



APPLICATION ACCEPTED: May, 29 2014
APPLICATION AMENDED: October 1, 2014
PLANNING COMMISSION: November 20, 2011
BOARD OF SUPERVISORS: December 2, 2014 at 3:00 PM

County of Fairfax, Virginia

November 5, 2014

CRA

STAFF REPORT

APPLICATIONS SE 2014-PR-022

PROVIDENCE DISTRICT



APPLICANT: Eskridge II, LLC

PRESENT ZONING: I-5 and H-C

PARCEL(S): 49-3 ((1)) 97 pt.

ACREAGE: 41,886 square feet

FAR/DENSITY: 0.09

PLAN MAP: Mixed Use

SE CATEGORY
Category 6: Drive-in Financial Institution
Category 6: Waiver of Lot Size Requirements

PROPOSAL: The applicant seeks approval of a Category 6 special exception use in the I-5 District to allow the construction of a 3,000 square foot drive-in financial institution with three drive-through lanes, and a modification of the minimum lot width requirement from 100 feet to 85 feet. The overall FAR would be 0.09.

STAFF RECOMMENDATIONS:

Staff recommends approval of SE 2014-PR-022, subject to the development conditions consistent with those found in Appendix 1 of this report.

Staff recommends approval of a waiver of the loading space requirement.

William O'Donnell

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

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.

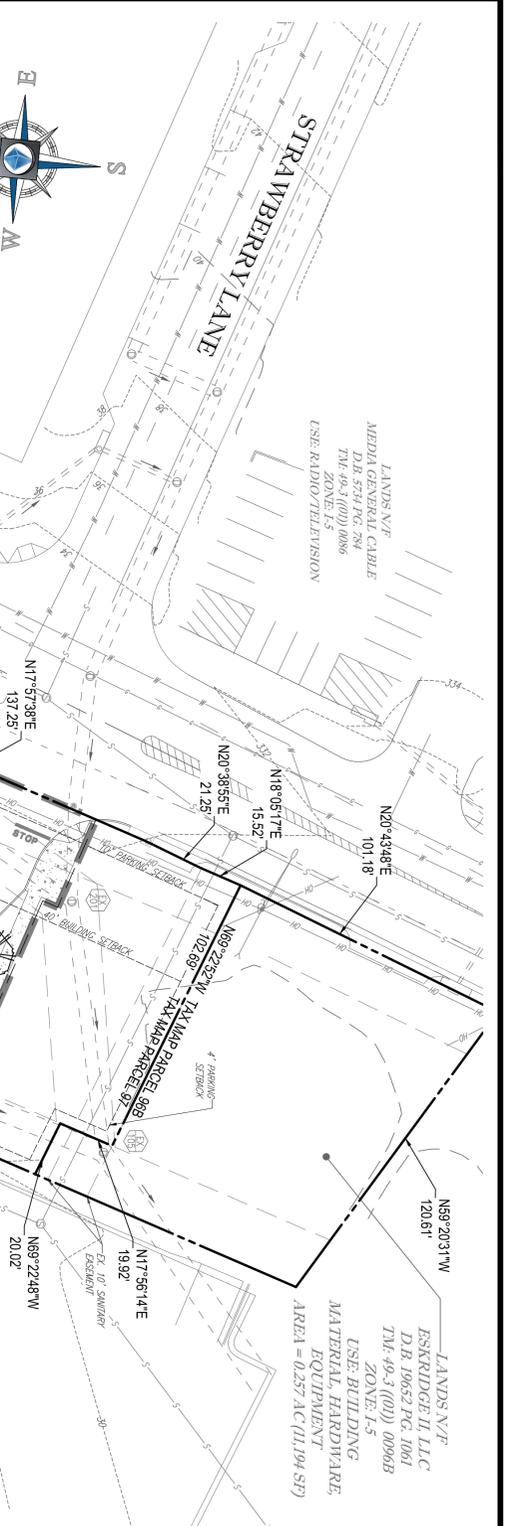
The approval of this rezoning does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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

N:\ZED\Special Exceptions\MTC Bank SE 2014-PR-022\Report\SE 2014-PR-022 MTC Bank Staff Report Cover.doc



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).



LANDSCAPE LEGEND

SYMBOL	QTY	TYPE/USE	10 YEAR CANOPY COVERAGE	10 YEAR CANOPY COVERAGE TOTAL
	15	3-3 1/2" CATEGORY IV DECIDUOUS TREE	250	3,750
	7	2-3 1/2" CATEGORY II DECIDUOUS TREE	100	700
	63	EVERGREEN OR DECIDUOUS SHRUB (TBD AT SITE PLAN)		

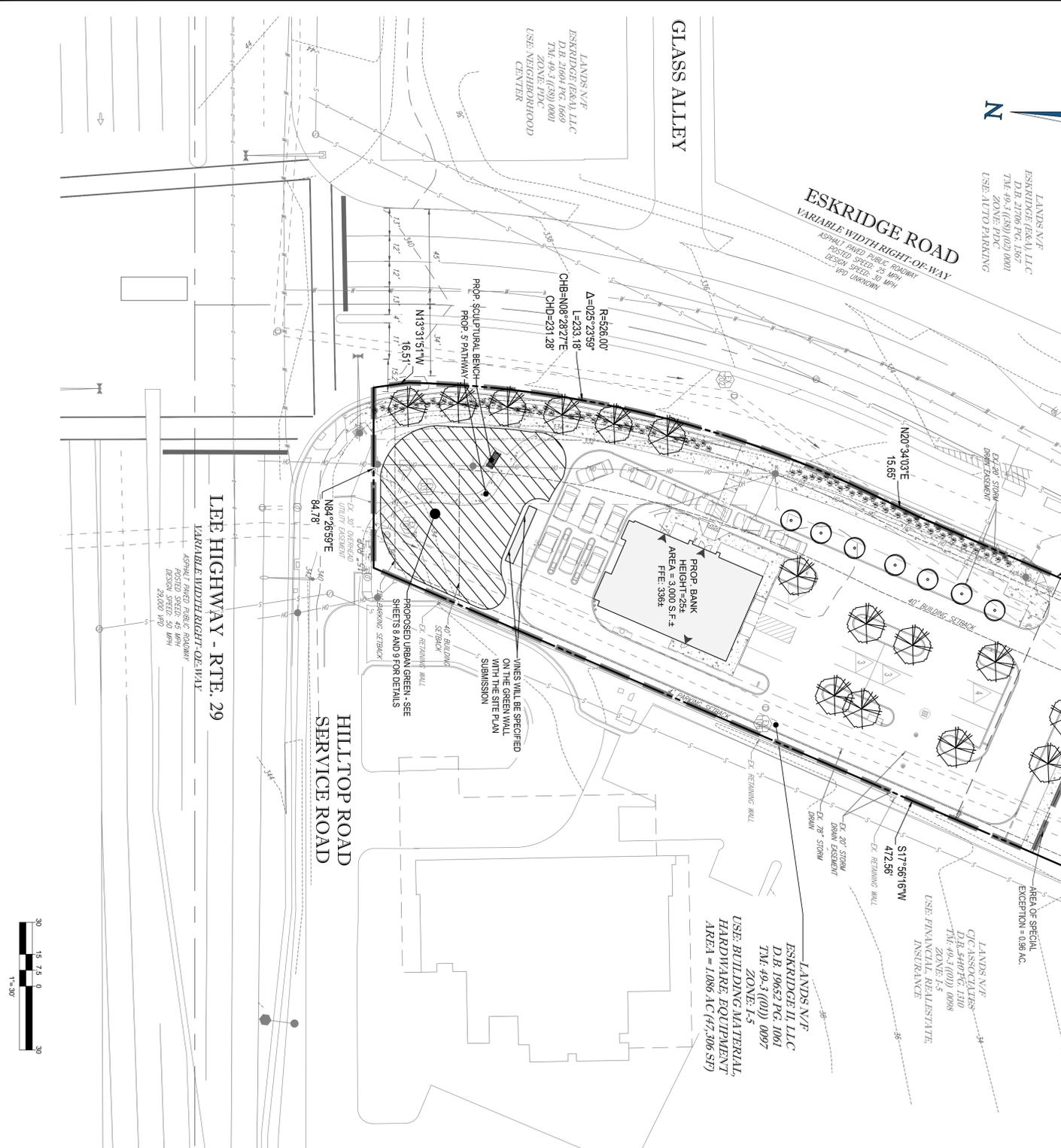
- AT THE TIME OF SITE PLAN, PLANTING DIVERSITY MEETING THE REQUIREMENTS OF SECTION 12.0515.1.L OF THE FAIRFAX COUNTY PFM WILL BE MET. TREE PLANTINGS ON SITE SHALL NOT BE COMPOSED OF MORE THAN 33 PERCENT OF ONE PLANT SPECIES OR 66 PERCENT OF ONE GENUS.
- LANDSCAPE DESIGN SUBJECT TO CHANGE BASED ON FINAL DESIGN AT TIME OF SITE PLAN
- LANDSCAPE PLANTINGS PROPOSED AT THE TIME OF SITE PLAN MAY CONTAIN SOME OF THE FOLLOWING SPECIES: RED OAK, AMERICAN HOLLY, AMERICAN BECH, WILLOW OAK, AND EASTERN RED CEDAR.

TABLE 12.3 TREE PRESERVATION TARGET CALCULATIONS AND STATEMENT

STEP	DESCRIPTION	VALUE
A.1	PRESERVE/REPLACE AREA OF EXISTING TREE CANOPY (SF)	0
B.1	PERCENTAGE OF GROSS SITE AREA COVERED BY EXISTING TREE CANOPY	0.0%
B.2	PERCENTAGE OF 10-YEAR TREE CANOPY REQUIRED FOR SITE (SEE PFM TABLE 12.4)	10%
B.3	PERCENTAGE OF 10-YEAR TREE CANOPY REQUIREMENT THAT SHOULD BE MET THROUGH TREE PRESERVATION	0.0%
B.4	PERCENTAGE OF 10-YEAR TREE CANOPY REQUIREMENT THAT WILL BE MET THROUGH TREE PRESERVATION	0.0%
B.5	HAS THE TREE PRESERVATION TARGET MINIMUM BEEN MET?	YES
B.6	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 12.0517.3	
B.7	IF STEP D REQUIRES A NARRATIVE, IT SHALL BE PREPARED IN ACCORDANCE WITH 12.0517.4	
B.8	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	VALUE
A.1	PRESERVE/REPLACE TARGET AND STATEMENT HERE	
A.2	PRECEDING THE 10-YEAR TREE CANOPY CALCULATIONS	
B.1	TOTAL GROSS SITE AREA = 38,890	38,890
B.2	SUBTRACT AREA DEDICATED TO PARKS AND ROAD FRONTAGE = 0	0
B.3	SUBTRACT AREA OF EXEMPTIONS = 0	0
B.4	ADJUSTED GROSS SITE AREA (B1-B2) = 38,890	38,890
B.5	IDENTIFY SITES ZONING AND/OR USE = COMMERCIAL	
B.6	PERCENTAGE OF 10-YEAR TREE CANOPY REQUIRED = 10%	
B.7	AREA OF 10-YEAR TREE CANOPY REQUIRED (B4 * B6) = 3,889	3,889
B.8	MODIFICATION OF 10-YEAR TREE CANOPY REQUIREMENT REQUESTED?	NO
B.9	IF YES, THEN LIST PLAN SHEET WHERE MODIFICATION REQUEST IS LOCATED	N/A
C.1	TREE PRESERVATION TARGET AREA = 0	0
C.2	TOTAL CANOPY AREA MEETING STANDARDS OF § 12.020 = 0	0
C.3	CS X 1.25 = 0	0
C.4	TOTAL CANOPY AREA PROVIDED BY UNIQUE OR VALUABLE FORESTS OR WOODLAND COMMUNITIES = 0	0
C.5	CS X 1.15 = 0	0
C.6	TOTAL CANOPY AREA PROVIDED BY HERITAGE, MEMORIAL, "SPECIMEN" OR "STREET" TREES = 0	0
C.7	CS X 1.15 TO 3.0 = 0	0
C.8	CANOPY AREA OF TREES WITHIN RESOURCE PROTECTION AREAS AND 10-YEAR FLOOD PLAINS = 0	0
C.9	CS X 1.10 = 0	0
C.10	TOTAL OF C3, C5, C7, AND C9 = 0	0
D.1	AREA OF CANOPY TO BE MET THROUGH TREE PLANTING (B7-C10) = 3,889	3,889
D.2	AREA OF CANOPY PLANTED FOR AIR QUALITY BENEFITS = 0	0
D.3	X 1.15 = 0	0
D.4	AREA OF CANOPY PLANTED FOR ENERGY CONSERVATION = 0	0
D.5	X 1.15 = 0	0
D.6	AREA OF CANOPY PLANTED FOR WILD LIFE BENEFITS = 0	0
D.7	X 1.15 = 0	0
D.8	AREA OF CANOPY PROVIDED BY NATIVE TREES = 0	0
D.9	X 1.15 = 0	0
D.10	AREA OF CANOPY PROVIDED BY IMPROVED CULTIVARS AND VARIETIES = 0	0
D.11	X 1.15 = 0	0
D.12	AREA OF CANOPY PROVIDED THROUGH TREE SEEDLINGS = 0	0
D.13	X 1.10 = 0	0
D.14	AREA OF CANOPY PROVIDED THROUGH NATIVE SHRUBS OR WOODY SEED MIX = 0	0
D.15	X 1.10 = 0	0
D.16	PERCENTAGE OF D14 REPRESENTED BY D15 = 0	0
D.17	AREA OF CANOPY AREA PROVIDED THROUGH TREE PLANTING = 4,489	4,489
D.18	TOTAL CANOPY AREA PROVIDED THROUGH TREE PLANTING (D17) = 4,489	4,489
D.19	IS AN OFFSITE PLANTING RELIEF REQUESTED?	NO
D.20	TREE BANK OR TREE PLANT? TREE BANK OR TREE PLANT?	N/A
D.21	CANOPY AREA REQUESTED TO BE PROVIDED THROUGH OFFSITE BANKING OR TREE PLANT = 0	0
D.22	AMOUNT TO BE DEPOSITED INTO THE TREE PRESERVATION AND PLANTING FUND = \$0	\$0
E.1	TOTAL OF 10-YEAR TREE CANOPY PROVIDED	
E.2	TOTAL OF CANOPY AREA PROVIDED THROUGH TREE PRESERVATION (C10) = 0	0
E.3	TOTAL OF CANOPY AREA PROVIDED THROUGH TREE PLANTING (D17) = 4,489	4,489
E.4	TOTAL OF 10-YEAR TREE CANOPY PROVIDED = 4,489	4,489
E.5	PERCENTAGE OF 10-YEAR TREE CANOPY PROVIDED = 11.53%	11.53%



