM

DATE: December 19, 2012

TO: Barbara Berlin, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: ENVIRONMENTAL ASSESSMENT for: SE 2012-PR-012
TD Bank – 7230 Arlington Boulevard

This memorandum, prepared by John R. Bell, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the above referenced special exception plat as revised through September 26, 2012. Possible solutions to remedy identified environmental impacts are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

COMPREHENSIVE PLAN CITATIONS:

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

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, pages 19 and 20:

“Objective 13: 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. Consistent with other Policy Plan objectives, encourage the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. These practices can include, but are not limited to:

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/



- Environmentally-sensitive siting and construction of development.
- Application of low impact development practices, including minimization of impervious cover (See Policy k under Objective 2 of this section of the *Policy Plan*).
- Optimization of energy performance of structures/energy-efficient design.
- Use of renewable energy resources.
- Use of energy efficient appliances, heating/cooling systems, lighting and/or other products.
- Application of water conservation techniques such as water efficient landscaping and innovative wastewater technologies.
- Reuse of existing building materials for redevelopment projects.
- Recycling/salvage of non-hazardous construction, demolition, and land clearing debris.
- Use of recycled and rapidly renewable building materials.
- Use of building materials and products that originate from nearby sources.
- Reduction of potential indoor air quality problems through measures such as increased ventilation, indoor air testing and use of low-emitting adhesives, sealants, paints/coatings, carpeting and other building materials.

Encourage commitments to implementation of green building practices through certification under established green building rating systems (e.g., the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED[®]) program or other comparable programs with third party certification). Encourage commitments to the attainment of the ENERGY STAR[®] rating where applicable and to ENERGY STAR qualification for homes. Encourage the inclusion of professionals with green building accreditation on development teams. Encourage commitments to the provision of information to owners of buildings with green building/energy efficiency measures that identifies both the benefits of these measures and their associated maintenance needs. . . .”

Barbara Berlin
 SE 2012-PR-012, TD Bank – 7230 Arlington Boulevard
 Page 3

In the Fairfax County Comprehensive Plan, Policy Plan, 2011 Edition, Environment section as amended through July 27, 2010, on page 7 through 9, the Plan states:

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

Policy k. For new development and redevelopment, apply better site design and low impact development 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:

- Minimize the amount of impervious surface created. . . .
- 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. . . .
- Maximize the use of infiltration landscaping within streetscapes consistent with County and State requirements. . . .

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

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

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

Barbara Berlin
SE 2012-PR-012, TD Bank – 7230 Arlington Boulevard
Page 4

- 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.”

ENVIRONMENTAL ANALYSIS:

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

Green Buildings

The subject property is not located within an area where the Comprehensive Plan provides any specific expectations for the attainment of green building certification. However, staff has encouraged the applicant to develop the site in a manner consistent with green building goals. While the applicant has not yet agreed to provide any such measures, staff continues to encourage this approach to the proposed new development.

Water Quality

The applicant is not proposing any onsite detention for water quantity controls and is proposing only a single stormfilter to address water quality control with the proposed new development. The majority of the existing site is comprised of impervious surface areas. Staff feels that the proposed new development presents an opportunity to improve water quality and quantity controls. Additional landscaping measures could be designed with new water quality measures such as a rain garden, filterra(s) or an infiltration trench. Any determination regarding the adequacy of these measures to meet stormwater management requirements will be subject to review and approval by staff within the Department of Public Works and Environmental Services (DPWES).

Tree Cover

The subject property contains little to no measurable vegetation. While the applicant has provided a plan which provides some landscaping, staff would note that there appear to be additional opportunities to provide landscaping which could enhance the overall site design while also providing an opportunity for additional water quality measures. It should be noted that staff from the Department of Public Works and Environmental Services Urban Forestry Branch may have additional comments which should be incorporated into any possible future revisions.

Barbara Berlin
SE 2012-PR-012, TD Bank – 7230 Arlington Boulevard
Page 5

Countywide Trails Plan Map

The Countywide Trails Map depicts major paved trails defined as asphalt or concrete 8 feet or more in width along the subject property's Arlington Boulevard and Graham Road frontages. The development plan shows proposed 5 foot wide sidewalks along these frontages.

