



APPLICATION ACCEPTED: June 17, 2014  
ADMINISTRATIVELY MOVED AT APPL. REQUEST  
BOARD OF ZONING APPEALS: December 10, 2014  
TIME: 9:00 a.m.

# County of Fairfax, Virginia

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December 3, 2014

## STAFF REPORT

### SPECIAL PERMIT SP 2014-BR-117

#### BRADDOCK DISTRICT

**APPLICANT & OWNER:** WB Properties LLC

**LOCATION:** 10906 Clara Barton Drive, Fairfax Station, 22039

**ZONING:** I-5

**ZONING ORDINANCE PROVISION:** 5-503

**TAX MAP:** 77-3 ((1)) 9A

**LOT SIZE:** 1.85 acres

**FAR:** 0.25

**PLAN MAP:** Industrial

**SP PROPOSAL:** Group 5 - To permit a health club.

#### STAFF RECOMMENDATION:

Staff recommends denial of SP 2014-BR-117. If it is the intent of the BZA to approve SP 2014-BR-117, staff recommends that the approval be subject to the proposed development conditions contained in Appendix 1 of the staff report.

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

*Laura Arseneau*

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Excellence \* Innovation \* Stewardship  
Integrity \* Teamwork \* Public Service

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



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 Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

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

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**



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

# Special Permit

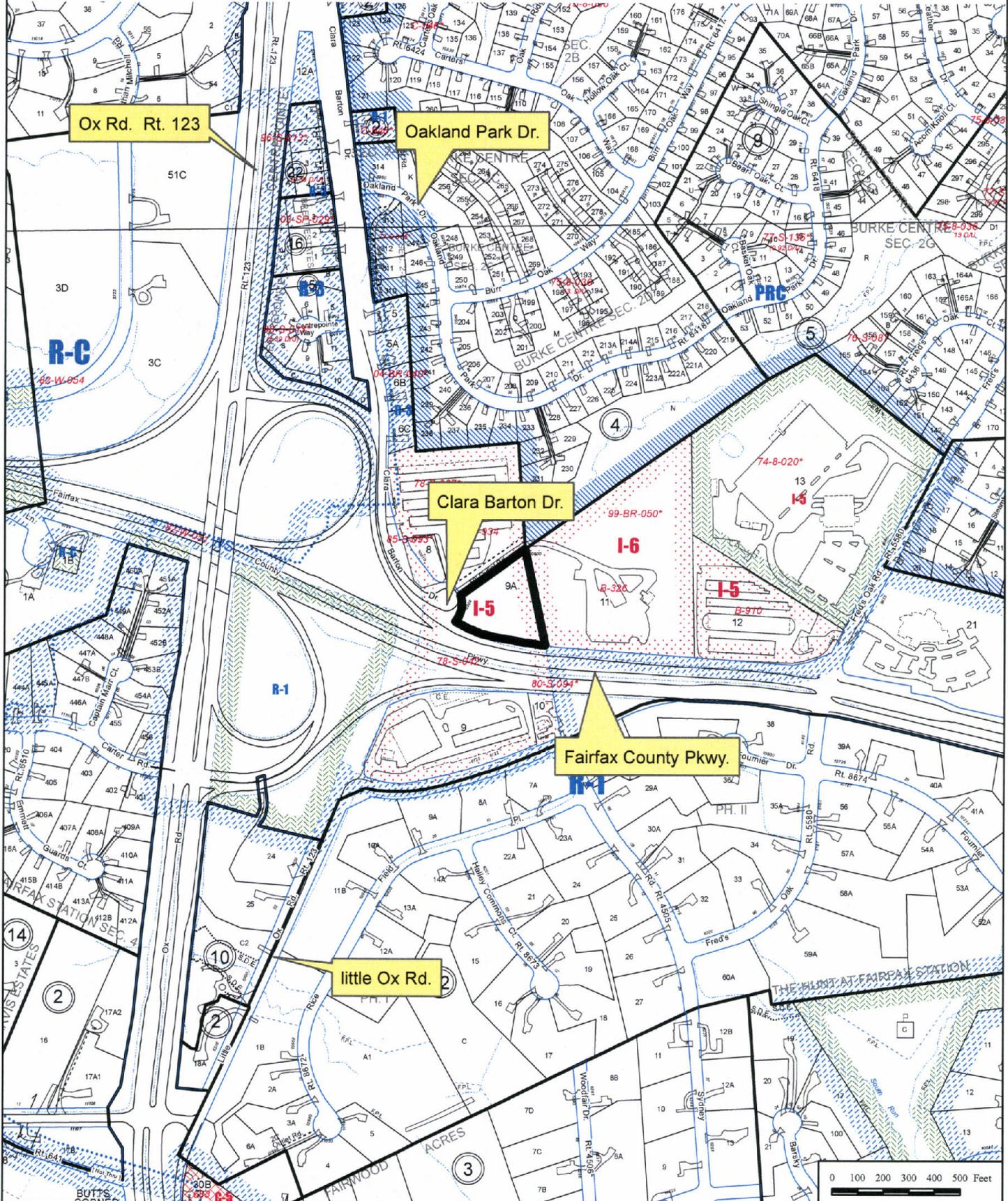
SP 2014-BR-117

WB PROPERTIES LLC



# Special Permit

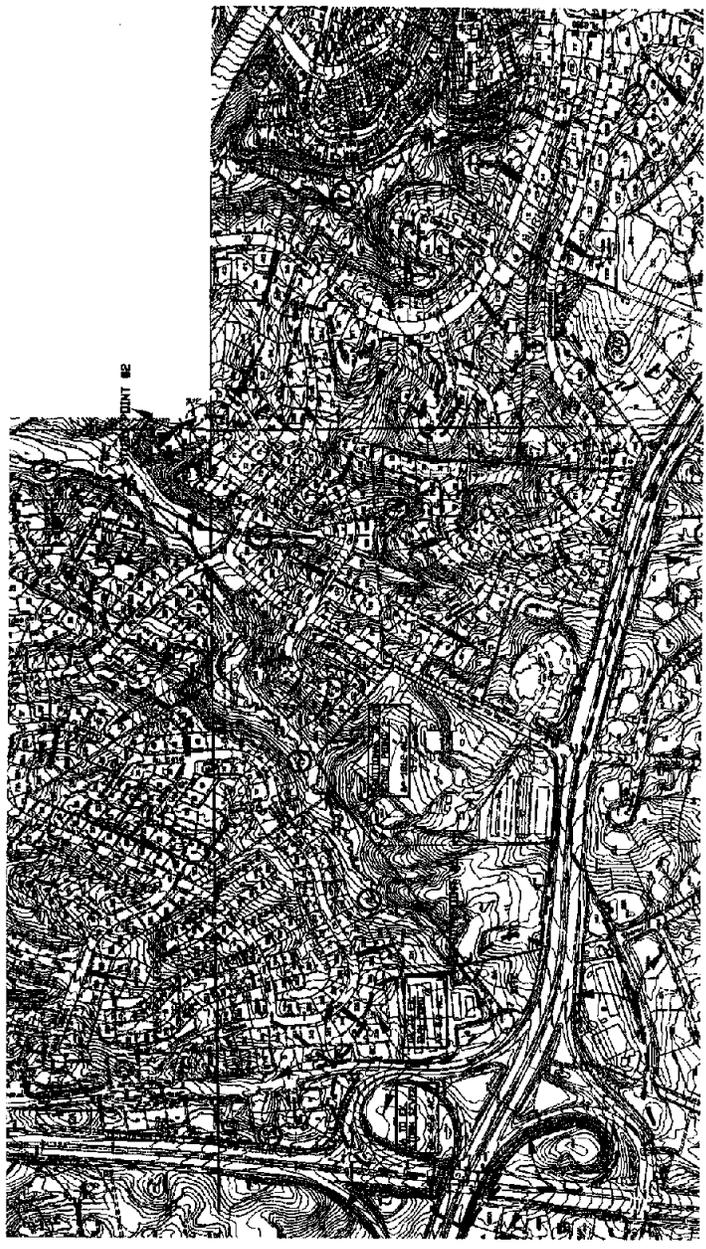
SP 2014-BR-117  
WB PROPERTIES LLC



0 100 200 300 400 500 Feet



SHEET NO. 2 OF 1 DATE: 03/06/14		PRELIMINARY SWM EXHIBIT SPECIAL PERMIT AND VARIANCE PLAT OLYMPUS GWMS		LOCATED IN FAYETTE COUNTY, WEST VIRGINIA	
2500 Oakes View Drive, Suite 300 Harrison, VA 20171 (703) 430-7500 • Fax (703) 430-0888 ATCS, P.L.C.		SW PROGRESS 12114 PROCD LANE LEESBURG, VIRGINIA 20175		DRAWING NO. 1000 SCALE: 1"=200' DATE: 02/18/14 N/A N/A N/A	
1. 2/15/14 ADDRESS COUNTY SUBMISSION 2. 5/28/14 ADDRESS COUNTY SUBMISSION 3. 6/26/14 ADDRESS COUNTY SUBMISSION 4. 8/14/14 ADDRESS COUNTY SUBMISSION 5. 9/11/14 ADDRESS COUNTY SUBMISSION 6. 10/1/14 ADDRESS COUNTY SUBMISSION 7. 10/1/14 ADDRESS COUNTY SUBMISSION 8. 10/1/14 ADDRESS COUNTY SUBMISSION 9. 10/1/14 ADDRESS COUNTY SUBMISSION 10. 10/1/14 ADDRESS COUNTY SUBMISSION		LEESBURG, VIRGINIA 20175 SW PROGRESS 12114 PROCD LANE LEESBURG, VIRGINIA 20175		DRAWING NO. 1000 SCALE: 1"=200' DATE: 02/18/14 N/A N/A N/A	



OVERALL DRAINAGE MAP



OUTFALL AT STUDY POINT 1

**PERFORMANCE OUTFALL IMPROVEMENT**

THE PROPOSED DEVELOPMENT WILL HAVE ROOF DRAINAGE AND SURFACE DRAINAGE SYSTEMS. THIS STORM WATER SYSTEM WILL BE IN AN EXISTING SYSTEM. THE EXISTING PRIVATE DRIVEWAY AND OUTFALLS WILL BE MAINTAINED. THE EXISTING PRIVATE DRIVEWAY AND OUTFALLS WILL BE MAINTAINED. THE LOCATION OF THE NEW U STORAGE TANKS, STATION 15, FORMERLY LOCATED AT THE INTERSECTION OF LANE BRADYON, LOCATED APPROXIMATELY 1000 FEET NORTHWEST.

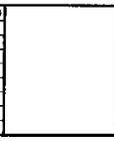
THE EXISTING STORAGE USA POND WILL BE RETRIFFLED FOR IMPROVED PERFORMANCE. THE EXISTING POND WILL BE MAINTAINED FOR THIS SUBJECT PROPERTY. THE MODIFIED POND WILL REDUCE FLOODING ADDITIONAL STUDY POINT 2 WILL BE MAINTAINED AT A POINT 100 TIMES GREATER THAN THE SUBJECT PROPERTY AREA OF 1.85 ACRES.

**PERFORMANCE STORMWATER MANAGEMENT IMPROVEMENT**

THE PROPOSED DEVELOPMENT WILL HAVE ROOF DRAINAGE AND SURFACE DRAINAGE SYSTEMS. THIS STORM WATER SYSTEM WILL BE IN AN EXISTING SYSTEM. THE EXISTING PRIVATE DRIVEWAY AND OUTFALLS WILL BE MAINTAINED. THE EXISTING PRIVATE DRIVEWAY AND OUTFALLS WILL BE MAINTAINED. THE LOCATION OF THE NEW U STORAGE TANKS, STATION 15, FORMERLY LOCATED AT THE INTERSECTION OF LANE BRADYON, LOCATED APPROXIMATELY 1000 FEET NORTHWEST.