LANDSCAPE LEGEND

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CIVIL & CONSULTING ENGINEERS
SURVEYORS
PROJECT MANAGERS
ENVIRONMENTAL CONSULTANTS

COMMONWEALTH OF VIRGINIA
REGISTERED PROFESSIONAL ENGINEER
DAVID LOGAN
Lic. No. 43616
09/29/14

2266 DAVIS DRIVE, SUITE 230
STERLING, VIRGINIA 20154
Phone: (703) 708-9500
Fax: (703) 708-9501
www.BohlerEngineering.com

EDENS FOR
MERRIFIELD TOWN CENTER BANK
LOCATION OF SITE
8301 LEE HIGHWAY
FAIRFAX, VA
PROVIDENCE DISTRICT

NOT APPROVED FOR CONSTRUCTION

PROJECT: SPECIAL EXCEPTION PLAT FOR
DRAWN BY: SMT/27
CHECKED BY: DBL
SCALE: 0"=1'-0"
DATE: 01/14/20
SHEET: 4 OF 9



PERSPECTIVE LOOKING SOUTHWEST FROM
ESKRIDGE ROAD AND LEE HIGHWAY

BOHLER ENGINEERING

CIVIL & CONSULTING ENGINEERS
SURVEYORS
PROJECT MANAGERS
ENVIRONMENTAL CONSULTANTS
LANDSCAPE ARCHITECTS

CORPORATE OFFICE:
WARREN, NJ

OFFICES:

- SOUTHBOROUGH, MA
- ALBANY, NY
- ROCKYHONKONOMA, NY
- CHALFONT, PA
- CENTER VALLEY, PA
- TAMPA, FL
- BOWIE, MD
- TOWSON, MD
- STERLING, VA
- WARRENTON, VA
- FORT LAUDERDALE, FL
- PHILADELPHIA, PA

THE INFORMATION, DESIGN AND CONTENT OF THIS PLAN AND PROPRIETARY AND SHALL NOT BE COPIED OR USED FOR ANY PURPOSE WITHOUT THE WRITTEN AUTHORIZATION FROM BOHLER ENGINEERING. ONLY APPROVED, SIGNED AND SEALED PLANS SHALL BE UTILIZED FOR CONSTRUCTION PURPOSES & FOR BOHLER ENGINEERING.

REVISIONS

REV	DATE	COMMENT	BY
1	04/07/14	REV. PER COUNTY COMMENTS	NTG
2	05/15/14	REV. PER SE AREA COMMENTS	KWL
3	07/21/14	REV. PER COUNTY COMMENTS	NTG
4	08/24/14	REV. PER COUNTY COMMENTS	NTG
5	09/29/14	REV. PER COUNTY COMMENTS	NTG

NOT APPROVED FOR CONSTRUCTION

THE FOLLOWING STATES REQUIRE NOTIFICATION BY THE STATE ENGINEER OF ANY CHANGES TO THE PLAN. THE ENGINEER'S SIGNATURE AND SEAL ARE REQUIRED IN THE STATE OF VIRGINIA. ANY CHANGES TO THE PLAN SHALL BE MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STATE ENGINEER. CALL: 811 OR 1-800-252-2777. FAX: 1-800-252-2777. WWW.BOHLERENGINEERING.COM

PROJECT: SPECIAL EXCEPTION PLAT FOR MERRIFIELD TOWN CENTER BANK

EDENS

LOCATION OF SITE: 8301 LEE HIGHWAY, MERRIFIELD FAIRFAX, VA, PROVIDENCE DISTRICT

PROJECT No.: S10227
DRAWN BY: PJC
CHECKED BY: DBL
SCALE: AS SHOWN
C/D ID: SCS

BOHLER ENGINEERING

22636 DAVIS DRIVE, SUITE 250
STERLING, VIRGINIA 20164
Phone: (703) 709-9800
Fax: (703) 709-9501
www.bohlerengineering.com

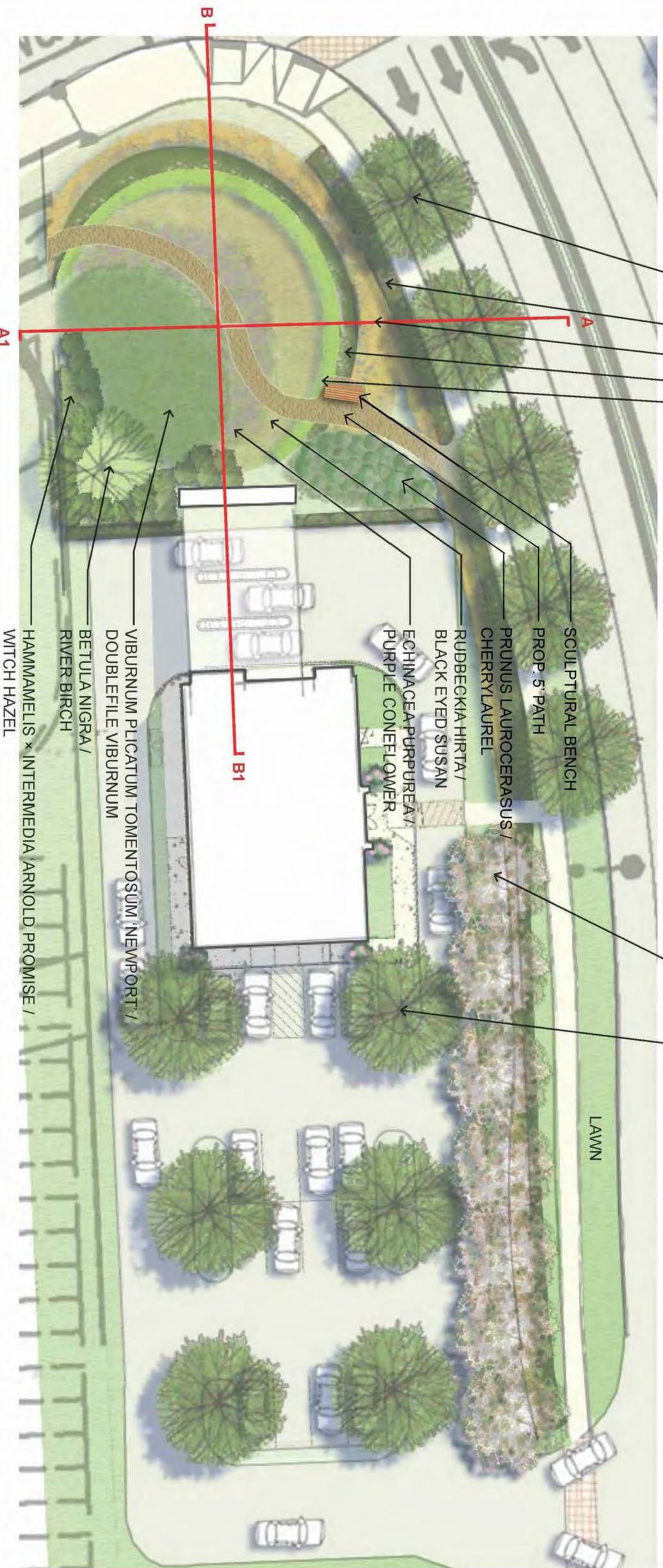
COMMONWEALTH OF VIRGINIA
PROFESSIONAL ENGINEER
DAVID LOGAN
Lic. No. 43616
09/29/14

SHEET TITLE:
SITE PERSPECTIVE

SHEET NUMBER:
7 OF 9

QUERCUS PHELLOS /
WILLOW OAK
ABELIA X GRANDIFLORA /
GLOSSY ABELIA
CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER' /
KARL FOERSTER FEATHER REED GRASS
ILEX VERTICILLATA 'RED SPRITE' /
RED SPRITE WINTERBERRY
COTONEASTER DAMMARI /
BAYBERRY COTONEASTER

MALUS 'SPRING SNOW' /
SPRING SNOW WHITE CRAB APPLE
ACER RUBRUM 'OCTOBER GLORY' /
OCTOBER GLORY RED MAPLE



SCULPTURAL BENCH
PROP. 5' PATH
PRUNUS LAUROCERASUS /
CHERRYLAUREL
RUBEBECKIA HIRTA /
BLACK EYED SUSAN
ECHINACEA PURPUREA /
PURPLE CONEFLOWER
VIBURNUM PLICATUM TOMENTOSUM 'NEWPORT' /
DOUBLEFILE VIBURNUM
BETULA NIGRA /
RIVER BIRCH
HAMMAMELIS x INTERMEDIA 'ARNOLD PROMISE' /
WITCH HAZEL

Note: Plant selections are illustrative and will be finalized at site plan. The general character of the plantings will however be consistent with the plant selections shown hereon



MOSIAC AT MERRIFIELD - CNL PARCEL

MERRIFIELD, VIRGINIA
AUGUST 26, 2014 | PAGE 1

BOHLER ENGINEERING
CORPORATE OFFICE: WARREN, NJ
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TAMPA, FL
BOWIE, MD
TOWSON, MD
STERLING, VA
WARRENTON, VA
FORT LAUDERDALE, FL
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REVISIONS

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1	04/07/14	REV. PER COUNTY COMMENTS	NTG
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3	07/21/14	REV. PER COUNTY COMMENTS	NTG
4	08/24/14	REV. PER COUNTY COMMENTS	NTG
5	08/28/14	REV. PER COUNTY COMMENTS	NTG

NOT APPROVED FOR CONSTRUCTION

PROJECT No. S10227
DRAWN BY: DBL
CHECKED BY: JLM
SCALE: AS SHOWN
C/D ID:

EDENS ASSOCIATES INC.
FOR
MERRIFIELD TOWN CENTER BANK
LOCATION OF SITE
8301 LEE HIGHWAY
MERRIFIELD FAIRFAX, VA
PROVIDENCE DISTRICT

BOHLER ENGINEERING
22636 DAVIS DRIVE, SUITE 250
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Phone: (703) 709-9800
Fax: (703) 709-9501
www.BohlerEngineering.com

COMMONWEALTH OF VIRGINIA
DAVID LOGAN
Lic. No. 43616
09/29/14
PROFESSIONAL ENGINEER

SHEET TITLE:
URBAN GREEN SPACE DETAILS
SHEET NUMBER:
8
OF 9

FOR INFORMATION ONLY - PLANT SPECIES AND PLANT LAYOUT MAY CHANGE PENDING SITE PLAN DESIGN

MAHAN RYKIEL ASSOCIATES INC. EDENS.

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

DESCRIPTION OF THE APPLICATION

- Proposal:** The applicant, Eskridge II, LLC, seeks a Category 6 special exception use in the I-5 and HC Districts to allow the construction of a 3,000 square foot drive-in financial institution with three drive-through lanes, and a modification of the minimum lot width requirement from 100 feet to 85 feet. The overall FAR would be 0.09.
- Hours:** 8:30 a.m. to 8:00 p.m. Monday through Friday; 8:30 a.m. to 3:00 p.m. Saturday; 11:00 a.m. to 4:00 p.m. Sunday
- Employees:** 6 to 8 employees on-site at any one time

Waivers/Modifications: Modification of the Loading Space Requirement

Copies of the proposed development conditions, applicant's affidavit, and applicant's statement of justification are contained in Appendices 1 through 3 of this report.

LOCATION AND CHARACTER

Site Description:

The 41,886 square foot subject property is located at 8301 Lee Highway (Tax Map 49-3 ((1)) 97 pt.) at the southwest corner of the intersection of Eskridge Road and Route 29 (Lee Highway) in the Merrifield Town Center. The property is zoned to the I-5 and HC Districts and is currently developed with a vacant one-story, approximately 6,000 square foot metal industrial building constructed in 1973 and a gravel parking lot. Overhead utility poles are located along Eskridge Road along the eastern boundary and a 20-foot wide storm drain easement is located along the western property boundary. Access to the Property is currently provided from Eskridge Road. Graphic 1 shows an aerial image of the subject property.

Graphic 1: Existing Conditions



Direction	Use	Zoning	Plan
North	Retail & Office	C-6, I-5	Mixed Use
South	Office, Retail & Industrial	I-5	Mixed Use and Public Facilities, Government & Institutional
East	Mosaic Mixed Use	PDC & PRM	Mixed Use
West	Office, United States Postal Service & Industrial	I-5	Mixed Use and Public Facilities, Government & Institutional

BACKGROUND

No previous rezoning applications.

COMPREHENSIVE PLAN PROVISIONS (Appendix 4)

Plan Area: Area I

Plan District/Sector: The Merrifield Suburban Center; Sub-Unit F2

Plan Map: Mixed Use

Fairfax County Comprehensive Plan, 2013 Edition, Area I, The Merrifield Suburban Center Planning District, as amended through March 4, 2014, F2-Merrifield Town Center, pages 75 through 80:

“Sub-Unit F2 is the central portion of the Land Unit that is generally between the Post Office property and Sub-Unit F1. Sub-unit F2 is planned for and developed with industrial and office uses up to a .5 FAR, except for the portion of Tax Map 49-3((1))80A that is in Sub-Unit F2. This portion of Parcel 80A could be developed with office or a new theater complex. Any new development should be designed in a manner consistent with the town center concept.

Any modification, expansion, and/or reuse of the existing buildings should be consistent with guidelines for Existing Uses and Buildings under the Area-Wide Land Use section. Any additional development in Sub-unit F1 and F2 at this base level should have consolidation or a coordinated development plan that provides for circulation improvements and streetscape improvements, as well as addresses urban design and other planning objectives which include implementing the town center concept. Also for any additional development at this base level on property in Sub-Units F1 and F2 abutting Sub-Unit G1, inter-parcel access between these sub-units should be considered and provided if needed to improve access to the school.”

