



S

APPLICATION ACCEPTED: July 7, 2015
BOARD OF ZONING APPEALS: October 7, 2015 @ 9:00 a.m.

County of Fairfax, Virginia

September 30, 2015

STAFF REPORT

SPECIAL PERMIT SP 2015-BR-104

BRADDOCK DISTRICT

APPLICANT: Starting Nine LLC d/b/a Beltway Ball Club

OWNER: Connors Management II LLC

ZONING: I-4, I-5

LOCATION: 5410 Port Royal Rd., Springfield, 22151

ZONING ORDINANCE PROVISIONS: 5-403, 5-503

TAX MAP: 79-2 ((4)) D2

SIZE: 76,767 square feet

PLAN MAP: Industrial

SPECIAL PERMIT PROPOSAL: To permit indoor batting cages, a baseball/softball training facility, and accessory physical training services.

STAFF RECOMMENDATION:

Staff recommends approval of SP 2015-BR-104 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.

Casey V. Gresham

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.**

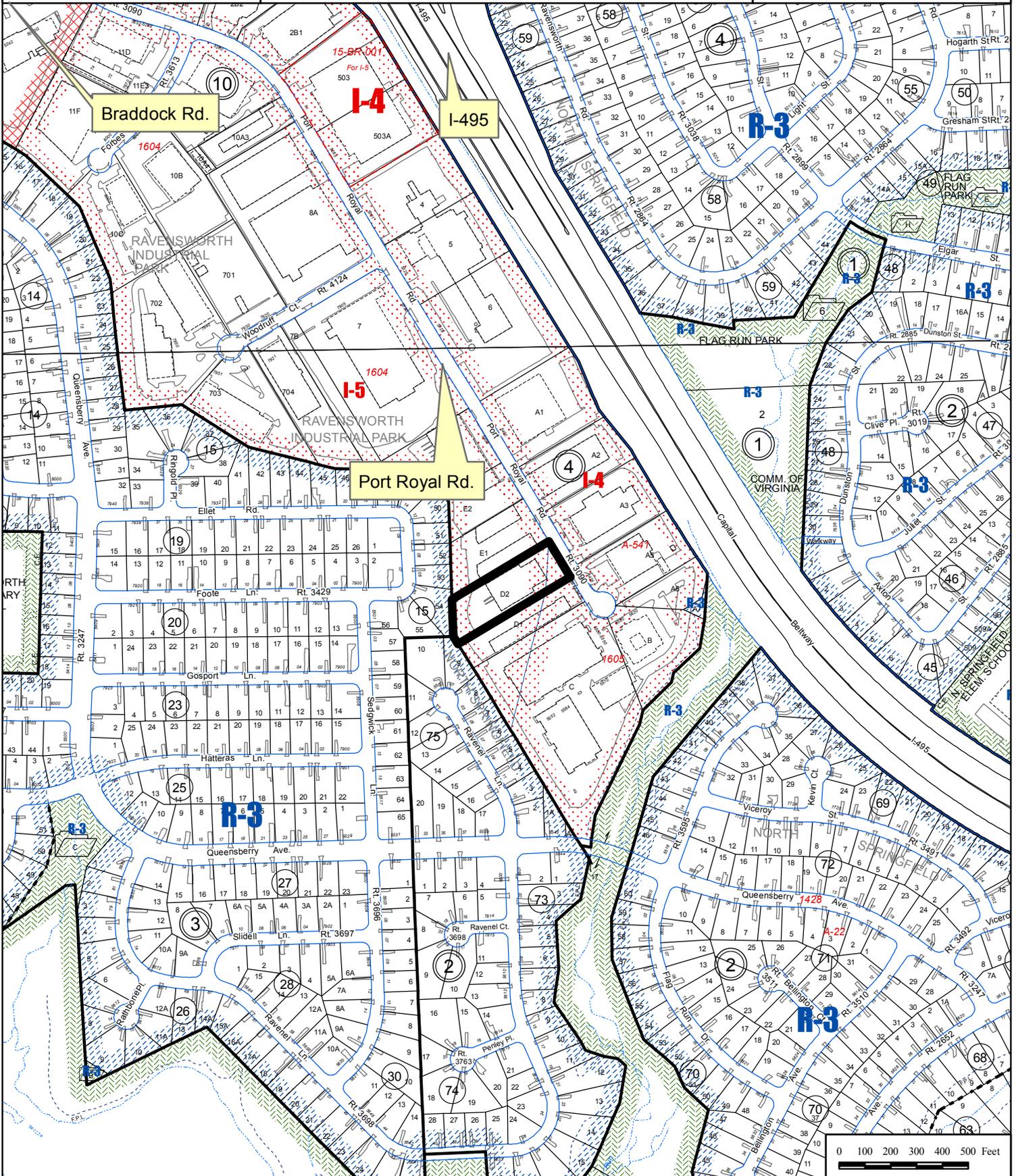


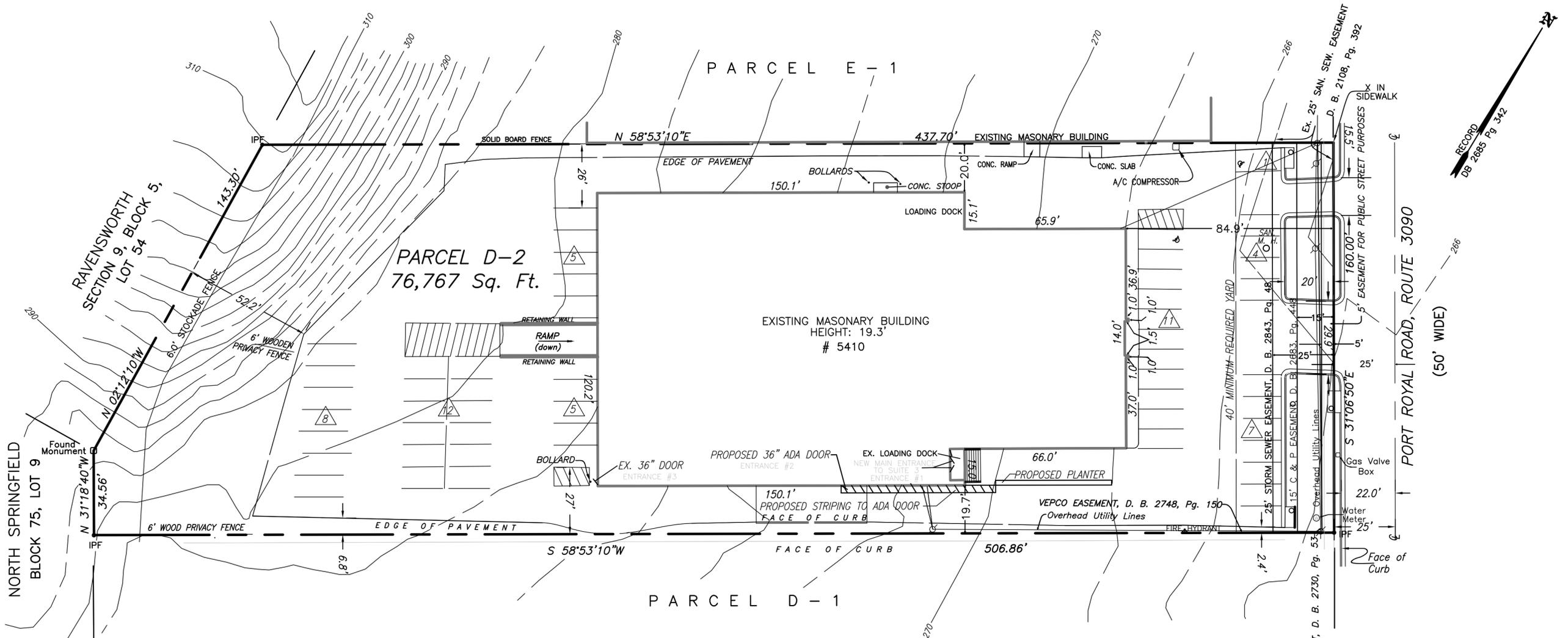
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).



Special Permit SP 2015-BR-104

STARTING NINE LLC D/B/A BELTWAY BALL CLUB





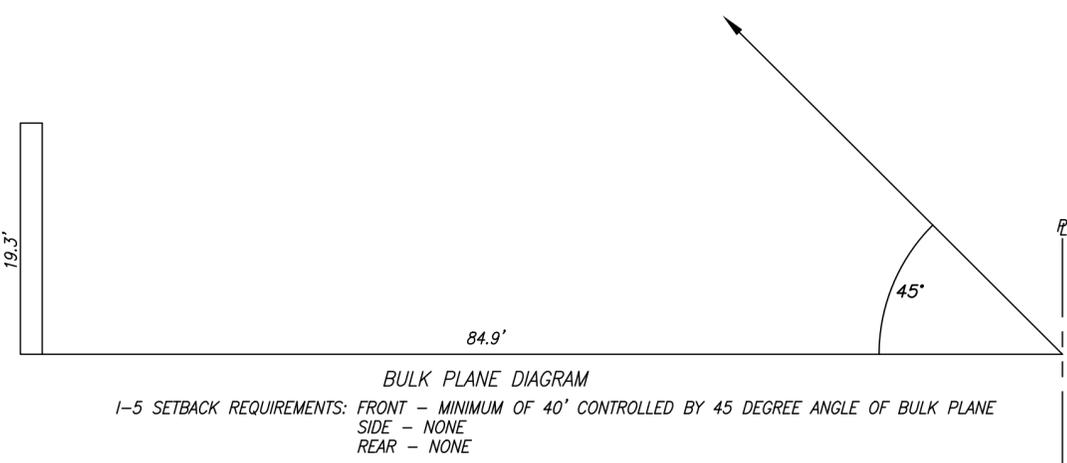
F. A. R. COMPUTATION

GROSS FLOOR AREA:	30,104 SQ. FT.
PARCEL AREA:	76,767 SQ. FT.
F. A. R. EXISTING	0.392
AREA IN SUITE 3:	10,628 SQ. FT.
MAX. ALLOWABLE F. A. R.	0.5