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NO.	DATE	REVISION
1	10/17/14	ADDRESS COUNTY SUBMISSION
2	6/27/14	ADDRESS COUNTY SUBMISSION
3	8/27/14	ADDRESS COUNTY SUBMISSION
4	11/17/14	ADDRESS COUNTY SUBMISSION



CLIENT  
 W.B. PROPERTIES, LLC  
 21014 OGDON LANE  
 LEESBURG, VIRGINIA 20175

DRAWN BY: L.D.C.  
 CHECKED BY: L.D.C.  
 DATE: 10/16/14

NUMBER: N/A  
 PROJECT NO.: N/A

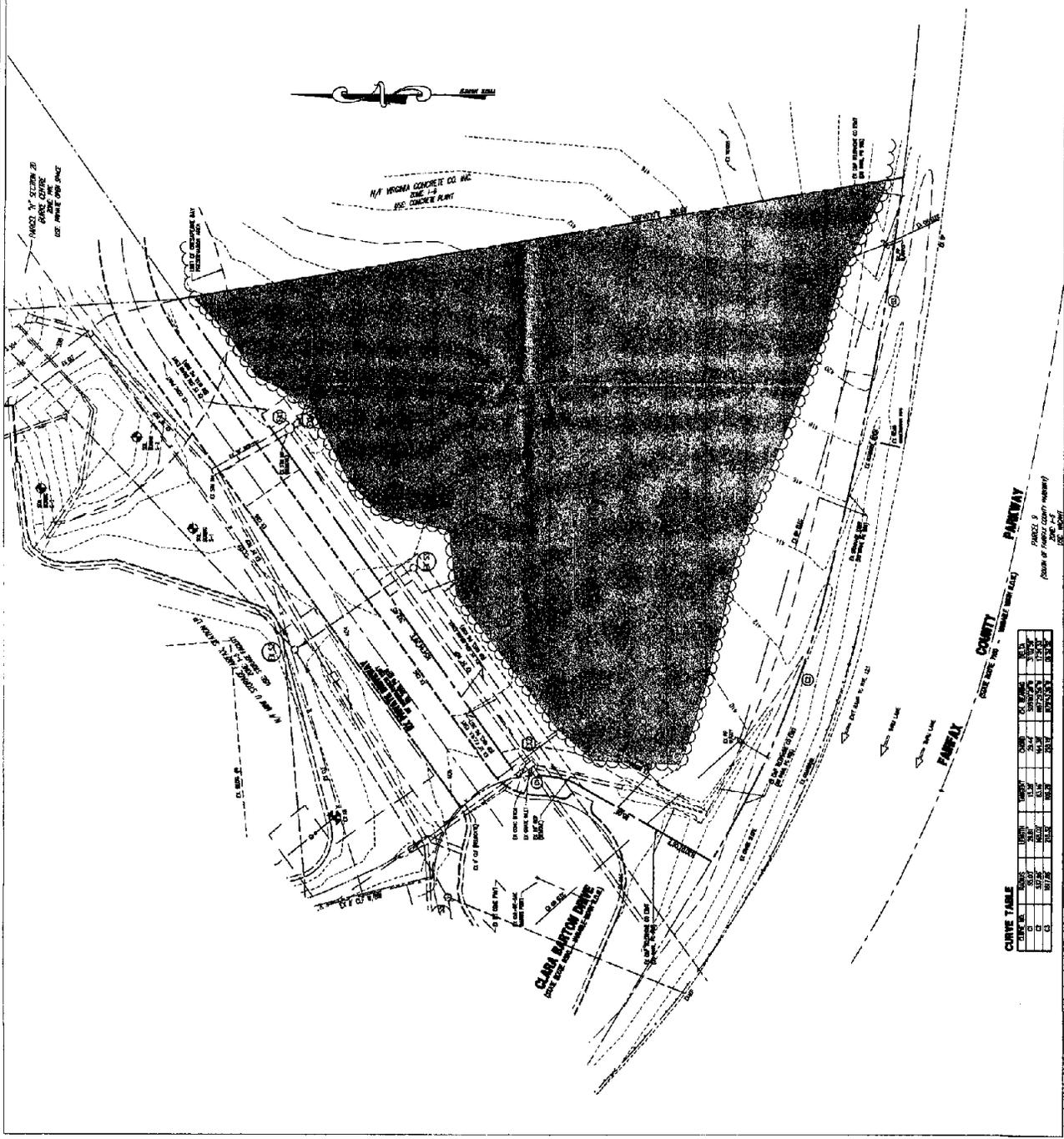
ENGINEER: L.D. CASHMERS  
 LICENSE NO.: 10769  
 STATE: VA

**ATCS, P.L.C.**  
 ENGINEERING • PLANNING • SURVEYING  
 2553 DUKES NEW ROAD, SUITE 200  
 HERBON, VA 20177  
 (703) 430-7500 • FAX: (703) 430-0888

SPECIAL PERMIT AND VARIANCE PLAT  
**OLYMPUS GYMNASIUM**  
 LOCATED IN  
 FAIRFAX COUNTY, VIRGINIA

**EXISTING VEGETATION MAP NOTES**

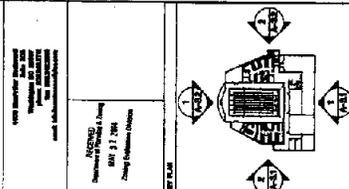
1. THE EXISTING VEGETATION IS SHOWN BY THE SHADING.
2. THE VEGETATION IS CLASSIFIED AS: OPEN SPACE, PASTURE, AND WOODLAND.
3. THE VEGETATION IS CLASSIFIED AS: OPEN SPACE, PASTURE, AND WOODLAND.
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10. THE VEGETATION IS CLASSIFIED AS: OPEN SPACE, PASTURE, AND WOODLAND.



**COUNTY TABLE**

TYPE	AREA	PERCENT	TOTAL	PERCENT	TOTAL
OPEN SPACE	10.00	10.00	10.00	10.00	10.00
PASTURE	10.00	10.00	10.00	10.00	10.00
WOODLAND	10.00	10.00	10.00	10.00	10.00
TOTAL	30.00	30.00	30.00	30.00	30.00

**Davis Associates PC**  
**ARCHITECTS**  
 1000 ...  
 ...  
 ...



**OLYMPUS**  
 GUY RAY  
 ARCHITECTS  
 ...  
 ...

**OLYMPIUS OLYMPUS**  
**BARBER HEALTH CLUB**  
 4000 ...  
 ...

**METTER CONSULTING ENGINEERS**  
 CORPORATION  
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 ...

**ALLEN & SHARPE CORPORATION**  
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NO.	DATE	REVISION
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**EXTERIOR ELEVATIONS**

**A-3.1**

**REVISION NOTES**

**DIVISION 02 (SITE CONSTRUCTION)**

02-101 1. ...  
 02-102 2. ...  
 02-103 3. ...  
 02-104 4. ...  
 02-105 5. ...  
 02-106 6. ...  
 02-107 7. ...  
 02-108 8. ...  
 02-109 9. ...  
 02-110 10. ...

**DIVISION 03 (CONCRETE)**

03-101 1. ...  
 03-102 2. ...  
 03-103 3. ...  
 03-104 4. ...  
 03-105 5. ...  
 03-106 6. ...  
 03-107 7. ...  
 03-108 8. ...  
 03-109 9. ...  
 03-110 10. ...

**DIVISION 04 (MASONRY)**

04-101 1. ...  
 04-102 2. ...  
 04-103 3. ...  
 04-104 4. ...  
 04-105 5. ...  
 04-106 6. ...  
 04-107 7. ...  
 04-108 8. ...  
 04-109 9. ...  
 04-110 10. ...

**DIVISION 05 (METALS)**

05-101 1. ...  
 05-102 2. ...  
 05-103 3. ...  
 05-104 4. ...  
 05-105 5. ...  
 05-106 6. ...  
 05-107 7. ...  
 05-108 8. ...  
 05-109 9. ...  
 05-110 10. ...

**DIVISION 06 (WOOD & PLASTICS)**

06-101 1. ...  
 06-102 2. ...  
 06-103 3. ...  
 06-104 4. ...  
 06-105 5. ...  
 06-106 6. ...  
 06-107 7. ...  
 06-108 8. ...  
 06-109 9. ...  
 06-110 10. ...

**DIVISION 07 (THERMAL & MOISTURE)**

07-101 1. ...  
 07-102 2. ...  
 07-103 3. ...  
 07-104 4. ...  
 07-105 5. ...  
 07-106 6. ...  
 07-107 7. ...  
 07-108 8. ...  
 07-109 9. ...  
 07-110 10. ...

**DIVISION 08 (DOORS & WINDOWS)**

08-101 1. ...  
 08-102 2. ...  
 08-103 3. ...  
 08-104 4. ...  
 08-105 5. ...  
 08-106 6. ...  
 08-107 7. ...  
 08-108 8. ...  
 08-109 9. ...  
 08-110 10. ...

**DIVISION 09 (FINISHES)**

09-101 1. ...  
 09-102 2. ...  
 09-103 3. ...  
 09-104 4. ...  
 09-105 5. ...  
 09-106 6. ...  
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 09-110 10. ...

**DIVISION 10 (SPECIALTIES)**

10-101 1. ...  
 10-102 2. ...  
 10-103 3. ...  
 10-104 4. ...  
 10-105 5. ...  
 10-106 6. ...  
 10-107 7. ...  
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 10-109 9. ...  
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**DIVISION 13 (SPECIAL CONSTRUCTION)**

13-101 1. ...  
 13-102 2. ...  
 13-103 3. ...  
 13-104 4. ...  
 13-105 5. ...  
 13-106 6. ...  
 13-107 7. ...  
 13-108 8. ...  
 13-109 9. ...  
 13-110 10. ...

**DIVISION 14 (CONVEYING SYSTEMS)**

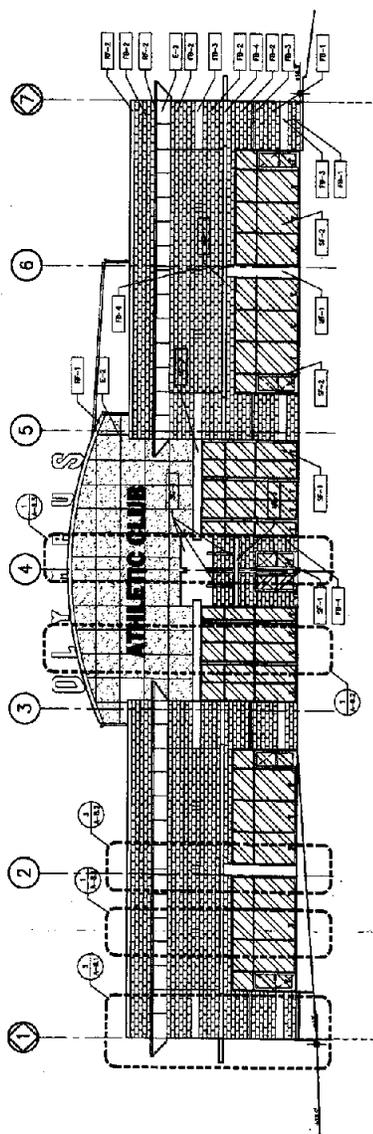
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 14-110 10. ...

**DIVISION 15 (MECHANICAL)**

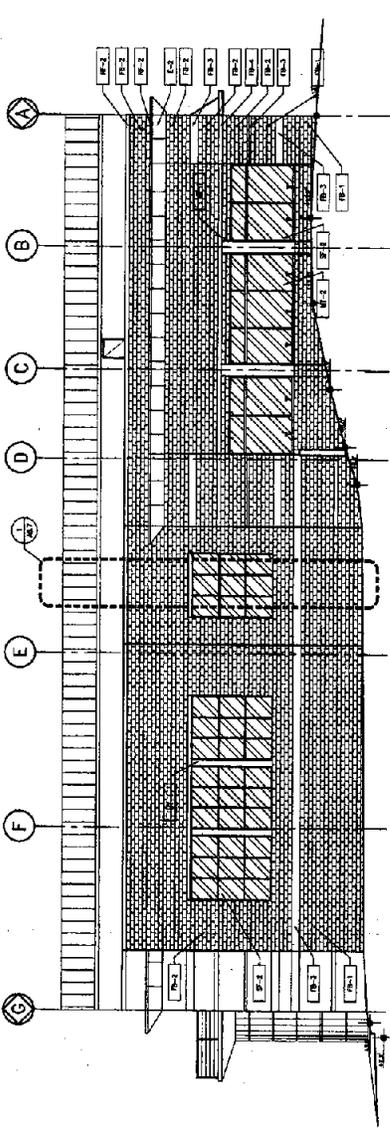
15-101 1. ...  
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**DIVISION 16 (ELECTRICAL)**

16-101 1. ...  
 16-102 2. ...  
 16-103 3. ...  
 16-104 4. ...  
 16-105 5. ...  
 16-106 6. ...  
 16-107 7. ...  
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 16-109 9. ...  
 16-110 10. ...



**FRONT ELEVATION**



**LEFT ELEVATION**

NO.	DATE	REVISION
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Combs Associates PC  
**ARCHITECTS**