ANALYSIS

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

Title of SE Plat: Merrifield Town Center Bank

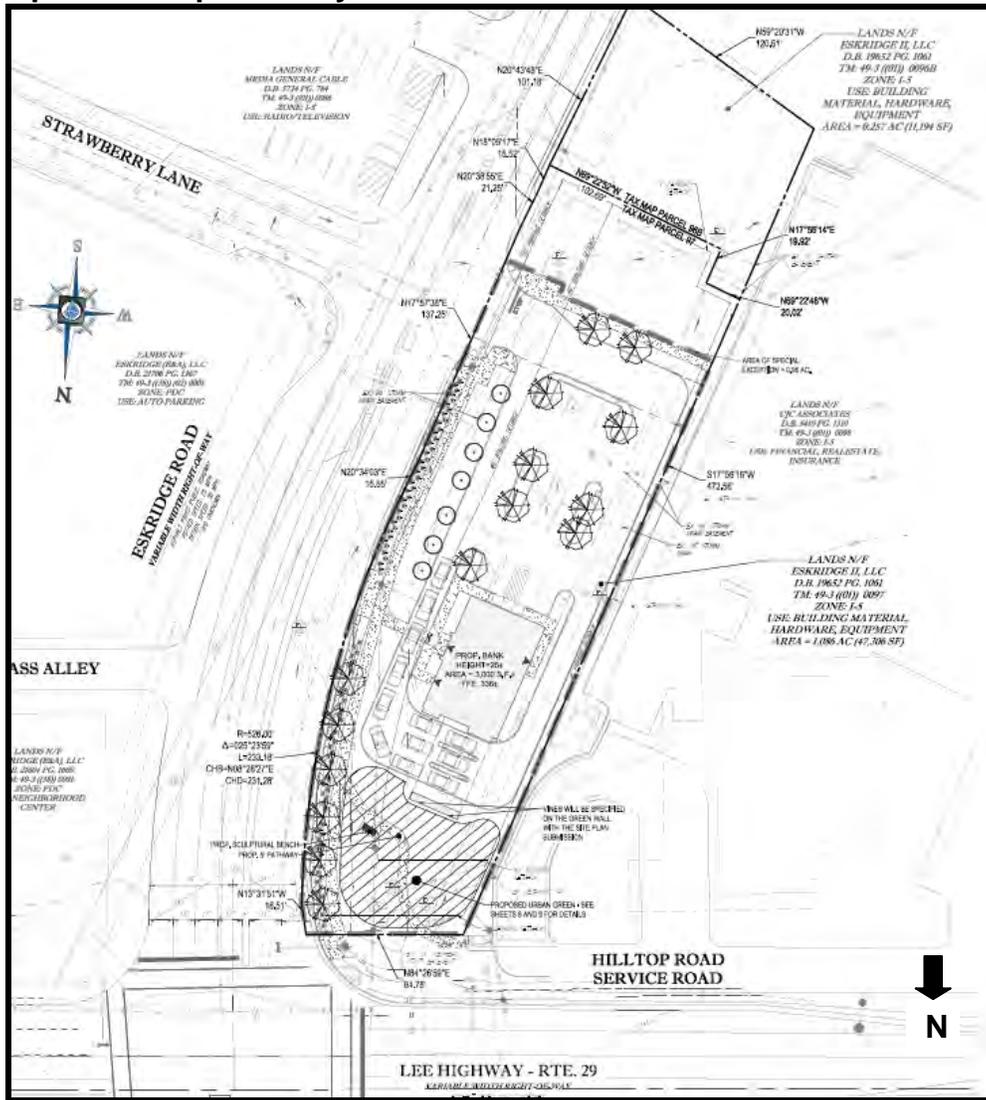
Prepared By: Bohler Engineering

Original and Revision Dates: April 1, 2014, as revised through
September 29, 2014

The SE Plat consists of nine sheets.

Site Layout: The applicant proposes a Special Exception (SE) application for a 3,000 square foot drive-in financial institution on a 0.96 acre portion of Tax Map 49-3 ((1)) 97 with three drive-through lanes. A consolidation is pending on Tax Map Parcels 97 and 96B, which will result in a total area of 1.343 acres; however, the SE application will only apply to a 41,886 square foot (0.96 acre) portion of the site. The SE Plat shows the 3,000 square foot building centrally located on the lot, with parking to the south and an urban green area to the north. Graphic 2 shows the general layout of the proposed redevelopment.

Graphic 2: Proposed Layout



As shown in Graphic 2, a new access road extending into the site from Eskridge Road at the Strawberry Lane intersection is proposed. Two separate access points from this new road are proposed with ingress from both the west and east access points, and egress only from the west. The drive-through lanes are proposed to wrap around the north side of the building while approaching the drive-through windows at the front of the building and exit from the western access point.

Architectural elevations and perspectives are included on Sheets 7 and 8 of the SE Plat and shown in Graphic 3 below.

Graphic 3: Proposed Architectural Elevations



The proposed maximum height for the drive-in financial institution is 25 feet. Development conditions are included to design the building in substantial conformance with the bulk, mass and type and quality of materials as shown on these elevations with additional commitments for building materials to include a primary material of brick, stone, or cementitious siding supplemented with trim and detail features. In addition, a “green” wall measuring approximately 30 feet in height is proposed to screen the drive-through lanes from Route 29 (Lee Highway) and the proposed urban green area on the northern portion of the site.

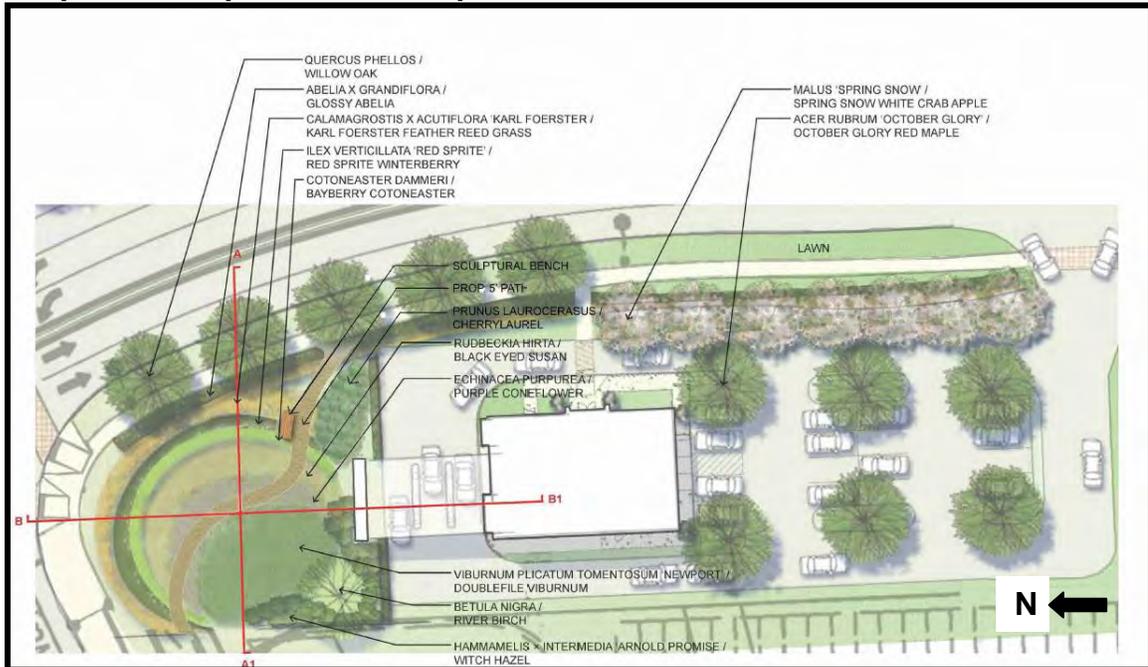
Vehicular Access: As previously discussed, access is proposed to be provided into the site from a new private access road at the intersection of Eskridge Road and Strawberry Lane and terminating at the western boundary line. Sheet 3 of

the SE Plat shows this road leading into a potential inter-parcel connection to Tax Map 49-3 ((1)) 98 for potential redevelopment in the future. Development conditions are included to ensure that the inter-parcel access is provided with future redevelopment and public access is granted in a form acceptable to the County Attorney.

Parking: The Zoning Ordinance requires 14 spaces for the financial institution and 12 stacking spaces for the drive-through windows. The applicant is proposing to meet this requirement. Sheet 3 of the SE plat shows surface parking to the south of the building and shows a drive-through lane with enough room to stack 12 vehicles.

Pedestrian Access: An existing 8-foot wide multi-purpose trail is shown on the south side of Route 29 (Lee Highway) with a crosswalk leading to the Mosaic mixed use development at the intersection of Route 29 and Eskridge Road. The applicant proposes to construct a new 6-foot wide concrete sidewalk along the property's frontage on Eskridge Road. On the south side of the new proposed access road into the site, the applicant proposes to provide a 5-foot wide sidewalk. A note on Sheet 3 of the SE Plat indicates that an additional crosswalk would be provided from the new access road across Eskridge Road to the existing sidewalks on the north side of Strawberry Lane as reviewed and approved by the Virginia Department of Transportation. In addition, the applicant proposes a 5-foot wide pedestrian path with solar LED paver lights through the urban green area connecting existing sidewalks on the south side of the Hilltop Road Service Road to the new proposed sidewalks along Eskridge Road.

Landscaping and Urban Green Area: The subject property is developed with a one-story, approximately 6,000 square foot metal industrial building constructed in 1973 and a gravel parking lot. Overhead utility poles are located along Eskridge Road on the eastern boundary and a 20-foot wide storm drain easement is located along the western property boundary. Vegetation on the site is non-existent. The applicant proposes to meet the 10-year tree canopy requirements through the planting of new deciduous and evergreen trees on the site and has agreed to supplement these plantings with several ornamental shrubs, along Eskridge Road and within the landscape islands in the parking lot and the proposed urban green area on the northern portion of the site. Graphic 4 below shows the landscape plans for these areas.

Graphic 4: Proposed Landscape Plan

The urban green area is shown on the northern portion of the site and slopes down from Route 29 (Lee Highway). It is proposed to be heavily landscaped with shrubs, grasses and perennials. As previously mentioned, a 5-foot wide pedestrian path with solar LED paver lights is also proposed through this green area, as well as a sculptural bench.

Stormwater Management: There are currently no stormwater controls on the site; the site is primarily impervious, resulting from existing industrial development. According to the Stormwater Management and Quality narratives on Sheet 5 of the SE Plat, the site qualifies as redevelopment. The applicant proposes to address stormwater quantity and quality in an existing off-site facility within the adjacent Merrifield Town Center (Mosaic Development). In addition, to meet the new County and State requirements, the applicant has shown addition BMP quality devices (such as storm filters and filterras) within the landscape islands of the surface parking lots. Development conditions are recommended to ensure that these facilities meet the new County and State requirements.

Land Use Analysis (Appendix 4)

The Comprehensive Plan map indicates that the subject property is planned for and developed with industrial and office uses up to a 0.5 FAR. As a redevelopment option, mixed-use development is encouraged, such as office, residential, retail, hotel, major entertainment uses, as well as institutional, cultural, recreational, and governmental uses for the Town Center Area. Parcel

consolidation or coordinated development plans (as an alternative to parcel consolidation) would help achieve the vision of the core area.

The applicant proposes a Special Exception (SE) application for a drive-in financial institution on a 0.96 acre portion of Tax Map 49-3 ((1)) 97 with three drive-through lanes. A Parcel consolidation plan is pending approval with the Department of Public Works and Environmental Services (DPWES) for Tax Map Parcels 97 and 96B, which would result in a total area of 1.343 acres; the SE application is proposed on a 41,886 square foot (0.96 acre) portion of the site. The applicant proposes to remove the existing industrial building while retaining the existing utility poles and attached guy-brace poles along the eastern portion of the site, which were installed by others and generally restrict the development potential of the site. Redevelopment would include a 3,000 square foot building with three drive-through lanes and 14 parking spaces. Approximately 15 percent open space would be provided on site, and the FAR would be 0.09. Staff feels that the proposed drive-in financial institution would be considered a neighborhood retail use and would improve the existing conditions of the site without detracting from the overarching mixed-use vision of the Town Center Area.

To help achieve the coordinated development objectives of the Comprehensive Plan, the applicant proposes an access road into the site from Eskridge Road and across Strawberry Lane. This proposed access road from Eskridge Road would be designed to accommodate future inter-parcel access to the adjacent site [Tax Map 49-3 ((1)) 97]. One way circulation is proposed around the site to the drive-through lanes. A 6-foot wide concrete sidewalk is proposed along Eskridge Road to connect with the sidewalk along Route 29 (Lee Highway). A 10 foot wide painted crosswalk is also proposed across Eskridge Road to connect pedestrians between Strawberry Lane (on Mosaic's site) and the application site. A five foot wide concrete sidewalk is proposed along the south.

In addition, the Comprehensive Plan guidance for the Merrifield Suburban Center also includes Building and Site Design recommendations for Core Areas (Pages 32 - 24) which note that buildings should be close to roadways after allowing for streetscape amenities, such as a setback minimum of 26 feet from the curb along Route 29 (Lee Highway). The applicant proposes a building with a setback approximately 50 feet along both Route 29 (Lee Highway) and Eskridge Road at the closest point of the structure. Eskridge Road is considered a "Main Street," but, staff feels that due to the presence of a utility easements and utility poles as well as sight distance constraints, the recommended Main Street streetscape guidance and building setback cannot be easily executed. There is also a significant grade difference between the site and Lee Highway (approximately 10 feet), which limits development closer to Lee Highway.

The Comprehensive Plan guidance for the Merrifield Suburban Center also recommends an "Open Space and Pedestrian System Map" (Page 21) which shows a plaza/urban green planned for the northern area of the site. The applicant proposes an urban green or lawn area with extensive landscaping on

the northern portion of the site between the proposed building and Route 29 (Lee Highway). As previously mentioned, the site slopes down from Route 29. The applicant proposes to heavily landscape the area with shrubs, grasses and perennials. A “green” wall measuring approximately 30 feet in height is proposed to screen the drive-through lanes from this area. A five foot wide pedestrian path with solar LED paver lights is proposed through the green area, as well as a sculptural bench. The existing off-site Mosaic monument sign located in the public right of way along Route 29 (Lee Highway) is also proposed to be incorporated in the design of the urban green area. Considering the substantial right-of-way present along Route 29, as well as the large utility and stormwater drainage easements located through this corner of the site, staff recognizes the applicant’s efforts to design an urban green area using these design amenities in this difficult location. Staff remains concerned that pedestrians may not be drawn to walk across the proposed urban green area, which would make the space underutilized, and the proposed LED paver lights would only be visible at night. Staff included a development condition to provide additional public art within the urban green area and to encourage more daytime and year round interest. Art work visible to pedestrians and drivers along Route 29 and from Merrilee Drive would be particularly compelling and make the space more useable.

