



APPLICATION ACCEPTED: September 19, 2014

DATE OF PUBLIC HEARING: January 7, 2015

TIME: 9:00 a.m.

County of Fairfax, Virginia

December 31, 2014

STAFF REPORT

SPECIAL PERMIT SP 2014-BR-213

BRADDOCK DISTRICT

APPLICANT/OWNER: Cave Entertainment, LLC

ZONING: C-6

LOCATION: 10621-B and 10621-C Braddock Road,
Fairfax, VA 22032

ZONING ORDINANCE PROVISION: 4-603, 8-501

TAX MAP: 68-1 ((1)) 9 pt., 9A

LOT SIZE: 3,160 square feet of 18.6 acres

PLAN MAP: Commercial/Retail

SP PROPOSAL: Group 5 – To permit commercial recreation
use.

STAFF RECOMMENDATION:

Staff recommends approval of SP 2014-BR-213 subject to the proposed development conditions contained in Appendix 1.

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.

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

Erin M. Haley

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

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 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.**

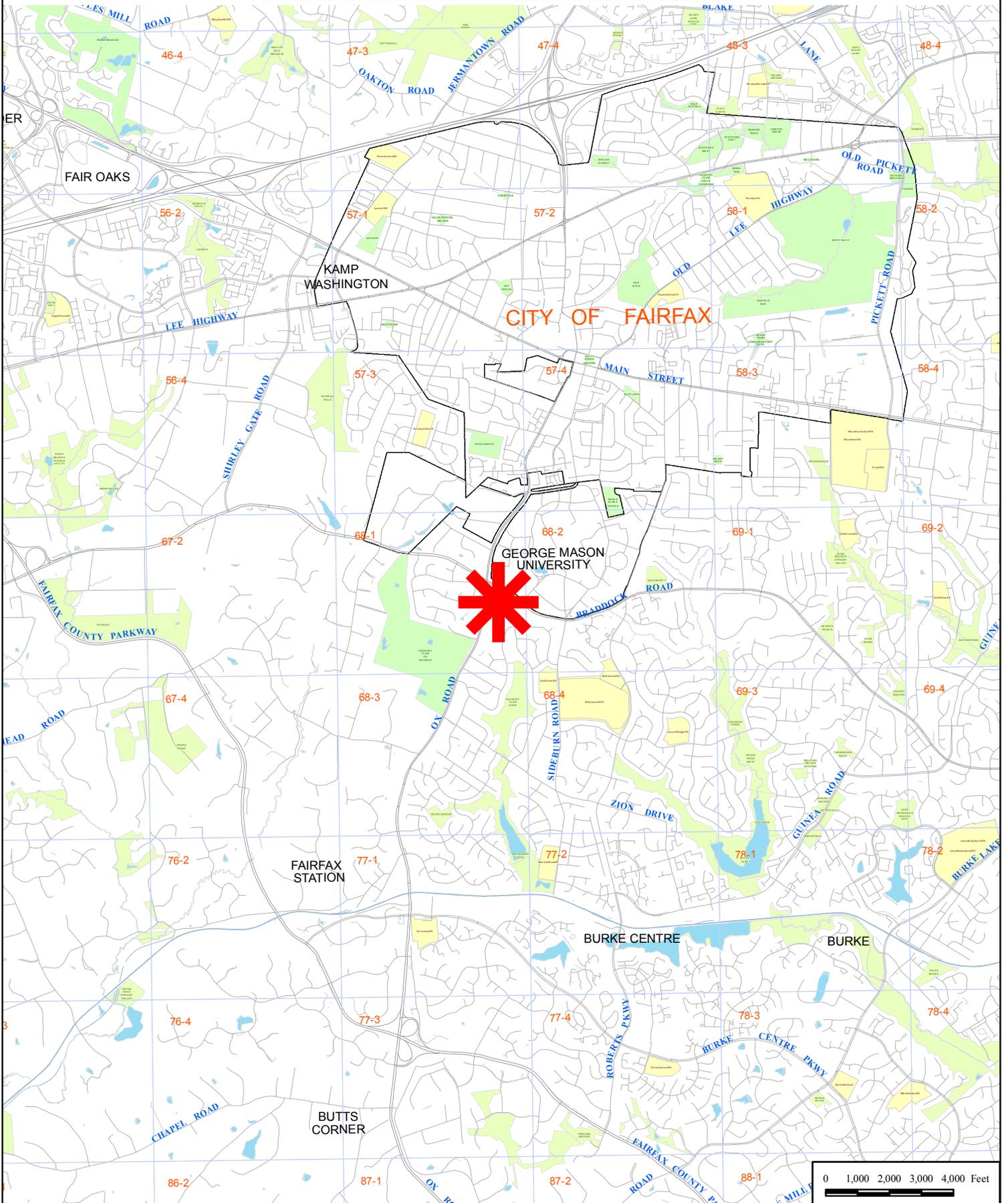


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit

SP 2014-BR-213

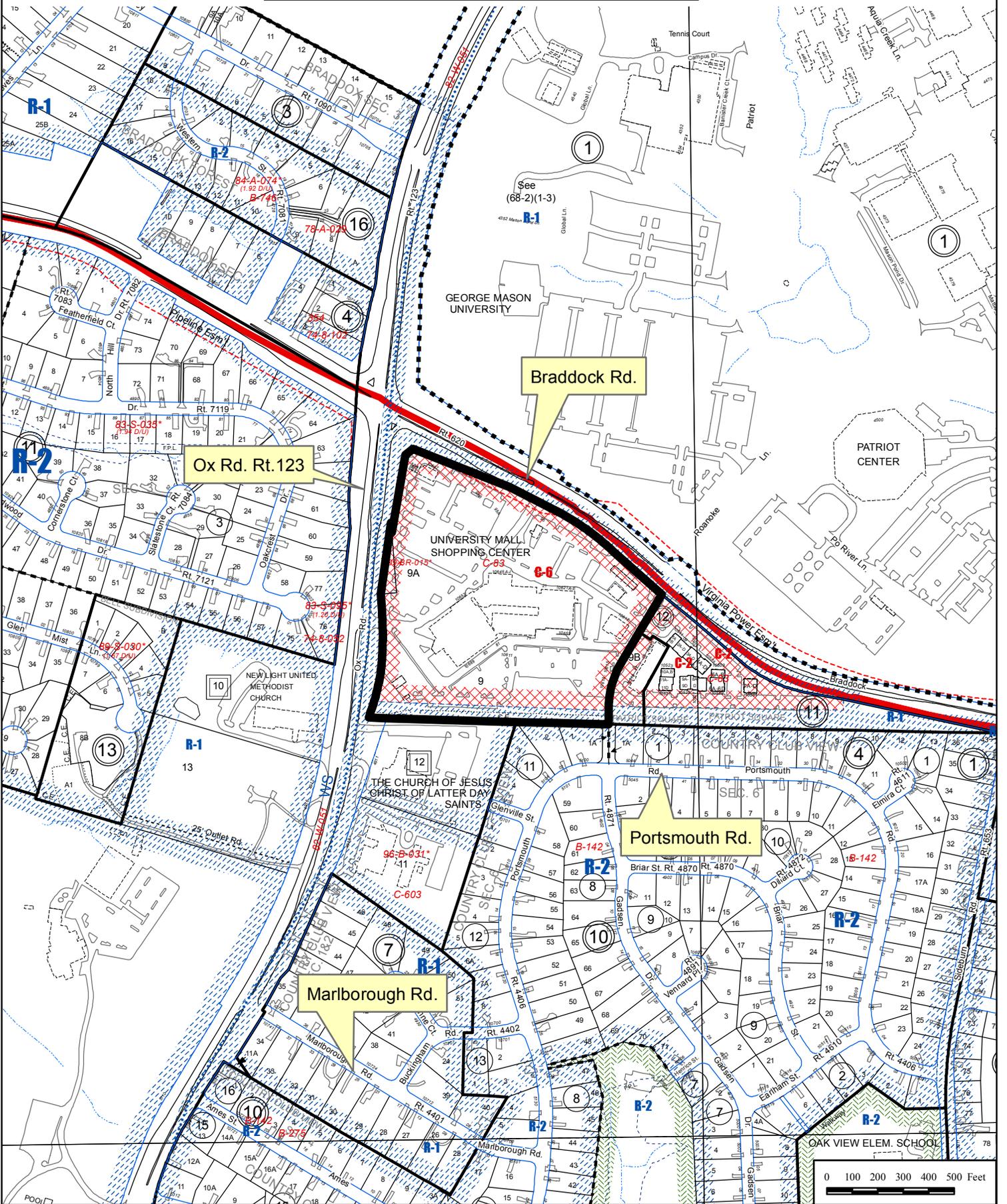
CAVE ENTERTAINMENT LLC



Special Permit

SP 2014-BR-213

CAVE ENTERTAINMENT LLC

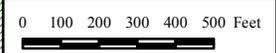


Braddock Rd.