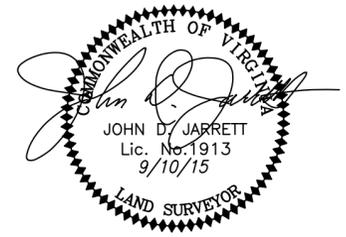
PARKING TABULATION:

PARKING SPACES REQUIRED FOR EMPLOYEES:	22
PARKING SPACES REQUIRED FOR CLIENTS:	21
PARKING SPACES REQUIRED FOR COMPANY VEHICLES:	2
TOTAL PARKING SPACES REQUIRED:	45
PARKING SPACES PROVIDED:	53

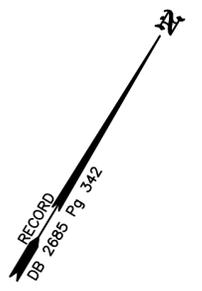
- NOTES:**
1. Tax Map Ref: 79-2 (4) D-2
 2. Current Zoning: I-5
 3. The property delineated hereon is in F. E. M. A. Flood Hazard Zone X, an area outside the 0.2% annual chance of flooding.
 4. Current Owner: Connors Management II, LLC. D. B. 15858, PG. 2147
 5. This property is served by public sewer & water
 6. Sign shall be attached to the front of the building and will comply with all rules governing signage.
 7. There are no known burial sites on this property.
 8. This property contains no R. P. A.
 9. Topography from Fairfax County Contour Map.



**SPECIAL PERMIT PLAT FOR
 LOT D - 2
 FIRST ADDITION TO
 RAVENSWORTH INDUSTRIAL PARK
 BRADDOCK DISTRICT
 FAIRFAX COUNTY, VIRGINIA
 SCALE: 1" = 30' SEPT 10, 2015**



JARRETT SURVEYS, INC.
 P. O. BOX 9051
 McLEAN, VIRGINIA 22102-0051
 Ph: 703 893-7544 Fax: 703 938-7709



DESCRIPTION OF THE APPLICATION

The applicant, Starting Nine LLC, d/b/a Beltway Ball Club, seeks a special permit to allow an indoor commercial recreation use in a Medium Intensity Industrial District (I-4) and General Industrial District (I-5). The applicant proposes to convert space currently used as dry goods storage into an indoor baseball and softball batting cages training facility. The facility would be comprised of four batting cages and two pitching cages. In the future, the applicant would also like to incorporate a small pro-shop that would serve the patrons of the ball club. Minor interior modifications are proposed (including the installation of netting for batting cages), and no exterior modifications are proposed.

The use would accommodate an average of ten people at one time with up to 25 patrons during team hitting or pitching camps. The following table summarizes the proposal and the requested hours of operation.

PROPOSAL	
Size of Tenant Space:	10,628 square feet
Parking Required/Provided:	45 spaces required / 53 spaces provided
Patrons:	25 at one time
Employees:	3
Hours of Operation:	Monday through Friday: 3:00 p.m. - 11:00 p.m.* Saturday: 7:00 a.m. – 11:00 p.m. Sunday: 12:00 p.m. – 11:00 p.m.

*During spring, summer, and winter school breaks and student holidays, the hours of operation on Mondays through Fridays will be 9:00 a.m. to 9:00 p.m. to accommodate camps.

A copy of the special permit plat titled “Special Permit Plat for Lot D-2, First Addition to Ravensworth Industrial Park” prepared by John D. Jarrett, L.S., dated September 10, 2015, is included at the front of the staff report. Copies of the proposed development conditions, the statement of justification with select file photographs, and the affidavit are contained in Appendices 1 through 3, respectively.

CHARACTER OF THE SITE AND SURROUNDING AREA

The 76,767 square foot subject property is located west of Interstate 495 and is accessed by Port Royal Road. The property is part of the Ravensworth Industrial Park, which was created in 1965. The property is developed with one industrial warehouse building, totaling 30,104 square feet, which is divided into three separate units. The front unit is utilized as a two-story office and storage building, while the adjacent rear unit is used as an ice cream storage facility. A one-way entrance along Port Royal Road provides vehicular access to the site and parking lot of the facility. The site contains a total of 53 parking spaces.

