



# County of Fairfax, Virginia

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September 17, 2015

**2015 Planning  
Commission**

**Peter F. Murphy**  
Chairman  
*Springfield District*

**Frank de la Fe**  
Vice Chairman  
*Hunter Mill District*

**James R. Hart**  
Secretary  
*At-Large*

**Timothy J. Sargeant**  
Parliamentarian  
*At-Large*

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**John Ulfelder**  
*Dranesville District*

**Earl L. Flanagan**  
*Mount Vernon District*

**Janyce N. Hedetniemi**  
*At-Large*

**Ellen J. "Nell" Hurley**  
*Braddock District*

**John L. Litzenberger**  
*Sully District*

**Kenneth A. Lawrence**  
*Providence District*

**James Migliaccio**  
*Lee District*

**Julie Strandlie**  
*Mason District*

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**Jill G. Cooper**  
*Executive Director*

**Kimberly A. Bassarab**  
*Assistant Director*

**John W. Cooper**  
*Clerk to the Commission*

Inda Stagg  
Walsh, Colucci, Lubeley & Walsh, PC  
2200 Clarendon Boulevard, Suite 1300  
Arlington, VA 22201

**Re: SEA 89-Y-035 – HAFT/EQUITES-SULLY PLAZA LIMITED  
PARTNERSHIP  
Sully District**

Dear Ms. Stagg:

At its September 16, 2015 meeting, the Planning Commission voted 9-0 (Commissioners Flanagan, Lawrence, and Strandlie were absent from the meeting) to **RECOMMEND APPROVAL** of the above-referenced application. A copy of the verbatim transcript is attached.

This letter serves as a record of the Planning Commission's recommendation to the Board of Supervisors and not as the final approval. The application is still subject to final decision by the Board of Supervisors.

This action does not constitute exemption from the various requirements of this county and state. The applicant is responsible for ascertaining if permits are required and obtaining the necessary permits such as Building Permits, Residential Use Permits and Non-Residential Use Permits. Information concerning building permits may be obtained by calling 703-222-0801.

Sincerely,



John W. Cooper  
Clerk to the Planning Commission

cc: Michael Frey, Supervisor, Sully District  
John Litzenberger, Planning Commissioner, Sully District  
Catherine A. Chianese, Assistant County Executive, Clerk to the Board of Supervisors, County Executive Office  
Sharon Williams, Staff Coordinator, ZED, DPZ  
Robert Harrison, ZED, DPZ  
September 16, 2015 date file

 To request special accommodations, call the Planning Commission office at 703-324-2865, TTY 703-324-7951. Please allow seven working days to make the appropriate arrangements.



## Proposed Development Conditions

### SEA 89-Y-035

September 14, 2015

If it is the intent of the Board of Supervisors to approve SEA 89-Y-035, previously approved for a drive-in bank in a highway corridor overlay district and a waiver of minimum lot size requirements, located at Tax Map 34-4 ((1)) 16C pt. to modify site and development conditions to permit a waiver of certain sign regulations pursuant to Sections 9-610, 9-611, 9-620, and 7-608 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions, which all supersede all previous conditions for the subject property. (Those conditions that are identical to conditions that were included in previous approvals or that contain only minor editorial changes are marked with an asterisk\*).

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.\*
2. This Special Exception is granted only for the purpose(s), structure(s), and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions. \*
3. This Special Exception is subject to the issuance of a Sign Permit(s); any permit issued pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception Plat entitled "Sully Plaza", prepared by Urban, Ltd., consisting of five sheets dated March 19, 2015, and these conditions. Minor modifications to the approved special exception plat may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. The maximum number of employees for the drive-in bank shall not exceed seven (7) on site at any one time.\*
5. The hours of operation for all banking operations shall be limited to 8:00 a.m. to 7:00 p.m. Monday through Friday; and 9:00 a.m. to 12:00 noon on Saturdays.\*
6. Parking and loading shall be in accordance with Article 11 of the Zoning Ordinance.\*

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

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

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the sign permits have been applied for and issued. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Planning Commission Meeting  
September 16, 2015  
Verbatim Excerpt

SEA 89-Y-035 – HAFT/EQUITES-SULLY PLAZA LIMITED PARTNERSHIP

After Close of the Public Hearing

Commissioner Litzenberger: I MOVE THE PLANNING COMMISSION APPROVE SEA 89-Y-035, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED SEPTEMBER 14<sup>TH</sup>, 2015.

Chairman Murphy: Is there a second to the-

Commissioner Hart: Sure. Second.

Chairman Murphy: You sure?

Commissioner: Yes.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion? All those –

Commissioner Ulfelder: The applicant – do we need the applicant to-

Commissioner Hart: -to get the development conditions?

Chairman Murphy: Oh, do you want to do the development conditions? We have been – we're really rusty.

Commissioner Sargeant: I came in. I got lost.

Chairman Murphy: This is going down in history as the shortest case the Haft Empire ever had and we're screwing it up here.

Commissioner de la Fe: They're all the same except – only three and seven are changed?

Chairman Murphy: Would you come up and satisfy the requirement put on us by the legislator that you understand the development-

Inda Stagg, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, PC: We agree to these development conditions.

Chairman Murphy: All right. Thank you very much. All those in favor of the motion to recommend to the Board of Supervisors that it approve SEA 89-Y-035, as articulated by everyone who is confused, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Litzenberger: One more motion.

Chairman Murphy: Okay.

Commissioner Litzenberger: I MOVE THE PLANNING COMMISSION APPROVE THE REAFFIRMATION OF THE WAIVERS OF MINIMUM LOT AREA AND MINIMUM LOT WIDTH REQUIREMENTS.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much.

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(Each motion carried by a vote of 9-0. Commissioners Flanagan, Lawrence, and Strandlie were absent from the meeting.)

JLC