Ox Rd. Rt. 123

Portsmouth Rd.

Marlborough Rd.



Surrounding properties consist of the following land uses and zoning:

Direction	Use	Zoning
North	George Mason University	R-1
East	Office	C-2
South	Single Family Residential Church	R-2C R-1
West	Single Family Residential Church	R-2 R-1

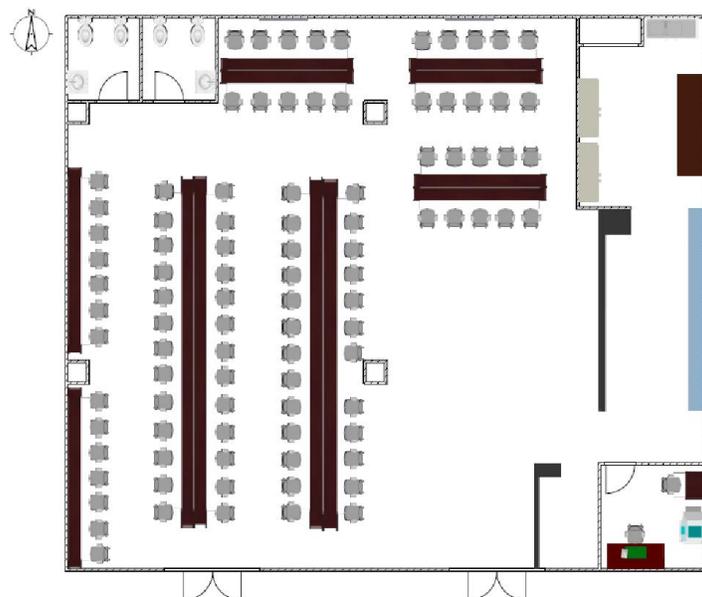
BACKGROUND

According to Fairfax County Tax Records the shopping center was constructed in 1977. It is currently undergoing remodeling. Since the adoption of the zoning ordinance, no similar commercial recreation use applications have been heard by the Board of Zoning Appeals in this area.

PROPOSED USE

The applicant proposes to establish a new 3,160 square foot tenant space for a personal computing gaming center within a building currently under construction in an existing shopping center. Other uses in the shopping center include a movie theatre, grocery store, eating establishments, office, and retail. The proposed commercial recreation use would include high performance computers for patrons to utilize for video games or other computer needs as well as an accessory food and beverage service. The food menu would be limited to re-heated food items, pre-packaged items, sandwiches prepared on-site, and beverages.

Proposed floor plan:



ANALYSIS

Comprehensive Plan Provisions

Plan Area: Pohick Area; Area III
Planning Sector: Main Branch (P2)
Plan Map: Community Serving Retail up to 0.5 FAR

Zoning Ordinance Requirements

The application must meet all of the following standards, copies of which are attached as Appendix 4:

- *Sect. 8-006* General Special Permit Standards
- *Sect. 8-503* Standards for All Group 5 Uses

Special Permit Requirements (See Appendix 4)

General Special Permit Standards (Sect. 8-006)

General Standards 1 and 2 require that the proposed use at the specified location be in harmony with the adopted Comprehensive Plan and with the general purpose and intent of the applicable zoning district regulations.

The Comprehensive Plan recommends community serving retail uses for the subject site. The shopping center is being remodeled and additional building area added as part of the remodel. The proposed hours of operation and number of patrons are generally in character with existing uses in the University Mall. Staff believes that the proposed use and intensity are in harmony with the Comprehensive Plan.

General Standard 3 requires 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 applicant is proposing a commercial recreation use in an interior tenant space of an existing commercial/retail building and does not propose any new construction. The personal computing center will be located adjacent to George Mason University and the applicant anticipates that college students will make up a large percentage of their patrons. The proposed hours of operation of 24 hours per day, seven days per week would match the existing grocery store also located in the University Mall complex. Other uses on site such as some eating establishments and the movie theatre also have late hours of operation. Staff believes that Standard 3 has been met.