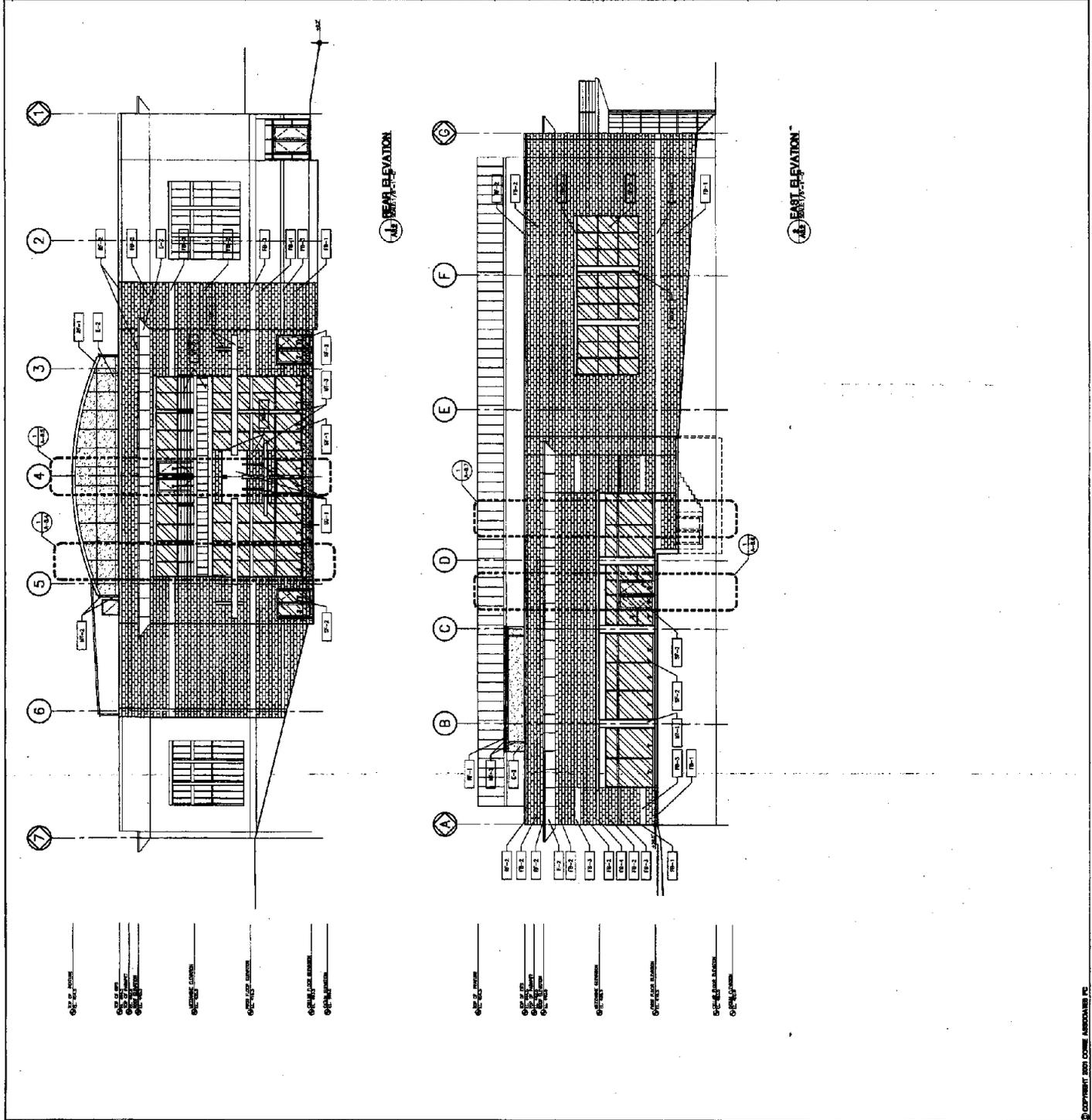
4000 WOODBRIDGE BLVD  
ANNAPOLIS, MD 21403  
TEL: 410-291-1000  
FAX: 410-291-1001

**CLIENT:**  
CLAMPAR OTYMS  
BRIDGE HEALTH CLUB  
10000 CLAMPAR DRIVE  
ANNAPOLIS, MD 21403  
2020

**DESIGNER:**  
METER CONSULTING ENGINEERS  
10000 CLAMPAR DRIVE  
ANNAPOLIS, MD 21403  
TEL: 410-291-1000  
FAX: 410-291-1001

**OWNER:**  
ALLEN & SHARPE CORPORATION  
10000 CLAMPAR DRIVE  
ANNAPOLIS, MD 21403

- KEYED NOTES**
- DIVISION 02 (SITE CONSTRUCTION)**
- 02-101 EXISTING SITE CONDITIONS
  - 02-102 EXISTING UTILITIES
  - 02-103 EXISTING FOUNDATIONS
  - 02-104 EXISTING FOUNDATIONS
  - 02-105 EXISTING FOUNDATIONS
  - 02-106 EXISTING FOUNDATIONS
  - 02-107 EXISTING FOUNDATIONS
  - 02-108 EXISTING FOUNDATIONS
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  - 02-110 EXISTING FOUNDATIONS
  - 02-111 EXISTING FOUNDATIONS
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  - 02-117 EXISTING FOUNDATIONS
  - 02-118 EXISTING FOUNDATIONS
  - 02-119 EXISTING FOUNDATIONS
  - 02-120 EXISTING FOUNDATIONS
- DIVISION 03 (CONCRETE)**
- 03-101 CONCRETE
  - 03-102 CONCRETE
  - 03-103 CONCRETE
  - 03-104 CONCRETE
  - 03-105 CONCRETE
  - 03-106 CONCRETE
  - 03-107 CONCRETE
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- DIVISION 04 (MASONRY)**
- 04-101 MASONRY
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  - 04-120 MASONRY
- DIVISION 05 (METALS)**
- 05-101 METALS
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- DIVISION 06 (WOOD & PLASTICS)**
- 06-101 WOOD & PLASTICS
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- DIVISION 07 (THERMAL & MOISTURE)**
- 07-101 THERMAL & MOISTURE
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  - 07-120 THERMAL & MOISTURE
- DIVISION 08 (DOORS & WINDOWS)**
- 08-101 DOORS & WINDOWS
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  - 08-103 DOORS & WINDOWS
  - 08-104 DOORS & WINDOWS
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- DIVISION 09 (FINISHES)**
- 09-101 FINISHES
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- DIVISION 10 (SPECIALTIES)**
- 10-101 SPECIALTIES
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- DIVISION 11 (SPECIAL CONSTRUCTION)**
- 11-101 SPECIAL CONSTRUCTION
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  - 11-120 SPECIAL CONSTRUCTION
- DIVISION 12 (MECHANICAL)**
- 12-101 MECHANICAL
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  - 12-103 MECHANICAL
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  - 12-107 MECHANICAL
  - 12-108 MECHANICAL
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- DIVISION 13 (ELECTRICAL)**
- 13-101 ELECTRICAL
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  - 13-115 ELECTRICAL
  - 13-116 ELECTRICAL
  - 13-117 ELECTRICAL
  - 13-118 ELECTRICAL
  - 13-119 ELECTRICAL
  - 13-120 ELECTRICAL



## SPECIAL PERMIT REQUEST

The applicant requests a Group 5 special permit for a health club.

A copy of the special permit plat, titled "Development Plan, Special Permit and Variance Plat, Olympus Gyms," prepared by Larry D. Caruthers, P.E., of ATCS, P.L.C., November 11, 2014, is included in the front of the staff report.

A more detailed description of the request is included on page two.

A copy of the proposed development conditions, statement of justification with select photographs and affidavit are contained in Appendices 1-3, respectively.

## CHARACTER OF THE SITE AND SURROUNDING AREA

The property is located on Clara Barton Road, to the northeast of the intersection of Ox Road (Rt. 123) and the Fairfax County Parkway. The property consists of 1.85 acres and is heavily forested. The site has an elevation of 424 feet along the southern property line (along Fairfax County Parkway) and slopes downward to an elevation of approximately 404 feet at the northern corner of the property (not including the off-site stormwater management area). A Resource Protection Area (RPA) is located along the northern corner of the property and extends through the off-site stormwater management area. Vehicular access to the site is proposed from Clara Barton Drive.

The subject property is vacant land zoned I-5. The property to the north is zoned I-5 and developed with mini-warehouses. The properties to the northeast are zoned PRC and developed with single family dwellings. The property to the east is zoned I-6 and is owned by Virginia Concrete Company. The property to the south, across Fairfax County Parkway, is zoned I-5 and also developed with mini-warehouses.



## BACKGROUND AND HISTORY

On December 1, 1999, the Board of Zoning Appeals (BZA) approved SP 99-B-054, for a health club under B.W. Management, on the same subject property (Appendix 4). The BZA approved a one story, 20,000 square foot building with a maximum of 100 patrons

at any one time (490 total) and six employees. The approved number of parking spaces was 129 spaces; 123 were designated for patrons and six for employees. The approved hours of operation were from 5:00 am to 11:00 pm, seven days a week. The approved open space as outlined on the special permit plat was 23.3%.

A number of additional time requests were filed and approved for an extension to establish the use by July 20, 2003. The use was never established, therefore the special permit expired.

## DESCRIPTION OF THE APPLICATION REQUEST

The applicant is proposing to construct a health club with a building 20,000 square feet and 51 feet in height. The FAR of the site would be 0.25, the maximum recommended by the Fairfax County Comprehensive Plan.

The applicant proposes a health club with up to 300 patrons at any one time with a total maximum membership of 1,500. The health club would be staffed by no more than seven employees at one time, with a maximum of 20. The proposed hours of operation would be 5:00 am to 11:00 pm, seven days a week.

The applicant also proposes to provide 129 parking spaces, which exceed the 103 required as outlined in Sect. 11-104 of the Zoning Ordinance.

## ANALYSIS

### Comprehensive Plan Provisions

**Plan Area:** Area III, Pohick Planning District  
**Planning Sector:** Middle Run Community Planning Sector (P6)  
**Plan Map:** Industrial  
**Plan Text:** Recommendation 3 states:

*The area between Clara Barton Drive, the Fairfax County Parkway, Fred's Oak Road and the Burke Centre Residential Planned Community to include Parcels 77-3((1))7A, 8, 9 pt. (north of the Fairfax County Parkway), 11, 12 and 13 is planned for light intensity industrial use up to .25 FAR. Industrial development in the subject area should provide for visually attractive and appropriately buffered relationships with adjacent areas planned for residential use. Existing and future uses should not adversely affect the area's environmental resources and efforts should be made to protect and improve water quality in the Pohick Creek watershed. Existing vegetative buffers shall be preserved to minimize visual, light and noise impacts on the residential uses to the north, and east. Future uses should not be of a regionally-oriented scope due to the limited access to properties through neighborhood streets.*

**Comprehensive Plan Analysis (Appendix 5)**

The original special permit SP 99-B-054 approved in 1999 was in conformance with the recommendations from the 1991 edition of the Comprehensive Plan. This application, however, analyzes recommendations from the 2013 Comprehensive Plan, which includes a focus on environmental impacts including impacts on nearby watersheds, vegetative buffers to the north and east, and type of uses.

The Comprehensive Plan states that uses should not be of a regionally-oriented scope due to the limited access through neighborhood streets. Staff does not believe that the health club use is considered of regionally-oriented scope, as there are a large number of health clubs in the area. The applicant has identified that the area will serve the Burke area. However, staff notes that a health club with a proposed membership of 1,500 people will generate significantly more vehicular trips than the previously approved health club with 490 members.

In memorandum from the Planning Division dated October 31, 2014, staff recommends that the applicant meet water quality control requirements within the boundaries of the subject property through use of low impact development techniques and other appropriate measures in the event that the off-site stormwater management waiver is denied. Additional comments from staff include the provision of documentation that the neighboring property owners have granted the applicant the ability to use their pond or a waiver of onsite stormwater management.

The applicant has provided documentation to staff that the neighboring property has agreed to the use of their pond. The waiver of onsite stormwater management will be submitted at site-plan. A development condition is included in Appendix 1 which ensures that if the off-site stormwater management waiver is not granted by the Department of Public Works and Environmental Services (DPWES), then the on-site stormwater management best management practices (BMP) will be in substantial conformance with the special permit plat.

Additionally staff requested the applicant reduce the amount of impervious surface onsite, as it has 25 percent more surface parking than what is required under the Zoning Ordinance. Further reduction of impervious surface would increase the amount of land area available to retain existing vegetation or install best management practice facilities. The previous special permit approval provided for the same number of parking spaces; however, parking was required at a ratio of 1 parking spot per 4 members. Since that application was approved, the Zoning Ordinance has changed the ratio to 1 space per 3 members. The applicant is now proposing 300 members, thus increasing the parking requirement for the site.

Lastly, staff encouraged green building practices and the applicant has provided a list of green building practices they will incorporate including:

- Economizer enthalpy controls
- Exhaust systems controlled by CO2 sensors
- Automatic faucets and automatic flushers
- LED Lighting exclusive interior and exterior (lighting will be controlled by motion sensors)
- Low E Glass on all windows and doors
- Electric Hand dryers
- Ceiling fans will be used for air stratification prevention
- Hot water sensors
- Highly reflective membrane roof with high R value insulation
- Extensive recycling

### ZONING ORDINANCE REQUIREMENTS (Appendix 11)

- General Special Permit Standards (Sect. 8-006)
- Group 5 Standards (Sect. 8-503)

#### 8-503 Standards for all Group 5 Uses

In addition to the general standards set forth in Sect. 8-006 below, all Group 5 special permit uses shall satisfy the following standards:

**Additional Standard 1** states that all uses shall comply with the lot size and bulk regulations of the zoning district in which located, except as may be qualified below.

As depicted in the table below, the applicant meets the I-5 District requirements. However, as noted under Additional Standard 3, the application does not achieve the additional setback to adjacent residential districts.

<b>I-5 DISTRICT BULK REGULATIONS</b>	<b>REQUIRED</b>	<b>PROVIDED</b>
<b>Lot Size</b>	20,000 square feet	1.85 acres
<b>Lot Width</b>	100 feet	114.9
<b>Building Height</b>	75 feet	51 feet
<b>Front Yard</b>	Controlled by a 45 degree angle of bulk plane, not less than 40 feet	101.9 feet
<b>Side Yard</b>	No requirement	15 feet
<b>Rear Yard</b>	No requirement	10 feet
<b>Parking</b>	103 spaces	129 spaces

**Additional Standard 2** states that all uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan as may be required by Part 9 of Article 14.

The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance.

**Additional Standard 3** states that no building designed primarily and specifically for such use shall be located within 100 feet of any adjoining property which is in an R district.

The proposed health club building is located approximately 85 feet from an adjoining property that is a residential district. Therefore the proposal does not meet this provision. Staff believes that the building cannot be easily moved as it would encroach into the proposed parking. While staff has proposed a condition that would require compliance with this requirement prior to site plan approval, it is staff's opinion, this modification should be depicted on the SP Plat now and would likely result in a smaller building footprint.

**Additional Standard 4** states that before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

Staff has proposed a development condition requiring site plan approval.