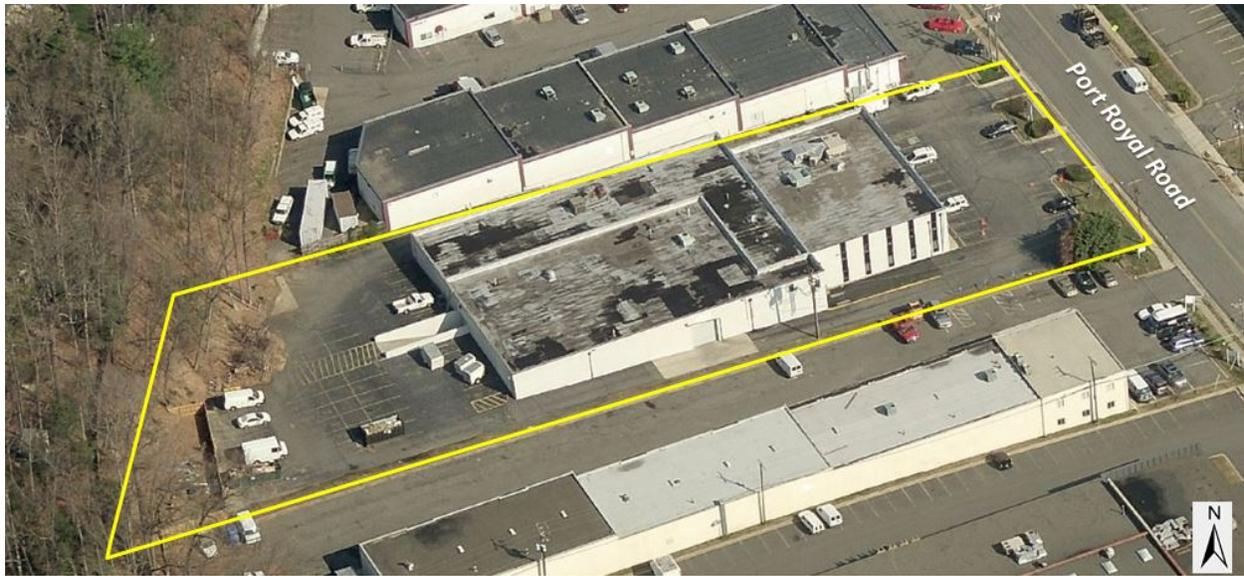


Figure 1: Site location

The subject property and the property to the south are split-zoned I-4 / I-5 and are developed as industrial/flex uses. The property to the north is zoned I-5 and is Connor’s Termite and Pest Control business, and the property to the east is zoned I-4 and developed as a pet daycare and boarding facility. The property to the west is zoned R-3 and developed as single family residential dwellings.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Exterminator business	I-5	Industrial/Flex
South	Audio repair business	I-4 / I-5	Industrial/Flex
East	Pet Daycare/boarding	I-4	Industrial/Flex
West	Single Family Residential	R-3	Residential

BACKGROUND

The Ravensworth Industrial Park was built in 1965, and the applicant will be leasing the space from Connor’s Management, who has owned the property since 1986.

Since the adoption of the Zoning Ordinance, records indicate that the Board of Zoning Appeals (BZA) has not heard any similar cases in the surrounding area.

Comprehensive Plan Provisions

- Plan Area:** Area I, Annandale Planning District
- Planning Sector:** Accotink Community Planning Sector (A6)
- Plan Map:** Industrial/Flex Uses

Plan Text:

The Comprehensive Plan recommends the Ravensworth Industrial Area be developed with a mix of warehouse and distribution uses with some inclusion of medium intensity offices. The major objectives of this area are to preserve the lower-intensity industrial uses, ensure the compatibility of infill uses within the Industrial Area, and to ensure appropriate transitions towards the existing residential development through buffering and screening. Staff finds that the proposed indoor commercial recreation use is an appropriate use under the Comprehensive Plan recommendations and is in character with the surrounding area.

SP PLAT ANALYSIS**Description of SP Plat:*****Proposed Layout:***

The applicant's Special Permit Plat shows the existing building footprint and on-site parking layout. The application proposes to use 10,628 square feet of the 30,104 square foot building. The site is developed at an F.A.R. of 0.392. No exterior construction or modifications are proposed with this application. The applicant proposes to install movable planters to delineate a pedestrian path from the parking area.

Vehicle Access and Parking:

Based on the mix of industrial warehouse and indoor commercial recreation uses, 45 parking spaces are required on-site. The site contains 53 unreserved parking spaces. As discussed in the applicant's statement of justification, the hours of operation of the proposed facility occur outside of the hours of operation of the surrounding uses. Therefore, staff believes there is ample parking to accommodate the use.

Stormwater Management

As the proposal does not include any exterior construction and there is no RPA or floodplain on the property, the application is exempt from the stormwater management provisions of the PFM.

STAFF ANALYSIS**Land Use Analysis*****Comprehensive Plan Conformance***

While the Comprehensive Plan does not include site-specific recommendations for the application property, development in this area should be consistent with the goals of maintaining the industrial/flex nature of the Ravensworth Industrial Park. The proposed

indoor commercial recreation use is a permitted special permit use within the I-4 and I-5 zoning districts. The building footprint will remain unchanged, and the commercial recreation use will operate in a consistent manner for the surrounding uses. As the hours of operation mainly occur outside of normal business hours of the surrounding businesses, staff does not anticipate any conflict with the industrial/flex uses. Staff believes that the proposed use is in harmony with the Comprehensive Plan.

Transportation Analysis (Appendix 4)

FCDOT and VDOT reviewed the application and recommended the inclusion of additional striping to delineate access to the main entrance and the ADA entrance. A condition has been included requiring the applicant to meet all ADA accessibility requirements prior to the issuance of a Non-RUP. In addition, as the site has a one-way circulation pattern, VDOT commented that the existing parking striping is insufficient to clearly express the traffic pattern on-site. A condition has been included requiring further signage to direct one-way traffic circulation throughout the parking lot. All other issues have been addressed.