PGN:JRB



County of Fairfax, Virginia

MEMORANDUM

DATE: March 19, 2013

TO: Michael H. Lynskey, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Durga Kharel, P.E., Senior Engineer III
Central Branch
Site Development and Inspections Division
Department of Public Works and Environmental Services

SUBJECT: Special Exception Application #SE 2012-PR-012; TD Bank; SE Plat revised February 26, 2013; Cameron Run Watershed; LDS Project # 16906-ZONA-001-1; Tax Map #050-3-05-05-0501; Providence District

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

Chesapeake Bay Preservation Ordinance (CBPO)

There are no Resource Protection Areas on the site.

Floodplain

There are no regulated floodplains on the site.

Downstream Drainage Complaints

There are no current downstream drainage complaints on file.

Stormwater Detention

Applicant indicates on sheet 5 that the onsite stormwater detention will be provided by a facility with an approximate footprint of 350 square feet and 1,000 cubic feet capacity. The applicant also indicates that the capacity may reduce to meet the minimum required with the final design.

Water Quality Control

The applicant has proposed a 15 square feet StormFilter to treat an area of 0.17 acres to meet the water quality requirement for this redevelopment which causes impervious area to increase by approximately 6%. The final design shall provide the detail BMP calculations and design of the StormFilter per manufacturer's specifications.

Michael H. Lynskey, Staff Coordinator
Special Exception Application #SE 2012-PR-012; TD Bank,
LDS Project # 16906-ZONA-001-1
Page 2 of 2

Downstream Drainage System

An outfall narrative has been provided. A closed conduit storm sewer system has been shown to exist to cover a drainage area more than 100 times the site area of 0.63 acres. With the onsite detention provided, there shall be no adverse impact to the existing downstream drainage system by this redevelopment, however a detail analysis till the extent of downstream review shall be provided with final design to meet the PFM requirement of adequate outfall.

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.

cc: Don Demetrius, Chief, Watershed Evaluation Branch, SPD, DPWES
Fred Rose, Chief, Watershed Planning & Assessment Branch, SPD, DPWES
Judy Cronauer, Chief, Central Branch, SDID, DPWES
Hani Fawaz, Senior Engineer III, Chief, Central Branch, SDID, DPWES
Zoning Application File



From: Smith, Russell
Sent: Wednesday, October 03, 2012 4:45 PM
To: Sistani, Bijan; Dhakal, Thakur P.
Cc: Krasner, Brent M.
Subject: Review of SE2012-PR-012, TD Bank

10/3/2012

SDID RZ/SE Mason District Application Reviewers – Bijan Sistani and Thakur Dhakal
 DPZ Staff Coordinator – Brent Krasner,
 Review of SE2012-PR-012, TD Bank
 Russ Smith, SWPD

SWPD offers the following recommendations and information for consideration for this Application:

Stormwater Planning Division Comments

1) The Special Exception plan for the site received by DPZ on May 31, 2012 depicts the use a Filtera to meet the BMP requirement. The applicant is not providing SWM detention because there is no increase in runoff.

2) SWPD recommends that the developer, as part of the site's stormwater plan, consider **"Stormwater Retention and Volume Reduction"** stormwater practices as well as other LID practices to *reduce the volume of water leaving the site and to reduce damage to the receiving stream. SWPD recommends that the applicant use the following LID practices to the full extent as allowed by the PFM and the Letters to Industry to minimize/reduce the volume of water that leaves the site:*

- **Modular Tree Box Systems/Filters** should be used for all trees on the site plan and at other locations near the building. These are similar to bioretention basins and filters with respect to function, however they differ with respect to structure. They can be raised planter boxes, proprietary devices, or load bearing systems designed to allow fully mature trees within vehicular right-of-ways.
- ***Vegetated Roofs*** should be used on the buildings.
- ***Permeable Pavement Blocks with underlying gravel storage*** should be used in walkways and parking areas.
- ***Porous Concrete or Asphalt Paving with underlying gravel storage and underdrains as necessary*** should be used in the driveways.
- ***Compost Amended soils*** with native plantings, including grasses and wildflowers, where appropriate, anywhere on the site that the soil was graded or otherwise disturbed.
- ***The final step should be to direct the roof drains to cisterns (to collect water for future landscape watering) and to Tree (Vegetated) Box Filters, Bioretention Filters and Basins, Bioretention (Vegetated) Swales, Permeable Pavement Blocks, and Porous Concrete or Asphalt Pavement.***

Use of multiple LID practices on the site is very effective in reducing the volume of water leaving the site and benefits the streams.