With imposition of the proposed development conditions, staff finds that the proposed drive-in financial institution adheres to the Plan guidance described above, and is in harmony with the Comprehensive Plan.

ENVIRONMENTAL ANALYSIS (Appendix 5)

LEED/Green Building

The Policy Plan incorporates guidance in support of the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. The Policy Plan further recommends the attainment of Leadership in Energy and Environmental Design (LEED) certification through the U.S. Green Building Council or an equivalent green building program with third party certification for developments meeting certain criteria. For example, the Policy Plan recommends LEED certification or an equivalent when zoning proposals are located in a suburban center and are seeking a change in use from what would be allowed under existing zoning. As such, the proposed drive-in financial institution in the Merrifield Suburban Center is recommended to attain LEED certification.

Staff feels that LEED-NC (New Construction), or an equivalent, would be the most appropriate approach to address the Policy Plan objectives with an option to enter the LEED Volume program to help facilitate the administration of the LEED certification process. The applicant has agreed to provide a commitment to LEED certification and staff has included development conditions that reflect LEED-NC or an equivalent as the primary approach to attain green building

certification consistent with Comprehensive Plan guidance. Staff also included an option in the development conditions to achieve green building certification through the LEED Volume program should a future bank tenant choose to pursue that program. The LEED Volume program could significantly streamline the process for certification, which is seen as an advantage by some developers.

Water Quality

The subject property is located within an area that is developed with significant amounts of impervious surface which prevents natural infiltration of stormwater runoff. The applicant has indicated that the proposed development will rely on existing underground facilities to meet both runoff volume and water quality controls. While this approach may adequately address Public Facilities Manual requirements, staff feels that there may be additional opportunities to improve the management of runoff generated by the proposed development. The applicant has revised the SE Plat to show addition BMP quality devices (such as storm filters and filtertraps) within the landscape islands of the surface parking lots. A development conditions is included to ensure that these facilities meet the new County and State requirements. Any final determination regarding standards for additional runoff measures will be made by DPWES during site plan review.

Tree Cover

As previously mentioned, vegetation on the site is non-existent. The applicant proposes to exceed the 10-year tree canopy requirements in the I-5 District (10 percent of the gross site area for tree coverage) and provide approximately 90 new deciduous and evergreen trees on the site, primarily along Eskridge Road, and within the landscape islands in the parking lot and the proposed urban green area on the northern portion of the site. Urban Forest Management has reviewed the proposed landscape plan and indicated no issues with the proposal (see Appendix 6).

Transportation Analysis (Appendix 7)

The Department of Transportation reviewed the applications and indicated that that the applicant had revised the circulation pattern in keeping with staff's recommendations. This circulation pattern should operate more efficiently given the access point proposed on the interior of the site. Staff also indicated the following:

- directional signage should be provided at the proposed one-way drive aisle to discourage drivers from using the one way aisle to exit the parking lot;

- any proposed signage on the site should be located out of the right-of-way and be placed in a manner that would not obstruct the line of sight for drivers entering and/or exiting the subject site; and
- in the future, if another use is proposed on the southern portion of the property and/or the interparcel access is completed to adjacent parcels along the western boundary of the subject site, the proposed one way drive aisle located closest to the Eskridge Road entrance should be re-evaluated in order to prevent conflicts between vehicles entering off Eskridge Road and potential internal cross traffic running parallel to Eskridge Road.

Development conditions have been included to address the first two comments. The proposed access points from the new access road will be reevaluated if additional uses are proposed to the south or west. No other issues have been identified.

Office of Community Revitalization (OCR) (Appendix 8)

OCR has reviewed the application and indicated that the applicant's proposal has improved the existing streetscape and site landscaping along Eskridge Road. However, the OCR identified the following concerns:

- **Streetscape:** Staff indicated that the streetscape at the corner of Eskridge Road and Route 29 (Lee Highway) should meet the guidelines found in the urban design guidelines of the Comprehensive Plan, which recommend a minimum 8 to 10 foot landscape area between the curb and the sidewalk, a 6 to 8 foot wide sidewalk and a pedestrian activity area or landscape area between the sidewalk and building of 12 feet along Route 29. For Eskridge Road, the design guidelines recommend a minimum 8 foot landscape buffer between the curb and the sidewalk, a 6 foot wide sidewalk and a pedestrian activity area or landscape area between the sidewalk and building of 8 feet along Eskridge Road. The applicant proposes to retain the existing 8 foot wide multi-purpose trail located within the existing VDOT Right of Way (ROW) along Route 29. Along Eskridge Road, the applicant proposes to provide an 8 foot wide landscaped buffer between the curb and the new 6 foot wide sidewalk, and a landscaped area ranging from 5 to 20 feet under the existing overhead utility lines along Eskridge Road. Staff feels that due to the presence of utility easements and utility poles, as well as sight distance and right of way constraints, the recommended streetscape guidance and building setbacks cannot be easily executed. The applicant has addressed the urban design guidelines to extent possible by providing a combination of trees and shrubs under or near the utility lines along Eskridge Road and Route 29 (Lee Highway) and introducing a new urban green area at the northern portion of the site.

- **Urban Green Area:** Staff indicated that the urban green area proposed at the northern portion of the property lacks detail to adequately evaluate how it will contribute to place-making in the Town Center and improve the pedestrian realm. The applicant recognized this concern and revised the SE Plat to include a heavily landscaped area with shrubs, grasses and perennials. A five foot wide pedestrian path with solar LED paver lights is proposed through the green area, as well as a sculptural bench. Considering the substantial right-of-way commitments along Route 29 (Lee Highway), as well as the large utility easements located in this corner of the site, staff recognizes the applicant's efforts to design an urban green area with these design amenities in this difficult location. Staff remains concerned that pedestrians may not be drawn to walk across the proposed urban green area, which would make the space underutilized, and the proposed LED paver lights would only be visible at night. Staff recommends a development condition to provide additional public art within the urban green area to encourage more daytime and year round interest.
- **Drive-through lanes:** staff requested the applicant to reduce the number from three to two because of the amount of impervious surface needed to accommodate the three lanes and to reduce the number of vehicles on the site. In addition, staff indicated that vehicle stacking should be designed so that automobiles are not blocking the pedestrian entrance to the site. The applicant excluded a typical bypass lane associated with drive-in financial institutions and staff included development conditions to address the stacking concern by providing a vehicle stop bar, pedestrian crossing sign, a raised pedestrian crossing, and/or alternative sidewalk materials.

Park Authority Analysis (Appendix 9)

To address the recreational impact of commercial development, the Park Authority requested a contribution (based on an average of recent monetary contributions to offset the commercial development impacts) of \$945. In addition the Park Authority indicated that public art or a water feature should be added to the urban green area to help activate the space and serve as a gateway feature into the town center and the Mosaic District. Development conditions are included to address these comments. No other issues remain.

Stormwater Analysis (Appendix 10)

There are currently no stormwater controls on the site and the site is primarily impervious, resulting from existing industrial development. According to the Stormwater Management and Quality narratives on Sheet 5 of the SE Plat, the site qualifies as redevelopment. The applicant proposes to address stormwater quantity and quality in an existing off-site facility within the adjacent Merrifield Town Center (Mosaic Development).

Staff has reviewed the proposal and offered the following comments:

Grandfather provisions: The applicant indicated that the proposed site is “grandfathered” with respect to the site’s stormwater management design requirements, which means that Article 5 (“old” criteria) of County Code, Chapter 124 (the Stormwater Management Ordinance [SWMO]) and the 2011 version of the Public Facilities Manual (PFM) are applicable to the site, rather than Article 4 (“new” criteria) of the SWMO and the current, updated version of the PFM. Since no additional supportive information was provided on the SE Plat to support this claim, as identified in SWMO 124-1-12, evidence must be provided prior to site plan review to ensure consistency with this provision. Staff recommends a development condition that requires the applicant to provide this evidence and seek a determination of the grandfathering status, prior to site plan submission. If grandfathering status is not approved, the project may need to be designed in accordance with the “new” stormwater management criteria and requirements, which may require additional facilities on site.

Chesapeake Bay Preservation Ordinance (CBPO): There is no resource Protection Area (RPA) on the property. Water quality controls are required for this proposed project (PFM 6-0401). Existing offsite facilities have been identified as the means for providing the phosphorus reduction requirements for the project. The applicant indicated that the stormwater management system designed and constructed with the Eskridge Road Improvement Plans (000561-SP-002) has included the water quality requirements for the proposed project. It has also been stated that additional SWM/BMP will be provided if the offsite facilities are found to be insufficient. An onsite StormFilter, Filterra, or other approved device has been proposed as the additional BMP facility, if needed. Final calculations and design details will be reviewed at the final design/site plan stage.

Stormwater Detention: Water quantity controls are required for this proposed project (PFM 6-0301.3). Existing offsite facilities have been identified as the means for providing the stormwater detention requirements for the project. The applicant has indicated that the stormwater management system designed and constructed with the Eskridge Road Improvement Plans (000561-SP-002) included the water quantity requirements for the proposed project. It has also been stated that additional SWM/BMP will be provided if the offsite facilities are found to be insufficient. Final calculations and design details will be reviewed at the final design/site plan stage.

Downstream Drainage System: A preliminary Outfall Narrative has been included. The proposed development outfalls to the west and into an existing storm sewer system. The outfall analysis details will be reviewed at the final design/site plan stage. No significant issues remain.

No other stormwater management issues were raised. A development condition is recommended to ensure that the stormwater management and BMP facilities meet the County and State requirements.

ZONING ORDINANCE PROVISIONS (Appendix 11)

The subject property is zoned I-5 and HC. The chart below lists the bulk regulations applicable to the proposal on the I-5 District.

Standard	Required (I-5)	Provided
Lot Size	20,000 square feet	Lot: 47,306 square feet* SE Area: 41,886 square feet
Lot Width	100 feet	85**
Building Height	75 feet maximum	25 feet
Front Yard	45 degree ABP and 40 feet minimum	±50 feet from Eskridge Road ±50 feet from Route 29
FAR	0.5	0.09
Open Space	15%	15%
Parking Spaces	4 per 1,000 sf = 14 Stacking (3 windows) = 12	16 12
Loading	1	0**

*The applicant has filed a parcel consolidation plat with DPWES to consolidate Tax Map Parcels 49-3((1)) 97 and 96B, which would result in a total area of 1.343 acres; however, the SE application is proposed on only a 41,886 square foot (0.96 acre) portion of the site.

**As shown in the chart above, the proposal conforms to all of the minimum bulk regulations for the I-5 District, except for the lot width and the loading space requirement which is further discussed in the Waivers and Modifications Section below.

Pursuant to Par. 2 of Sec. 5-506 of the Zoning Ordinance, the minimum lot width for an I-5 District is 100 feet. As the lot width of the subject property measures approximately 85 feet, the applicant has requested a reduction of this requirement to allow for a special exception use in the I-5 District. Par. 3 of Section 5-506 allows the Board to modify this requirement in accordance with Sect. 910 provided that:

1) *the subject property has not been reduced in width or area since the effective date of this Ordinance;*

2) *the waiver request results in a development that preserves existing vegetation, topography, historic resources and/or other environmental features; provides for*

reduced impervious surface; maintains or improves stormwater management systems; and/or similar demonstrable impact;

3) the proposal will not have any deleterious effect on the existing or planned development of adjacent properties or on area roadways; and

4) all remaining provisions of this Ordinance can be satisfied.

As previously discussed, the subject property has not been subject to any previous rezoning applications and was purchased by the applicant to facilitate the construction of the Eskridge Road public improvement project associated with the Mosaic redevelopment to the east. Part of this construction required additional land at the corner of property to align the road properly at the intersection with Route 29 (Lee Highway), resulting in a lot width that does not meet the bulk requirements in the I-5 District. With this improvement, coupled with the additional streetscape improvements proposed along Eskridge Road and the inclusion of an urban green area at this corner, staff supports the reduction and feels that the proposed commercial use would improve the existing conditions of the site without detracting from the overarching mixed-use vision of the Town Center Area.

Waivers and Modifications:

Modification of the 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 financial institution is proposed to be 3,000, which would require one 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.

Other Zoning Ordinance Requirements

The proposal is subject to a number of Zoning Ordinance provisions, which include: Sect. 9-006 (General Special Exception Standards), Sect. 9-611 (Provisions for Approving Service Stations in a Highway Corridor Overlay District), and Sect 9-505 (Additional Standards for Service Stations)

Sect. 9-006 (General Special Exception 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 I-5 zoning district, which is to provide areas where a wide range of industrial and commercial activities may locate. 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 continued revitalization of the neighborhood. While it might have been ideal to further coordinate redevelopment between this parcel and neighboring parcels, the provided inter-parcel access reservation to the west will allow future redevelopment to take advantage of the connection to Strawberry Lane and might reduce access requirements onto Route 29. In addition, the proposed sidewalks will connect the adjacent properties to the Mosaic Development to the east, across Eskridge Road. Improved streetscaping 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”. A new access road from Eskridge Road with two new internal entrances is proposed to provide access to the subject property. This access road would replace an existing substandard access from Eskridge Road and provide inter-parcel access to the property to the west, which should improve congestion near the busy intersection of Eskridge Road and Route 29 (Lee Highway). Initial concerns with the location of the internal eastern access to the drive-through lane have been addressed by the applicant and the bank facility should operate more efficiently. Pedestrian connectivity will be improved along Eskridge Road and from the adjacent property to the west with new sidewalks and trails. As previously mentioned, an urban green area is located on the northern portion of the property, which includes a trail connecting the existing sidewalk along the Hilltop Service Road through the site and to the Mosaic development to the east. 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 the surrounding retail 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 Eskridge Road and within the urban green area and landscape islands in the surface parking lot. 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 I-5 zoning district, 15 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". Building-mounted signs and a small monument sign may be incorporated in the site. A development condition is included to ensure that these signs will be in conformance with the placement criteria and within the size requirements found in Section 12-203 of the Zoning Ordinance.