Urban Forest Management

The Urban Forest Management Branch of DPWES reviewed the application, and no comments or concerns were noted. The property was developed before the current ordinance with respect to parking lot plantings or screening. As the current proposal does not propose any physical changes, no additional plantings are required.

ZONING ORDINANCE PROVISIONS

Bulk Requirements			
Standard	I-4 Requirements	I-5 Requirements	Provided
Min. Lot Area	20,000 square feet	20,000 square feet	76,767 square feet
Min. Lot Width	100 feet	100 feet	160 feet
Max. Building Height	75 ft.	75 ft.	19.3 ft.
Front Yard	45° angle of bulk plane, not less than 40 ft.	45° angle of bulk plane, not less than 40 ft.	84.9 ft.
Rear Yard	No requirement	No requirement	N/A
Side Yard	No requirement	No requirement	19.7 ft.
Maximum FAR	0.50	0.50	0.392
Parking Spaces	45 spaces	45 spaces	53 spaces

Special Permit Requirements

General Standard 1 states *that the proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan.* As discussed in the land use analysis section, the proposed hours are mainly outside of normal business hours of the surrounding uses (Monday through Friday from 3:00 p.m. to 9:00 p.m. [except during summer and winter camps], Saturday from 7:00 a.m. through 9:00 p.m., and Sunday from 12:00 p.m. to 9:00 p.m.) Accordingly, the proposed use is compatible with surrounding industrial uses as recommended in the Comprehensive Plan.

General Standard 2 states *that the proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.* An indoor commercial recreation use is permitted in an I-4 and I-5 zone with special permit approval. The proposed use would not negatively affect the nearby industrial and commercial uses. Due to the site layout and existing mature vegetation in the rear yard, staff believes that the proposal would not negatively affect the adjacent residential uses. With the adoption of the proposed development conditions, it is staff's opinion that the proposal is consistent with the purpose and intent of the I-4 and I-5 Districts.

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 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.* The site is mostly surrounded by industrial and commercial uses, and the proposed hours are outside the hours of the surrounding industrial/flex uses. It is staff's opinion that the proposed use will not hinder or discourage development of the neighboring properties, and that this use is in conformance with the comprehensive plan recommendations. As no construction or exterior alterations are proposed, the building will continue to be in harmony with the surrounding buildings in regards to size, height, and appearance. In addition, no new screening or landscaping is required, as no exterior construction is proposed with this application.

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.* As previously discussed, much of the anticipated traffic associated with the use will occur outside of the business hours of surrounding uses. During the summer and winter months when camp sessions are proposed, the participants will be dropped-off and picked-up from the site, and parking for the use will mainly be short-term in nature. Staff believes that the proposal will not conflict with existing traffic at the Ravensworth Industrial Park. In staff's opinion, this standard has been met.

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.* This application was reviewed by the Urban Forestry Management Division, and the existing vegetation was

determined to be sufficient. As there is no construction or exterior modifications proposed, no new landscaping or screening is required. Staff finds that this standard has been met.

General Standard 6 requires that *open space be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located*. The proposal will not affect or alter the open space provided at the site.

General Standard 7 requires that *adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking requirements are proposed to be in accordance with the provisions of Article 11*. With the existing 53 parking spaces on-site, the proposal meets the parking requirements of Article 11. The project is exempt from stormwater regulations, and all other utilities appear adequate to serve the project.

General Standard 8 requires that *signs be regulated by the provisions of Article 12; however, the BZA may impose more strict requirements for a given use than those set forth in this Ordinance*. A condition has been included requiring all signage to be in conformance with Article 12 of the Zoning Ordinance.

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 I-5 District, comply with the performance standards and satisfy site plan review.

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

CONCLUSION

Staff believes that the proposed indoor batting cage facility is a low-intensity use and will not adversely affect the surrounding industrial/flex uses. The location within the Ravensworth Industrial Park is an ideal location, as the site is surrounded by industrial uses that will operate in a similar manner as the batting cages. No exterior construction or modifications are proposed, and the commercial recreation activities will occur within the interior of the building.

With the implementation of the proposed development conditions, staff believes that the request is in conformance with the applicable Zoning Ordinance provisions.