### **General Standards for Special Permit Uses (Sect. 8-006)**

**General Standards 1 and 2** state that the proposed use at the specified location shall be in harmony with the adopted comprehensive plan and shall be in harmony with the general purpose and intent of the applicable zoning district regulations.

The Comprehensive Plan recommends industrial uses and the property is proposed to be developed with a health club, which is an allowed special permit use in an industrial district. In staff's opinion, the proposed use is not in harmony with the Comprehensive Plan and the general purpose and intent of the I-5 District as it does not meet the preservation of open space recommendations of the Comprehensive Plan, does not meet the 100 foot setback as required in 8-503 in the Zoning Ordinance and does not meet the required Urban Forestry standards discussed in Appendix 8.

**General Standard 3** states that 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.

As previously stated that the proposed health club lies within 100 feet of an adjoining property that is an R District, and does not meet the setback requirement of Sect. 8-305 of the Zoning Ordinance. Furthermore, the site provides for limited amount of landscaping and open space and does not meet the recommendations of the 2013 Comprehensive Plan as stated earlier in this report.

**General Standard 4** states that the proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

Fairfax County Department of Transportation (FCDOT) and Virginia Department of Transportation (VDOT) staff noted in Appendices 6 and 7 that a possible entrance ramp to the site was proposed on the special permit development plans and was unacceptable and should be removed from the development plans. The applicant has complied and provided an updated set of plans that does not depict an entrance ramp to the site.

In staff's opinion, the proposed use is not hazardous and does not conflict with existing and anticipated traffic in the immediate vicinity.

**General Standard 5** states that in addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.

Urban Forestry Management Division (UFMD) staff reviewed that application and noted in Appendix 8 that the tree cover calculations provided by the applicant are not adequate, as they were based on the zoning district (I-5) and not the use, which is a commercial recreation. The Comprehensive Plan encourages the preservation of the existing vegetative buffer to minimize impacts to residential uses. The applicant did not provide Tree Preservation Calculations, therefore, it is unclear if the applicant will meet the 10-Year Tree Canopy Requirements and they do not meet their Tree Preservation Target. UFMD staff does not believe the applicant has provided adequate landscaping. Additional issues include parking lot islands that do not provide adequate planting space, ambiguity in trees used for interior and peripheral parking lot landscaping, and additional items that do not meet the Public Facilities Manual (PFM). In staff's opinion, the applicant has not demonstrated compliance with the PFM and Article 13 with respect to General Standard 5.

**General Standard 6** states that open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.

The open space requirement for an I-5 district is 15 percent and the development proposes 23 percent open space. However, staff believes additional open space should be provided to increase the proposed landscaping by decreasing the proposed parking spaces.

**General Standard 7** states that adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided at site plan. Parking and loading requirements shall be in accordance with the provisions of Article 11.

#### Stormwater Management Analysis - Site Development (Appendix 9)

In a memorandum dated October 31, 2014 staff provided the following comments:

A site-specific Resource Protection Area (RPA) boundary delineation is required to be submitted and approved prior to site plan submittal. The proposed facilities and limits of land disturbance will need to be adjusted if the final RPA expands beyond the current limit of the RPA.

Staff maintains that water quality controls are required for this application. However, no details or calculations have been provided to demonstrate that the rehabilitation and enlargement of the existing offsite dry pond will meet the water quality controls for both the onsite and offsite uses. Staff notes that a portion of the proposed off-site stormwater management system is located within the RPA and requires approval of a waiver for the off-site facility and RPA encroachment. The impounding dam is permitted to be maintained to ensure original design functionality, without any changes. Staff notes that a RPA waiver will not be approved for increasing the height of the existing dam or any change in the cross-section or on the downstream side of the dam. The applicant has not provided the details related to the upgrade of the off-site stormwater management pond for staff to determine if there may be an issue. Staff notes that this level of detail is typically not provided until site plan.

#### Stormwater Management- Planning Division (Appendix 10)

Staff recommends that because of the site location above a headwater stream and within a MS4 service area, stormwater management beyond the minimum requirements is warranted. Staff also encourages onsite BMPs instead of relying solely on the offsite existing detention basin. Staff further recommends that the site plan be reconfigured to avoid any negative environmental impacts in the northeastern corner of the parcel. The applicant did not make changes to the SP Plat to address these concerns.

#### Maximum Number of Members and Staff

ZED staff believes the number of members proposed for the health club is too intense for the property. The applicant is proposing a membership of 1,500, with a maximum of 300 on site at any one time. However, this site is completely forested and undeveloped. The trees are to be removed and replaced with impervious surfaces such as a parking lot and a gym building. The current parking lot, as found by planning staff, is over-

parked by 25 percent and therefore is adding additional impervious surface to the site. This issue was discussed with the applicant and they declined to reduce the number of members or the amount of parking on-site as a means by which to reduce the development footprint.

**General Standard 8** states that signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

The applicant is required to adhere to the sign regulations in accordance with Article Zoning Ordinance.

**Waivers/Modifications Requested**

The Special Permit plat depicts a modification of transitional screening and waiver of the barrier requirement to the northeast. The Zoning Ordinance does not require any transitional screening or barriers for the existing use on the neighboring property to the properties to the north, east, west or south.

The applicant has provided no justification to support their request for the proposed modification of the transitional screening or waiver of the barrier requirement. Staff does not support this request based on the text of the Comprehensive Plan and the proposed use. The table below details the required and provided transitional screening and barrier requirements. A partial screening of at least the northeastern corner of the property is required as properties zoned residential exist to the north. A development condition has been included in Appendix 1 of the staff report to address this concern.

<b>Transitional Screening and Barrier Requirement</b>		
<b>Direction</b>	<b>Required</b>	<b>Provided</b>
<b>Northeast (Industrial)</b>	None	Trees to be planted as shown on plat and no barrier
<b>Northeast (Residential)</b>	Transitional Screening Type 2* Barrier D, E or F*	Trees to be planted as shown on plat and no barrier
<b>South (Industrial)</b>	None	Trees to be planted as shown on plat and no barrier
<b>East (Industrial)</b>	None	Trees to be planted as shown on plat and no barrier
<b>West (Industrial)</b>	None	Trees to be planted as shown on plat and no barrier

1. Transitional Screening Yard Type 2 consists of a landscaped area 35 feet in depth consisting of unbroken strip of open space planted with a mixture of large and medium evergreen trees, deciduous trees and evergreen shrubs.
2. Barrier D consists of 42-48" tall chain link fence, Barrier E consist of 6-foot tall brick or architectural block wall, and Barrier F consists of 6-foot tall solid wood fence.

## **CONCLUSION**

Staff believes that the request for the construction of a health club is not in harmony with the Comprehensive Plan. The proposal does not adequately conserve tree cover and does not minimize the amount of impervious cover to achieve the goals of the specific plan text for this area and the Zoning Ordinance requirements pertaining to this use.

Staff does not believe that the special permit application is in conformance with the applicable Zoning Ordinance provisions. The proposal does not meet the intent of the Comprehensive Plan, does not meet the 100 foot setback as required in 8-503 and does not meet the drainage and parking regulations as required by the Zoning Ordinance and County staff.

## **RECOMMENDATION**

Staff recommends denial of SP 2014-BR-117. If the Board of Zoning chooses to approve the application staff has included Proposed Development Conditions in Appendix 1 of the staff report.

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 recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

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

## **APPENDICES**

1. Proposed Development Conditions
2. Applicant's Statement of Justification and selected photos of the property
3. Applicant's Affidavit
4. Expired Special Permit SP 99-B-054 approved plat and resolution
5. Comprehensive Plan-Environmental Assessment Memo dated October 31, 2014
6. FCDOT Memorandum dated September 23, 2014
7. VDOT Memorandum dated July 18, 2014
8. DPWES- UFMD Memorandum dated November 25, 2014
9. DPWES-SDIS Memorandum dated October 31, 2014
10. DPWES- SWPD Memorandum dated July 28, 2014
11. Applicable Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****December 3, 2014****SP 2014-BR-117**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-BR-117 located at Tax Map 77-3 ((1)) 9 A to permit a commercial recreation use (health club) pursuant to Sect. 5-503 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant, WB Properties LLC, only and is not transferable without further action of this Board, and is for the location indicated on the application, 10906 Clara Barton Drive, and is not transferable to other land.
2. This special permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special permit plat "Development Plan, Special Permit Plat, Olympus Gyms," prepared by Larry D. Caruthers, P.E., of ATCS, P.L.C., dated November 11, 2014, approved with this application, as qualified by these development conditions.
3. A copy of this special permit and the Non-Residential Use Permit shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This special permit is subject to the provisions of Article 17, Site Plans. Any plan submitted to the Department of Public Works and Environmental Services (DPWES) pursuant to this special permit shall be in substantial conformance with these conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.
5. The maximum occupancy is limited to 150 customers and 7 employees onsite at any one time.
6. Parking shall be provided in accordance with Article 11 of the Fairfax County Zoning Ordinance. Parking on site shall not exceed 109 spaces. All parking for this use shall be on site.
7. Lighting shall be provided in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance.
8. Adequate tree preservation calculations shall be provided in conformance with Urban Forestry Management Division (UFMD) standards, to ensure the applicant will meet their Tree Preservation Target and also to demonstrate they will meet their 10 Year Tree Canopy Requirement.

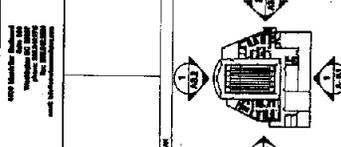
9. If additional landscaping, tree preservation or tree canopy is required to meet the requirements of the Zoning Ordinance and Public Facilities Manual, as determined by UFMD, it shall be provided in substantial accordance with the special permit plat.
10. A maintenance agreement for the off-site detention pond between the owner of the off-site pond and the owner of the subject parcel shall be implemented prior to final site plan approval.
11. If additional on-site stormwater management is required, as determined by DPWES, it shall be provided in substantial accordance with the special permit plat.
12. Notwithstanding what is shown on the special permit plat, the applicant shall reduce the size of the primary building so that it is 100 feet from the property line closest to the neighboring properties zoned residential (to the northeast), in conformance with Sect. 8-503 of the Zoning Ordinance.
13. The barrier requirement shall be waived along the western lot line.
14. The applicant shall provide transitional screening Type 2 and Barrier D, E and F as specified in Sect. 13-303 and Sect. 13-304 of the Zoning Ordinance.
15. The building shall be constructed in substantial conformance with the materials and elevations depicted in Attachment 1.

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 responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless construction has commenced and been diligently prosecuted. The Board of Zoning Appeals may grant additional time 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 permit. 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.

EXTERIOR ELEVATIONS

NO.	DESCRIPTION	DATE
1	PRELIMINARY	10/15/00
2	REVISED	11/15/00
3	REVISED	12/15/00
4	REVISED	01/15/01
5	REVISED	02/15/01
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8	REVISED	05/15/01
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194	REVISED	11/15/16
195	REVISED	12/15/16
196	REVISED	01/15/17
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200	REVISED	05/15/17
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204	REVISED	09/15/17
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322	REVISED	07/15/27
323	REVISED	08/15/27
324	REVISED	09



CLAYTONS DRIVE  
BARBER HEALTH CLUB  
1700 CLAYTON DRIVE  
DUNEDIN, VA  
22026

METEC CONSULTING ENGINEERS  
CORPORATION  
10000 WOODBURN DRIVE  
MOUNTAIN VIEW, VA 22081  
TEL: 703-441-1100  
FAX: 703-441-1101

ALLEN & SHAWNEY CORPORATION  
10000 WOODBURN DRIVE  
MOUNTAIN VIEW, VA 22081  
TEL: 703-441-1100  
FAX: 703-441-1101

Table with columns: NO., DATE, DESCRIPTION, DRAWN BY, CHECKED BY, APPROVED BY.