Sect. 9-611: Provisions for Approving Service Stations in a Highway Corridor Overlay District

Section 9-611 states that "the Board may approve a special exception for the establishment or for the enlargement, extension, relocation or increase in intensity of a drive-in bank, fast food restaurant, quick-service food store, service station or service station/mini-mart in a Highway Corridor Overlay District, but only in accordance with the provisions of Part 6 of Article 7."

Section 7-608 imposes additional use limitations on uses, including drive-in financial institutions, in the Highway Corridor Overlay District. Such uses should be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties and so as to not impede traffic on a public street intended to carry through traffic. The SE Plat shows a combination of existing and proposed sidewalks along the frontages of Eskridge Road and Route 29 (Lee

Highway) and new access road on the southern portion of the site providing inter-parcel access to the west.

Sect. 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

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 SE Plat appear to have similar architectural features on all sides of the proposed building. The proposed building will also be more modern in appearance, which would be consistent with redevelopment occurring in the Mosaic development to the east. Staff concludes that the application meets this standard and has proposed a development condition that stipulates that the architecture 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 west and is improving the sidewalk conditions along both street frontages. 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 applicant is also proposing to improve sidewalks along both street frontages and is including a striped crosswalk across Eskridge Road to allow safe pedestrian access across the road into the Mosaic development. 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 SE Plat 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. 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.

Summary of Zoning Ordinance Provisions

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

CONCLUSIONS AND RECOMMENDATIONS

Conclusions

Staff concludes that the proposal to construct a 3,000 square foot drive-in financial institution with three drive-through lanes and a modification of the minimum lot width requirement at an overall FAR would be harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions, subject to the imposition of the proposed development conditions.

Recommendations

Staff recommends approval of SE 2014-PR-022, subject to the development conditions consistent with those found in Appendix 1 of this report.

Staff recommends approval of a waiver of the loading space requirement.

It should be noted that it is not the intent of Staff to recommend that the Board of Supervisors, 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 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.

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

APPENDICES

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Land Use Analysis
5. Environmental Analysis
6. Urban Forest Management Analysis
7. Transportation Analysis
8. Office of Community Revitalization Analysis
9. Park Authority Analysis
10. Stormwater Management Analysis
11. Applicable Zoning Ordinance Provisions
12. Glossary of Terms

PROPOSED DEVELOPMENT CONDITIONS**SE 2014-PR-022****November 5, 2014**

If it is the intent of the Board of Supervisors to approve SE 2014-PR-022 to permit a 3,000 square foot drive-in financial institution with three drive-through lanes and a modification of the minimum lot width requirement from 100 feet to 85 feet located in the I-5 and Highway Corridor Overlay Districts on at Tax Map 49-3 ((1)) 97 pt., pursuant to Sects. 5-050 and 7-060 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and run with the land indicated in this application and are not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with these applications, as qualified by these development conditions.
3. This Special Exceptions is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan (which may include a minor site plan) submitted pursuant to these special exceptions shall be in substantial conformance with the approved Special Exception Plat entitled "Merrifield Town Center Bank," consisting of nine sheets prepared by Bohler Engineering and dated April 1, 2014, as revised through September 29, 2014, and these conditions. Minor modifications to the approved special exceptions may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. A copy of this Special Exception Amendment and the Non Residential Use Permit shall be posted in a conspicuous place on the property of the use and made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
5. Prior to site plan submission, the applicant shall provide evidence to the Department of Public Works and Environmental Services (DPWES) showing that the proposal meets the grandfather provisions in Section 124-1-12 of the County Code of Virginia. The stormwater management facilities and Best Management Practices (BMPs) shown on the SE Plat shall be in conformance the County Stormwater Management Ordinance and shall be reviewed for adequacy by DPWES at the time of site plan review; if any inadequacies are identified, appropriate corrective measures shall be employed to the satisfaction of DPWES, prior to final site plan approval and provided those measures are in substantial conformance with the SE Plat.

6. The hours of operation shall be limited to 8:30 a.m. to 8:00 p.m. Monday through Friday; 8:30 a.m. to 3:00 p.m. Saturday; and 11:00 a.m. to 4:00 p.m. Sunday.
7. All signage on the site shall conform to Article 12 of the Zoning Ordinance. Any signage on the site should be located out of the right-of-way and shall be placed in a manner that does not obstruct the line of sight for drivers entering and/or exiting the site.
8. Additional directional signage shall be provided at the proposed one-way access point and drive aisle to discourage drivers from using the one way aisle to exit the parking lot.
9. A vehicle stop bar, pedestrian crossing sign, raised pedestrian crossing, and/or alternative sidewalk materials shall be provided in front of the internal crosswalk connecting the door to the sidewalk along Eskridge Road.
10. The exterior design, building materials and colors used in the financial institution shall be generally compatible with the finish details shown on Sheet 6 of the SE Plat.
11. Landscaping shall be provided in general as shown on Sheet 4 of the SE Plat. The exact number, size and spacing of trees and other plant materials shall be submitted at the time of final site plan review and shall be subject to the review and approval UFM.
12. Prior to the issuance of a Non-RUP for the Bank, the applicant shall expend a minimum of \$15,000 towards the inclusion of statuary or other public art in the urban green area shown on the northern portion of the SE Plat as reviewed and approved by the Department of Planning and Zoning, Zoning Evaluation Division in consultation with the Providence District Supervisor.
13. A public access easement, in a form approved by the Office of the County Attorney, shall be recorded on the access road, sidewalks and trails shown on the SE Plat.
14. Future vehicular and pedestrian connections to the access road shown on SE Plat from redevelopment of the adjacent property identified as Tax Map 49-3 ((1)) 98 shall be permitted. At such time, the Applicant shall reserve the area designated on the SE Plat as "Future Inter-parcel Access" in an easement. The future connection and expansion are to be provided by others; however, the Applicant shall be responsible for removing any landscaping on the Property necessary to accommodate the construction by others, and replacing the landscaping elsewhere on the Property.
15. At the time of the issuance of the Non-RUP for the Property, the Applicant shall provide a Fair Share monetary contribution of \$810 (\$0.27 per square foot) to

the Fairfax County Park Authority for recreational opportunities as determined in consultation with the Providence District Supervisor.

16. Green Building: Prior to the building plan approval, the applicant will submit, to the Environment and Development Review Branch (EDRB) of DPZ, documentation from the U.S. Green Building Council (USGBC) demonstrating the applicant's enrollment in the Leadership in Energy and Environmental Design (LEED) Portfolio/Volume Program. Prior to the issuance of the building permit, the applicant will provide documentation that the proposed project is pre-registered with the LEED Portfolio/Volume Program. Prior to release of the bond for the project, the applicant shall provide documentation to the EDRB demonstrating the status of attainment of LEED certification or a higher level of certification from the USGBC for the building.

As an alternative to the actions outlined in the above paragraph, or if the applicant is unable to provide documentation confirming both the applicant's enrollment in, and the specific project's pre-registration in the LEED Portfolio/Volume, the applicant will execute a separate agreement and post, a "green building escrow," in the form of cash or a letter of credit from a financial institution acceptable to DPWES as defined in the Public Facilities Manual, in the amount of \$52,600. This escrow will be in addition to and separate from other bond requirements and will be released upon demonstration of attainment of LEED certification or higher level of certification, by the USGBC, under the most current version of the USGBC's Leadership in Energy and Environmental Design—New Construction (LEED®-NC) rating system rating system or other LEED rating system determined, by the U.S. Green Building Council. The provision to the Environment and Development Review Branch of DPZ of documentation from the U.S. Green Building Council that the building has attained LEED certification will be sufficient to satisfy this commitment.

If the applicant provides to the EDRB, within 18 months of issuance of the final 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 USGBC 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.

If the applicant fails to provide, within 18 months of issuance of the final RUP/non-RUP for the building, documentation to the EDRB demonstrating attainment of LEED certification or demonstrating that the building has fallen short of LEED 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.

If the Applicant provides documentation from the USGBC demonstrating, to the satisfaction of the EDRB, that USGBC completion of the review of the LEED

certification application has been delayed through no fault of the Applicant, the Applicant's contractors or subcontractors, the time frame may be extended as determined appropriate by the Zoning Administrator, and no release of escrowed funds shall be made to the Applicant or to the County during the extension.

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.

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-six (36) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted for the building shown on the SE Plat. 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 Attachment to Par. 1(a)

DATE: October 23, 2014
 (enter date affidavit is notarized)

for Application No. (s): SE 2014-PR-022
 (enter County-assigned application number (s))

125602a

(NOTE): All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel (s) for each owner(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)
(3) Gorove/Slade Associates, Inc.	15125 Washington St., Ste. 316, Haymarket, VA 20169	Agent for Applicant/Title Owner
Atents: Cheryl S. Sharp	15125 Washington St., Ste. 316, Haymarket, VA 20169	Agent for Applicant/Title Owner
Chad A. Baird	15125 Washington St., Ste. 316, Haymarket, VA 20169	Agent for Applicant/Title Owner

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: October 23, 2014
(enter date affidavit is notarized)

for Application No. (s): SE 2014-PR-022
(enter County-assigned application number(s))

125602a

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) (1) Eskridge II (E&A), LLC
1221 Main Street, Suite 1000
Columbia, SC 29201

DESCRIPTION OF CORPORATION: (check one statement)

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

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

(4) Edens Limited Partnership

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

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

Special Exception Attachment to Par. 1(b)

DATE: October 23, 2014
(enter date affidavit is notarized)

for Application No. (s): SE 2014-PR-022
(enter County-assigned application number (s))

125602a

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

(2) Bohler Engineering VA, LLC
35 Technology Drive
Warren, NJ 07059

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, Member
*Adam J. Volanth, Member
*Daniel M. Duke, Member
*Mack R. Joyce, Member

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

(3) Gorove/Slade Associates, Inc.
15125 Washington Street, Suite 316
Haymarket, VA 20169

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)

*Christopher M. Tacinelli
*Chad A. Baird
*Daniel B. VanPelt
*Erwin N. Andres

(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: October 23, 2014
(enter date affidavit is notarized)

for Application No. (s): SE 2014-PR-022
(enter County-assigned application number(s))

125602a

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)

(4) Edens Limited Partnership
1221 Main Street, Suite 1000
Columbia, SC 29201

(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)

General Partner: Edens GP, LLC This LLC does not own 10% or more of the Applicant/Title Owner.

Limited Partners: Founders Holdings, LP ("Holdings") Neither Holdings nor any individual, partner, or member having a beneficial interest in Holdings holds a 10% or greater interest in Applicant/Title Owner.

(5) Edens Investment Trust ("Investment Trust")

Named individuals: Allen, Reynolds; Ames, Herbert; Angely, Keith. None of these named individuals who are limited partners holds a 10% or greater interest in Applicant/Title Owner.

(check if applicable) [X] 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 Attachment to Par. 1(c)

DATE: October 23, 2014
(enter date affidavit is notarized)

for Application No. (s): SE 2014-PR-022
(enter County-assigned application number (s))

125602a

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

(4) Edens Limited Partnership (CONTINUED)
1221 Main Street, Suite 1000
Columbia, SC 29201

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

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

Named Individuals (CONTINUED):

- Avant, Dan
- Black, Seth
- Boyle, Steve
- Brandenburg, Richie
- Brown, Terry
- Bruner, Jessica
- Bucklew, Katie
- Burnside, Grace (Former)
- Caldwell, Bill
- Carbone, Greg
- Cavanaugh, Kerry (Former)
- Cocker, John
- Crosland, Matt
- Darnall, Lyle
- Davidson, Keith
- Dooney, Carol
- Drogalis, Mark
- Dumont, Brad
- Dunn, De Anne
- Edelstein, Gregg
- Edens, III, Joe
- Edwards, Jason
- Fawcett, Sara
- Furnelli, Elizabeth
- Garside, Mark
- Germakian, David
- Gonce, Brooke
- Griffin, Robert
- Haine, Chris
- Hague, Keith
- Hall, Carol
- James, Albert
- Judd, Sam
- Kapp, Copeland
- Kaufman, Jeff
- Kenny, Mike
- Kiler, Tom (Former)
- Kopecky, Chris
- Lumpkin, John
- Maguire, Jennifer

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

Special Exception Attachment to Par. 1(c)

DATE: October 23, 2014
(enter date affidavit is notarized)

for Application No. (s): SE 2014-PR-022
(enter County-assigned application number (s))

125602a

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

(4) Edens Limited Partnership (CONTINUED)
1221 Main Street, Suite 1000
Columbia, SC 29201

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

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

Named Individuals (CONTINUED):

- Maloney, Brian
- \ Marshall, Tina (Former)
- \ McKay, Thom
- McLean, Jodie
- Monroe, Van
- \ Passer, Jami
- \ Ponder, Will (Former)
- \ Sankaran, Senthil
- Seneman, Ed
- Sharpe, Geoff
- \ Smith, Maria
- \ Tompkins, Jason
- \ Vonada, Joyce
- \ Waters, Rebecca (Former)
- Westbrook, Marguerite
- \ Weton, Ray
- \ Williams, Bob (Former)

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

Special Exception Attachment to Par. 1(c)

DATE: October 23, 2014
(enter date affidavit is notarized)

for Application No. (s): SE 2014-PR-022
(enter County-assigned application number (s))

125602a

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

(5) Edens Investment Trust (formerly known as Edens & Avant Properties Trust)
1221 Main Street, Suite 1000
Columbia, SC 29201

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

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

Trustees:	There are nine (9) named individuals who are trustees of the Trust, none of whom hold a 10% or greater interest in Applicant/Title Owner.	
Beneficiaries:	Edens Retail Investments LLC ("Retail"). The sole member of Retail is JP Morgan Chase Bank, as trustee under Amended & Restated Trust dated November 13, 2001, as amended, for its Commingled Pension Trust Fund ("Strategic Property"), (the "JP Morgan Trust").	Retail holds a 34.039% interest (as of 6/30/14) in Applicant/Title Owner; however, no individual beneficiary of the JP Morgan Trust has greater than a 10% interest in Applicant/Title Owner.
	Knickerbocker Edens LLC ("NYSTRS")	NYSTRS holds a 30.788% interest (as of 6/30/14) in Applicant/Title Owner; however, no one individual pension beneficiary has greater than a 10% interest in Applicant/Title Owner.
	BREP Edens Investment Partners L.P. ("Blackstone")	Blackstone holds a 28.914% interest (as of 6/30/14) in Applicant/Title Owner; however, no partner or holder of any beneficial interest therein has greater than a 10% interest in Applicant/Title Owner.

