



APPLICATION ACCEPTED: September 25, 2014
PLANNING COMMISSION: December 9, 2015
BOARD OF SUPERVISORS: January 12, 2016

County of Fairfax, Virginia

November 24, 2015

STAFF REPORT

SEA 87-L-012-02

LEE DISTRICT

APPLICANT: R Joun Enterprise LLC,
Roland Joun, Trustee,
Maria Joun, Trustee

ZONING: C-6, HC, SC, CRD

PARCEL(S): 90-2 ((1)) 25A, 25B

ACREAGE: 30,476 sq. ft.

FAR: 0.06 FAR

PLAN MAP: Retail and other Commercial Uses

SE CATEGORY: Category 6 – Approval of the enlargement, extension, relocation or increase in intensity of existing quick-service food stores and service stations in a Highway Corridor Overlay District.

PROPOSAL: Amend SEA 87-L-012 for site modifications to an existing service station and quick service food store in a CRD to add two outdoor lifts, two outdoor storage containers and increased impervious area.

STAFF RECOMMENDATIONS:

Staff recommends approval of SEA 87-L-012-02, subject to the proposed development conditions contained in Appendix 1.

Michael D. Van Atta

It should be noted that it is not the intent of staff to recommend that the Board of Supervisors, in imposing 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 recommendation of staff; it does not reflect the position of the Board of Supervisors.

The approval of this Special Exception Amendment 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 information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

O:\mvanat\Applications\SEA 87-L-012-02 Springfield BP\Staff Report\Staff Report Assembly



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 Exception Amendment

SEA 87-L-012-02

Applicant:

R JOUN ENTERPRISE LLC,
ROLAND JOUN, TRUSTEE AND
MARIA JOUN, TRUSTEE

Accepted:

09/25/2014

Proposed:

AMEND SEA 87-L-012 PREVIOUSLY APPROVED
FOR SERVICE STATION AND QUICK SERVICE
FOOD STORE TO PERMIT SITE
MODIFICATIONS AND MODIFICATION OF
DEVELOPMENT CONDITIONS

Area:

30476 SF OF LAND; DISTRICT - LEE

Zoning Dist Sect:

04-060407-060707-0607

Located:

6703 BACKLICK ROAD, SPRINGFIELD, VA 22150

Zoning:

C-6

Plan Area:

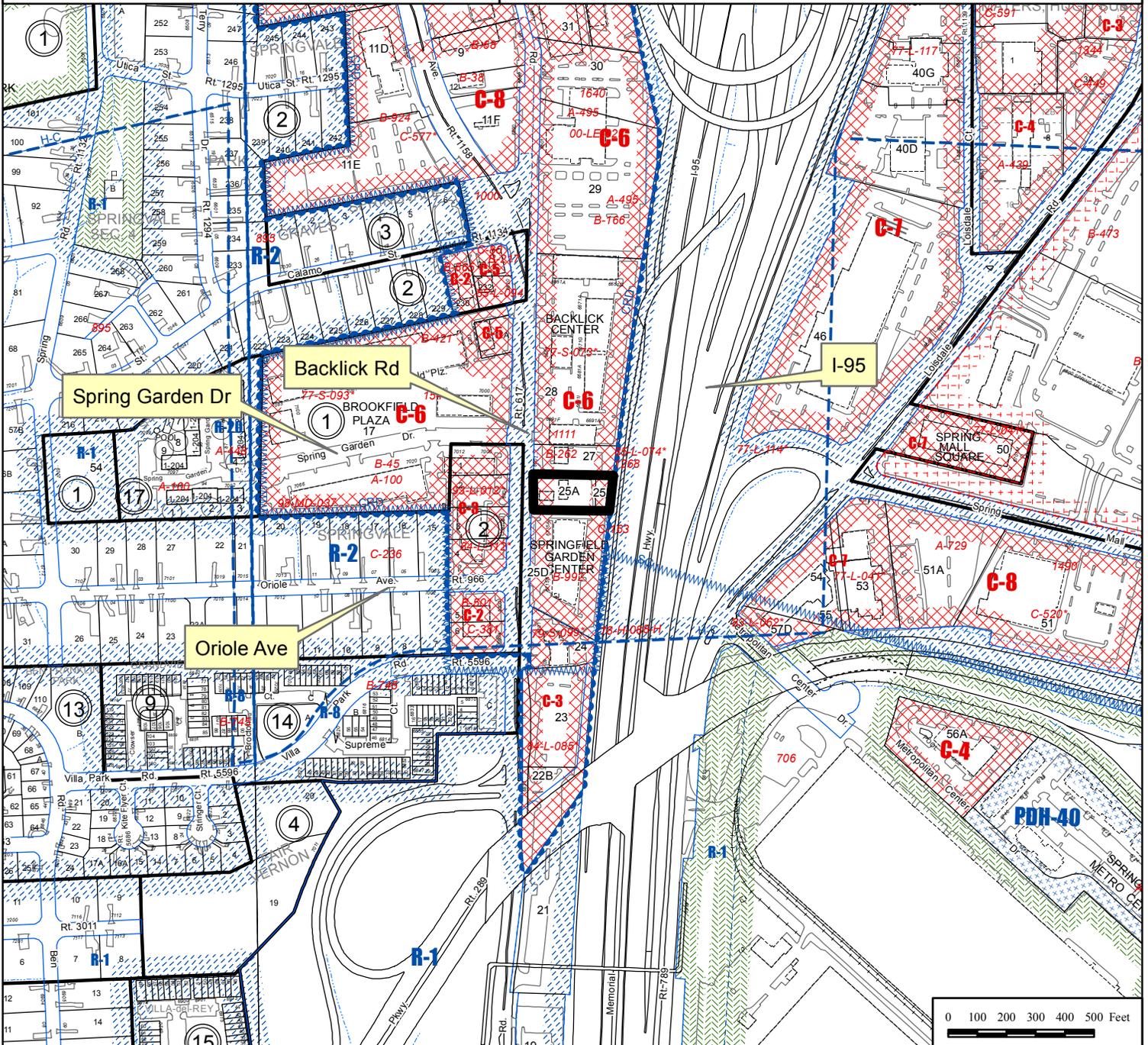
4,

Overlay Dist:

CRD SC HC

Map Ref Num:

090-2- /01/ /0025A /01/ /0025B



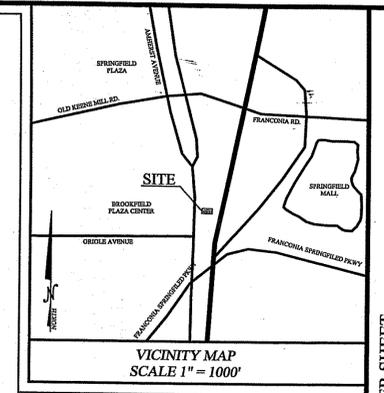
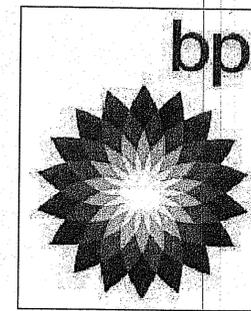
ABBREVIATIONS

AC --- ACRE	LP --- LOW POINT
AC-FT --- ACRE-FOOT	M --- METER
ASPH --- ASPHALT	MAX --- MAXIMUM
AVG --- AVERAGE	MIN --- MINIMUM
BF --- BASEMENT FLOOR	MH --- MANHOLE
BLDG --- BUILDING	MM --- MILLIMETER
BMP --- BEST MANAGEMENT PRACTICE	MON --- MONUMENT
CB --- CATCH BASIN	MW --- MONITORING WELL
CIP --- CAST IRON PIPE	N/F --- NOW OR FORMERLY
CFS --- CUBIC FEET PER SECOND	NO. --- NUMBER
CMP --- CORRUGATED METAL PIPE	OC --- ON CENTER
CO --- CLEAN OUT	OHE --- OVER HEAD ELECTRIC
CONC --- CONCRETE	PC --- POINT OF CURVATURE
CTV --- CABLE TV	PCC --- POINT OF COMPOUND CURVE
CUM --- CUMULATIVE	PG --- PAGE
C & G --- CURB & GUTTER	PI --- POINT OF INTERSECTION
D.I. --- DROP INLET	PL --- PROPERTY LINE
DIA --- DIAMETER	PMP --- PROBABLE MAXIMUM PRECIPITATION
DIP --- DUCTILE IRON PIPE	PP --- POWER POLE
DWG --- DRAWING	PRC --- POINT OF REVERSE CURVE
DWV --- DRAINAGE	PRECIP --- PRECIPITATION
EC --- EROSION CONTROL	PROP --- PROPOSED
ECC --- EDGE OF CONCRETE	PSI --- POINTS PER SQUARE INCHES
ELEC --- ELECTRIC	PT --- POINT OF TANGENCY
ELEV --- ELEVATION	PVMT --- PAVEMENT
EG --- EDGE OF GRAVEL	Q --- FLOW RATE
EP --- EDGE OF PAVEMENT	RAD --- RADIUS
ES --- END SECTION	RC --- REINFORCED CONCRETE
ESMT --- BASEMENT	RCP --- REINFORCED CONCRETE PIPE
EW --- END WALL	REV --- REVISION
EX --- EXISTING	RPA --- RESOURCE PROTECTION AREA
FC --- FACE OF CURB	R/W --- RIGHT-OF-WAY
FCWA --- FAIRFAX COUNTY WATER AUTH.	SAN --- SANITARY
FCPS --- FAIRFAX COUNTY PUBLIC SCHOOL	SEC --- SECTION
FF --- FINISH FLOOR	SCS --- U.S. SOIL CONSERVATION SERVICE
FM --- FORCE MAIN	SDF --- SPILLWAY DESIGN FLOW
FOY --- FOYER	SHT --- SHEET
FP --- FLOOD PLAIN	SPEC --- SPECIFICATION
FT --- FEET	STD --- STANDARD
G --- GAS MAIN	STA --- STATION
G/V --- GAS VALVE	SAW --- SIDEWALK
GALV --- GALVANIZED	SWM --- STORM WATER MANAGEMENT
GFA --- GROSS FLOOR AREA	TC --- TOP OF CURB
GR --- GUARD RAIL	THR --- THROAT
GW --- GUY WIRE	TOB --- TOP OF BANK
HC --- HANDICAP	TYP --- TYPICAL
HEC --- HYDROLOGIC ENGINEERING CENTER	TW --- TOP OF WALL
HGL --- HYDRAULIC GRADE LINE	UD --- UNDER DRAIN
HP --- HIGH POINT	UG --- UNDERGROUND
HR --- HOUR	UGE --- UNDERGROUND ELECTRIC
HT --- HEIGHT	UP --- UTILITY POLE
H2O --- HIGHWAY LOAD FOR TRUCKS	VDOT --- VIRGINIA DEPT. OF TRANSPORTATION
I --- INTENSITY	W --- WATER
ID --- INSIDE DIAMETER	WM --- WATER METER
IN --- INCH	WM --- WATER MAIN
INV --- INVERT	W/W --- WATER VALVE
IP --- IRON PIPE	YR --- YEAR
IPF --- IRON PIPE FOUND	% --- PERCENT
IPS --- IRON PIPE SET	' --- FOOT OR MINUTE
JB --- JUNCTION BOX	" --- INCH/INCHES OR SECOND
L --- LENGTH	# --- POUND/NUMBER
LAT --- LATERAL	