RECOMMENDATION

Staff recommends approval of SP 2015-BR-104 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. Statement of Justification and Select File Photos
3. Affidavit
4. FCDOT Memorandum
5. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2015-BR-104****September 30, 2015**

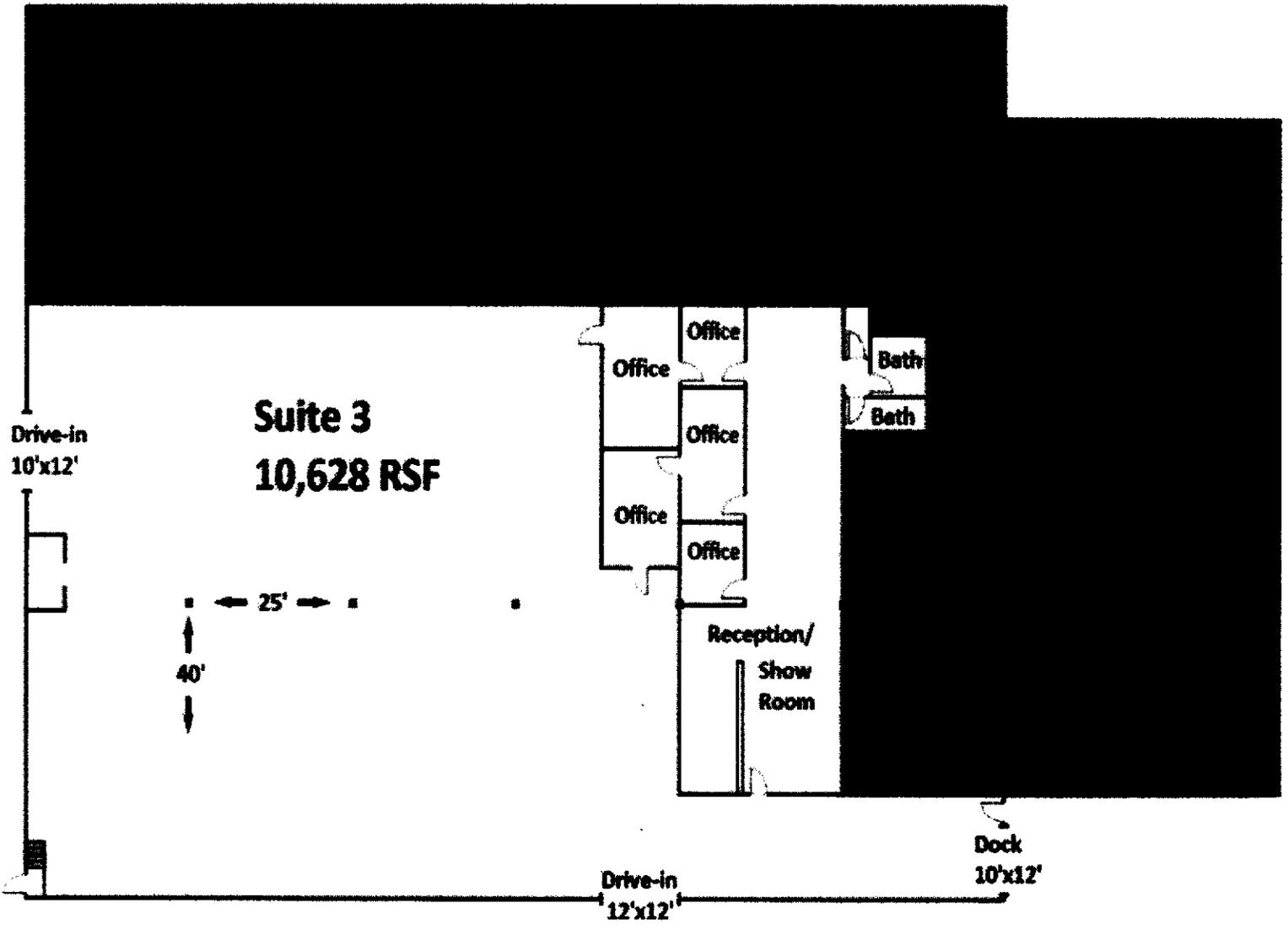
If it is the intent of the Board of Zoning Appeals to approve SP 2015-BR-104 located at Tax Map 79-2 ((4)) D2 to permit indoor batting cages, a baseball/softball training facility, and accessory physical training under Sects. 5-403, 5-503, and 8-501 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant, Starting Nine LLC d/b/a Beltway Ball Club, only, and is not transferable without further action of this Board, and is for the location indicated on the application, 5410 Port Royal Road, and is not transferable to other land.
2. This special permit is granted only for the purposes, structures and/or uses indicated on the special permit plat titled, "Special Permit Plat for Lot D-2, First Addition to Ravensworth Industrial Park" prepared by John D. Jarrett, L.S., dated September 14, 2015, approved with this application, as qualified by these development conditions.
3. A copy of this special permit and the Non-Residential Use Permit (Non-RUP) shall be posted in a conspicuous place on the property and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The use shall be in general conformance with the floor plan, included as Attachment 1.
5. Maximum occupancy shall be based on the approved Non-RUP occupancy as issued by the Fairfax County Department of Public Works and Environmental Services (DPWES), and subject to final approval by the Fire Marshal's office.
6. The hours of operation shall be limited to Monday through Friday, 3:00 p.m. - 11:00 p.m., Saturday from 7:00 a.m. to 11:00 p.m., and Sunday from 12:00 a.m. – 11:00 p.m. when public schools are in session. When public schools are not in session, the maximum hours of operation shall be limited to Monday through Friday, 9:00 a.m. – 11:00 p.m., Saturday from 7:00 a.m. to 11:00 p.m., and Sunday from 12:00 a.m. – 11:00 p.m.
7. The number of employees shall be limited to six (6).
8. The number of required parking spaces shall be provided in conformance with the provisions of Article 11 of the Zoning Ordinance, as determined by DPWES.