3) The Cameron Run Watershed Plan, August 2007, recommends two projects in the immediate area of the site; Thomas Jefferson Library LID CA9947 and Graham Road Elementary School LID CA9949. Both of these projects involve retrofitting the stormwater management with LID **“Stormwater Retention and Volume Reduction” techniques such as** bioretention areas, infiltration trenches and porous pavement.

4) Cameron Run Watershed has one TMDL, a watershed wide TMDL, November 2010, for E. coli from Livestock, Humans, Pets and Wildlife requiring an 83% reduction. In addition there are three Chesapeake Bay TMDLs, December 2010, requiring an unspecified percent reduction in Total Nitrogen, Total Phosphorous and Sediment that may be applicable to all of Fairfax County’s MS4.

5) Based on the Fairfax County Stream Physical Assessment Report 2004. The assessment of Holmes Run in Cameron Run downstream of the site is ***FAIR***, and the channel evolutionary model is ***3.5 to 4***, indicating that the stream has down cut and has widened to compensate for increased runoff volume. This also indicates that an increase in volume of water leaving the site could cause the streams to downcut and widen farther.

6) According to the SPS Report (2001) the site is in the SPS Watershed Restoration Level II category. This category recommends that this site be developed with the use of innovative BMPs and a reduction in imperviousness and if appropriate, sections of onsite streams that need stabilizing should be restored or stabilized. The primary goal of this category is to maintain areas to prevent further degradation.

7) Soils – The USDA soils map of the county indicates that the soils are undefined (Urban Land). Applicant should conduct soils tests to verify infiltration rates and should and use underdrains or consider soil amendments to improve infiltration as part of the ***Porous Concrete or Asphalt Paving, Permeable Pavement Blocks.***



County of Fairfax, Virginia

MEMORANDUM

DATE: March 18, 2013

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

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

FILE: SE 2012-PR-012

SUBJECT: TD Bank, National Association
7230 Arlington Boulevard
Tax Map: 50-3 ((5)) (5) 501

This department has reviewed the subject application and the Special Exception Plat dated May 25, 2012, revised through February 26, 2013, and offers the following comments:

- VDOT will not accept maintenance of a sidewalk if it is not located within the right-of-way. If the right-of-way line is not adjusted then the property owner should accept the maintenance of the sidewalk and not Fairfax County.
- The proposed custom bicycle rack, shown on Sheet 6, is an acceptable alternative to the standard inverted U-style bicycle rack recommendation. However, the two racks should be rotated to a north-south orientation instead of east-west as they are currently depicted. The concrete pad should be moved approximately 8-feet to the south. The bottom edge of the pad should be set at a minimum of 3-feet away from the top edge of the access ramp curb so bicycles locked to the rack do not block the pedestrian path. The development conditions should state that the final layout of the bicycle racks location and orientation is subject to FCDOT approval at site plan.

AKR/EAI



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

4975 Alliance Drive
Fairfax, VA 22030

March 8, 2013

GREGORY A. WHIRLEY
COMMISSIONER

To: Ms. Barbara Berlin
Director, Zoning Evaluation Division

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

Subject: SE 2012-PR-012 TD Bank Arlington Boulevard
Tax Map # 50-3((05))(05)0501

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 February 28, 2013, and received on March 3, 2013. The following comments are offered:

1. The entrance on Graham Road should have the exiting radius increased to prevent damage to the CG-12's. The layout now meets the VDOT entrance requirements so no waivers are required.
2. The CG-12's should utilize the heavy duty design since it is possible they could be run over by traffic utilizing the site.
3. The entrances should meet the VDOT CG-11 standard.
4. Additional right of way should be provided for the sidewalk along the service drive where it is outside of the right of way.
5. Please note the sidewalk along Graham Road will require maintenance by the County unless it is placed in the roadway right of way.
6. Consideration should be given to providing easements for pedestrian signals, including the necessary easements.