LEGEND

---242--- EXISTING INTERMEDIATE CONTOUR	--- EXISTING FENCE LINE
---245--- EXISTING INDEX CONTOUR	--- EXISTING WOOD FENCE
--- EXISTING EDGE OF PAVEMENT	--- EXISTING CHAIN LINK FENCE
--- EXISTING CURB AND GUTTER	--- EXISTING UTILITY POLE
--- EXISTING TELEPHONE LINE	--- EXISTING WATERLINE MH
--- EXISTING TELEPHONE BOX	--- EXISTING WATERLINE W/ TEE
--- EXISTING STORM SEWER	--- EXISTING WATER VALVE
--- EXISTING STORM SEWER MH	--- EXISTING FIRE HYDRANT
--- EXISTING SANITARY SEWER MH	--- EXISTING WATER METER
--- EXISTING SANITARY SEWER	--- EXISTING WELL
--- EXISTING CLEAN OUT	--- EXISTING SIGN
--- EXISTING ELECTRIC SERVICE	--- EXISTING HC RAMP/SPACE
--- EXISTING ELECTRIC SERVICE BOX	--- EXISTING PARKING INDICATOR
--- EXISTING SATELLITE DISH	--- INDICATES THE NUMBER OF TYPICAL PARKING SPACES
--- EXISTING GAS LINE	--- EXISTING BOLLARD
--- EXISTING GAS VALVE	--- EXISTING DOOR
--- EXISTING PROPERTY LINE	--- EXISTING STREET LIGHT
--- CENTERLINE	--- EXISTING SIGHT LIGHT FIXTURE
X 242.20 EXISTING SPOT ELEVATION	--- (SEE LIGHTING PLAN)
--- EXISTING TREE CANOPY LINE	--- EXISTING LANDSCAPE LIGHT
--- EXISTING TREE	--- EXISTING A/C UNIT
--- PROP. TREE	--- BENCHMARK
--- EXISTING WHEEL STOP	--- LIMITS OF CLEARING & GRADING

BP SPRINGFIELD BP



RECEIVED
Department of Planning & Zoning
NOV 05 2015
Zoning Evaluation Division

ADDRESS

6703 BACKLICK ROAD
SPRINGFIELD, VA 22150
TAX MAP: 090201 0025 A

OWNER

R. JOUN ENTERPRISES LLC
8412 COPPER LEAF CT.
FAIRFAX STATION, VA 22039

APPLICANT

R. JOUN ENTERPRISES LLC
8412 COPPER LEAF CT.
FAIRFAX STATION, VA 22039

NOTES:

- 1- THE PROPERTY DELINEATED ON THIS PLAN IS LOCATED ON FAIR FAX COUNTY TAX MAP NO. : 90-2 ((1)) 0025A/25B
- 2- THE PROPERTY IS CURRENTLY IN THE NAME OF R. JOUN ENTERPRISES LLC, AS RECORDED IN DEED BOOK 19702 AT PAGE 1336 AMONG LAND RECORDS OF FAIR FAX COUNTY.
- 3- TOPOGRAPHY INFORMATION IS FROM A FILED RUN SURVEY BY WILKERSON AND ASSOCIATES INC., AND IS ON ASSUMED DATUM CONTOUR INTERVAL OF 2.0 FEET.
- 4- BOUNDARY INFORMATION IS FROM PUBLIC RECORDS.
- 5- TOTAL SITE AREA: 25,852 + 4,624 = 30,476.00 SQ.FT
- 6- THIS PLAT DOES NOT SHOW ALL COVENANTS, RESTRICTIONS, EASEMENTS, OR DEDICATIONS OF RECORD WHICH MAY EXIST IN THE CHAIN OF TITLE.
NO TITLE REPORT FURNISHED.
- 7- NO GRAVE OR BURIAL SITE IS KNOWN TO EXIST ON THIS PROPERTY.
- 8- THE SITE IS NOT LOCATED WITHIN THE RESOURCE MANAGEMENT AREA AS DELINEATED ON THE COUNTY'S CHESAPEAKE BAY PRESERVATION AREA MAP. NO RESOURCE PROTECTION AREA (RPA) OR FLOOD PLAINS ARE LOCATED ON SITE.
- 9- THE SERVICE STATION BUILDING, WHICH WAS BUILT IN 1971 IS SERVED BY PUBLIC WATER AND PUBLIC SANITARY SEWER AND IS TO BE RETAINED. THERE ARE NO KNOWN PRIVATE WELLS OR SEPTIC FIELDS ON THIS SITE.
- 10- OPEN SPACE AND LANDSCAPING SHALL BE MAINTAINED BY OWNER.
- 11- THE LIMITS OF CLEARING & GRADING, UTILITIES, LANDSCAPING, AND SITE LAYOUT SHOWN HEREON ARE APPROXIMATE AND SUBJECT TO NECESSARY ADJUSTMENTS WITH FINAL ENGINEERING AND DESIGN.
- 12- THE PROPOSED DEVELOPMENT WILL CONFORM TO THE PROVISIONS OF ALL APPLICABLE ORDINANCES, REGULATIONS AND ADOPTED STANDARDS OF FAIR FAX COUNTY.
- 13- ALL AREAS AND DIMENSIONS SHOWN HEREON ARE NECESSARILY APPROXIMATE AND THE APPLICANT RESERVES THE RIGHT TO INCREASE OR DECREASE AS NECESSARY TO FACILITATE FINAL DESIGN.
- 14- ALL LIGHTING SHALL BE BUILDING MOUNTED WITH FULL CUT AND DIRECTED DOWNWARD TO MINIMIZE GLARE AND MEET MINIMUM REQUIREMENTS
- 15- ALL PROPOSED SIGNAGE SHALL COMPLY WITH SECTION 12 OF THE ZONING ORDINANCE.
- 16- STORM WATER MANAGEMENT IS PROVIDED BY THE DETENTION SYSTEM LOCATED ON THE SPRING JIFF PROPERTY TO THE NORTH. THIS SYSTEM, DESIGNED IN 1985 WITH THE SITE PLAN # 6356-SP-01-2, HAS ADEQUATE CAPACITY TO CONTAIN THE 10 YEAR FREQUENCY STORM. AS RELATES, TO AMOCO SERVICE STATION # 889 (FORMER SPRINGFIELD BP), A STORM WATER DETENTION WAIVER (#6886/88) WAS GRANTED BY THE DIRECTOR IN 1988 FOR SITE PLAN # 7289-SP-01-1.
- 17- THE COUNTYWIDE TRAILS PLAN INDICATES A BICYCLE/TYPE I (ASPHALT) TRAIL ALONG THE WEST SIDE OF BACKLICK ROAD.
- 18- THE SITE WAS SUBJECT TO SEA 87-L-012

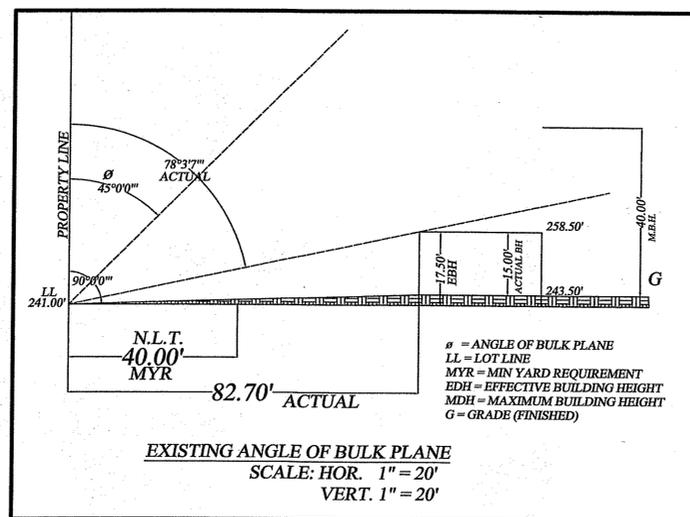
SITE TABULATIONS: (C-6 ZONING)