9. There shall be no exterior advertising of the accessory pro-shop use, and it shall remain subordinate in size and operation to the indoor commercial recreation use.
10. The maximum number of occupants shall not exceed the maximum occupancy limit, as determined by DPWES and the Fire Marshall's office.
11. The applicant shall obtain all applicable permits and final inspections prior to the commencement of the use.
12. All proposed signage must be in conformance with the provisions of Article 12 of the Zoning Ordinance.
13. All activities relating to the indoor commercial recreation use shall take place within the interior of the facility.
14. At least one entrance shall meet the minimum ADA accessibility requirements.
15. A pedestrian walkway shall be physically indicated on the asphalt with paint striping from the proposed ADA entrance to the rear parking area.

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.

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, 30 months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use 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.



RECEIVED
Department of Planning & Zoning
JUN 26 2015
Zoning Evaluation Division

JUL 6 2015

Zoning Evaluation Division

SPECIAL PERMIT STATEMENT OF JUSTIFICATION

- A. Type of Operation: Commercial Recreation; Indoor baseball and softball batting lanes and pitching lanes and training facility.
- B. Hours of Operation:
- Core hours: M-F 4 p.m. to 9 p.m., Sat 9 a.m. to 9 p.m., Sun 12 p.m. to 9 p.m.
 - Summer, Spring, Winter school breaks and student holidays; M-F 9 a.m. to 9 p.m., Sat 9 a.m. to 9 p.m., Sun 12 p.m. to 9 p.m.
- C. Estimated number of patrons / clients: Average of ten (10) at one time to surges of up to 25 for a team hitting or pitching camp.
- D. Proposed Number of Employees / Attendants: Average of three (3) employees will be on premises at any one time. Baseball / Softball instructors are contract and seasonal, typically college students of off season professionals and work only if prescheduled with a client.
- E. Estimate of Traffic Impact: Port Royal Rd is an industrial area. Predominant traffic along Port Royal Rd. occurs M-F 8 a.m. to 5 p.m.. Client traffic will occur after day time hour traffic as subsided.
- F. Vicinity of General Area to be Served by the Use: The proposed business will serve an approximate 7 statute mile radius form 5410 Port Royal Rd. This is a conservative estimate considering this will be the first dedicated video pitching simulator indoor batting cage facility in Northern Virginia.
- G. Description of the Building Façade and Architecture of the Proposed New Building or Additions: No changes, modifications, alterations, or additions will be made to the building at 5410 Port Royal Rd. The building will be used as is, a shell to house the batting cages. In front of the warehouse and attached is a two floor office building.
- H. A listing of all Hazardous Substances: None.
- I. A Statement of Proposed Use and Ordinance Waiver Justification:

The proposed use of the warehouse building at 5410 Port Royal Rd. is to house an indoor baseball and softball batting lanes, pitching lane and training facility. The facility will have four (4) batting lanes and two (2) pitching lanes. The warehouse is a 10,628 s/f building with sufficient dimensions, (width, length, height) to house batting cages and pitching lanes. Our proposed use of the warehouse building is "as-is" with no interior or exterior structural changes (destruction or construction) or modifications. There will be no food service provided. Vending machines may be uses.

Warehouse buildings, typically in industrial locations, with sufficient dimensions are required for indoor batting cages. Ceiling height and length is the limiting dimension.

The core hours of operations of the proposed facility are after school hours; late afternoons, evenings, and weekends. These times are after Port Royal Rd industrial traffic times. During the Summer, Spring, and Winter breaks as well as student holidays, the facility may open early as indicated above. This is generally in response to peak preseason training months of November through April and summer ball camps when school is out.

5410 Port Royal Rd. has 23 parking spaces in the front of the building and 30 spaces behind the building. The building immediately to the north of 5410 Port Royal Rd. toward Braddock Rd. is 5408 Port Royal Rd. Both buildings are owned by Connors Management II LLC. In the event overflow parking is required, Connors Management II LLC has authorized overflow parking in any one of the parking spaces available at 5408. Please see enclosed letter from Connors Management II LLC dated xxx. All parking spaces at 5410 and 5408 Port Royal Rd are shared use parking spaces.

This facility will house state of the art video pitching simulators in the batting cages. These machines are in use by professional baseball organizations and no dedicated indoor batting cage facility using these simulators exists in Northern Virginia.

- H. A listing, if known, of all hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4 and 355; all hazardous waste as set forth in Virginia Department of Environmental Quality Hazardous Waste Management Regulations; and/or petroleum products as defined in Title 40, Code of Federal Regulations Part 280; to be generated, utilized, stored, treated, and/or disposed of on site and the size and contents of any existing or proposed storage tanks or containers.

Hazardous or Toxic Substances. There are no known hazardous or toxic substances. No hazardous materials will be generated, utilized, stored, treated, and/or disposed of onsite.


Applicant's Signature

Date

- I. A statement that the proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards and any applicable conditions, or, if any waiver, exception or variance is sought by the applicant from such ordinances, regulations, standards and conditions, such shall be specifically noted with the justification for any such modification.