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: October 23, 2014
(enter date affidavit is notarized)

for Application No. (s): SE 2014-PR-022
(enter County-assigned application number(s))

125602a

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

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

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

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

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

NONE

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: October 23, 2014
(enter date affidavit is notarized)

125602a

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

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

NONE

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

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

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

WITNESS the following signature:

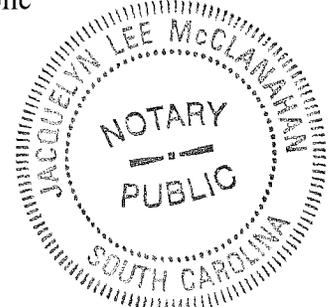
(check one) Applicant Applicant's Authorized Agent

Terry S. Brown/Agent for Applicant/Title Owner
(type or print first name, middle initial, last name, and & title of signer)

Subscribed and sworn to before me this 23rd day of October, 2014, in the State/Comm. of South Carolina, County/City of Richland/Columbia.

Jequeelyn L. McClanahan
Notary Public

My commission expires: 12/3/23



APPENDIX 3

RECEIVED
Department of Planning & Zoning

AUG 29 2014

Zoning Evaluation Division

STATEMENT OF JUSTIFICATION SPECIAL EXCEPTION FOR A DRIVE THROUGH FINANCIAL INSTITUTION

MERRIFIELD TOWN CENTER BANK
8301 Lee Highway, Fairfax, VA Part of Tax Map 49-3 ((1)) 97

Revised 8-4-14

INTRODUCTION

We, Eskridge II, LLC, also known as EDENS, the owners of the property located at the southwest corner of Lee Highway are submitting this request for Fairfax County to allow for a Category 5 Special Exception that will allow for a Drive through Financial Institution in the 1-5 Zoning District.

PROPERTY HISTORY

During the Development process for the Merrifield Town Center, or what is now called Mosaic, improving Eskridge Road was one of the paramount elements of the Rezoning and conformance with the Comprehensive Plan. As part of the final proffered transportation improvements of RZ 2005-PR-041, the developer was required to obtain right of way from nine (9) different owners along Eskridge Road, including the property that is the subject of this Special Exception, and construct Eskridge Road along those frontages where right of way was obtained.

To facilitate this proffer requirement, we prepared a fully engineered Road Improvement Plan for Eskridge Road (0561-SP-02) and began the process of right-of-way acquisition for the ultimate roadway. This plan ultimately was engineered and approved prior to the Rezoning approval.

The property at the northwest quadrant of proposed Eskridge (subject of this SE) was the most affected property since the Comprehensive Plan called for Eskridge to meet 'at grade' with Route 29, as well as line up with Merilee Drive on the north side of Route 29. These requirements caused the road to curve substantially to the west, reducing the property's frontage on Route 29 by nearly half. (See Road Dedication Exhibit attached)

Further complicating the acquisition of the right of way for the property owned by Commercial Net Lease, was that entire property was for sale. EDENS, unable to come to terms on right-of-way ONLY part of the property (due to a provision in the CNL lease with United Rentals, lessee of the land, that forbid the owner from agreeing to any takings), made a business decision so as to continue pursuing the vision of the Town Center and purchased the entire property.

Because of the aforementioned lease obligations, we could not negotiate with Fairfax County on the R/W, but we forced condemnation by the County and ultimately in 2010, the final part of the Eskridge Road "assemblage" occurred.

PROPERTY'S CHALLENGES

The impact of the 'taking' on this property is not it's only physical challenge. It is currently the outfall for a substantial watershed from the north. This outfall is in the form of a 96" storm drain pipe and 20' storm drain easement along the entire western property line. The property also collects storm drain

systems that drain properties from Gallows west to Eskridge. This conglomeration of easements and road dedication creates an unusually small developable area. Please note plan "Parcel Constraints" attached herein.

Further, the elevation change of over ten feet from Route 29 to the proposed entrance across from Strawberry Lane creates a need for sloped or retained areas that further impact the developable envelope.

DEVELOPMENT ALTERNATIVES

Over the past five years, EDENS has explored multiple options for this property. Now that Eskridge Road is connected to Williams Drive and has created a parallel alternative route from Inova Fairfax Hospital to the Dunn Loring Metro Station, Eskridge has effectively become a barrier to overflow from the Town Center, especially as it relates to the enhanced pedestrian experience. We have a no luck in convincing small retail, service or the like facilities that are pedestrian centric and require the mass of the Town Center to view this parcel as connected.

Further, as demonstrated on the Parcel Constraint map, there is very little opportunity to provide any viable office or residential.

The only viable element we have been able to make work on this parcel is a Financial Institution. And in today's business climate, for a bank to be successful, it needs the convenience of a Drive Thru Facility.

COMPREHENSIVE PLAN

Elements of the Comprehensive Plan and our proposal, I would offer the following answers (Plan text in italics)

*Encourage mixed-use development that includes pedestrian and auto circulation systems that integrate the development both internally and externally, resulting in transit-oriented and pedestrian-friendly environments. AND
Develop a cohesive roadway system that provides a more extensive grid of streets to serve the town center, transit station area, and the area between*

As we stated earlier, Eskridge Road was acquired and constructed to do EXACTLY the above. But as such, Eskridge itself has created a divide that makes the marriage of its eastern and western sides difficult.

Develop a cohesive pedestrian circulation system linked to open spaces such as plazas, courtyards, greenways, and parkland in order to facilitate walking and reduce reliance on private automobiles.

The intention of the Town Center Plan (Mosaic) was to take majority of the pedestrian circulation at the intersection of Eskridge Road and Lee Highway and move then eastward a block and then "through" the town center and its two (2) suburban parks and then back to Eskridge further south. Again, Eskridge by its nature is a Vehicular route and not particularly earmarked for the most active pedestrian connectivity.

An important aspect that helped to determine the Land Use Concept's development potential for the Merrifield Suburban Center was an analysis of future planned infrastructure and environmental constraints. The most significant infrastructure constraint on future development was the capacity of the planned transportation system. The evaluation of the transportation system's future capacity assumed increased utilization of the existing Metro rail service, improvements in bus circulatory service, increased utilization of Transportation Demand Management (TDM) programs and numerous road improvements to establish a more urban grid of streets. By optimizing this transportation capacity, the Plan's maximum development potential was formulated through several iterations of analysis

We point this part of the plan to further highlight the "need" for vehicular connectivity and why Eskridge has become what it is.

STREETSCAPE DESIGN

The streetscape included herein is in accordance with the Suburban Center guidelines

BUILDING AND SITE DESIGN

The building has been positioned to create a visual back drop to Glass Alley (to the east within the Mosaic. It will be LEED certified and as demonstrated by the elevations on Sheet 6 of the SE plan will be of an architecture style that is in concert with the adjoining town center. The building will be a mix of masonry, stucco & glass with accent features. A vertical green wall will be introduced along the Route 29 frontage with a canopy connecting to the main bank structure. This feature will provide a screening condition to the drive thru lanes.

TRANSPORTATION

An updated Traffic Analysis by Gorove Slade Associates is included in this package and provides a detail analysis of the impacts of this proposed facility and also demonstrates that the existing road network is sufficient for approval of the same. In short, a Daily total of 418 trips are expected with AM Peaks at 133 and PM Peak at 163.

ROADWAY IMPROVEMENTS

No additional Roadway Right of Way or construction is required.

TRANSIT FACILITIES AND SERVICES

One half mile from the Dunn Loring Metro Station

PEDESTRIAN AND BICYCLE CIRCULATION

As noted previously, the intent of pedestrian circulation, the predominant movement, is to move along Lee Highway eastward to District Avenue of the Mosaic (Town Center). Bike Paths

are provided along Route 29, as well as Gallows Road, just 1000' to the east.

PUBLIC FACILITIES AND INFRASTRUCTURE:

FIRE AND RESCUE

No impact on these services. The building is being planned along Eskridge and service can be provided from that Road.

LIBRARIES

No impact on these services.

PARKS AND RECREATION

No impact on these services.

POLICE

No impact on these services.

SCHOOLS

No impact on these services.

WATER

There is public water within Eskridge Road.

SANITARY SEWER

There is sewer in Eskridge Road and has been upgraded during the development of Mosaic to accommodate this development.

STORM WATER MANAGEMENT

As you will note on the SE Plan, Stormwater Detention has been accounted for in the vault in the Garage across Eskridge. A waiver of on-site detention is being requested due to this over design on the Mosaic property. Quality (BMP's) will be provided during the Site Planning process in either above grade or below grade acceptable methods.

This facility Hours of Operation:

- Mon: 8:30AM to 5:00PM or 8:00PM
- Tues: 8:30AM to 5:00PM or 8:00PM
- Wed: 8:30AM to 5:00PM or 8:00PM

- Thurs: 8:30AM to 8:00PM
- Fri: 8:30AM to 8:00PM
- Sat: 8:30AM to 3:00PM
- Sun: 11:00AM to 4:00PM

There is expected to be 6-8 employees on-site at the same time with 200 to 300 estimated daily patrons of which 200 to 250 would be arriving by vehicle and the other 50 estimated as walk in from the neighboring retail and residential areas.

It is anticipated that the customers of the bank will primarily reside in the Merrifield, eastern Fairfax and West Falls Church areas.

There are no hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4 and 355; all hazardous waste as set forth in Virginia Department of Environmental Quality Hazardous Waste Management Regulations; and/or petroleum products as defined in Title 40, Code of Federal Regulations Part 280; to be generated, utilized, stored, treated, and/or disposed of on site and the size and contents of any existing or proposed storage tanks or containers.

IN CLOSING

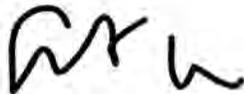
Attached to this Statement of Justification you will find a Memo that provides the estimates for number of employees, patrons, service area, etc. that is required by the standards of submittal for a Special Exception of this type, as well as two additional maps, referenced in this statement.

We believe we have exhausted every avenue of being able to make this property viable and try and offset the impacts of this property's purchase which were used for the benefit of delivering the Mosaic. Without the right of way on this property, the County's vision of the Merrifield Town Center, and ours of Mosaic would not have occurred.

We feel we are in accordance with the Comprehensive Plan, even as revised recently, and there are no negative impacts to any person or property owner of the County.

With that, we ask you accept this Application and work with us to gain approval of a Special Exception for a Drive Thru Financial Facility.

Sincerely,
ESKRIDGE II, LLC



Steven F. Teets, L.S.
Sr. Project Manager



County of Fairfax, Virginia

MEMORANDUM

DATE: October 14, 2014

TO: Barbara C. Berlin, AICP, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: Land Use Analysis: SE 2014-PR-022, Eskridge II, LLC

The memorandum, prepared by Brenda Cho, includes citations from the Comprehensive Plan (Plan) that provide guidance for the evaluation of the Special Exception (SE) application dated January 10, 2014, as revised through September 29, 2014. The extent to which the application conforms to the applicable guidance contained in the Plan is noted.

DESCRIPTION OF THE APPLICATION

The applicant proposes a Special Exception (SE) application for a 3,000 square foot drive-in financial institution on Tax Map Parcel 49-3 ((1)) 97 pt. Three drive-through lanes are proposed. The 1.086 acre site is located at the southeast corner of Eskridge Road and Lee Highway (Route 29); however, consolidation is pending on Parcels 97 and 96B, which will result in a total area of 1.343 acres. The Special Exception will only apply to a .96 acre portion of the site, which is currently developed with an industrial building. The Floor Area Ratio will be .09, and the site is zoned I-5 General Industrial District and Highway Corridor Overlay District (HC).

COMPREHENSIVE PLAN CITATIONS:

Fairfax County Comprehensive Plan, 2013 Edition, Area I, The Merrifield Suburban Center, Amended through March 4, 2014, Land Unit Recommendations, Pages 75 – 81:

“LAND UNIT F

Land Unit F is comprised of approximately 107 acres and is bounded by Gallows Road on the east, Lee Highway on the north, Prosperity Avenue on the west, and Land Unit G on the south (see Figure 27). Existing development generally consists of retail uses in the eastern portion primarily along Gallows Road, industrial and office uses in the central portion, and the Merrifield Regional Post Office in the western portion of the Land Unit.

Department of Planning and Zoning
Planning Division
12055 Government Center Parkway, Suite 730
Fairfax, Virginia 22035-5509
Phone 703-324-1380
Fax 703-653-9447
www.fairfaxcounty.gov/dpz/



Most of Land Unit F, the portion east of the Merrifield Regional Post Office, is envisioned to redevelop as the "Town Center" for the Merrifield Suburban Center, with a mix of uses including office, retail, hotel, and residential uses. Buildings in the town center are envisioned to have retail and service uses located on the ground levels that are designed with a pedestrian orientation. Primary access points to the Town Center are envisioned to be at Merrilee Drive extension/realignment with Eskridge Road and Lee Highway, Gallows Road and Strawberry Lane, and Gallows Road and "Main Street/Festival Street".

The major circulation improvements for this land unit include the extension of Eskridge Road to Williams Drive. Since Williams Drive connects with Route 50, this will complete the link from the Metro station through the "Town Center" to Arlington Boulevard. Additional circulation improvements include aligning a Merrifield Regional Post Office entrance with the Dorr Avenue Extension to Lee Highway; the extension of Strawberry Lane west to connect with Eskridge Road; the movie theater access road extension south to connect with Williams Drive and/or Gatehouse Road (connecting with Gatehouse Road would require crossing Luther Jackson Intermediate School property); and an east/west road that connects Prosperity Avenue with Eskridge Road or Williams Drive. Within this area, at least one new road should function as the "Festival Street" as illustrated on Figure 28. The major arterial improvements include the widening of Lee Highway and Gallows Road, and the planned improvements at the intersection of the two roads.

Guidance for evaluating development proposals is provided in the Area-Wide Recommendations under Land Use, Urban Design, Transportation, and Public Facilities/Infrastructure sections, as well as in the following specific sub-unit recommendations.