	EXISTING	REQUIRED	PROPOSED
MINIMUM LOT SIZE	30,476.00 SQ.FT	40,000.00 SQ.FT	30,476.00 SQ.FT
MINIMUM LOT WIDTH	125.00 FT	200.00 FT	125.00 FT **
MAXIMUM BUILDING HEIGHT	15'	40'	15'
MINIMUM YARD REQUIREMENTS:			
FRONT	82.70'	40.0 FT *	82.70'
SIDE	40'/22'	NONE	40'/22'
REAR	135'/130'	20.0 FT	135'/130'
G.F.A.	1836.00 SQ.FT		1836.00 SQ.FT
MAXIMUM F.A.R.	0.06	0.4/0.50***	0.06
MINIMUM OPEN SPACE	4,624.00 SQ.FT (15.17%)	15% (4,571.40 SQ.FT)	4,624.00 SQ.FT (15.17%)

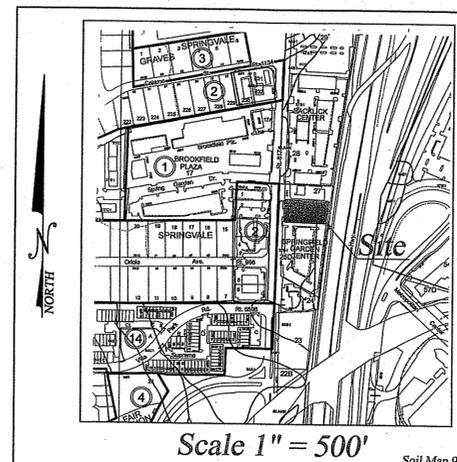
* CONTROLLED BY A 45 DEGREE ANGLE OF BULK PLANE BUT NOT LESS THAN 40.00 FEET
 ** THE SERVICE STATION WAS BUILT IN 1971 AND MET ALL THE ZONING BULK REGULATIONS AT THAT TIME, AND NO CHANGES HAVE BEEN MADE NOR HAVE BEEN PROPOSED. THEREFORE, PURSUANT TO THE PROVISION OF SECT. 2-405, COMPLIANCE WITH THE MINIMUM LOT SIZE AND THE MINIMUM LOT WIDTH REQUIREMENTS OF THE CURRENT ZONING ORDINANCE IS NOT REQUIRED
 *** 0.50 MAY BE PERMITTED BY THE BOARD IN ACCORDANCE WITH THE PROVISIONS OF SECT. 9-618

SCOPE OF WORK

- 1- TO ALLOW PROPOSED OUTSIDE LIFTS.
- 2- TO ALLOW PROPOSED TRAILERS TO STAY.
- 3- TO REDUCE VEGETATION COVER TO 6,035 S.F. WITHIN THE LOT AND OUTLOT AREA.
- 4- TO ADD 1,653.00 SQ.FT OF PAVEMENT AREA TO THE REAR OF THE PARKING LOT



AMERICANS WITH DISABILITIES ACT NOTE:
 THIS PLAN, IN OUR OPINION, MEETS THE A.D.A. REGULATIONS REGARDING HANDICAP SPACES AND SIGNAGE, ACCESSIBLE ROUTE, AND CURB RAMPS, INCLUDING DETECTABLE WARNINGS.



SOIL ID NUMBER	SERIES NAME	SUBSURF. DRAIN	FOUNDN. SUPPORT	SURFACE DRAIN	ERC. DIBILITY	PROBLEM CLASS
37B1	BELTSVILLE	MARG-P	FAIR-P	MARG-P	MEDIUM	III (A)

INDEX SHEET

1. COVER SHEET
2. EXISTING CONDITIONS
3. EXISTING VEGETATION PLAN
4. APPROVED SPECIAL EXEMPTION PLAN
5. PROPOSED CONDITIONS PLAN
6. LIGHTING PLAN
7. DETAIL SHEET

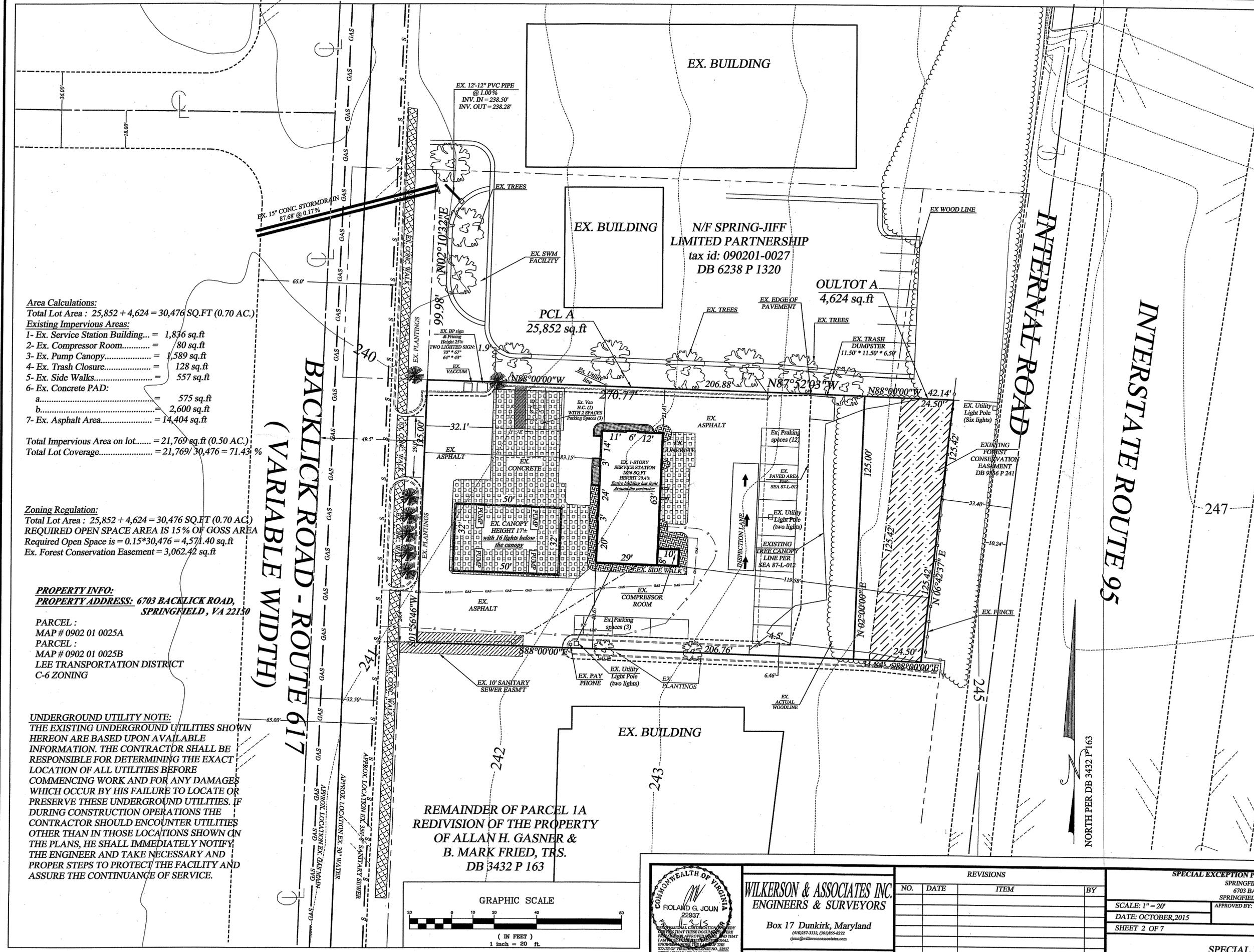
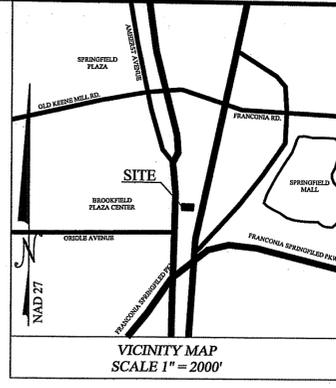
COVER SHEET
SPECIAL EXCEPTION PLAT
 SPRINGFIELD BP STATION
 6703 BACKLICK ROAD
 SPRINGFIELD, VIRGINIA 22310

WILKERSON & ASSOCIATES INC.
 ENGINEERS & SURVEYORS
 Box 17 Dumfries, Maryland
 (410) 257-3332, (301) 855-5672

