



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

---

December 10, 2014

## STAFF REPORT ADDENDUM

### 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:** 0.24

**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*

---

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.**

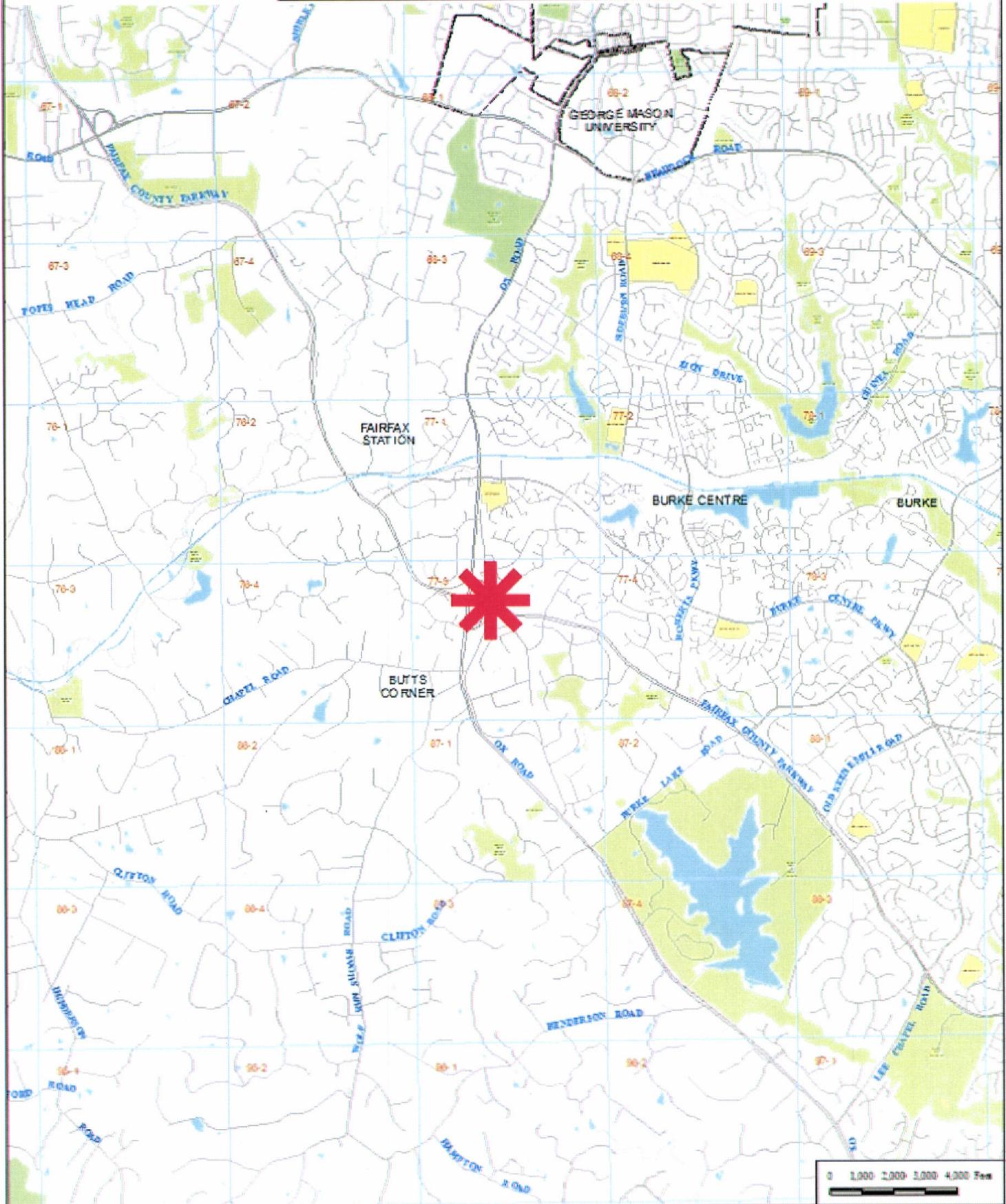


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