The entrance on Graham Road will be further evaluated one the revised grading plans are submitted. If you have any questions, please call me.

cc: Ms. Angela Rodeheaver

fairfaxspex2012-PR-012se3TDBankArBlvd3-8-13BB



County of Fairfax, Virginia

MEMORANDUM

March 6, 2013

TO: Michael Lynskey, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Todd Nelson, Urban Forester II
Forest Conservation Branch, DPWES

SUBJECT: TD Bank-7230 Arlington Blvd.; SE 2012-PR-012

RE: Request for assistance dated March 6, 2013

This review is based upon the Special Exception Plat (SE) 2012-PR-012 stamped "Received, Department of Planning and Zoning, February 26, 2013." There are no additional Urban Forest Management Division (UFMD) comments and recommendations on this SE as all previous UFMD comments and recommendations appear to be adequately addressed and there does not appear to be any additional tree or landscape related issues.

Please contact me at 703-324-1770 should you have any questions.

TLN/

UFMDID #: 173164

cc: DPZ File





County of Fairfax, Virginia

MEMORANDUM

October 9, 2012

TO: Brent Krasner, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Todd Nelson, Urban Forester II 
Forest Conservation Branch, DPWES

SUBJECT: TD Bank; SE 2012-PR-012

RE: Request for assistance dated September 28, 2012

This review is based on the Special Exception Plat (SE) 2012-PR-012 stamped "Received, Department of Planning and Zoning, September 27, 2012." A site visit was conducted on September 6, 2012, as part of a review of the SE plat stamped "Received, Department of Planning and Zoning, May 31, 2012."

General Comment: Urban Forest Management Division comments and recommendations on the previously submitted SE were provided to DPZ in the memo dated September 10, 2012. The following comment and recommendation contained in that memo was not adequately addressed and are similar to the following comment and recommendation. An additional comment and recommendation is provided to address the deviation from the tree preservation target request.

- 1. Comment:** The landscape plan does not address the requirement for species diversity and it is unclear how the Applicant proposes to satisfy this requirement. In accordance with PFM 12-0515.1L, proposed planting for sites requiring less than 30 trees shall not be comprised more than 33 percent of one plant species or 66 percent of one genus. The comment response stating this PFM section is not applicable is not accurate.

Recommendation: The notes on the landscape plan stating 12-0515.1L are not applicable should be removed from the plat and the landscape plan should show a variety of native and desirable tree species, of various sizes, planted throughout the site meeting the diversity requirements of PFM 12-0515.1L. Landscape trees that are well suited for this location include red maple, red oak, American holly, American beech, willow oak, eastern redcedar and many others. All trees proposed to be planted should be identified as Category I, II, III, or IV deciduous trees and/or Category I, II, III, or IV evergreen trees. In addition, minimum planting areas for proposed trees should be provided in accordance with PFM 12-0601.1B.

Department of Public Works and Environmental Services
Urban Forest Management Division
12055 Government Center Parkway, Suite 518
Fairfax, Virginia 22035-5503
Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769
www.fairfaxcounty.gov/dpwes



TD Bank
SE 2012-PR-012
October 9, 2012
Page 2 of 2

Opportunities to receive additional tree canopy credits in exchange for the planting of trees in a manner that will provide specific environmental and ecological benefits, or for the use of species that are native to Fairfax County, or for the use of species that are resistant to diseases, pests, decay and the negative impacts imposed by harsh conditions should be considered. See PFM sections 12-0510.4B thru 12-0510.4B(6) for opportunities for additional 10-year tree canopy credits.

2. **Comment:** A deviation from the tree preservation target has been requested on the SE plat that states one or more of the justifications listed in Chapter 122-2-3(b) of the County Code, along with a narrative that provides a site-specific explanation of why the Tree Preservation Target cannot be met. The Urban Forest Management Division has reviewed the request and justification and does not object to the proposed deviation.

Recommendation: A directive from the Board of Supervisor to the Urban Forest Management Division, DPWES, or Director of DPWES to permit a deviation request from the tree preservation target percentage should be provided.

Please contact me at 703-324-1770 should you have any questions.

TLN/
UFMDID #:173164

cc: DPZ File

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		