SHEET 1 OF 7
 COVER SHEET

PROFESSIONAL SEAL
 R. JOUN
 11-3-15
 Date

DATE	REVISION
AUGUST 2015 <td>SCALE 1" = 20'</td>	SCALE 1" = 20'
	DRAWN BY WMC
	DRAWING #
	FILE #
	JOB #
	13-19082



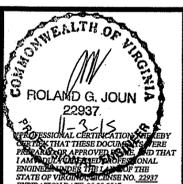
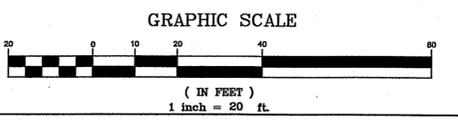
Area Calculations:
 Total Lot Area : 25,852 + 4,624 = 30,476 SQ.FT (0.70 AC.)
Existing Impervious Areas:
 1- Ex. Service Station Building... = 1,836 sq.ft
 2- Ex. Compressor Room... = 80 sq.ft
 3- Ex. Pump Canopy... = 1,589 sq.ft
 4- Ex. Trash Closure... = 128 sq.ft
 5- Ex. Side Walks... = 557 sq.ft
 6- Ex. Concrete PAD:
 a. = 575 sq.ft
 b. = 2,600 sq.ft
 7- Ex. Asphalt Area... = 14,404 sq.ft
 Total Impervious Area on lot..... = 21,769 sq.ft (0.50 AC.)
 Total Lot Coverage..... = 21,769 / 30,476 = 71.43 %

Zoning Regulation:
 Total Lot Area : 25,852 + 4,624 = 30,476 SQ.FT (0.70 AC.)
 REQUIRED OPEN SPACE AREA IS 15% OF GOSS AREA
 Required Open Space is = 0.15*30,476 = 4,571.40 sq.ft
 Ex. Forest Conservation Easement = 3,062.42 sq.ft

PROPERTY INFO:
PROPERTY ADDRESS: 6703 BACKLICK ROAD,
 SPRINGFIELD, VA 22150
 PARCEL :
 MAP # 0902 01 0025A
 PARCEL :
 MAP # 0902 01 0025B
 LEE TRANSPORTATION DISTRICT
 C-6 ZONING

UNDERGROUND UTILITY NOTE:
 THE EXISTING UNDERGROUND UTILITIES SHOWN
 HEREON ARE BASED UPON AVAILABLE
 INFORMATION. THE CONTRACTOR SHALL BE
 RESPONSIBLE FOR DETERMINING THE EXACT
 LOCATION OF ALL UTILITIES BEFORE
 COMMENCING WORK AND FOR ANY DAMAGES
 WHICH OCCUR BY HIS FAILURE TO LOCATE OR
 PRESERVE THESE UNDERGROUND UTILITIES. IF
 DURING CONSTRUCTION OPERATIONS THE
 CONTRACTOR SHOULD ENCOUNTER UTILITIES
 OTHER THAN IN THOSE LOCATIONS SHOWN ON
 THE PLANS, HE SHALL IMMEDIATELY NOTIFY
 THE ENGINEER AND TAKE NECESSARY AND
 PROPER STEPS TO PROTECT THE FACILITY AND
 ASSURE THE CONTINUANCE OF SERVICE.

REMAINDER OF PARCEL 1A
 REDIVISION OF THE PROPERTY
 OF ALLAN H. GASNER &
 B. MARK FRIED, TRS.
 DB 3432 P 163



WILKERSON & ASSOCIATES INC.
 ENGINEERS & SURVEYORS
 Box 17 Dunkirk, Maryland
 (410) 237-3332, (301) 855-8272
 www.wilsonassociates.com

REVISIONS			
NO.	DATE	ITEM	BY

SPECIAL EXCEPTION PLAT-EXISTING CONDITIONS			
SPRINGFIELD BP STATION 6703 BACKLICK ROAD SPRINGFIELD, VIRGINIA 22310			
SCALE: 1" = 20'	APPROVED BY:	DRAWN BY: WMC	
DATE: OCTOBER, 2015	CHECK BY: RJ		
SHEET 2 OF 7	VA9SPEX.COND.REV		

SPECIAL EXCEPTION

PROPERTY INFO:
PROPERTY ADDRESS: 6703 BACKLICK ROAD,
 SPRINGFIELD, VA 22150

PARCEL :
 MAP # 0902 01 0025A
 PARCEL :
 MAP # 0902 01 0025B
 LEE TRANSPORTATION DISTRICT
 C-6 ZONING

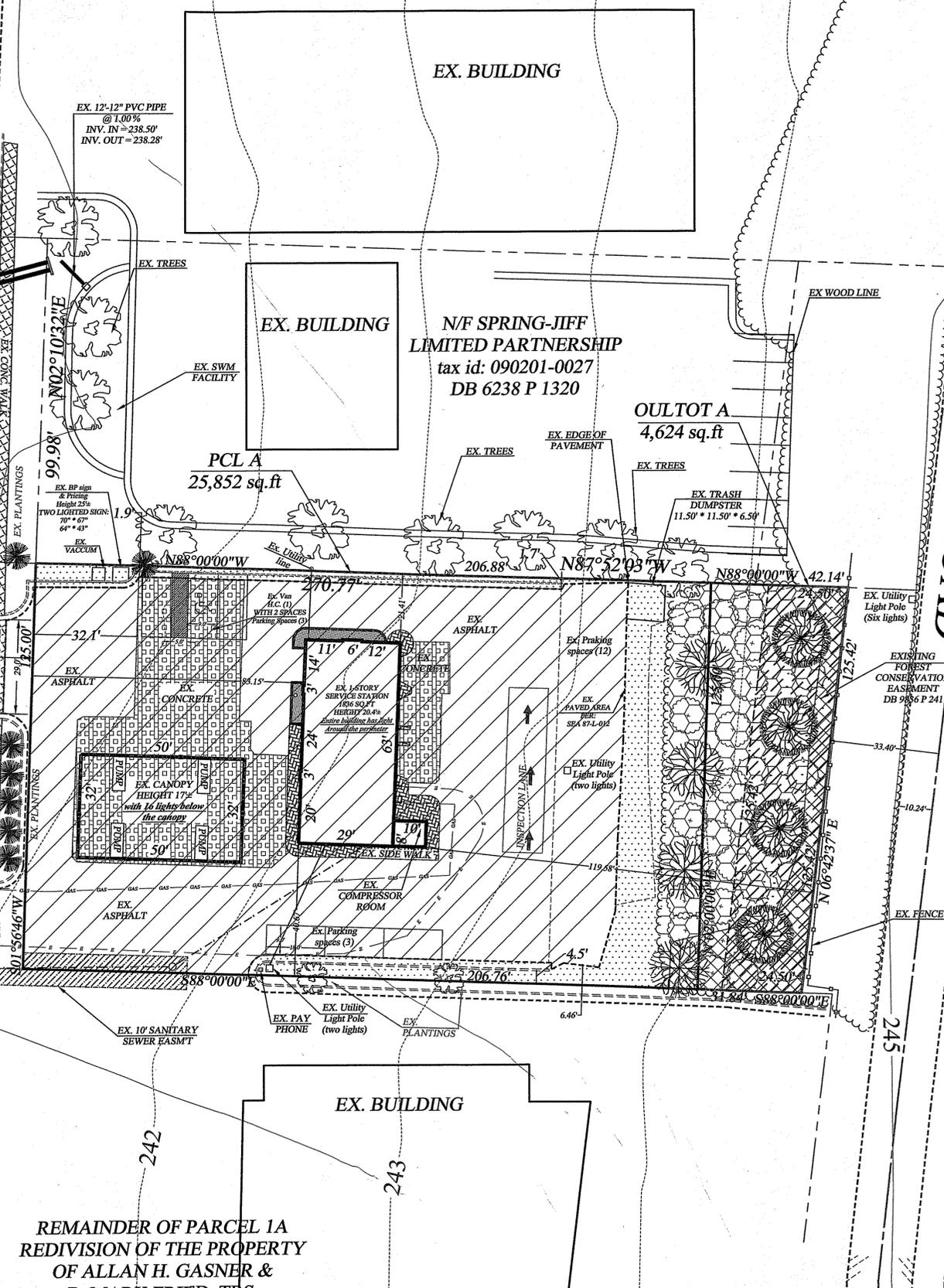
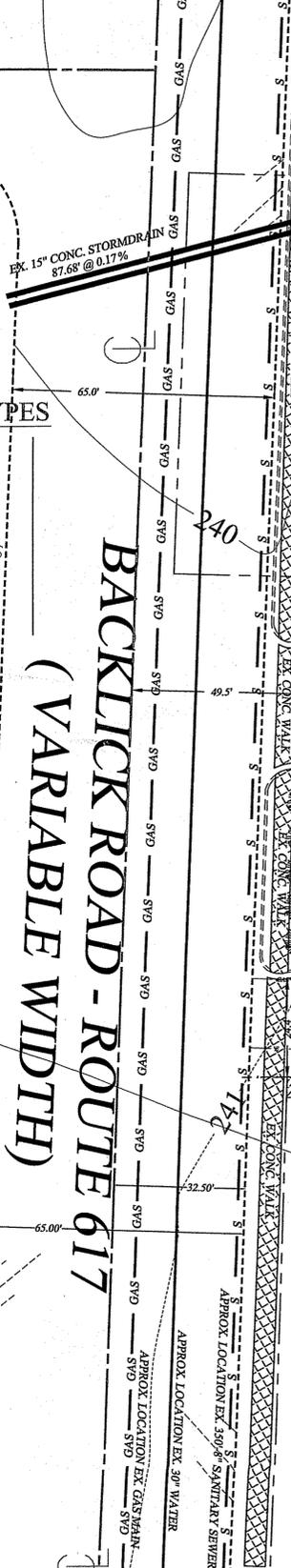
EXISTING VEGETATION COVER TYPES

-  DEVELOPED LAND
21,090.61 SF
-  MAINTAINED GRASSLANDS
3,204.90 SF
-  LANDSCAPED TREE
CANOPY
4,535.58 SF
-  UPLAND FOREST
1,499.69 SF

EXISTING VEGETATION NARRATIVE

THE EXISTING VEGETATION OBSERVED AT THE SITE IS CLASSIFIED AS EARLY/ INTERMEDIATE SUCCESSION FOREST. THE UPLAND FOREST IS CONSIDERED TO BE INTERMEDIATE (SUB-CLIMAX) SUCCESSION, WHEREAS THE LANDSCAPED TREE CANOPY IS CONSIDERED TO BE EARLY SUCCESSION. THREE OF THE RECENTLY PLANTED SWEETBAY MAGNOLIA TREES WERE FOUND TO BE IN A DEAD CONDITION AND NEED TO BE REPLACED. THE EXISTING TREES IN THE UPLAND FOREST WERE MOSTLY HEALTHY ALTHOUGH SOME INVASIVE VINES ARE BEGINNING TO CLIMB THE TREES AND SHOULD BE REMOVED.