EXTERIOR ELEVATIONS  
A-3.2

**KEYED NOTES**

**DIVISION 02 (SITE CONSTRUCTION)**  
02-101 4" CONC. CURB  
02-102 4" CONC. CURB  
02-103 4" CONC. CURB  
02-104 4" CONC. CURB  
02-105 4" CONC. CURB  
02-106 4" CONC. CURB  
02-107 4" CONC. CURB  
02-108 4" CONC. CURB  
02-109 4" CONC. CURB  
02-110 4" CONC. CURB

**DIVISION 03 (CONCRETE)**  
03-101 4" CONC. CURB  
03-102 4" CONC. CURB  
03-103 4" CONC. CURB  
03-104 4" CONC. CURB  
03-105 4" CONC. CURB  
03-106 4" CONC. CURB  
03-107 4" CONC. CURB  
03-108 4" CONC. CURB  
03-109 4" CONC. CURB  
03-110 4" CONC. CURB

**DIVISION 04 (MASONRY)**  
04-101 4" CONC. CURB  
04-102 4" CONC. CURB  
04-103 4" CONC. CURB  
04-104 4" CONC. CURB  
04-105 4" CONC. CURB  
04-106 4" CONC. CURB  
04-107 4" CONC. CURB  
04-108 4" CONC. CURB  
04-109 4" CONC. CURB  
04-110 4" CONC. CURB

**DIVISION 05 (METALS)**  
05-101 4" CONC. CURB  
05-102 4" CONC. CURB  
05-103 4" CONC. CURB  
05-104 4" CONC. CURB  
05-105 4" CONC. CURB  
05-106 4" CONC. CURB  
05-107 4" CONC. CURB  
05-108 4" CONC. CURB  
05-109 4" CONC. CURB  
05-110 4" CONC. CURB

**DIVISION 06 (WOOD & PLASTICS)**  
06-101 4" CONC. CURB  
06-102 4" CONC. CURB  
06-103 4" CONC. CURB  
06-104 4" CONC. CURB  
06-105 4" CONC. CURB  
06-106 4" CONC. CURB  
06-107 4" CONC. CURB  
06-108 4" CONC. CURB  
06-109 4" CONC. CURB  
06-110 4" CONC. CURB

**DIVISION 07 (THERMAL & MOISTURE)**  
07-101 4" CONC. CURB  
07-102 4" CONC. CURB  
07-103 4" CONC. CURB  
07-104 4" CONC. CURB  
07-105 4" CONC. CURB  
07-106 4" CONC. CURB  
07-107 4" CONC. CURB  
07-108 4" CONC. CURB  
07-109 4" CONC. CURB  
07-110 4" CONC. CURB

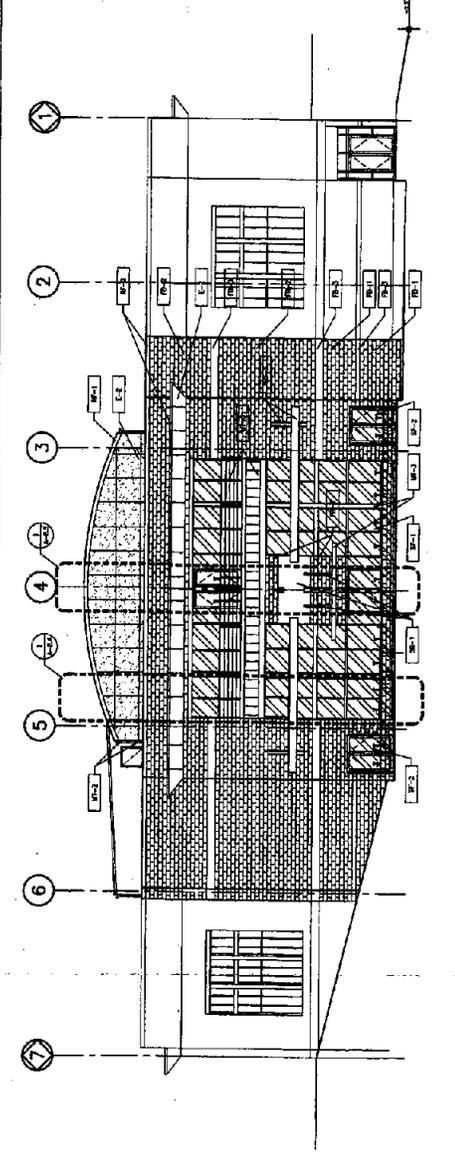
**DIVISION 08 (DOORS & WINDOWS)**  
08-101 4" CONC. CURB  
08-102 4" CONC. CURB  
08-103 4" CONC. CURB  
08-104 4" CONC. CURB  
08-105 4" CONC. CURB  
08-106 4" CONC. CURB  
08-107 4" CONC. CURB  
08-108 4" CONC. CURB  
08-109 4" CONC. CURB  
08-110 4" CONC. CURB

**DIVISION 09 (FINISHES)**  
09-101 4" CONC. CURB  
09-102 4" CONC. CURB  
09-103 4" CONC. CURB  
09-104 4" CONC. CURB  
09-105 4" CONC. CURB  
09-106 4" CONC. CURB  
09-107 4" CONC. CURB  
09-108 4" CONC. CURB  
09-109 4" CONC. CURB  
09-110 4" CONC. CURB

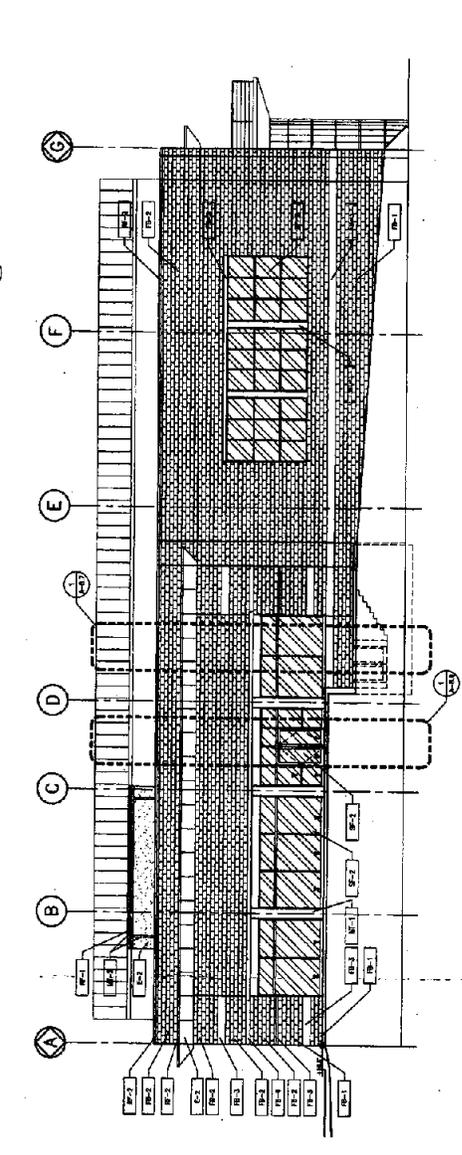
**DIVISION 10 (SPECIALTIES)**  
10-101 4" CONC. CURB  
10-102 4" CONC. CURB  
10-103 4" CONC. CURB  
10-104 4" CONC. CURB  
10-105 4" CONC. CURB  
10-106 4" CONC. CURB  
10-107 4" CONC. CURB  
10-108 4" CONC. CURB  
10-109 4" CONC. CURB  
10-110 4" CONC. CURB

**DIVISION 11 (MECHANICAL)**  
11-101 4" CONC. CURB  
11-102 4" CONC. CURB  
11-103 4" CONC. CURB  
11-104 4" CONC. CURB  
11-105 4" CONC. CURB  
11-106 4" CONC. CURB  
11-107 4" CONC. CURB  
11-108 4" CONC. CURB  
11-109 4" CONC. CURB  
11-110 4" CONC. CURB

**DIVISION 12 (ELECTRICAL)**  
12-101 4" CONC. CURB  
12-102 4" CONC. CURB  
12-103 4" CONC. CURB  
12-104 4" CONC. CURB  
12-105 4" CONC. CURB  
12-106 4" CONC. CURB  
12-107 4" CONC. CURB  
12-108 4" CONC. CURB  
12-109 4" CONC. CURB  
12-110 4" CONC. CURB



REAR ELEVATION



EAST ELEVATION

02-101 4" CONC. CURB  
02-102 4" CONC. CURB  
02-103 4" CONC. CURB  
02-104 4" CONC. CURB  
02-105 4" CONC. CURB  
02-106 4" CONC. CURB  
02-107 4" CONC. CURB  
02-108 4" CONC. CURB  
02-109 4" CONC. CURB  
02-110 4" CONC. CURB

06-101 4" CONC. CURB  
06-102 4" CONC. CURB  
06-103 4" CONC. CURB  
06-104 4" CONC. CURB  
06-105 4" CONC. CURB  
06-106 4" CONC. CURB  
06-107 4" CONC. CURB  
06-108 4" CONC. CURB  
06-109 4" CONC. CURB  
06-110 4" CONC. CURB

**TRAMONTE, YEONAS, ROBERTS & MARTIN PLLC**  
**ATTORNEYS AND COUNSELLORS AT LAW**

8245 BOONE BOULEVARD, SUITE 400  
 VIENNA, VIRGINIA 22182  
 TELEPHONE: 703-734-4800  
 FACSIMILE: 703-442-9532

RECEIVED  
 Department of Planning & Zoning

JUN 13 2014

Zoning Evaluation Division

June 5, 2014

Ms. Deborah Pemberton  
 Dept. of Planning and Zoning  
 120550 Govt. Center Pkwy., Suite 801  
 Fairfax, VA 22035

Re: Special Permit for a Health Club on I-5 Zoned Property  
 Identified as Tax Map 77-3((1)) 9A

Dear Ms. Pemberton:

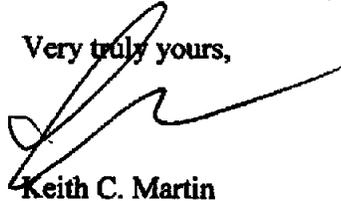
The following is an amended statement of justification for a Special Permit for a Health Club in a I-5 District. The Board of Zoning Appeals approved an identical application (SP 99-B-054) on December 1, 1999. The I-5 zoned property is located at the terminus of Clara Barton Drive on the northern side of the Fairfax County Parkway.

The Special Permit plat depicts the footprint of the Health Club building, access, parking and open space. The building is 1 story in height and consists of 20,161 square feet or a 0.25 FAR. There are 129 parking spaces on-site. Approximately 23.3% of the site is landscaped open space. Access to the club is via a 50 foot outlet road connecting to Clara Barton Drive. The following is a description of the use:

- A. Type of operation: Health Club.
- B. Hours of operation: 5 a.m. to 11 p.m. / 7 days a week.
- C. Estimated number of patrons: Maximum of 300 patrons at any one time. with a 1,500 membership.
- D. Proposed number of employees: 10 employees, maximum of 3 on-site.
- E. Estimate of traffic impact: 20 a.m. peak trips / 60 p.m. peak trips.
- F. Vicinity to be served: Burke.
- G. Description of building facade: Masonry and Glass.
- H. There are no known toxic substances to be utilized or stored on-site.
- I. The proposed use conforms to all applicable ordinances and standards; except a waiver of transitional screening and barrier to the west and waiver of barrier to the northeast are requested.

It is submitted that the use is in conformance with the Comprehensive Plan which recommends light industrial uses up to a 0.25 FAR.

Very truly yours,

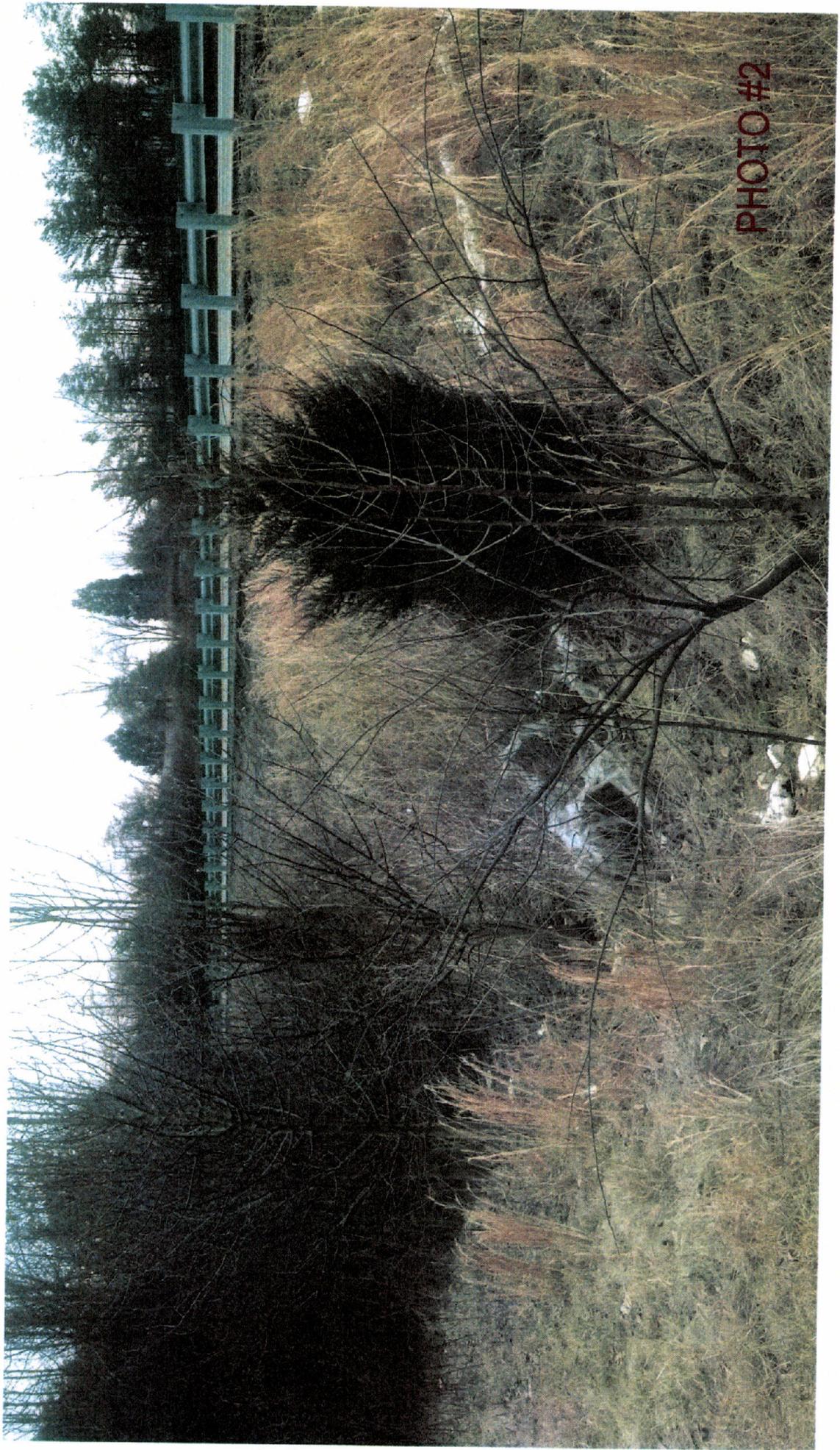
A handwritten signature in black ink, appearing to read 'Keith C. Martin', with a long horizontal flourish extending to the right.