General Standard 4 requires 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.

In staff's opinion, the additional trips made by patrons for the proposed use will have a minimal impact on traffic conditions for the existing shopping center.

General Standards 5, 6, 7 and 8 require landscaping, screening, open space, adequate utility, drainage, parking, loading, and signage to be regulated in accordance with the Zoning Ordinance; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

The 13 required parking spaces for the proposed use are accommodated within the existing shopping center parking lot, which has an excess number of spaces for the uses on site. There are no proposed changes to the existing landscaping, open space, draining, and loading area. Any signage would be required to conform to the shopping center's comprehensive sign plan. Staff believes that these Standards have been met.

Standards for All Group 5 Uses (Sect. 8-503)

The Group 5 Standards require that the proposed use comply with the lot size and bulk regulations for the C-6 District, comply with the performance standards and satisfy site plan review.

The site met these requirements at the time of site plan approval, and no site modifications are proposed.

CONCLUSION

Staff believes that the request is in conformance with the applicable Zoning Ordinance provisions with the implementation of the proposed development conditions contained in Appendix 1.

RECOMMENDATION

Staff recommends approval of SP 2013-BR-213 subject to the proposed development conditions contained in Appendix 1. 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.

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 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 with proposed floor plans
3. Applicant's Affidavit
4. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2014-BR-213****December 31, 2014**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-BR-213 located on property described as Tax Map 68-1 ((1)) 9 pt. and 9A to permit a commercial recreation use pursuant to Section 8-501 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 only, Cave Entertainment, LLC, and is not transferable without further action of this Board, and is for the location indicated on the application, and is not transferable to other land.
2. This Special Permit is granted only for the purpose(s), structures and/or use(s) indicated on the special permit amendment plat sheets 4 and 7 prepared by Bohler Engineering, dated May 19, 2014 and December 30, 2013, and approved with this application, as qualified by these development conditions. This approval shall only serve to limit the use of the 3,160 square foot tenant space to be occupied by the approved personal computing gaming center located at 10621-B and 10621-C Braddock Road.
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. The maximum number of patrons within the use shall not exceed 80 at any one time.
5. The applicant shall not allow consumption of alcohol on their premises at any time.

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 months (30) months after the date of approval unless a new Non-Residential Use Permit (Non-RUP) has been obtained. The Board of Zoning

Appeals may grant additional time to obtain a Non-RUP 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.

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

November 4, 2014

Ms. Deborah Pemberton
Special Projects/Application Management Branch
Department of Planning and Zoning
12055 Govt. Cntr. Pkwy., Suite 801
Fairfax, VA 22035

Re: Special Permit for Commercial Recreation Use at
University Mall; Tax Map 68-1((1)) 9 Pt, 9A

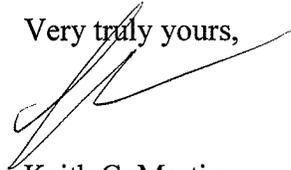
Dear Ms. Pemberton:

The following is an Amended Statement of Justification for the above-referenced Special Permit Application by Cave Entertainment LLC ("Cave"). The Cave is a Personal Computer (PC) gaming center that provides customers who play video games ("gamers") the ability to utilize high performance PCs at incredibly fast internet speeds to play their favorite video games. The Cave will also offer food and beverage service. The existing mall space is 3,160 square feet in the 2nd floor "mini-mall" area. The floor plan is designed so that groups of 5 friends can play together side by side in groups of kiosks.

- A. Type of Operation: Commercial Recreation Use, Indoor
- B. Hours of Operation: 24 hours
- C. Estimated Number of Patrons: Maximum Occupancy Load 80 people
- D. Proposed Number of Employees: 10 a.m.-6 p.m. (1 employee); 6 p.m.-2 a.m. (2 employees); 2 a.m.-10 a.m. (1 employee)
- E. Estimate of Traffic Impact: There will be no increased traffic over the Mall's previously reviewed traffic study.
- F. Vicinity to be served by use: 5 mile radius with emphasis on George Mason University
- G. Description of Building Façade: Existing in-line 2nd floor space in University Mall
- H. There are no hazardous substances associated with the use.
- I. The propose use conforms to all applicable ordinances. There are no waivers requested.