BACKLICK ROAD - ROUTE 617
(VARIABLE WIDTH)

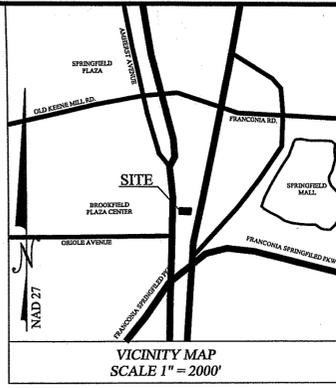


INTERNAL ROAD

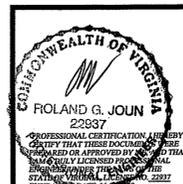
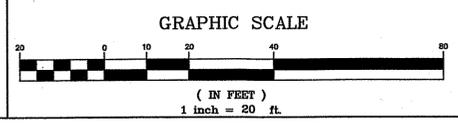
INTERSTATE ROUTE 95

INTERSTATE ROUTE 95

INTERSTATE ROUTE 95



REMAINDER OF PARCEL 1A
 REDIVISION OF THE PROPERTY
 OF ALLAN H. GASNER &
 B. MARK FRIED, TRS.
 DB 3432 P 163



WILKERSON & ASSOCIATES INC.
 ENGINEERS & SURVEYORS
 Box 17 Dunkirk, Maryland
 (410)557-3332, (410)555-4212
 rjoun@wilkersonassociates.com

REVISIONS			
NO.	DATE	ITEM	BY

SPECIAL EXCEPTION PLAT-EXISTING VEGETATION MAP			
SPRINGFIELD BP STATION 6703 BACKLICK ROAD SPRINGFIELD, VIRGINIA 22310			
SCALE: 1" = 20'	APPROVED BY:	DRAWN BY: WMC	
DATE: OCTOBER, 2015	CHECK BY: RJ		
SHEET 3 OF 7	VA9SPEX.VEGETATION.REV		
SPECIAL EXCEPTION			

STORM SEWER DATA

4	RIM = 241.09
	INV. IN = 231.43
5	RIM = 241.71
	INV. OUT = 233.36
	INV. IN = 239.41
6	RIM = 242.62
	INV. OUT = 233.97

THE EXISTING UNDERGROUND UTILITIES SHOWN HEREON ARE BASED UPON AVAILABLE INFORMATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE EXACT LOCATION OF ALL UTILITIES BEFORE COMMENCING WORK AND FOR ANY DAMAGES WHICH OCCUR BY HIS FAILURE TO LOCATE OR PRESERVE THESE UNDERGROUND UTILITIES. IF DURING CONSTRUCTION OPERATIONS THE CONTRACTOR SHOULD ENCOUNTER UTILITIES OTHER THAN THOSE LOCATIONS SHOWN ON THE PLANS, HE SHALL IMMEDIATELY NOTIFY THE ENGINEER AND TAKE NECESSARY AND PROPER STEPS TO PROTECT THE FACILITY AND ASSURE THE CONTINUANCE OF SERVICE.

SPRING JIFF LIMITED PARTNERSHIP
USE: AUTO SERVICE ZONED C-5

SCOPE OF WORK:

- DEMOLISH PUMP ISLAND AND KIOSK, REMOVE SEWER PUMP AND MMD DISPENSER, ALL AS SHOWN TRUS [Hatched] ON DETAIL "A". RECONSTRUCT ISLAND AS SHOWN ON DETAIL "B".
- INSTALL NEW PUMP ISLAND AND MMD DISPENSER, ALONG WITH NEW PIPE BOLLARD.
- PROVIDE NEW SALES AREA AND CASHIER AREA WITHIN THE OFFICE. PAVE AREA AT REAR OF SITE - CONSTRUCT NEW 4" HIGH SPLIT RAIL FENCE. CONSTRUCT BRICK PAVERS AT SITE ENTRANCES.
- PROVIDE GROUND COVER AND TREE COVER AS SHOWN IN THE RESPECTIVE SCHEDULES.
- LANDSCAPE MATERIAL AND PAVERS WITHIN BACKLICK ROAD RIGHT-OF-WAY WILL BE PROVIDED IF V.D.O.T. APPROVES.
- LANDSCAPE MATERIAL MAY BE SUBSTITUTED WITH APPROVAL BY THE URBAN FORESTRY BRANCH OF D.E.M.

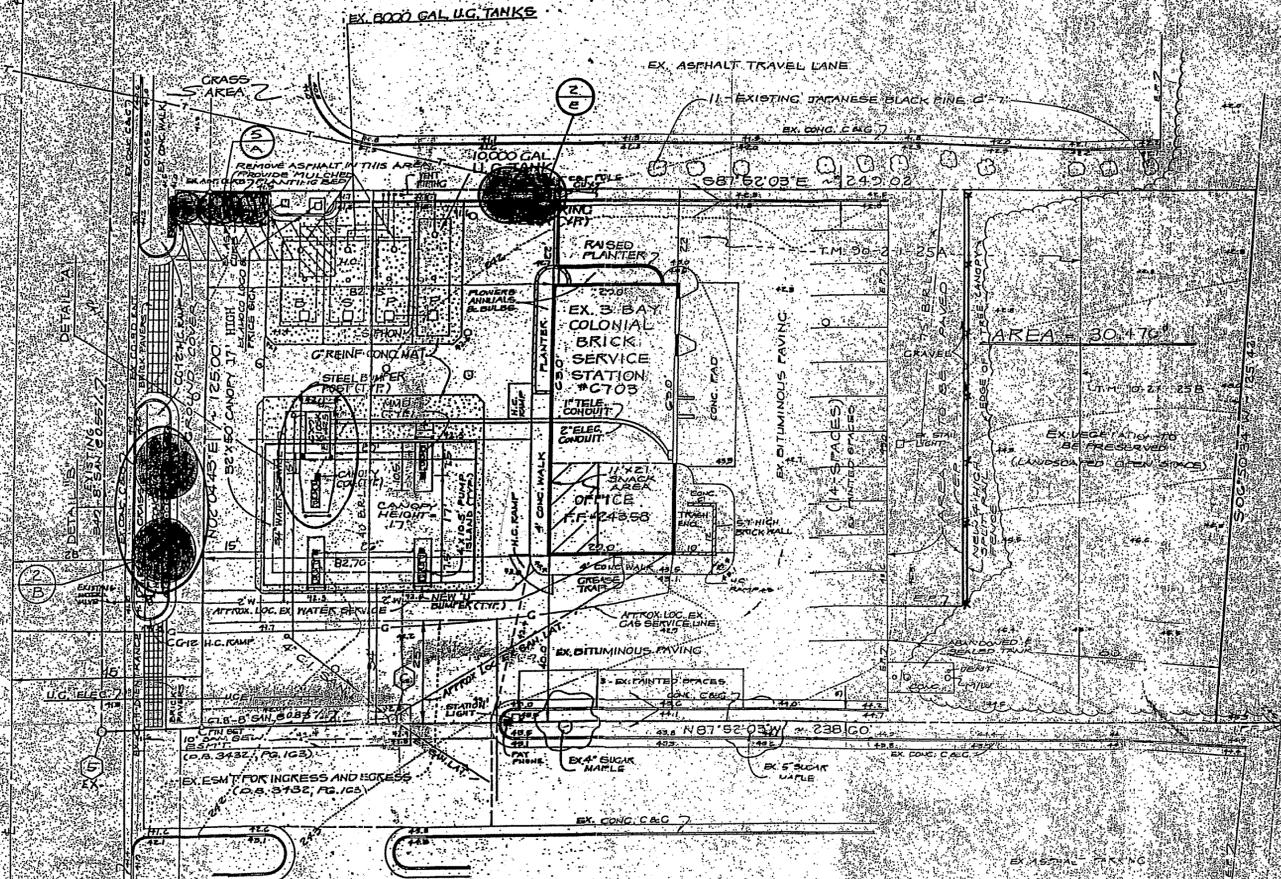
- TAX MAP PARCEL NOS. 90-2-1-25A & 90-2-1-25B, ZONED C-6. THE PROPERTY SHOWN HEREON IS PRESENTLY IN THE NAME OF THE AMOCO OIL COMPANY (NOW AMOCO OIL COMPANY) AS RECORDED IN DEED BOOK 3334, PAGES 527 AND 532 AMONG THE LAND RECORDS OF FAIRFAX COUNTY, VIRGINIA.
- NO TITLE REPORT FURNISHED.
 - THE BOUNDARY SHOWN HEREON IS BASED ON A CURRENT FIELD SURVEY PERFORMED UNDER THE SUPERVISION AND DIRECTION OF THE UNDERSIGNED.
 - VERTICAL DATUM IS REFERENCED TO FAIRFAX COUNTY AS-BUILT SANITARY SEWER PLANS (U.S.G.S. DATUM).