Sub-Units F1 and F2 (Town Center Area):

Sub-Unit F2 is the central portion of the Land Unit that is generally between the Post Office property and Sub-Unit F1. Sub-unit F2 is planned for and developed with industrial and office uses up to a .5 FAR, except for the portion of Tax Map 49-3((1))80A that is in Sub-Unit F2. This portion of Parcel 80A could be developed with office or a new theater complex. Any new development should be designed in a manner consistent with the town center concept. Any modification, expansion, and/or reuse of the existing buildings should be consistent with guidelines for Existing Uses and Buildings under the Area-Wide Land Use section. Any additional development in Sub-unit F1 and F2 at this base level should have consolidation or a coordinated development plan that provides for circulation improvements and streetscape improvements, as well as addresses urban design and other planning objectives which include implementing the town center concept. Also for any additional development at this base level on property in Sub-Units F1 and F2 abutting Sub-Unit G1, inter-parcel access between these sub-units should be considered and provided if needed to improve access to the school.....

Height Limit: Under the options, maximum building height is 95 feet when development is not integrated with structured parking. In order to encourage structured parking to be located under buildings, a height bonus of up to 20 feet (or a maximum height of 115 feet) is appropriate when at least 2 levels of structured parking are provided under the building, either at or below grade. The building height bonus should be contingent on increasing the amount of open space

amenities. See the Building Heights Map, Figure 16, and the Building Height Guidelines under the Area-Wide Urban Design section.

The following illustrative urban design plan shows an approach for creating a “sense of place” for the area south of Lee Highway and west of Gallows Road, the new town center for the Merrifield Suburban Center (see Figure 28). The “sense of place” is provided through the creation of a “Festival Street,” which could be anchored at one end by the town green and at the other by a multiple screen theater. The Festival Street has wide sidewalks and pedestrian plazas fronting retail shopping and restaurants on the lower floors of the office buildings. It should be designed to foster both daytime and nighttime activity, reminiscent of the downtowns of earlier times and what has been achieved at other Town Centers such as the Reston Town Center. Residential areas are shown as ringing the southern boundary in this town center illustration.

The purpose is to encourage more pedestrian activity by allowing people to live close to the town center’s shops, restaurants, theaters, offices, and parks. The wide variety of land uses shown in this illustration, are integrated through both landscape and architectural transitions. Buildings front and address the street with finished facades that create the feeling of a mixed-use downtown. With attractive facades, low- to mid-rise building heights, and comparable building masses, nonresidential uses can face residential uses across the street with no adverse impact. Where parking decks are located along a street, they are designed to incorporate street level retail as a mask to the garage behind, providing an appropriate transition to other uses. In some locations, formally landscaped green spaces provide transitions between nonresidential and residential uses.”

COMPREHENSIVE PLAN MAP: Mixed Uses

LAND USE ANALYSIS

A Special Exception application is proposed for a new drive-in financial institution in Sub-Unit F2 in the Merrifield Town Center Area. The Special Exception will apply to a .96 acre portion of a 1.086 acre lot, which is located at the corner of Eskridge Road and Route 29. An existing industrial building will be removed, though existing utility poles and attached guy-brace poles will remain. The site will be redeveloped with a 3,000 square foot building with three drive-through lanes and 14 parking spaces. Approximately 15% open space will be provided on site, and the FAR will be .09. The Comprehensive Plan guidance for the site is for industrial and office uses up to .5 FAR at the base level. The Plan specifically notes the following:

“Sub-Unit F2 is the central portion of the Land Unit that is generally between the Post Office property and Sub-Unit F1. Sub-unit F2 is planned for and developed with industrial and office uses up to a .5 FAR....Any new development should be designed in a manner consistent with the town center concept...Any additional development in Sub-unit F1 and F2 at this base level should have consolidation or a coordinated development plan that provides for circulation improvements and streetscape improvements, as well as addresses urban design and other planning objectives which include implementing the town center concept....”

The site is located in the "Town Center Area," which is considered a core area of the Merrifield Suburban Center, and is planned for industrial and office uses up .5 FAR at the base level. As a redevelopment option, mixed-use development is encouraged, such as office, residential, retail, hotel, major entertainment uses, as well as institutional, cultural, recreational, and governmental uses for the Town Center Area. Parcel consolidation or coordinated development plans (as an alternative to parcel consolidation) would help achieve the vision of the core area; however, at this time, a single parcel is proposed for redevelopment. Also, the application site is constrained by existing utility easements, right-of-way (ROW) commitments, and grade changes, and generally, development potential of the site is limited. The drive-in financial institution is considered a neighborhood retail use and does not necessarily detract from the overarching mixed-use vision of the Town Center Area, though future consolidation of parcels along Lee Highway and/or in Sub-Unit F2 may encourage a better coordinated mix and placement of uses.

The main access point to the site will be located along Eskridge Road and across Strawberry Lane. The drive aisle from Eskridge Road is designed to accommodate future interparcel access to the adjacent site [Tax Map 49-3 ((1)) 97]. One way circulation is proposed around the site to the drive-through lanes. There may be conflicts with the proposed two-way circulation around the parking spaces since vehicles will need to cross the site upon entering to enter the drive-through queue. An "alternate circulation exhibit" is shown on Sheet 3 which reverses the one-way circulation through the drive-through lanes (cars enter along the eastern frontage rather than the western frontage of the building), and staff believes that this alternate circulation may reduce vehicular conflicts on the site. A six foot wide concrete sidewalk is proposed along Eskridge Road to connect with the sidewalk along Lee Highway. A 10 foot wide painted crosswalk is also proposed across Eskridge Road to connect pedestrians between Strawberry Lane (on Mosaic's site) and the application site. A five foot wide concrete sidewalk is proposed along the Special Exception boundary to the south.

The existing building will be removed for a new bank, which will measure approximately 3,000 square feet and 25 feet in height. The Comprehensive Plan guidance for the Merrifield Suburban Center includes Building and Site Design recommendations for Core Areas (Pages 32 - 24) which note that buildings should be close to roadways after allowing for streetscape amenities, such as a setback minimum of 26 feet from the curb along Lee Highway. The building will be set back approximately 50 feet along both Lee Highway and Eskridge Road at the closest point of the structure. Eskridge Road is considered a "Main Street," but, due to the presence of a utility easement and utility poles as well as sight distance constraints, the recommended Main Street streetscape guidance and building setback cannot be easily executed. There is also a significant grade difference between the site and Lee Highway (approximately 10 feet), which limits development closer to Lee Highway.

An urban green or lawn area with extensive landscaping is proposed between the new building and Lee Highway. Within the Comprehensive Plan's guidance for the Merrifield Suburban Center, there is an "Open Space and Pedestrian System Map" (Page 21) which shows a plaza/urban green planned for the area of the site. Under the "Open Space and Pedestrian System Guidelines," the Plan states the following:

“Usable open space in the form of plazas, urban greens, courtyards or parks should be provided throughout the Merrifield Suburban Center, especially in the Transit Station Area and the Town Center, in order to create a strong pedestrian focus. Developments should provide these pedestrian amenities, which include landscaped areas with shade trees, seating areas, public art and other amenities that make attractive gathering places for the local workforce, shoppers, and residents. In some instances, these open space amenities should be large enough and designed in a manner to accommodate informal activities as well as programmed events during lunch-hours and after-work hours.”

A “green” wall measuring approximately 30 feet in height is proposed to screen the drive-through lanes along the “urban green” area, which will be located at the main corner. The lawn area will sit below grade and will be heavily landscaped with shrubs, grasses and perennials. A five foot wide pedestrian path with solar LED paver lights is proposed through the green area, as well as a sculptural bench. There is an existing sign along Route 29, which will be incorporated in the boundary of the urban green. Staff encouraged the applicant to consider a lively corner plaza with public art that would attract more pedestrian and visual interest, particularly across Route 29 from Merrilee Drive. However, there is substantial ROW along Route 29 as well as a utility easement along the corner of the site. Pedestrians may not walk across the proposed urban green, which would make the space underutilized, and the proposed LED paver lights will only be visible at night. In order to encourage more daytime and year round interest, staff encourages the applicant to consider public art within the urban green area. Art work that is visible to pedestrians and drivers along Route 29 and from Merrilee Drive would be particularly compelling.

CONCLUSION

A drive-in financial institution with three drive-through lanes is proposed on a single parcel at the corner of Lee Highway and Eskridge Road in the Merrifield Town Center Area. The site is within Sub-unit F2 of the Merrifield Suburban Center and is planned for industrial and offices uses up to .5 FAR. Though the proposed development of the application site is limited by physical constraints (utility easements, grade change, etc.), the site is within the Town Center Area and should be designed with a “sense of place.” The proposed urban green is an essential element to the open space vision of the Town Center Area, and public art in the urban green area would greatly enhance the application site, which may not draw much pedestrian activity otherwise. Staff believes that the application is in conformance with the land use recommendations of the Comprehensive Plan for the subject property.

PGN:BJC



County of Fairfax, Virginia

MEMORANDUM

DATE: September 15, 2014

TO: Barbara Berlin, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: ENVIRONMENTAL ASSESSMENT for: SE 2014-PR-022
Merrifield Town Center Bank

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 August 28, 2014. 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:

In the Fairfax County Comprehensive Plan, Policy Plan, 2013 Edition, Environment section as amended through July 1, 2014, 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. . . .
- 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, 2013 Edition, Policy Plan, Environment, as amended through July 1, 2014, pages 19, 20 and 21:

“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. In consideration of 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 may 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 best practices for water conservation, such as water efficient landscaping and innovative wastewater technologies, that can serve to reduce the use of potable water and/or reduce stormwater runoff volumes;
- 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;
- Reuse, preservation and conservation of existing buildings, including historic structures;
- Retrofitting of other green building practices within existing structures to be preserved, conserved and reused;
- Energy and water usage data collection and performance monitoring;
- Solid waste and recycling management practices; and
- Natural lighting for occupants.

Encourage commitments to implementation of green building practices through certification under established green building rating systems for individual buildings (e.g., the U.S. Green Building Council's Leadership in Energy and Environmental Design for New Construction [LEED-NC[®]] or the U.S. Green Building Council's Leadership in Energy and Environmental Design for Core and Shell [LEED-CS[®]] program or other equivalent programs with third party certification). An equivalent program is one that is independent, third-party verified, and has regional or national recognition or one that otherwise includes multiple green building concepts and overall levels of green building performance that are at least similar in scope to the applicable LEED rating system. Encourage commitments to the attainment of the ENERGY STAR[®] rating where available. Encourage certification of new homes through an established residential green building rating system that incorporates multiple green building concepts and has a level of energy performance that is comparable to or exceeds 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. . . .

Policy b. Within the Tysons Corner Urban Center, Suburban Centers, Community Business Centers, Industrial Areas and Transit Station Areas as identified on the Concept Map for Future Development, unless otherwise recommended in the applicable area plan, ensure that zoning proposals for nonresidential development or zoning proposals for multifamily residential development incorporate green building practices sufficient to attain certification through the LEED-NC or LEED-CS program or an equivalent program specifically incorporating multiple green building concepts, where applicable, where

these zoning proposals seek at least one of the following:

- Development in accordance with Comprehensive Plan Options;
- Development involving a change in use from what would be allowed as a permitted use under existing zoning;
- Development at the Overlay Level; or
- Development at the high end of planned density/intensity ranges. For nonresidential development, consider the upper 40% of the range between by-right development potential and the maximum Plan intensity to constitute the high end of the range. . . .

Policy d. Promote implementation of green building practices by encouraging commitments to monetary contributions in support of the county's environmental initiatives, with such contributions to be refunded upon demonstration of attainment of certification under the applicable LEED rating system or equivalent rating system."

In the Fairfax County Comprehensive Plan, Policy Plan, 2013 Edition, Environment section as amended through July 1, 2014, 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. . . .”

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 Building

The Policy Plan incorporates guidance in support of the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. The Policy Plan further recommends the attainment of Leadership in Energy and Environmental Design (LEED) certification through the U.S. Green Building Council or an equivalent green building program with third party certification for developments meeting certain criteria. For example, the Policy Plan recommends LEED certification or an equivalent when zoning proposals are located in a suburban center and are seeking a change in use from what would be allowed under existing zoning. As such, the proposed bank drive thru in the Merrifield Suburban Center is recommended to attain LEED certification.

While the applicant has agreed to provide a commitment to LEED certification, the specifics of that commitment are unclear at this time. Staff feels that LEED-NC (New Construction), or an equivalent, would be the most appropriate approach. The applicant has indicated that no specific client is currently designated for the proposed bank use. While the applicant is not familiar with the LEED Volume program, some banks have utilized this program and the option should remain open. Staff feels that the development conditions should reflect LEED-NC or an equivalent as the primary approach to attain green building certification consistent with Comprehensive Plan guidance. Staff recommends that the development conditions retain the option to achieve green building certification via the LEED Volume program should a future bank tenant choose to pursue that program. The LEED Volume program could significantly streamline the process for certification, which is seen as an advantage by some developers.

Water Quality

The subject property is located within an area that is developed with significant amounts of impervious surface which prevents natural infiltration of stormwater runoff. The applicant has indicated that the proposed development will rely on existing underground facilities to meet both runoff volume and water quality controls. While this approach may adequately address Public Facilities Manual requirements, staff feels that there may be additional opportunities to improve the management of runoff generated by the proposed development. The applicant has indicated that any further measures will be addressed in cooperation with staff in the Department of Public Works and Environmental Services (DPWES) during site plan review. Staff feels that the applicant should be encouraged to seek out additional opportunities within the landscaped areas of the site where infiltration trenches, rain gardens or filterstrips could provide for additional runoff management measures. Any final determination regarding standards for additional runoff measures will be made by DPWES.

PGN:JRB



County of Fairfax, Virginia

MEMORANDUM

DATE: September 16, 2014

TO: William J. O'Donnell, Planner III
Zoning Evaluation Division, DPZ

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

SUBJECT: Merrifield Town Center Bank; SE 2014-PR-022

RE: Request for assistance dated August 29, 2014

This review is based upon the Special Exception plat SE 2014-PR-022 stamped "Received, Department of Planning and Zoning, August 29, 2014."