It is hereby requested that the Article 8 submissions requirement for a Special Permit Plat be modified to substitute 2 sheets from the previously approved PLA/SEA Plat prepared by Bohler Engineering. The parking tabulation chart has been updated to show the parking spaces required for the use. The use specs is outlined on the Plat.

Very truly yours,

A handwritten signature in black ink, appearing to be 'K. Martin', written over the typed name.

Keith C. Martin

Cc: Richard Staats

MEMORANDUM

TO: Erin Haley
FROM: Keith Martin
RE: Cave Entertainment Food Service
DATE: November 4, 2014

A limited menu of food for purchase (see attached) will be available to patrons. The kitchen will consist of a food preparation area, sink, refrigerator and microwave. Cold sandwiches will be prepared on-site with perishable food items kept refrigerated. The hot food items will be heated in the microwave. The soups will be made by adding water prior to microwaving.



Food and Beverage Menu

Light Snacks

Skittles
Snickers
Twix
Starbursts
Reeces Peanut Butter Cups
M&Ms
Assorted Chips (Cheetos, Doritos,
Frito Lays, Utz Chips, Dirty Chips)
Popcorn

Quick Bites

Burritos
Mini Tacos
Taqitos
Chicken Bake
Pastrami and Cheese Sandwiches
Bagel Bites
Jimmy Dean Breakfast Sandwiches
Angus Burger
Shin Cup Soup

Fresh Sandwiches

Turkey and Havarti
*Oven roasted sliced turkey breast, havarti
cheese, lettuce and tomato on a fresh
Italian sub*

Roast Beef and Brie
*Slowly roasted sliced beef, soft brie, mixed
greens on marbled rye*

Caprese
*Fresh mozzarella, vine ripened beefsteak
tomato slices, fresh basil and drizzled with
a balsamic vinaigrette on a French
baguette*

Fresh Salad

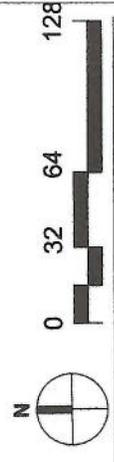
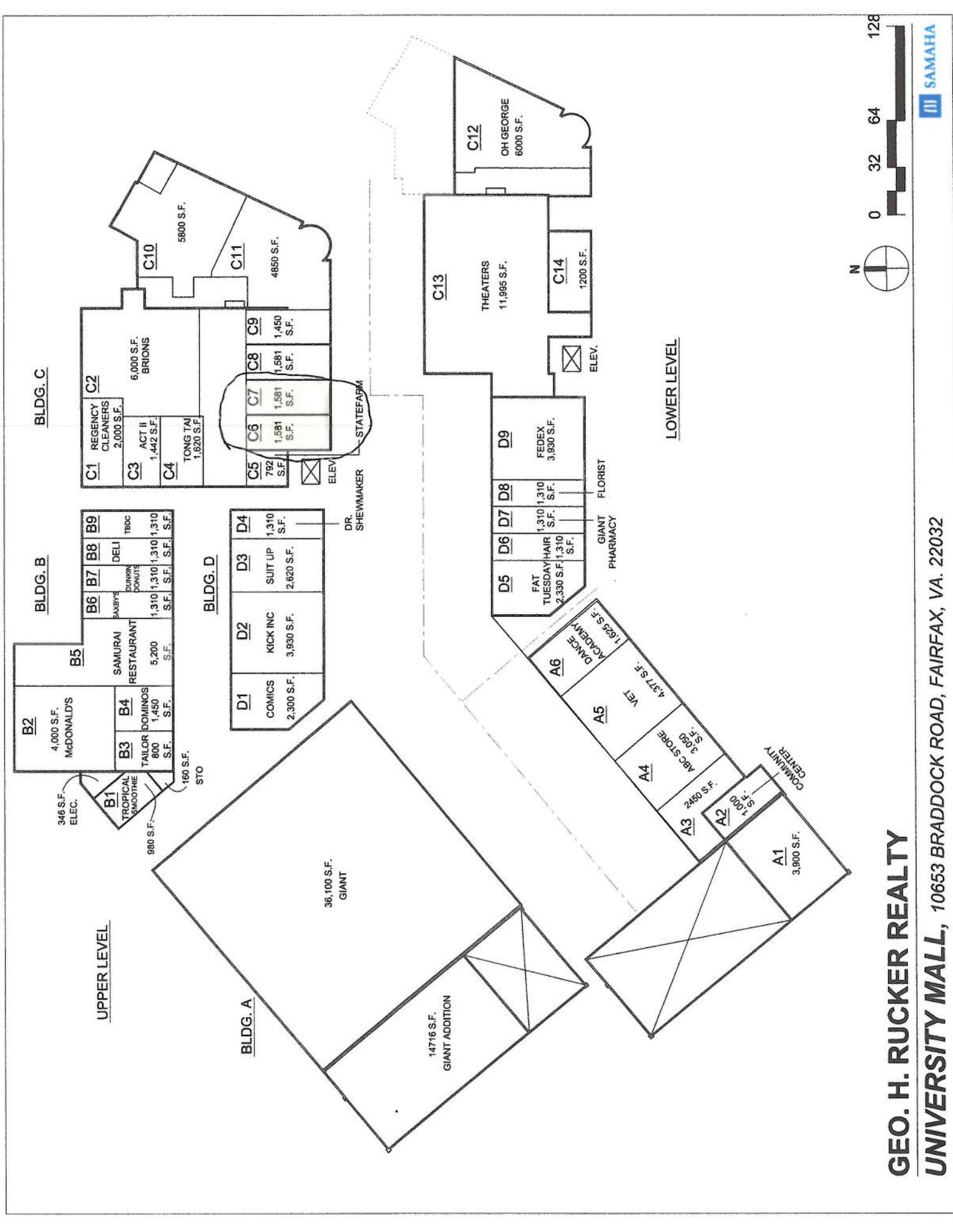
Caesar Salad
*Fresh romaine lettuce, garlic parmesan
dressing, and Italian herbs croutons*