SPECIAL EXCEPTION NOTES

- THE 15' HIGH 3 BAY SERVICE STATION, BUILT IN 1971, IS TO BE RETAINED. THE 7' HIGH KIOSK WAS BUILT IN 1987 AND IS TO BE DEMOLISHED.
- LANDSCAPED OPEN SPACE REQUIRED = 154,457 SQ. FT. PROVIDED = 254,175 SQ. FT.
- PROPERTY IS SERVED BY PUBLIC WATER AND SEWER. STORMWATER MANAGEMENT IS PROVIDED BY THE DETENTION SYSTEM LOCATED ON THE SPRING JIFF PROPERTY TO THE NORTH. THIS SYSTEM DESIGNED IN 1985 WITH SITE PLAN 16356-82-01-2, HAS ADEQUATE CAPACITY TO CONTAIN THE 10 YEAR FREQUENCY STORM. AS RELATES TO AMOCO SERVICE STATION #889, A STORM WATER DETENTION WAIVER (#6866/88) WAS GRANTED BY THE DIRECTOR IN 1988 FOR SITE PLAN #7299-SP-01-1.
- A WAIVER OF THE RESOURCE MANAGEMENT AREA PERFORMANCE CRITERIA UNDER PROVISIONS OF SECTION 148-5-9 OF THE FAIRFAX COUNTY CODE WILL BE REQUIRED. THE THAT A MINOR SITE PLAN IS SUBMITTED TO D.E.M. FOR APPROVAL.
- GROSS FLOOR AREA SERVICE STATION = 1104 SQ. FT. FLOOR AREA RATIO = 1.04/10415 = 0.06. ALLOWABLE F.A.R. = 0.40. EXISTING TOPOGRAPHY HAS BEEN RUN BY J. MONACO & ASSOCIATES, P.C.
- THIS PROPERTY IS LOCATED OUTSIDE THE MAPPED RESOURCE PROTECTION AREA AS DELINEATED ON THE COUNTY'S CHESAPEAKE BAY PRESERVATION AREA MAPS. IN ADDITION, THERE IS NO FLOODPLAIN AS DESIGNATED BY THE FEDERAL INSURANCE ADMINISTRATION UNITED STATES GEOLOGICAL SURVEY OR FAIRFAX COUNTY AND THERE IS NO ENVIRONMENTAL QUALITY CORRIDOR.
- THE COUNTYWIDE TRAILS PLAN INDICATES A BICYCLE/TYPE 1 (ASPHALTY) TRAIL ALONG THE WESTSIDE OF BACKLICK ROAD.
- THERE ARE NO KNOWN GRAVES ON THIS PROPERTY.
- MINIMUM YARD REQUIREMENTS IN THE C-6 DISTRICT FRONT: CONTROLLED BY A 45' ACB.P.P. BUT N.L.T. 40'. SIDE: NONE. REAR: 20'.
- BOARD APPROVAL IS HEREBY REQUESTED FOR A WAIVER OF SECTION 7-608-1-A(3) REQUIRING A SERVICE DRIVE IN A HIGHWAY CORRIDOR OVERLAY DISTRICT.
- THIS PROPERTY IS LOCATED IN BOTH A HIGHWAY CORRIDOR OVERLAY DISTRICT AND SIGN CONTROL OVERLAY DISTRICT AND AS SUCH IS SUBJECT TO THE PROVISIONS OF SECTIONS 7-500 AND 7-500 OF THE ZONING ORDINANCE.
- SERVICE STATION IS A CATEGORY 5 SPECIAL EXCEPTION USE PER SECTION 9-511 OF THE ZONING ORDINANCE.
- ALL CONSTRUCTION SHALL CONFORM TO FAIRFAX COUNTY AND V.D.O.T. STANDARDS AND SPECIFICATIONS.
- SOILS ARE CLASSIFIED AS UNDESIRABLE. THE MATERIAL CONTAINED AND IS COLLECTED WASTES AT PRIVATE RESIDENTS' YARDS AND DISPOSABLE AT THE 66% FAIRFAX SANITARY LANDFILL.
- THE PROPOSED USE CONFORMS TO THE PROVISIONS OF ALL APPLICABLE ORDINANCES, REGULATIONS, ADOPTED STANDARDS, AND ANY APPLICABLE CONDITIONS, EXCEPT AS NOTED HEREIN.
- THE GASOLINE AND PETROLEUM PRODUCTS SOLD OR STORED ON THE PROPERTY, WILL BE STORED, TREATED, AND/OR DISPOSED OF IN ACCORDANCE WITH TITLE 40, CODE OF FEDERAL REGULATIONS, PART 280 AND THE COMMONWEALTH OF VIRGINIA DEPARTMENT OF WASTE MANAGEMENT REGULATION VR-672-10-1. ALL STORAGE TANKS AND WASTE OIL DISPOSAL TANKS ARE DEPICTED HEREIN.

BACKLICK ROAD
(STATE ROUTE 617 VARIABLE WIDTH)

INTERSTATE ROUTE 95
(I-95) (MULTI-LANE METROPOLITAN HIGHWAY)



TREE COVER SCHEDULE

BOTANICAL NAME	COMMON NAME	QTY.	SECS.	COVER AREA
ILEX NELLIE R. STEVENS	NELLIE R. STEVENS HOLLY	5	5'-6" DBH	259 SQ. FT.
EVYRUS CALLERYANA	BRADFORD PEAR	2	8'-10" DBH	400 SQ. FT.
PINDS THUNDERLANA	JAPANESE BLACK PINE	2	5'-6" DBH	300 SQ. FT.
				TOTAL AREA = 959 SQ. FT.

* NOTE: LIMBS OF THESE TREES ARE TO BE TRIMMED SO THAT THEY MEASURE NOT LESS THAN 6' ABOVE THE CONCRETE WALK.

GROUND COVER SCHEDULE

BOTANICAL NAME	COMMON NAME	QTY.	SECS.
ROSA RUGOSA	RUGOSA ROSE	29	#3 CON., 18" O.C.
AZALEA HYBRID	ROSEBUD	6	#3 CON., 18" O.C.

TREE COVER CALCULATION (BASED ON C-6 ZONING)

- A. GROSS SITE AREA = 30,476 SQ. FT.
- B. DEDUCTIBLE AREA (BUILDING FOOTPRINT) = 1,827 SQ. FT.
- C. ADJUSTED GROSS SITE AREA = 28,649 SQ. FT.
- D. TREE COVER REQUIRED = 28,649 x 10% = 2,865 SQ. FT.
- E. EXISTING VEGETATION TO BE PRESERVED = 7500 SQ. FT. x 1.25 = 9,375 SQ. FT.
- F. TREES TO BE PLANTED = 950 SQ. FT.
- G. E + F = 10,325 SQ. FT. > D = 2865 SQ. FT.

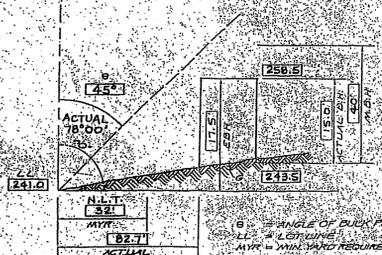
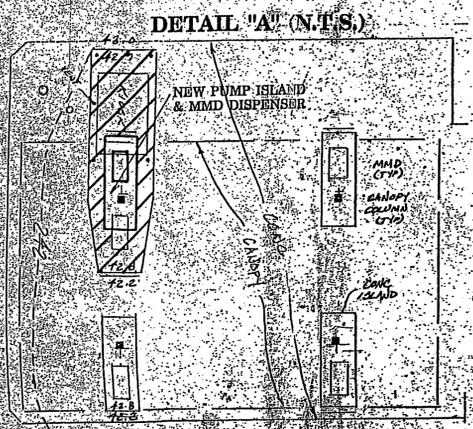
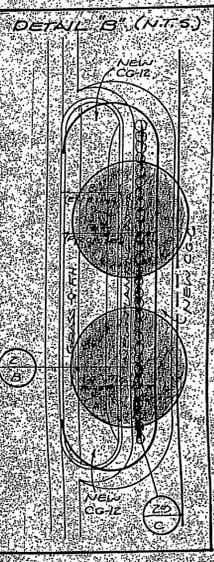
PARKING TABULATION

- SERVICE STATION: 2/BAY x 3 BAYS = 6
- 1/EMPLOYER x 8 = 8
- QUICK SERVICE FOOD STORE: 6.5/1000 S.F. x 231 = 2
- TOTAL SPACES REQUIRED = 16 (INCL. 1 VAN ACCESSIBLE H.C. SPACE)
- TOTAL SPACES PROVIDED = 18 (INCL. 1 H.C. SPACE)

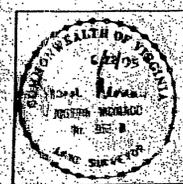
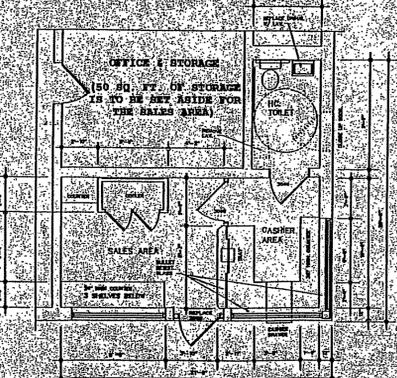
SNACK BALES FLOOR AREA SCHEDULE

	FLOOR AREA
A) SALES AREA	132 S.F.
B) CASHIER AREA	99 S.F.
C) STORAGE	50 S.F.
D) TOTAL AREA	281 S.F.