Keith C. Martin

Cc: Gary Bianucci



PHOTO #1



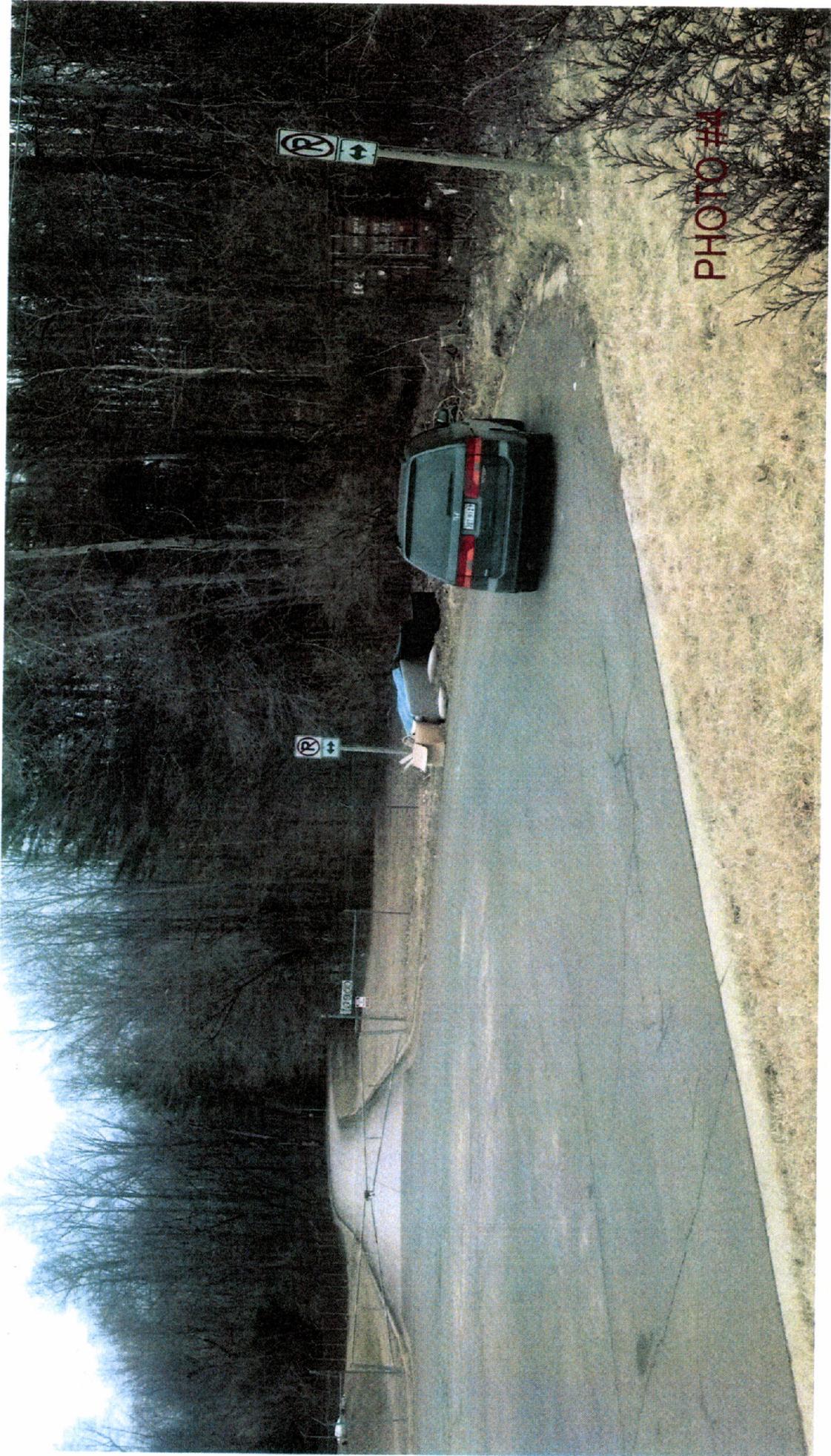


PHOTO #4

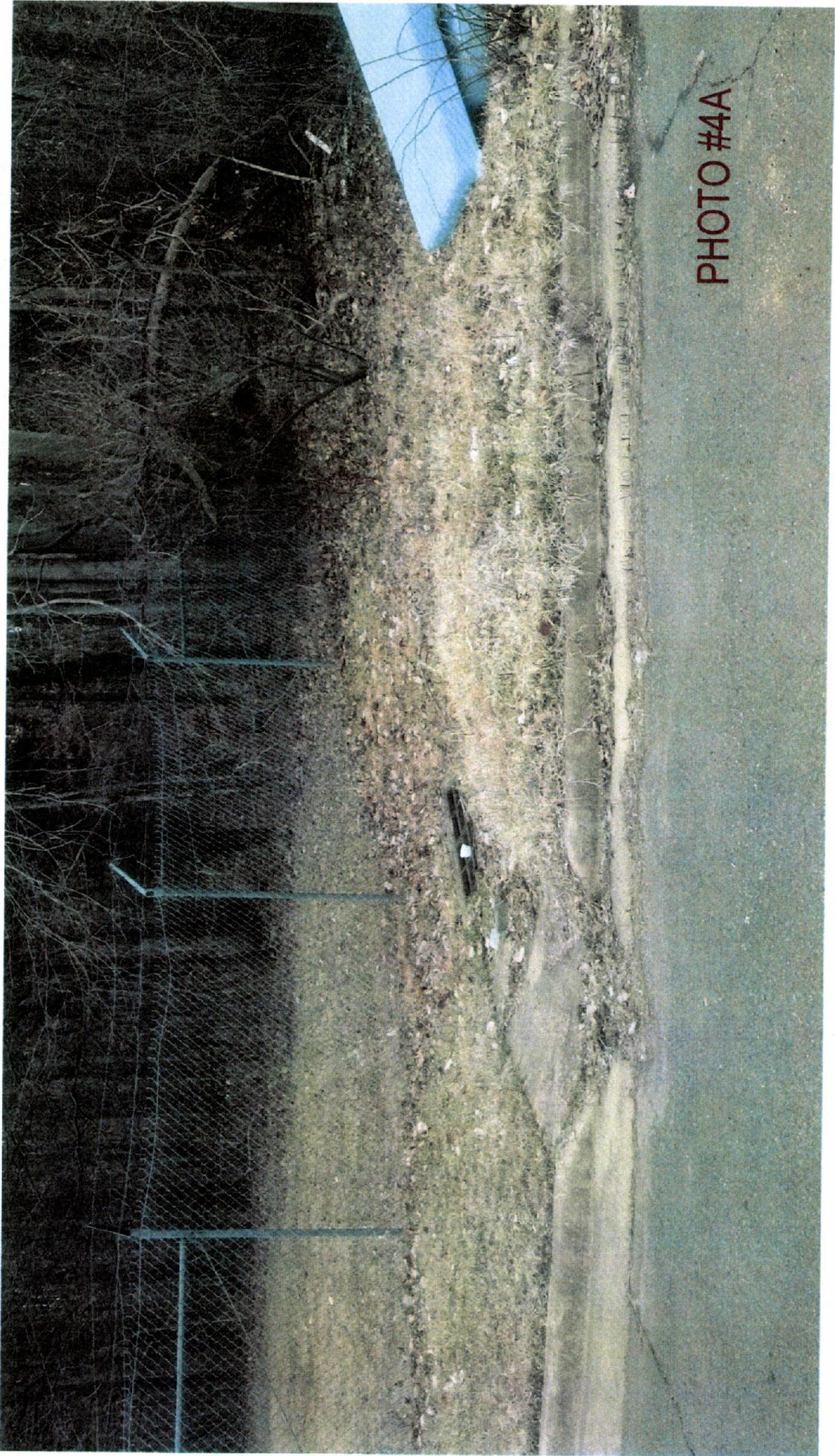


PHOTO #4A

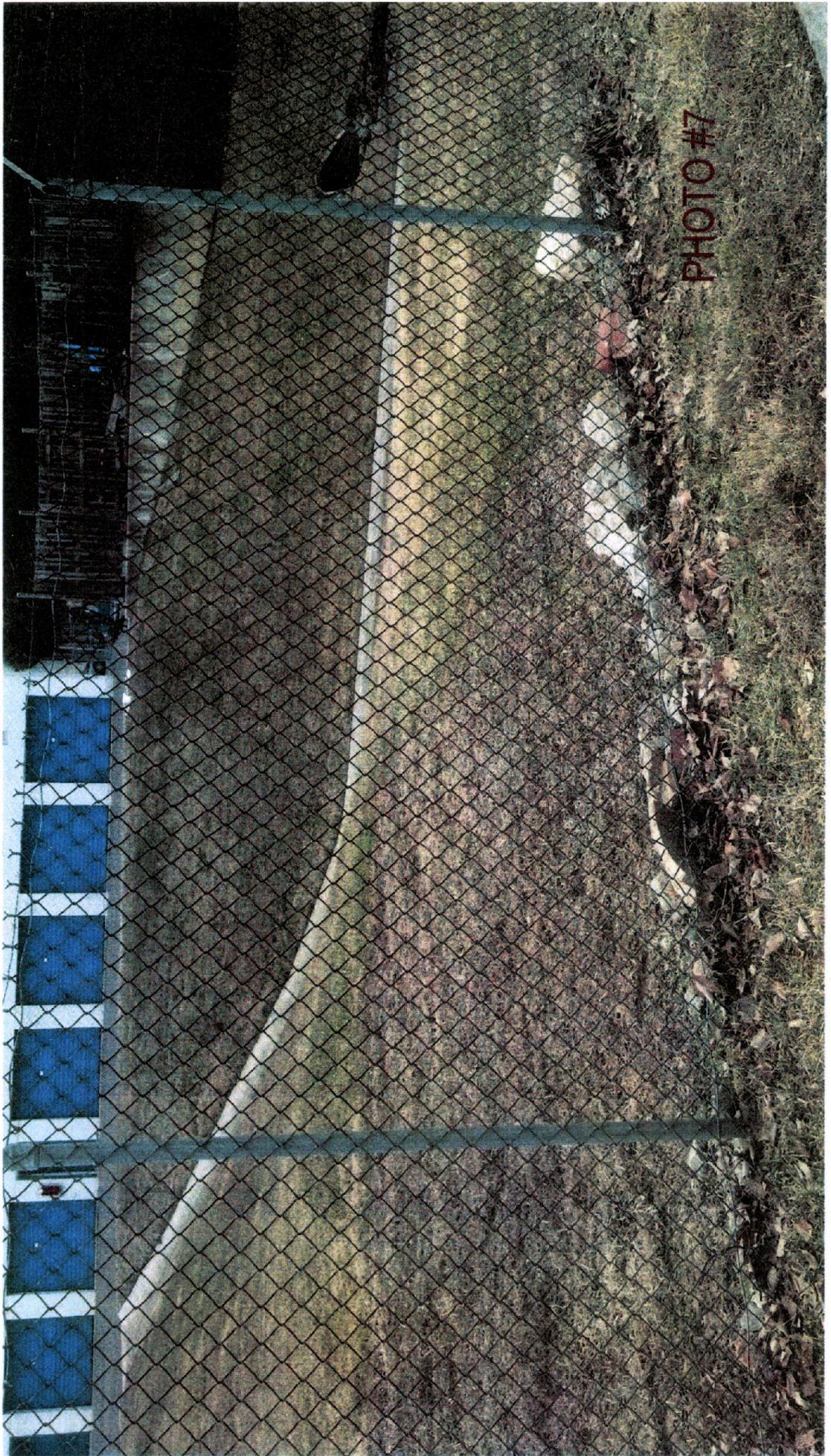




PHOTO #7A



PHOTO #10



PHOTO #11

Application No.(s): SP 2014 - BR-117  
 (county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: March 4, 2014  
 (enter date affidavit is notarized)

124863

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

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

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

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

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

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 <b>BOLD</b> above)
-WB Properties LLC Gary Bianucci	21014 Cisco Lane Leesburg, VA 20175	Applicant/Title Owner <b>Agent</b>
- Tramonte, Yeonas, Roberts & Martin PLLC Keith C. Martin	8245 Boone Blvd #400 Vienna, VA 22182	<b>Attorneys/Agents</b> <b>Attorney/Agent</b>
- ATCS, PLC Larry D. Caruthers	2553 Dulles View Drive, Suite 300 Herndon, VA 20171	<b>Engineers/Agents</b> <b>Agent</b>

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

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

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

Application No.(s):

SP 2014-BR-117

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**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: March 4, 2014

(enter date affidavit is notarized)

124863

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, number, street, city, state, and zip code)

WB Properties LLC  
21014 Cisco Lane  
Leesburg, VA 20175

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

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

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

Gary Bianucci- Managing Member

(check if applicable)  There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance 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.