Urban Forest Management Division comments and recommendations on the previously submitted SE plat (see memo dated July 2, 2014) appear to be adequately addressed and there are no additional comments and recommendations, based on tree and landscape related issues, on this application.

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

TLN/
UFMDID #: 192760

cc: DPZ File

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: 711, Fax: 703-653-9550
www.fairfaxcounty.gov/dpwes





County of Fairfax, Virginia

MEMORANDUM

DATE: October 16, 2014

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

FROM: Michael A. Davis, Acting Chief 
Site Analysis Section, Department of Transportation

FILE: SE 2014-PR-022

SUBJECT: Eskridge II L.C. (Merrifield Town Center Bank)
8301 Lee Highway, Merrifield, VA
Tax Map: #49-3 ((1)) 97

This department has reviewed the subject application including the Special Exception Plat dated January 10, 2014, as revised through September 29, 2014, and offers the following comments:

- The applicant has revised the circulation pattern to a counter-clockwise direction in keeping with staff's recommendation on the previous plat submittal. This circulation pattern will operate more efficiently given the access point proposed on the interior of the site.
- The applicant should consider adding directional signage at the proposed one-way drive aisle to discourage drivers from using the one way aisle to exit the parking lot.
- In the future, if another use is proposed on the southern portion of the property and/or the interparcel access is completed to adjacent parcels along the western boundary of the subject site, the proposed one way drive aisle located closest to the Eskridge Road entrance may need to be re-evaluated in order to prevent conflicts between vehicles entering off Eskridge Road and potential internal cross traffic running parallel to Eskridge Road.
- Any proposed signage should be located out of the right-of-way and be placed in a manner that would not obstruct the line of sight for drivers entering and/or exiting the subject site.

MAD/cai



County of Fairfax, Virginia

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

DATE: October 14, 2014

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

Barbara Berlin

FROM: Barbara Byron, Director
Office of Community Revitalization (OCR)

SUBJECT: SE 2014-PR-022 Eskridge II, LLC

The Office of Community Revitalization (OCR) has reviewed the above referenced rezoning application marked "Received" by the Department of Planning and Zoning on October 6, 2014.

The applicant seeks a Category 5 Special Exception to permit a drive-through financial institution on a small site consisting of 0.96 acres. The property is located within the Merrifield Town Center in the Merrifield Suburban Center at the intersection of Eskridge Road and Route 29. As a result of the realignment of Eskridge Road, a number of utility easements are present at the northeast corner of the site that limit the location and type of improvements that can occur. In accordance with the Zoning Ordinance, a financial institution is permitted under the site's existing I-5 Zoning District. The proposal includes a 3,000 square foot bank building with 14 parking spaces and three drive-through lanes. A small urban green is planned along Route 29 in accordance with recommendations in the Comprehensive Plan. Access to the site is proposed at the intersection of Strawberry Lane and Eskridge Road.

OCR Comments:

The applicant's proposal has improved some of the streetscape and site landscaping along Eskridge Road however, the OCR believes that several issues remain inadequately addressed. Due to the site's location at the gateway of the Merrifield Town Center, better pedestrian facilities should be provided at the intersection of Route 29 and Eskridge Road than what is proposed. Wider sidewalks, pedestrian lighting, additional landscaping, and other hardscape features shown in the Merrifield Streetscape Design Manual (design manual) should be incorporated. The applicant should proffer to meet the guidelines found in the design manual along both Eskridge Road and Route 29. Eskridge Road is identified in the design manual as a "main street" and Route 29 is a "boulevard".

Office of Community Revitalization
12055 Government Center Parkway, Suite 1048
Fairfax, VA 22035
703-324-9300, TTY 711
www.fcrevit.org



The urban green lacks sufficient detail to adequately evaluate how it will contribute to place-making in the Town Center and improve the pedestrian realm. It is unclear how the 5-foot path that traverses the green will function with the site's topography and how it will connect with the sidewalk along Route 29. Pedestrian improvements should be focused where they are most needed along Eskridge Road, Route 29 and approaching the intersection because these improvements help complete an important pedestrian link between the Dunn Loring Metro Station and the Town Center. Public art should also be incorporated into the design of the urban green.

The number of drive-through lanes should be reduced from three to two because of the amount of impervious surface needed to accommodate the three lanes and the heavy vehicle focused design of the site within the Town Center. In addition, vehicle stacking should be designed so that automobiles are not blocking the pedestrian entrance to the site. Options to address this conflict point include a vehicle stop bar, pedestrian crossing sign, a raised pedestrian crossing, or alternative sidewalk materials.

Cc. William O'Donnell, Staff Coordinator, DPZ
OCR Files



FAIRFAX COUNTY PARK AUTHORITY



M E M O R A N D U M

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

FROM: Sandy Stallman, AICP, Manager 
Park Planning Branch, PDD

DATE: October 8, 2014

SUBJECT: SE 2014-PR-022, Merrifield Town Center Bank, REVISED
Tax Map Number: 49-3 ((1)) 97

This memo replaces comments provided previously by the Park Authority in a memo dated September 11, 2014. The Park Authority staff has reviewed the proposed Development Plan dated April 1, 2014, as revised through September 29, 2014, for the above referenced application. The Development Plan shows a bank with associated parking and an urban green. The applicant is requesting Special Exception approval to establish the bank as a drive-thru facility.

COMPREHENSIVE PLAN GUIDANCE

The County Comprehensive Plan includes both general and specific guidance regarding parks and resources. The Policy Plan describes the need to mitigate adverse impacts to park and recreation facilities caused by growth and development; it also offers a variety of ways to offset those impacts, including contributions, land dedication, development of facilities, and others (Parks and Recreation, Objective 6, p.8).

The Area-Wide Recommendations for the Merrifield Suburban Center include guidance for pedestrian and open space connections. The Merrifield Suburban Center Open Space and Pedestrian System Map included as Figure 8 on Page 21 reflects a Plaza/Urban Green and a Mid-block Connection in the area of the subject property.

ANALYSIS AND RECOMMENDATIONS

Recreational Impact of Commercial Development:

New commercial development entails impacts to Fairfax County parks and facilities. Employees have a need to access recreational amenities at lunchtime or after work. The Comprehensive Plan for the Fairfax/Dulles/Merrifield/Reston-Herndon Suburban Center areas calls for a combination of private and public funding to contribute toward new facilities to serve both residents and workers. Recent monetary contributions to offset the impacts of commercial development in Suburban Centers have averaged \$0.27 per square foot. Applying this rate to the

proposed 3,500 square feet of the proposed bank, the Park Authority requests a contribution of \$945.00 for recreational facility development at one or more park sites located within the service area of the subject property.

Onsite Facilities:

The plan notes the area north of the bank as “Proposed Urban Green”. The revised plan has added a pedestrian trail across this space with a sculptural bench. This addition does make the space more accessible for the public and, therefore, is more in keeping with the guidance of the Urban Parks Framework.

Although the addition of the path and seating addresses the concern regarding public accessibility, the prominence of the intersection of Lee Highway and Eskridge Road provides an opportunity to create a gateway element for the town center area. The grading of the site places the landscaping and trail below the line of sight from the adjacent street and does not capitalize on the gateway possibilities. The proposed lighting within the trail surface will be visible to only a few people. The applicant may wish to consider inclusion of public art or a water feature with a strongly vertical nature that would be visible from the adjacent streets, announcing entry into the town center, while providing an element that would help activate the space of the urban green.

SUMMARY OF RECOMMENDATIONS

This section summarizes the recommendations included in the preceding analysis section. The Park Authority recommends the following:

- Provide a \$945.00 contribution to offset impacts to the park system of commercial development in a Suburban Center, per the guidance of the Comprehensive Plan;
- Consider revisions to the urban green to include public art or a water feature to activate the space and serve as a gateway feature into the town center and the Mosaic District.

Please note the Park Authority would like to review and comment on development conditions related to park and recreation issues. We request that draft and final development conditions be submitted to the assigned reviewer noted below for review and comment prior to completion of the staff report and prior to final Board of Supervisors approval.

FCPA Reviewer: Gayle Hooper
DPZ Coordinator: William O'Donnell

Copy: William O'Donnell, DPZ Coordinator
Andrea L. Dorlester, Planner IV, Park Planning Branch
Chron File
File Copy



County of Fairfax, Virginia

MEMORANDUM

DATE: October 31, 2014

TO: William O'Donnell, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: William J. Veon, Jr., Senior Engineer III (Stormwater)
Central Branch, Site Development and Inspections Division
Department of Public Works and Environmental Services

SUBJECT: Zoning Application No.: SE 2014-PR-022
Eskridge II, LLC (aka, Merrifield Town Center Bank)
Special Exception Plat (dated September 29, 2014)
LDS Project No.: 016831-ZONA-001-1
Tax Map No.: 049-3-01-0097
Providence District

The subject application has been reviewed and the following stormwater management comments are offered at this time:

The design engineer has claimed the proposed site is “grandfathered” with respect to the site’s stormwater management design requirements. Therefore, the expectation is that Article 5 (“old” criteria) of County Code, Chapter 124 (the Stormwater Management Ordinance [SWMO]) and the 2011 version of the Public Facilities Manual (PFM) are applicable to the site, rather than Article 4 (“new” criteria) of the SWMO and the current, updated version of the PFM. However, specific data/information to support this claim, as identified in SWMO 124-1-12, has not been provided to date. So, prior to site plan submittal for the proposed project, a request for determination of grandfathering status will need to be submitted to the County and approved. If grandfathering status is not approved, the project will need to be designed in accordance with the “new” stormwater management criteria and requirements.

Note: The subsequent comments consider the proposed “grandfathered” status for the project, and are therefore based on the “old” stormwater management design criteria (SWMO Article 5 & 2011 PFM). However, as indicated above, the site plan for this application may ultimately be required to conform to SWMO Article 4 and the current, updated PFM.

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on this site.



Water quality controls are required for this proposed project (PFM 6-0401). Existing offsite facilities have been identified as the means for providing the phosphorus reduction requirements for the project. The design engineer has indicated that the stormwater management system designed and constructed with the Eskridge Road Improvement Plans (000561-SP-002) has included the water quality requirements for the proposed project. It has also been stated that additional SWM/BMP will be provided if the offsite facilities are found to be insufficient. An onsite StormFilter, Filterra, or other approved device has been proposed as the additional BMP facility, if needed. Calculation and design details will be reviewed at the final design/site plan stage.

Floodplains

There are no regulated floodplains on the property/site.

Downstream Drainage Complaints

There are no significant, contemporary downstream drainage complaints on file.

Stormwater Management/Detention

Water quantity controls are required for this proposed project (PFM 6-0301.3). Existing offsite facilities have been identified as the means for providing the stormwater detention requirements for the project. The design engineer has indicated that the stormwater management system designed and constructed with the Eskridge Road Improvement Plans (000561-SP-002) has included the water quantity requirements for the proposed project. It has also been stated that additional SWM/BMP will be provided if the offsite facilities are found to be insufficient. Calculation and design details will be reviewed at the final design/site plan stage.

Site Outfall

A preliminary Outfall Narrative has been included, and the design engineer has provided a professional opinion that the development meets the criteria for an Adequate Outfall. The proposed development outfalls to the west and into an existing storm sewer system. The outfall analysis details will be reviewed at the final design/site plan stage.

Stormwater Planning Comments

This site is located in the Accotink Creek Watershed and the Accotink-Long Branch North Watershed Management Area. The project site has been identified for proposed project AC-9903, Watershed Wide Inspection/Enforcement Enhancement.

Dam Breach

The property is not located within a dam breach inundation zone.

William O'Donnell, Staff Coordinator
Zoning Application No.: SE 2014-PR-022
October 31, 2014
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Miscellaneous

A PFM waiver to allow the use of offsite detention must be submitted and approved prior to site plan submittal.

The applicant must contact Don Demetrius of the County's Stormwater Planning Division to discuss the Accotink Creek Watershed Project identified for the site.

Please contact me at 703-324-1720 or William.Veon@fairfaxcounty.gov, if you have any questions or require additional information.

WJV/

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

9-006 General Standards

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

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

9-308 Additional Standards for Medical Care Facilities

1. In its development of a recommendation and report as required by Par. 3 of Sect. 303 above, the Health Care Advisory Board shall, in addition to information from the applicant, solicit information and comment from such providers and consumers of health services, or organizations representing such providers or consumers and health planning organizations, as may seem appropriate, provided that neither said Board nor the Board of Supervisors shall be bound by any such information or comment. The Health Care Advisory Board may hold such hearing or hearings as may seem appropriate, and may request of the Board of Supervisors such deferrals of Board action as may be reasonably necessary to accumulate information upon which to base a recommendation.
2. The Advisory Board, in making its recommendations, and the Board of Supervisors, in deciding on the issuance of such an exception, shall specifically consider whether or not:
 - A. There is a demonstrated need for the proposed facility, in the location, at the time, and in the configuration proposed. Such consideration shall take into account alternative facilities and/or services in existence or approved for construction, and the present and projected utilization of specialized treatment equipment available to persons proposed to be served by the applicant.
 - B. Any proposed specialized treatment or care facility has or can provide for a working relationship with a general hospital sufficiently close to ensure availability of a full range of diagnostic and treatment services.
 - C. The proposed facility will contribute to, and not divert or subvert, implementation of a plan for comprehensive health care for the area proposed to be served; such consideration shall take into account the experience of the applicant, the financial resources available and projected for project support and operation, and the nature and qualifications of the proposed staffing of the facility.
3. All such uses shall be designed to accommodate service vehicles with access to the building at a side or rear entrance.
4. No freestanding nursing facility shall be established except on a parcel of land fronting on, and with direct access to, an existing or planned collector or arterial street as defined in the adopted comprehensive plan.
5. No building shall be located closer than 45 feet to any street line or closer than 100 feet to any lot line which abuts an R-A through R-4 District.
6. In the R-E through R-5 Districts, no such use shall be located on a lot containing less than five (5) acres.
7. For hospitals, the Board of Supervisors may approve additional on-site signs when it is determined, based on the size and nature of the hospital, that additional signs are necessary in order to provide needed information to the public and that such signs will not have an adverse impact on adjacent properties. All proposed signs shall be subject to the maximum area and height limitations for hospital signs set forth in Article 12. All requests shall show the location, size, height and number of all signs, as well as the information to be displayed on the signs.

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		