GASNER AND FRIED TRS
USE: SHOPPING CENTER ZONED C-6



BACKLICK ROAD (FRONT YARD)
DETAIL ANGLE OF BULK PLANE (NOT TO SCALE)



DATE: MAY 1988
SCALE: 1/2" = 1'-0"

SPECIAL EXCEPTION AMENDMENT

AMOCO OIL COMPANY
SERVICE STATION #889
LEE DISTRICT
FAIRFAX COUNTY, VIRGINIA

J. MONACO & ASSOCIATES, P.C.
LAND SURVEYING - LAND DEVELOPMENT PLANNING
FAIRFAX, VIRGINIA

REVISIONS:
1. REVISION: ADD TREE COVER
2. REVISION: ADD TREE COVER
3. REVISION: ADD TREE COVER
4. REVISION: ADD TREE COVER
5. REVISION: ADD TREE COVER
6. REVISION: ADD TREE COVER
7. REVISION: ADD TREE COVER
8. REVISION: ADD TREE COVER
9. REVISION: ADD TREE COVER
10. REVISION: ADD TREE COVER

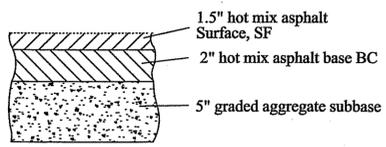
SEA 81-L-012

EXISTING PLANTED TREE INVENTORY:

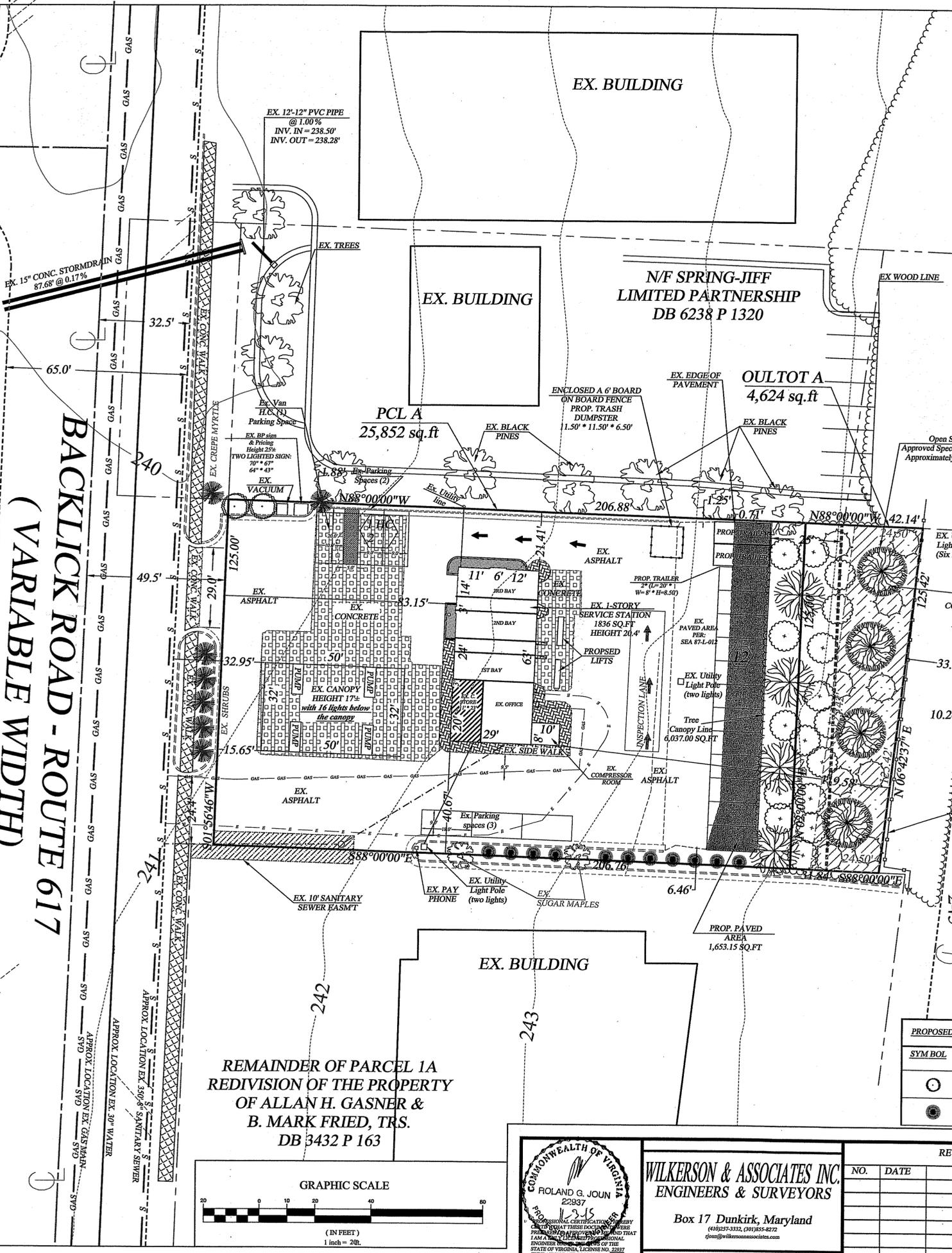
SYM BOL	BOTANICAL NAME	COMMON NAME	QUANTITY	CALIPER
●	ACER RUBRUM	RED MAPLE	4	2"
○	QUERCUS PHELLOS	WILLOW OAK	4	2"
○	CERCIS CANADENSIS	REDBUD	16	1"
○	MAGNOLIA VIRGINIANA	SWEETBAY MAGNOLIA	2	1"

NORTH PER DB 3432 P 163

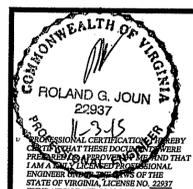
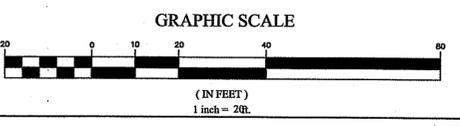
BACKLICK ROAD - ROUTE 617
(VARIABLE WIDTH)



ON SITE ASPHALT PAVING SECTION
NOT TO SCALE



REMAINDER OF PARCEL 1A
REDIVISION OF THE PROPERTY
OF ALLAN H. GASNER &
B. MARK FRIED, TRS.
DB 3432 P 163



WILKERSON & ASSOCIATES INC.
ENGINEERS & SURVEYORS
Box 17 Dunkirk, Maryland
(410)257-3322, (301)555-4272
wjoun@wilkerasonassociates.com

PROPOSED PLANTING SCHEDULE:

SYM BOL	BOTANICAL NAME	COMMON NAME	QUANTITY	HEIGHT	ROOT
○	CHIONANTHUS VIRGINICUS	WHITE FRINGETREE	2	6'	B & B
●	THUIA OCCIDENTALIS "EMERALD"	AMERICAN ARBORVITAE	11	6'	B & B

REVISIONS

NO.	DATE	ITEM	BY

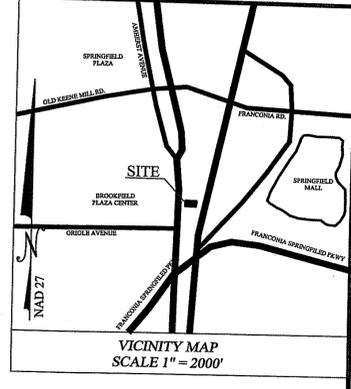
SPECIAL EXCEPTION PLAT-PROPOSED CONDITIONS
 SPRINGFIELD BP STATION
 6703 BACKLICK ROAD
 SPRINGFIELD, VIRGINIA 22310

SCALE: 1" = 20'
 DATE: OCTOBER, 2015
 SHEET 5 OF 7

APPROVED BY: _____
 DRAWN BY: WMC
 CHECK BY: RJ
 VA9SPPROP.COND.REV

SPECIAL EXCEPTION





NORTH PER DB 3432 P 163

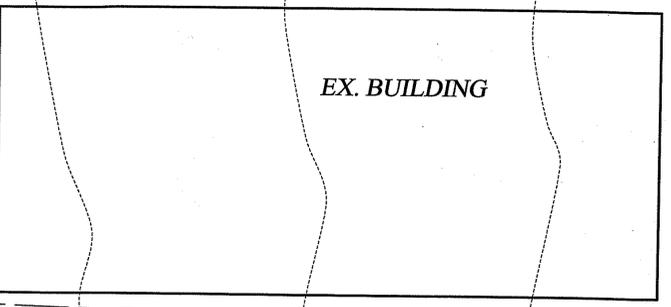
BACKLICK ROAD - ROUTE 617
(VARIABLE WIDTH)