Application No.(s):

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(county-assigned application number(s), to be entered by County Staff)

Page 1 of 1

Special Permit/Variance Attachment to Par. 1(b)

124863

DATE: March 4, 2014

(enter date affidavit is notarized)

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

Tramonte, Yeonas, Roberts & Martin PLLC  
8245 Boone Blvd #400  
Vienna, VA 22182

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)

Vincent A. Tramonte II  
George P. Yeonas  
Jill J. Roberts  
Keith C. Martin

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

ATCS, PLC  
2553 Dulles View Drive, Suite 300  
Herndon, VA 20171

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)

William A. Caruthers, Jr.	James Whitehead
Young Ho Chang	Michael Rosenfeld
Larry D. Caruthers	Kevin Porter
Jonathan Hoyes	Kwong Hui
John Depasquale	

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

Application No.(s):

SP 2014-BR-117

(county-assigned application number(s), to be entered by County Staff)

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**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

124863

DATE: March 4, 2014

(enter date affidavit is notarized)

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

**PARTNERSHIP INFORMATION**

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

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

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

(check if applicable)  There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance 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.

Application No.(s): SP 2014-BR-117  
(county-assigned application number(s), to be entered by County Staff)

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**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: March 4, 2014  
(enter date affidavit is notarized)

124863

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 Zoning Appeals, 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 Permit/Variance Attachment to Par. 2" form.

Application No.(s): SP 2014 - BR-117  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: March 4, 2014  
(enter date affidavit is notarized)

124863

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, 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 Permit/Variance Attachment to Par. 3" form.

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

WITNESS the following signature:

(check one)

[ ] Applicant

[x] Applicant's Authorized Agent

Keith C. Martin, Agent

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

Subscribed and sworn to before me this 4th day of March, 2014, in the State/Comm. of Virginia, County/City of Fairfax

My commission expires: 1.31.17

*Teresa F. Rankin*  
Notary Public



9:00 A.M. B.W. MANAGEMENT, SP 99-B-054 Appl. under Sect(s). 5-503 of the Zoning Ordinance to permit a health club. Located at the terminus of Clara Barton Dr. on approx. 1.85 ac. of land zoned I-5. Braddock District. Tax Map 77-3 ((1)) 9A.

Chairman DiGiulian called the applicant to the podium and asked if the affidavit before the Board of Zoning Appeals (BZA) was complete and accurate. Keith Martin, Agent, 2200 Clarendon Boulevard, Arlington, Virginia, replied that it was.

Tracy Swagler, Senior Staff Coordinator, Special Exception and Rezoning Branch, made staff's presentation as contained in the staff report. The applicant requested a special permit to allow the development of a Health Club, which is a Group 5 Special Permit use allowed under Section 5-503 of the Zoning Ordinance. The development required a waiver of the barrier requirement to the northeast and a waiver of the transitional screening and barrier to the west. Proposed development conditions would grant each of these waivers. The proposed development met all of the applicable Special Permit Standards. Staff recommended approval subject to development conditions contained in the staff report.

Mr. Martin, the applicant's agent, presented the request as outlined in the statement of justification submitted with the application. Mr. Martin stated that the Board of Supervisors approved a rezoning on the property next to it.

There were no speakers and Chairman DiGiulian closed the public hearing.

Mr. Pammel moved to approve SP 99-B-054 for the reasons noted in the Resolution.

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**COUNTY OF FAIRFAX, VIRGINIA**

**SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS**

B.W. MANAGEMENT, SP 99-B-054 Appl. under Sect(s). 5-503 of the Zoning Ordinance to permit a health club. Located at the terminus of Clara Barton Dr. on approx. 1.85 ac. of land zoned I-5. Braddock District. Tax Map 77-3 ((1)) 9A. Mr. Pammel moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on November 16, 1999; and

WHEREAS, the Board has made the following findings of fact:

- 1. The applicant is the owner of the land.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in Sect(s). 5-503 of the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

- 1. This approval is granted to the applicant only and is not transferable without further action of this Board, and is for the location indicated on the application, at the terminus of Clara Barton Drive (1.85 acres), and is not transferable to other land.
- 2. This Special Permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Permit Plat prepared by ATCS, P.L.C., dated October 25, 1999, which was submitted with this application, as qualified by these development conditions.

3. A copy of this Special Permit and the Non-Residential Use Permit shall be posted in a conspicuous place on the property of the use, and shall be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This Special Permit is subject to the provisions of Article 17, Site Plans, as may be determined by the director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Permit shall be in substantial conformance with these conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 or Sect. 8-004 of the Zoning Ordinance.
5. The hours of operation shall not be more than: 5:00 AM to 11:00 PM, seven days a week.
6. There will be a maximum of six (6) employees on-site at any one time.
7. Secure parking shall be provided for bicycles, for the use of employees and patrons.
8. All outdoor lighting shall utilize full cut-off fixtures and shall be directed inward and downward. All non-security lights shall be turned off by one hour after the close of business.
9. Trash dumpsters shall be screened with wood or masonry enclosures.
10. Prior to site plan approval, evidence shall be provided to DPWES that the Burke Conservancy has approved the architectural elevations of the proposed building, to include materials, color, and signage.
11. The child care center use associated with the health club shall be used only by members or employees of the club who are on-site at the time.
12. Additional landscaping shall be provided on the northern side of the proposed building in the area reaching from the northeastern corner of the site to a distance of fifty (50) feet to screen the use from the residential uses to the north. These plantings shall be not less than the plantings which would be found in a Transitional Screening 2.
13. Additional landscaping shall be provided on the southern side of the parking lot, facing the Fairfax County Parkway. This landscaping shall consist of at least twice the normal numbers of trees required for peripheral parking lot landscaping, and shall include a mix of over-story deciduous trees, under-story deciduous trees, and ground plantings as approved by the Urban Forester. The landscaping strip shall be increased in width if feasible while still meeting all other Zoning Ordinance requirements. All other parking lot landscaping shall be provided as required by the Ordinance.
14. The barrier requirements to the northeast shall be waived; the transitional screening and barrier requirements to the west shall be waived.

This approval, contingent upon 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 responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval\* unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Zoning Appeals 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 permit. 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.

Mr. Dively seconded the motion which carried by a vote of 6-0. Mr. Kelley was not present for the vote .

\*This decision was officially filed in the office of the Board of Zoning Appeals and became final on December 1, 1999. This date shall be deemed to be the final approval date of this special permit.

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# County of Fairfax, Virginia

## MEMORANDUM

DATE: October 31, 2014

**TO:** Barbara Berlin, Director  
Zoning Evaluation Division, DPZ

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

**SUBJECT:** ENVIRONMENTAL ASSESSMENT for: SP 2014-BR-117  
WB Properties, LLC

This memorandum, prepared by Mary Ann Welton, includes citations from Comprehensive Plan that provide guidance for the evaluation of the subject Special Permit application revised through June 2, 2014. The extent to which this application is in harmony with the Comprehensive Plan is noted. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are in harmony 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, 2013 Edition AREA III Pohick Planning District, as amended through June 3, 2014, P6-Middle Run Community Planning Sector on page 74, the Plan states:

"3. The area between Clara Barton Drive, the Fairfax County Parkway, Fred's Oak Road and the Burke Centre Residential Planned Community to include Parcels 77-3((1))7A, 8, 9 pt. (north of the Fairfax County Parkway), 11, 12 and 13 is planned for light intensity industrial use up to .25 FAR. Industrial development in the subject area should provide for visually attractive and appropriately buffered relationships with adjacent areas planned for residential use. Existing and future uses should not adversely affect the area's environmental resources and efforts should be made to protect and improve water quality in the Pohick Creek watershed. Existing vegetative buffers shall be preserved to minimize visual, light and noise impacts on the residential uses to the north, and east. . . ."

Excellence \* Innovation \* Stewardship  
Integrity \* Teamwork \* Public Service

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



In the Fairfax County Comprehensive Plan, 2013 Edition, Policy Plan, Environment, as amended through July 1, 2014, on pages 7-9, 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 a. Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment complies with the County’s best management practice (BMP) requirements. . . .

Policy c. Minimize the application of fertilizers, pesticides, and herbicides to lawns and landscaped areas through, among other tools, the development, implementation and monitoring of integrated pest, vegetation and nutrient management plans.

Policy d. Preserve the integrity and the scenic and recreational value of EQCs when locating and designing storm water detention and BMP facilities. . . .

Policy 1. In order to augment the EQC system, encourage protection of stream channels and associated vegetated riparian buffer areas along stream channels upstream of Resource Protection Areas (as designated pursuant to the Chesapeake Bay Preservation Ordinance) and Environmental Quality Corridors. To the extent feasible in consideration of overall site design, stormwater management needs and opportunities, and other Comprehensive Plan guidance, establish boundaries of these buffer areas consistent with the guidelines for designation of the stream valley component of the EQC system as set forth in Objective 9 of this section of the *Policy Plan*. Where applicable, pursue commitments to restoration of degraded stream channels and riparian buffer areas. . . . ”

In the Fairfax County Comprehensive Plan, 2013 Edition, Policy Plan, Environment, as amended through July 1, 2014, on page 10, the Plan states:

**“Objective 3: Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.**

Policy a. Ensure that new development and redevelopment complies with the County's Chesapeake Bay Preservation Ordinance....”

In the Fairfax County Comprehensive Plan, 2013 Edition, Policy Plan, Environment, as amended through July 1, 2014, on page 18, the Plan states:

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

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

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

In the Fairfax County Comprehensive Plan, 2013 Edition, Policy Plan, Environment, as amended through July 1, 2014, on pages 19 -21 state:

**“Objective 13: Design and construct buildings and associated landscapes to use energy 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 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. . . .”

## **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. Particular emphasis is given to opportunities provided by this application to conserve the County’s remaining natural amenities.

**Water Quality Protection and Stormwater Best Management Practices:** The 1.85 acre subject property is located within the Pohick Creek watershed at the headwater of an unnamed tributary of Sideburn Branch. The subject property is densely vegetated with predominately deciduous canopy interspersed with a few evergreen trees. This application requests special permit approval for a health club with 129 surface parking spaces (103 spaces are required). The preliminary stormwater management narrative indicates the applicant’s intention to seek a waiver of on-site stormwater management. Note #4 on the plat indicates that applicant’s intention to meet water quality and water quantity control requirements by the use of an offsite pond located north of the subject property. In the event that the waiver of onsite stormwater management is not granted, staff encourages the applicant to meet water quality and quantity control requirements within the boundaries of the subject property through the use of low impact development techniques and other appropriate measures. The applicant has provided no documentation that the property owner who owns the adjacent pond has not granted WB Properties, LLC, the ability to use their pond nor has the applicant provided any documentation that a waiver of onsite stormwater management has been submitted to the Department of Public Works and Environmental Services (DPWES).

Specific Comprehensive Plan text states that “Existing and future uses should not adversely affect the area’s environmental resources and efforts should be made to protect and improve water quality in the Pohick Creek watershed.” In order to demonstrate harmony with the Plan text cited above, the applicant is encouraged to find opportunities to reduce the excessive amount of impervious surface which is proposed. This application proposes 25% more surface parking spaces than what is required under the Zoning Ordinance. By reducing the total number of parking spaces, land area could be made available for either preservation of existing vegetation or for the installation of best management practice facilities.

The adequacy of stormwater management/best management practice (SWM/BMP) facilities and outfall will be subject to review and approval by the Department of Public Works and Environmental Services (DPWES).

On May 24, 2011, the Virginia Soil and Water Conservation Board adopted Final Stormwater Regulations, which became effective September 13, 2011. The regulations require all local governments in Virginia to adopt and enforce new stormwater management requirements; these new requirements must be effective on July 1, 2014. In support of this legislation, the Fairfax County Board of Supervisors adopted the Stormwater Management Ordinance as an amendment

to the Code of Fairfax County on January 28, 2014. The applicant has not provided any information about how this application will address the requirements of the Stormwater Management Ordinance.

[http://www.fairfaxcounty.gov/dpwes/stormwaterordinance/chapter\\_124.pdf](http://www.fairfaxcounty.gov/dpwes/stormwaterordinance/chapter_124.pdf)

**Tree Preservation/Restoration:** The tabulation notes indicate that 25% of the 1.85 acre property will be maintained as open space; however, the limits of clearing and grading appear to encompass almost the entire site. The special permit plan depicts a very land consumptive use of the property. Given the fact that the site is currently densely vegetated, the applicant is encouraged to work with the Urban Forestry Management Division (UFMD) of DPWES to identify opportunities for tree preservation, wherever possible on the subject site, and to identify those additional areas on the plat.

**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. This subject property is not located in an area of expectation in the Comprehensive Plan for attainment of green building certification ; however, the applicant is encouraged to incorporate green building measures. The applicant has provided a list of "Green Energy Items." Staff encourages the applicant to provide more specificity regarding these energy conservation goals, as well as a clear commitment as to how and when the achievement of these goals will be demonstrated.

PGN: MAW



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** September 23, 2014

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

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

**FILE:** 3-6 (SP 2014-BR-117)

**SUBJECT:** Transportation Impact

**REFERENCE:** SP 2014-BR-117; WB Properties LLC  
Land Identification: 77-3 ((1)) 9A

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on the plat made available to this office dated May 19, 2014, and revised through June 2, 2014. The application is to permit a 20,161 square foot health club with a membership of 1,500 and a maximum of 300 on site at any one time. Proposed employees are ten with three on site at a time. The proposed hours of operation are 5 a.m. to 11 p.m. seven days a week.

- The "possible entrance ramp (enter only, exit via Clara Barton Drive) subject to VDOT and Fairfax County approval, and applicant acceptance." is not acceptable and should be removed from the special permit plat.