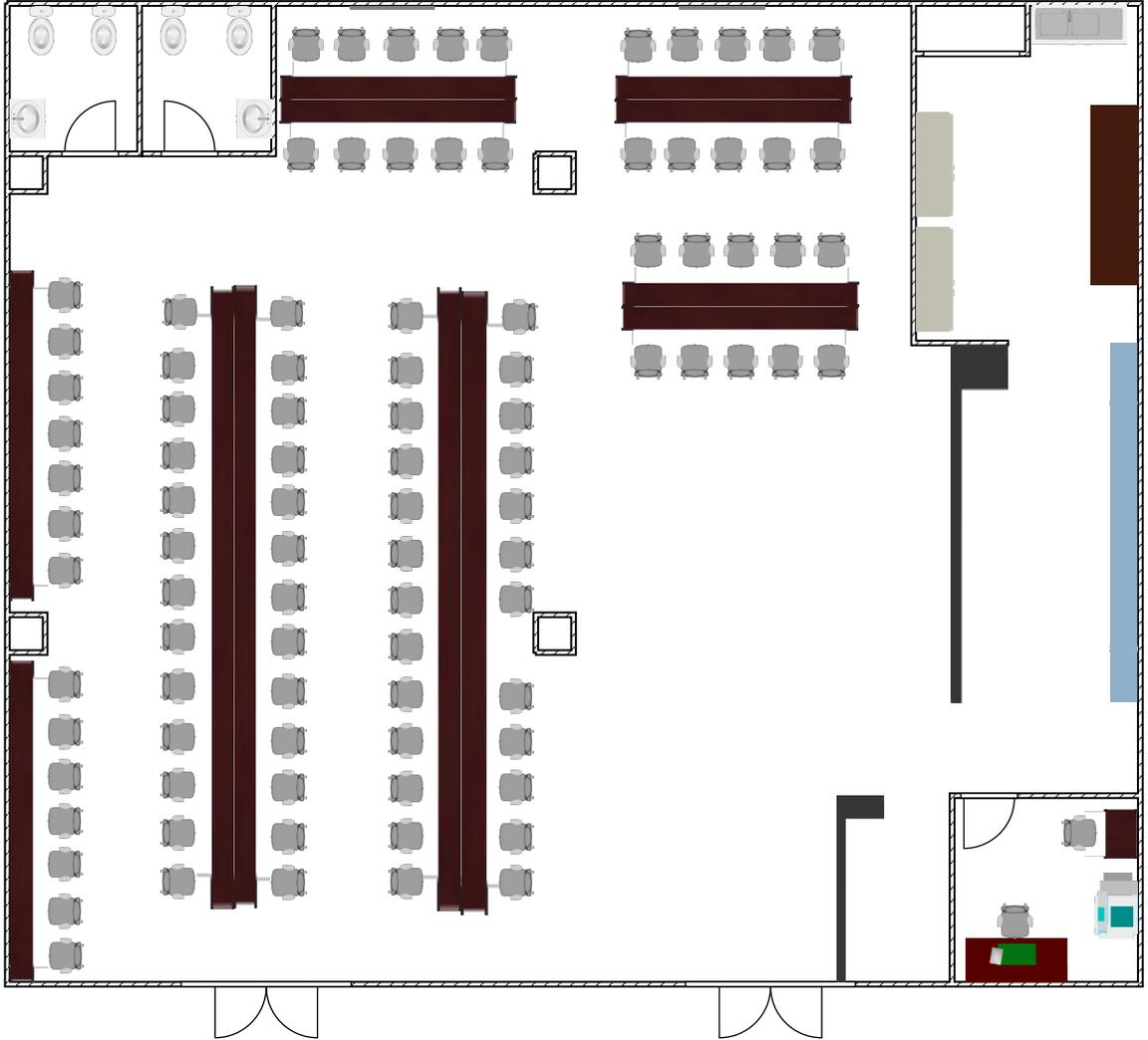
Hot Beverages

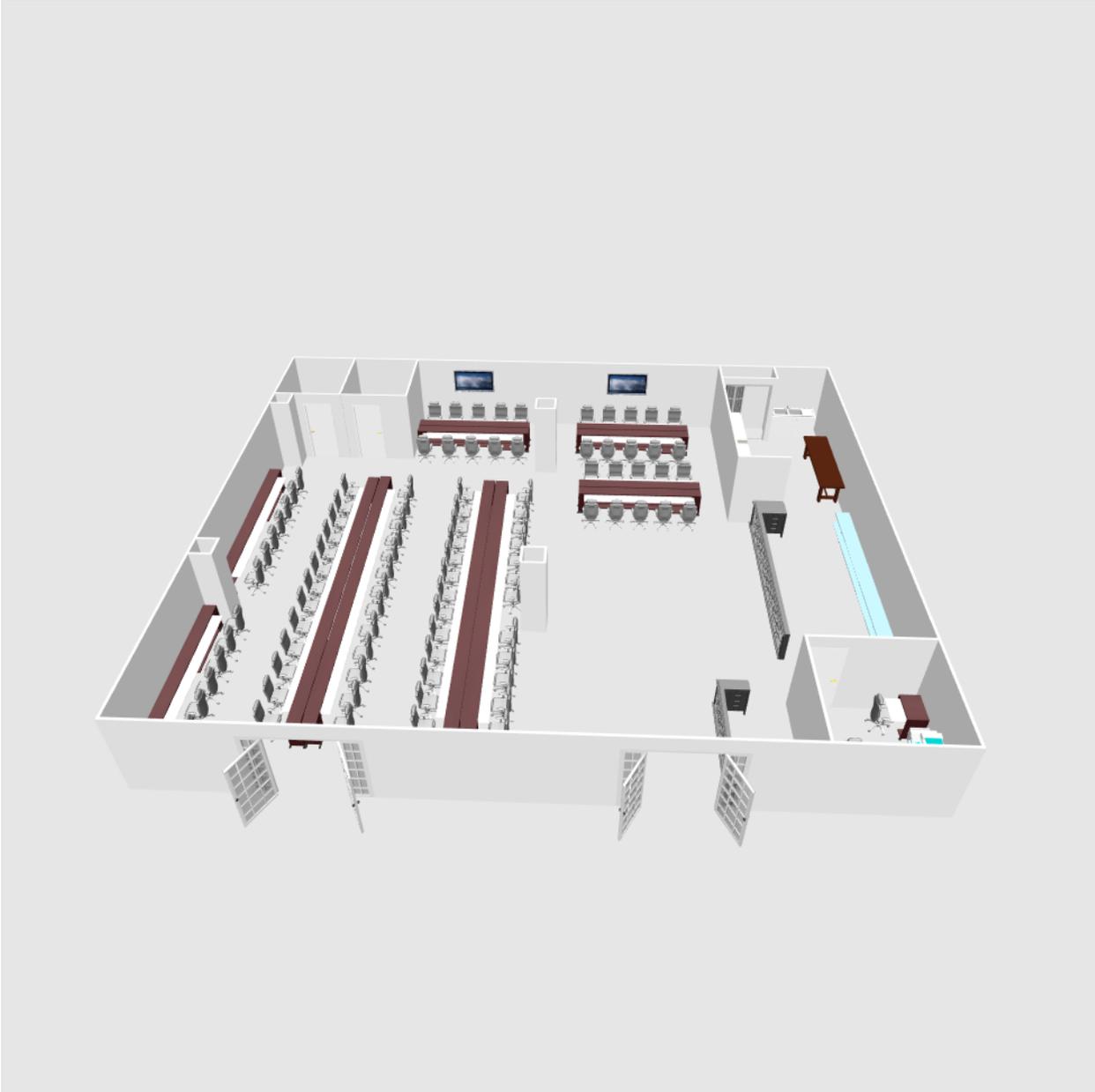
Hot fresh coffee and tea

Cold Beverages

Arizona Ice Tea (16 oz.)
Coke (12 oz.)
Mountain Dew (12 oz.)
Pepsi (12 oz.)
Dr. Pepper (12 oz.)
Canada Dry Ginger Ale (12 oz.)
San Pellegrino Soda (12 oz.)
Red Bull (8.4 oz)
Monster (16 oz)
Star Bucks Ice Coffee (8 oz)
Sprite (12 oz.)
Sunkist (12 oz.)
Gatorade (16 oz)
Nesquik (8 oz)
Bottled Water (Deer Park 16.9 oz)







Application No.(s): SP 2014-BR-213
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: September 5, 2014
 (enter date affidavit is notarized)

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

125924

(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 BOLD above)
~ Cave Entertainment LLC	25369 Shipley Terrace Chantilly, VA 21052	Applicant/Lessee
Richard Staats Geo. H. Rucker Realty Corporation	2911 Hunter Mill Rd Suite 300 Oakton, Va 22124	Agent Ground Lessee/Lessor
Charles D. Mason ~ Tramonte, Yeonas, Roberts & Martin PLLC Keith C. Martin	8245 Boone Blvd, #400 Vienna, VA 22182	Agent Attorneys/Agents Attorney/Agent