# Special Permit

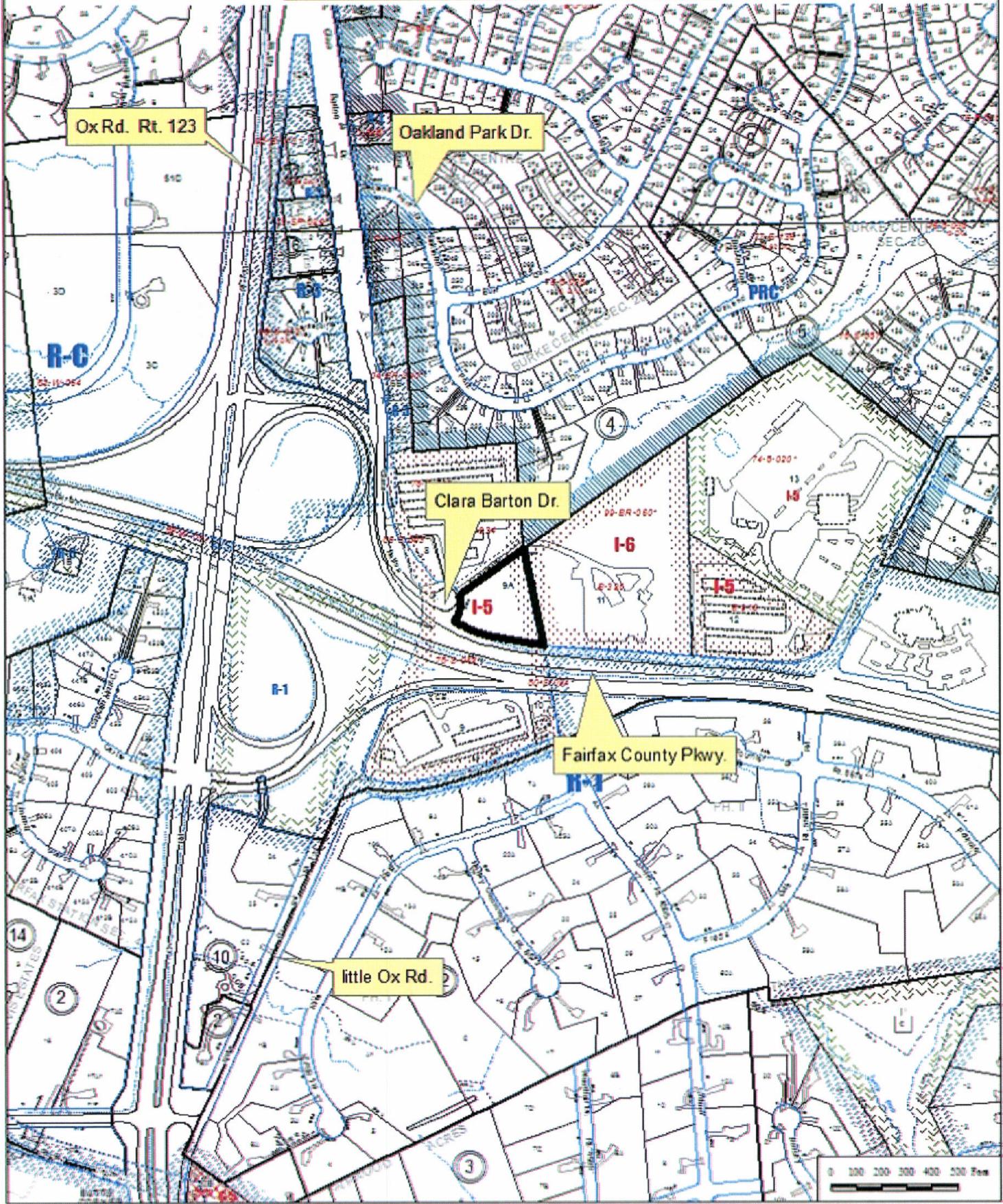
SP 2014-BR-117

WB PROPERTIES LLC



# Special Permit

SP 2014-BR-117  
WB PROPERTIES LLC



**REASONS FOR ADDENDUM**

The applicant, WB Properties LLC, filed an application (SP 2014-BR-117) on 10906 Clara Barton Drive (Tax Map 77-3 ((1) 9 A) to permit a health club. A map of the subject property is located in the front of the staff report addendum.