MAD/LAH/lah

Fairfax County Department of Transportation  
4050 Legato Road, Suite 400  
Fairfax, VA 22033-2895  
Phone: (703) 877-5600 TTY: 711  
Fax: (703) 877 5723  
[www.fairfaxcounty.gov/fcdot](http://www.fairfaxcounty.gov/fcdot)



**COMMONWEALTH of VIRGINIA****DEPARTMENT OF TRANSPORTATION**4975 Alliance Drive  
Fairfax, VA 22030

July 18, 2014

CHARLES A. KILPATRICK, P.E.  
COMMISSIONER

**To:** Ms. Barbara Berlin  
Director, Zoning Evaluation Division

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

**Subject:** SP 2014-BR-117 WB Properties LLC  
Tax Map # 77-3((01))0009A

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

I have reviewed the above plan submitted on June 13, 2014, and received July 16, 2014. The following comments are offered:

1. The entrance throat should be lengthened or aligned differently to provide a better flow into and out of the site.
2. The outfall adjacent to the Fairfax County Parkway ramp may require additional stabilization.
3. No entrance or access will be permitted across the Limited Access line of the Fairfax County Parkway interchange. This item should be removed from the plans.

If you have any questions, please call me.

cc: Ms. Angela Rodeheaver  
fairfaxrezoning2014-BR-117sp1WBPropertiesLLC7-18-14BB



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** November 25, 2014

**TO:** Laura Arseneau, Staff Coordinator  
Department of Planning and Zoning

**FROM:** Samantha Wangsgard, Urban Forester II  
Forest Conservation Branch, DPWES

**SUBJECT:** Olympus Gym; SP 2014-BR-117

The following comments are based on a review of the resubmission of SP 2013-BR-117 date stamped as received by the Department of Planning and Zoning on November 12, 2014.

**Comment:** The planting space in the parking lot islands does not meet the minimum planting area requirements as specified in Table 12.17 of the Public Facilities Manual. The trees planted in these islands are also within 4 feet of the curbs. Trees planted in areas that do not have adequate planting areas or are within 4 feet of curbs are not eligible to receive canopy credit or to be used towards interior or peripheral parking lot requirements.

**Recommendation:** The parking lot islands should be enlarged to provide adequate planting space and distance from restrictive barriers such as curbs. If the planting spaces cannot be enlarged, the applicant should provide a detail which illustrates the overall size, depth, soil composition, irrigation techniques and drainage of the planting space that demonstrates how the maximum possible planting area will be achieved through alternative measures.

**Comment:** It is unclear which trees are being proposed for use in meeting interior parking lot landscaping requirements.

**Recommendation:** Trees proposed for interior parking lot landscaping should be clearly identified in the planting schedule and on the Development Plan/Special Permit and Variance Plat

**Comment:** It is unclear which trees are being proposed for use in meeting peripheral parking lot landscaping requirements.

**Recommendation:** Trees proposed for peripheral parking lot landscaping should be clearly identified in the planting schedule and on the Development Plan/Special Permit and Variance Plat

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](http://www.fairfaxcounty.gov/dpwes)



**Comment:** The Tree Cover Calculations appear to be based on the zoning, I-5. They should be based on the use.

**Recommendation:** The Tree Cover Calculations should be revised to be based on the proposed use, which is understood by the UFMD to be a Commercial/Recreation Use and not the underlying zoning.

**Comment:** Tree Preservation Target Calculations, which are used to determine the Tree Cover Calculations, have not been included, and it is unclear if the Tree Preservation Target will be met.

**Recommendation:** Tree Preservation Target Calculations in conformance with Table 12.3 of the Public Facilities Manual should be provided.

**Comment:** None of the canopy square feet attributed to the evergreen trees in the Planting Schedule are correct.

**Recommendation:** The plant schedule should be revised to use the canopy attributed to the smallest height in the size range given for the evergreens as shown in Table 12.17 of the Public Facilities Manual.

**Comment:** The Plant schedule includes a reference to Leyland cypress and Canadian hemlock, both species are not recommended for planting due to susceptibility to disease.

**Recommendation:** The plant schedule should be revised to remove Leyland cypress and Canadian hemlock. Should the applicant continue to propose the use of these trees, the Plant Schedule should be revised to provide a reduced canopy credit for these trees, as defined in Table 12.9 and 12.17 in the Public Facilities Manual.

**Comment:** The Tree Cover Calculations are unclear as they do not include all information as shown in Table 12.10 of the Public Facilities Manual for the 10-Year Tree Canopy Calculations, are unclear as the Tree Preservation Target Calculations have not been provided and include incorrect square feet of canopy for proposed plantings.

**Recommendation:** The Tree Cover Calculations should be revised to include all information as specified in the Public Facilities Manual for Table 12.3 and 12.10 and to use the correct square feet of canopy for proposed plantings.

SW/

UFMDID #: 193545  
cc: DPZ File

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Department of Public Works and Environmental Services  
Land Development Services, Environmental and Site Review Division  
12055 Government Center Parkway, Suite 535  
Fairfax, Virginia 22035-5503  
Phone 703-324-1720, TTY: 703-324-1877, Fax: 703-324-8359  
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# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** October 31, 2014

**TO:** Laura Gumkowski, 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.: SP 2014-BR-117  
WB Properties, LLC (Olympus Gyms)  
Special Permit & Variance Plat (REVISED dated June 2, 2014)  
LDS Project No.: 000087-ZONA-001-1  
Tax Map No.: 077-3-01-0009A  
Braddock District

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

The applicant has provided evidence of VPDES coverage under the 2014 Construction General Permit for Virginia, in the form of a copy of the DEQ-issued coverage letter (General Permit No. VAR10E794 coverage letter) for the site. Therefore, 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 project with respect to stormwater management design requirements.

Chesapeake Bay Preservation Ordinance (CBPO)

There is Resource Protection Area (RPA) on this site. A site-specific RPA boundary delineation study will need to be submitted and approved prior to site plan submittal (PFM 6-1701.3). Land disturbance in, or other encroachment into an RPA is not permitted without a separately approved Waiver for a specific activity. Also, once the site-specific RPA boundary is approved, proposed facilities and the limits of land disturbance will need to be adjusted again if the final RPA expands beyond the currently depicted RPA.

Note that a portion of the proposed stormwater management system (the existing offsite pond, including the impounding dam) is located within the RPA, as well. The RPA requirements identified above are also applicable to any offsite area included within the project limits. The dam is an existing feature within the RPA, and as such, is permitted to be maintained to ensure

Department of Public Works and Environmental Services  
Land Development Services, Site Development and Inspections Division  
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original design functionality. It is not likely, though, that an RPA waiver will be approved for increasing the height of the existing dam, for any change in the dam cross-section that would extend or otherwise disturb the existing downstream toe-of-slope, or for any other work (other than maintenance) on, along or downstream from the downstream side of the dam (such as existing outfall culvert upgrades/improvements). However, proposed work on the non-embankment sideslopes of the pond could be considered for RPA waiver, but the owner of the pond will need to request this waiver.

Water quality controls are required for this proposed project (PFM 6-0401). The applicant proposes to rehabilitate and enlarge an existing offsite dry pond to meet the water quality requirements for both the proposed development and the existing site containing the pond (Storage USA), per the SWM narrative on Sheet 2. (Note: no site improvements, modifications, upgrades, etc. can be considered for the Storage USA site with respect to redesigning the existing pond storage and discharge capacities. Only the original design can be included for the Storage USA site.) No details or preliminary calculations have been provided to support the applicant's proposal. However, General Note 4 on Sheet 1 also identifies that additional onsite facilities will be provided as needed to comply with County regulations. Note that onsite BMP facilities will be required if the proposed project's stormwater is not to be directly treated in the offsite pond. 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). The applicant proposes to rehabilitate and enlarge an existing offsite dry pond to meet the water quantity requirements for both the proposed development and the existing site containing the pond (Storage USA), per the SWM narrative on Sheet 2. (Note: no site improvements, modifications, upgrades, etc. can be considered for the Storage USA site with respect to redesigning the existing pond storage and discharge capacities. Only the original design can be included for the Storage USA site.) No details or preliminary calculations have been provided to support the applicant's proposal. However, General Note 4 on Sheet 1 also identifies that additional onsite facilities will be provided as needed to comply with County regulations. Note that, at a minimum, the required detention volume for the proposed development, whether provided offsite and/or onsite, shall equal the detention volume that would be required for a conventional onsite pond. Calculation and design details will be reviewed at the final design/site plan stage.

Laura Gumkowski, Staff Coordinator  
Zoning Application No.: SP 2014-BR-117 (REVISED)  
October 31, 2014  
Page 3 of 3

The integrity of the existing dam facility will need to be assessed for the larger proposed storage capacity, and it will need to be demonstrated that this facility adheres to the requirements of PFM 6-1600 (including the dam breach analysis requirement) 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 has at least two existing outfall locations where stormwater appears to leave the site and enter an existing storm sewer system. The outfall analysis details will be reviewed at the final design/site plan stage. All site outfalls must be evaluated.

#### Stormwater Planning Comments

This project site is situated in the Pohick Creek Watershed and the Sideburn Branch Watershed Management Area. The site is located about 2000' and 2500' upstream from proposed projects PC9816 (buffer restoration) and PC9236 (stream restoration), respectively. The proposed development project should have minimal impact on the proposed watershed projects. Please contact the County's Stormwater Planning Division (703-324-5500) for more information if desired.

#### Dam Breach

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

#### Miscellaneous

A PFM waiver to allow the use of offsite detention must be submitted and approved prior to site plan submittal. The reservation of specific offsite pond capacity for the proposed project must be tied to the land via plat and/or deed revisions/restrictions for all involved properties.

Private Maintenance Agreements for all proposed stormwater management facilities will be required, and must be tied to the land via plat and/or deed revisions/restrictions for all properties involved with a particular facility.

Please contact me at 703-324-1720 or ([William.Veon@fairfaxcounty.gov](mailto: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



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** July 28, 2014

**TO:** Laura Gumkowski

**FROM:** LeAnne Astin

**SUBJECT:** Olympic Gyms – Burke Health Club special permit and variance application

RECEIVED  
Department of Planning & Zoning  
NOV 21 2014  
Zoning Evaluation Division

Below are SWPD's comments on the Olympic Gyms – Burke Health Club special permit and variance application (PAWS number 87-ZONA-001-1):

1. The proposed project (Olympic Gyms – Burke Health Club) is located in the upper headwaters of a tributary to Sideburn Branch, the second-largest drainage in the Pohick Creek watershed. According to the Pohick Creek Watershed Management Plan, "[t]he heavily developed headwaters of the Pohick Creek watershed (Rabbit Branch, Sideburn Branch and Upper Pohick WMAs) show the poorest watershed quality in general...in the Sideburn Branch subwatershed, the most prevalent stream condition features noted include disturbed stream buffers and stream channel erosion and/or widening." In 2006, SWPD staff conducted biological monitoring on this tributary at a location directly downstream of this site; benthic community health was found to be in Poor condition.
2. Under the current site design, it appears that almost the entire (currently wooded) parcel will be covered by impervious surfaces (parking lot or rooftop). However, the Special Permit and Variance Plat site plan provided by the applicant does not include impervious area calculations or pollutant removal calculations (esp. phosphorus removal) to support determination of adequate outfall. Will this lack be addressed in the request for onsite detention waiver mentioned in the preliminary stormwater management narrative?
3. On Page 2 of the plat, the preliminary stormwater management narrative states that the applicant intends to improve an existing dry pond on adjacent lot by enlarging the storage volume and retrofitting a concrete outfall structure. SWPD questions the applicant's assertion that that offsite pond retrofit will provide compensatory stormwater detention and water quality control for the project site plus the adjacent lot. Volume and pollutant reduction must match pre-development conditions for this currently forested parcel. The capacity and current drainage area of the offsite pond and the expected increase in storage volume will need to be verified. Additionally, dry ponds are mainly used to manage water quantity; their effectiveness in protecting water quality is limited. The primary substances of concern in parking lot and roof runoff include heavy metals, polycyclic aromatic hydrocarbons (PAHs), microbes/pathogens and pesticides, as well as thermal impacts.

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Stormwater Planning Division  
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4. Based on the site location above a headwater stream and within an MS4 service area, stormwater management beyond the minimum requirements is warranted. The applicant should be required to provide more complete information on stormwater management, and encouraged to employ onsite BMPs (e.g. pervious asphalt w/underdrain in the parking lot, rooftop and/or underground detention, gravel gallery for thermal offsets) instead of relying solely on the existing detention basin. SWPD also recommends that the site plan be reconfigured to avoid impacts to the Resource Protection Area in the northeastern corner of the parcel.

Please ensure that LDS/SDID is included in the review process, as they make the final decision regarding stormwater detention waivers.

Please let me know if you have any questions.

Sincerely,



LeAnne E. Astin  
Ecologist II, Watershed Planning and Assessment Branch  
DPWES/SWPD

Cc: Fred Rose  
Branch Chief, Watershed Planning and Assessment Branch  
DPWES/SWPD



**ZONING ORDINANCE PROVISIONS****8-006 General Standards**

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit 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 group or use, the BZA 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 BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

**8-503 Standards for all Group 5 Uses**

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

1. All uses shall comply with the lot size and bulk regulations of the zoning district in which located, except as may be qualified below.
2. All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan as may be required by Part 9 of Article 14.
3. No building designed primarily and specifically for such use shall be located within 100 feet of any adjoining property which is in an R district.
4. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.