~ Robert J. Lewis and John T. Whatley Trustees under the Deed In Trust dated January 1, 1976 and Confirmation Deed dated March 26, 2006 f/b/o Kathleen Whatley, Ann Farr Lewis and Laura Elliott	c/o Geo. H. Rucker Realty Corporation 2911 Hunter Mill Rd Suite 300 Oakton, VA 22124	Title Owners
	c/o Geo. H. Rucker Realty Corporation 2911 Hunter Mill Rd Suite 300 Oakton, VA 22124	Beneficiaries

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

Page Two

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: September 5, 2014
(enter date affidavit is notarized)

125924

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)
Cave Entertainment LLC
25369 Shipley Terrace
Chantilly, VA 21052

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)

Richard Staats- Managing Member
Paul Erb- member
Soufian Amri- member
Michael Queen- 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): _____
(county-assigned application number(s), to be entered by County Staff)

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

DATE: September 5, 2014
(enter date affidavit is notarized)

125924

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Geo. H. Rucker Realty Corporation
2911 Hunter Mill Rd Suite 300
Oakton, VA 22124

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)

John R. Jones, Jr.
Marilyn Jones
Derek P. Rucker

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

(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): _____
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SPECIAL PERMIT/VARIANCE AFFIDAVIT

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(enter date affidavit is notarized)

125924

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)

n/a

(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.

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SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: September 5, 2014
(enter date affidavit is notarized)

125924

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.

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SPECIAL PERMIT/VARIANCE AFFIDAVIT

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(enter date affidavit is notarized)

125924

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 5th day of September 2014, in the State/Comm. of Virginia, County/City of Fairfax

Terese A. Rankin
Notary Public

My commission expires: 1-31-17



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.