The Staff Report, recommending denial of the application, was published on December 3, 2014 and concluded that the proposal was not compatible with the proposed site. Staff believed that the request for the construction of a health club was not in harmony with the Comprehensive Plan. The proposal did not adequately conserve tree cover and did not minimize the amount of impervious cover to achieve the goals of the specific plan text for this area.

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

On December 4, 2014, the applicant submitted a revised development plan addressing the 100 foot setback and added an additional tree cover in the northern corner of the property.

SP development plan revisions include:

- New Date of December 4, 2014;
- An increased setback of the proposed health club building from the northern property line from 85 to 100 feet;
- A reduction of the size of the health club building from 20,357 square feet to 18, 975 square feet.
- Floor Area Ratio (FAR) reduced from 0.25 to 0.24
- Additional preservation of trees and reduction in limits of clearing and grading on the northern property line.

Development condition revisions include:

- New date of December 10, 2014
- Modification of development condition 2 to reflect the new date of the special permit plat

- Deletion of development condition 12, in relation to the applicant providing 100 foot setback to the health club building
- Modification of development condition 14 to remove the transitional screening requirement as it is now met with the existing vegetation proposed to be preserved in the 100 foot setback.

## **CONCLUSIONS**

In staff's evaluation of these revisions received on December 4, 2014, the proposal still does not meet the intent of 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 now believes that the special permit application is in conformance with all applicable Zoning Ordinance provisions.

## **RECOMMENDATIONS**

Staff continues to recommend denial of SP 2014-BR-117. If the Board of Zoning Appeals chooses to approve the application, staff has provided 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. Revised SP Plat
2. Revised Development Conditions dated December 10, 2014







**REVISED PROPOSED DEVELOPMENT CONDITIONS****December 3-10, 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~~, December 4, 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

SP 2014-BR-117

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. The barrier requirement shall be waived along the western lot line.
- ~~13. 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.~~
14. The applicant shall provide a transitional screening ~~Type 2 and Barrier type D, E and F~~ along the north east property line 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.

**Conde Associates PC**  
**ARCHITECTS**

1000 Peachtree Street, N.E.  
Atlanta, Georgia 30309

**OLYMPUS GYM**  
BUREAU VIRGINIA

**OLYMPUS GYM**  
BUREAU VIRGINIA

**PHYSICAL ENGINEER**  
ALLEN & SHARPE CORPORATION  
1000 Peachtree Street, N.E.  
Atlanta, Georgia 30309

**MECHANICAL ENGINEER**  
ALLEN & SHARPE CORPORATION  
1000 Peachtree Street, N.E.  
Atlanta, Georgia 30309

**ELECTRICAL ENGINEER**  
ALLEN & SHARPE CORPORATION  
1000 Peachtree Street, N.E.  
Atlanta, Georgia 30309

**PLUMBING ENGINEER**  
ALLEN & SHARPE CORPORATION  
1000 Peachtree Street, N.E.  
Atlanta, Georgia 30309

- KEYED NOTES**
- 01-01 SITE PREPARATION
  - 01-02 EXCAVATION
  - 01-03 FILL
  - 01-04 CONCRETE
  - 01-05 MASONRY
  - 01-06 METALS
  - 01-07 WOOD & PLASTICS
  - 01-08 THERMAL & MOISTURE
  - 01-09 DOORS & WINDOWS
  - 01-10 FINISHES
  - 01-11 SPECIAL CONSTRUCTION
  - 01-12 COMMUNICATIONS SYSTEMS
  - 01-13 MECHANICAL
  - 01-14 ELECTRICAL