Zoning Ordinance Compliance. The proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards or, if any waiver, exception or variance is sought, such request has been specifically noted with the justification for such modification.


Applicant's Signature

Date

RECEIVED
Department of Planning & Zoning

JUN 26 2015

Zoning Evaluation Division

JUN 15 2015

Zoning Evaluation Division

June 9, 2015

To whom it may concern:

- 5410 Port Royal Rd has 53 total parking spots (23 in the front and 30 in the rear of the property). This property is one of two that is owned by Connor Management, LLC. Connor's owns the 5410 building and the adjacent 5408 Port Royal warehouses/offices next door.

The 5410 Port Royal Rd building is divided into three (3) separate units / distinct building joined together. They all have separate entrances. The front unit is a two story office/storage being used by Connors. The other two units are warehouse facilities: one is ice cream storage, the other is dry goods storage currently leased to Shenandoah Pride dairy. All parking is for common use of the tenants and guests; there will be no reserved spaces.

The office portion of 5410 Port Royal Rd is two floors; Connor's has offices on the 6000 sq ft first floor, and uses the second floor as storage. The 10,000 sq ft warehouse to be leased to "Starting Nine LLC" is currently leased to Shenandoah Pride. In addition, 14 common area parking spots are available for "overflow" use at 5408 Port Royal Rd. 5408 Port Royal Rd is immediately to the north next to the front parking lot of the 5410 building. In addition, there is ample street parking available on Port Royal Road.

Should you require any additional information please do not hesitate to give us a call.



EDWARD C. CONNOR, PRES

Application No.(s): _____
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 7/31/15
 (enter date affidavit is notarized)

130 225

I, Starting Nine, LLC d/b/a Beltway Ball Club, 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 BOLD above)
Starting Nine, LLC d/b/a Beltway Ball Club	8285 Tabor Lane, Fairfax Station, VA, 22039	Applicant / Lessee
Robert J. Cable	8285 Tabor Lane, Fairfax Station, VA, 22039	Agent for Applicant
Jeremy D. Schutt	7918 Gainsborouh Dr. Fairfax, VA 22032	Agent for Applicant
Connors Management II, LLC	5408 A. Port Royal Rd. Springfield, VA 22152	Title Owner/Lessor

(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)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 7/31/15
(enter date affidavit is notarized)

130229

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)

Starting Nine LLC
8285 Tabor Lane,
Fairfax Station, VA 22039

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)

Robert J. Cable
Jeremy Schutt

(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)

Page ____ of ____

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

DATE: 7/31/15
(enter date affidavit is notarized)

130225

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

Connors Management II LLC
5408-A Port Royal Rd
Springfield, VA 22151

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)

Edward C. Connor

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

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)

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

Page Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 7/31/15
(enter date affidavit is notarized)

130225

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)
Not Applicable

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

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 7/31/15
(enter date affidavit is notarized)

130 225

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 7/31/15
(enter date affidavit is notarized)

130225

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

Robert J. Cable
Robert J. Cable
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 31st day of July, 2015, in the State/Comm. of Virginia, County/City of Fairfax

Rachael A. Locke
Notary Public

My commission expires: 6/30/2019



OWNER CONSENT STATEMENT

To Whom It May Concern:

I, Ed Connor, the undersigned title owner of the property identified below, do hereby authorize Starting Nine, LLC d/b/a Beltway Ball Club to apply for a Special Permit on my property located at: 5410 Port Royal Rd, Springfield VA 22152, and authorize Robert J Cable and Jeremy D Schutt to act as authorized agents for the Special Permit.

Tax Map No. 0792 04 D2

Thank you in advance for your cooperation.

Date: 7/29/15

TITLE OWNER

By: [Signature]
(Signor)

COMMONWEALTH/STATE OF: VIRGINIA

CITY/COUNTY OF: FAIRFAX, TO WIT:

The foregoing instrument was acknowledged before me this 29th day of July, 2015
by EDWARD C. CONNOR
(Signor)

[Signature]
Notary Public (Signature)
Notary Registration No. 127225
My Commission Expires: 10/31/15

AFFIX NOTARY SEAL/STAMP



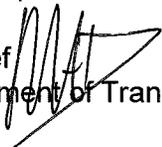
County of Fairfax, Virginia

MEMORANDUM

DATE: September 4, 2015

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

CC: Casey Gresham, Staff Coordinator
Zoning Evaluation Division, Department of Planning & Zoning

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

FILE: SP 2015-BR-104

SUBJECT: SP 2015-BR-104 Starting Nine LLC, DBA Beltway Ball Club
5410 Port Royal Road, Springfield VA 22151
Tax Map: 079-2 ((04)) D2

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. This comment is based on the application material, dated June 29, 2015, and made available to this office.

- Applicant should provide safe and unobstructed pedestrian walkways into the proposed use. The reconfiguration of the existing loading dock to serve as a new pedestrian entrance may not be appropriate in meeting ADA accessibility requirements.

MAD/RP

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



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.