INTERNAL ROAD

INTERSTATE ROUTE 95

INTERSTATE ROUTE 95

INTERSTATE ROUTE 95

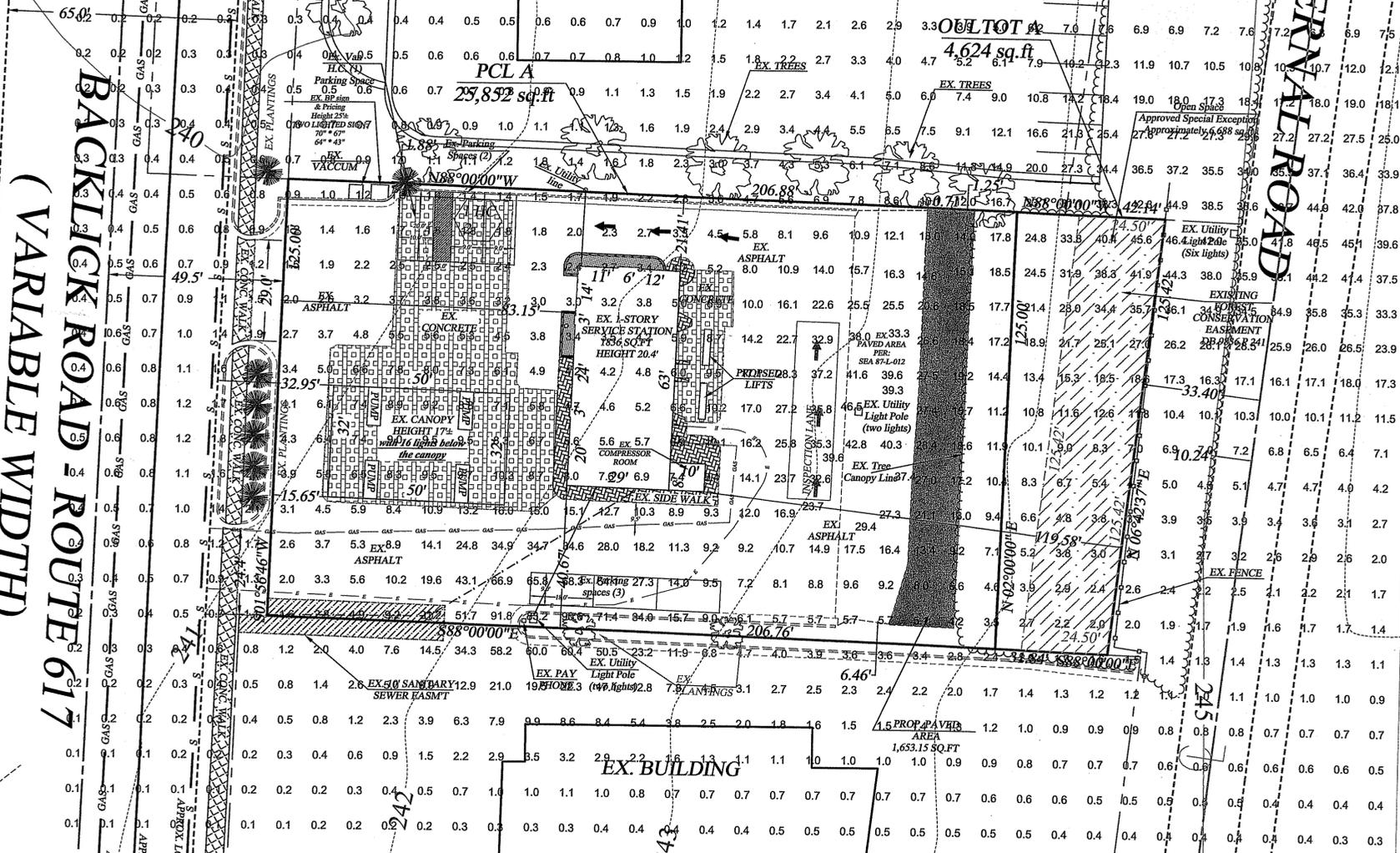


EX. 12" PVC PIPE @ 1.00% INV. IN = 238.50' INV. OUT = 238.28'

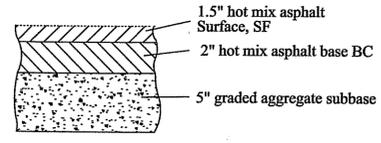
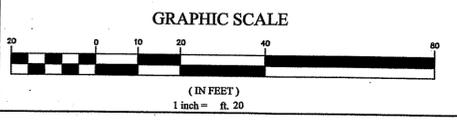
N/F SPRING-JIFF LIMITED PARTNERSHIP DB 6238 P 1320

EX. BUILDING

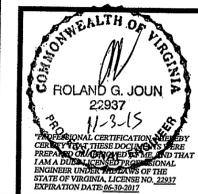
EX. 15" CONC. STORM DRAIN @ 0.17% @ 87.68'



REMAINDER OF PARCEL 1A
REDIVISION OF THE PROPERTY
OF ALLAN H. GASNER &
B. MARK FRIED, TRS.
DB 3432 P 163



ON SITE ASPHALT PAVING SECTION
NOT TO SCALE



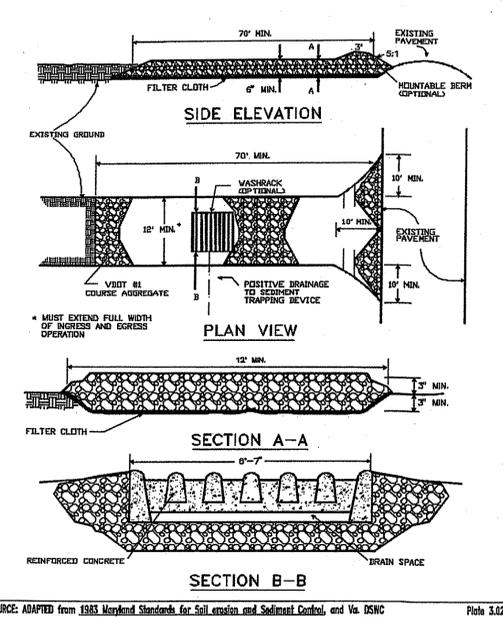
WILKERSON & ASSOCIATES INC.
ENGINEERS & SURVEYORS
Box 17 Dunkirk, Maryland
(410) 257-3332, (301) 855-8272
wjoun@wilkersonsurveys.com

REVISIONS			
NO.	DATE	ITEM	BY

SPECIAL EXCEPTION PLAT-PROPOSED CONDITIONS-LIGHTNING PLAN			
SPRINGFIELD BP STATION 6703 BACKLICK ROAD SPRINGFIELD, VIRGINIA 22310			
SCALE: 1" = 20'	APPROVED BY:	DRAWN BY: WMC	
DATE: OCTOBER, 2015	CHECK BY: RJ		
SHEET 6 OF 7	VA9SPPROP.COND.REV		

SPECIAL EXCEPTION

STONE CONSTRUCTION ENTRANCE



SOURCE: ADAPTED FROM 1985 Maryland Standards for Soil Erosion and Sediment Control, and Va. DSWC Plate 3.02-1

GENERAL LAND CONSERVATION NOTE:

1. ALL DISTURBED AREA WHICH IS NOT ACTIVELY BEING WORKED SHALL REMAIN DENUDE FOR MORE THAN 14 CALENDAR DAYS UNLESS OTHERWISE AUTHORIZED BY THE DIRECTOR.
2. ALL E & S CONTROL MEASURES APPROVED WITH THE PHASE I, E & S CONTROL PLAN SHALL BE PLACED AS THE FIRST STEP IN GRADING.
3. ALL STORM AND SANITARY SEWER LINES NOT IN STREETS SHALL BE SEEDED AND MULCHED WITHIN 14 DAYS AFTER BACKFILL. NO MORE THAN 500' SHALL BE OPEN AT ANYONE TIME.
4. ELECTRIC POWER, TELEPHONE AND GAS SUPPLY TRENCHES SHALL BE COMPACTED, SEEDED AND MULCHED WITHIN 14 DAYS AFTER BACKFILL.
5. ALL TEMPORARY EARTH BERMS, DIVERSIONS AND SEDIMENT CONTROL DARNs SHALL BE SEEDED AND MULCHED FOR TEMPORARY VEGETATIVE COVER IMMEDIATELY (AS SOON AS POSSIBLE BUT NO LATER THAN 48 HR.) AFTER COMPLETION OF GRADING. STRAW OR HAY MULCH IS REQUIRED. ALL SOIL STOCKPILES SHALL BE SEEDED AND MULCHED WITHIN 14 DAYS AFTER GRADING.
6. DURING CONSTRUCTION, ALL STORM SEWER INLETS SHALL BE PROTECTED BY SEDIMENT TRAPS, MAINTAINED AND MODIFIED DURING CONSTRUCTION PROGRESS AS REQUIRED.
7. ANY DISTURBED AREA NOT COVERED BY AND NOT PAVED, SODDED OR BUILT UPON BY NOVEMBER 1, OR DISTURBED AFTER THAT DATE, SHALL BE MULCHED IMMEDIATELY WITH HAY OR STRAW MULCH AT THE RATE OF 2 TONS/ACRE (4483 KG/BA) AND OVER-SEEDED BY APRIL 15.
8. AT THE COMPLETION OF ANY PROJECT CONSTRUCTION AND PRIOR TO BOND RELEASE, ALL TEMPORARY SEDIMENT CONTROLS SHALL BE REMOVED AND ALL DENUDE AREAS SHALL BE STABILIZED.

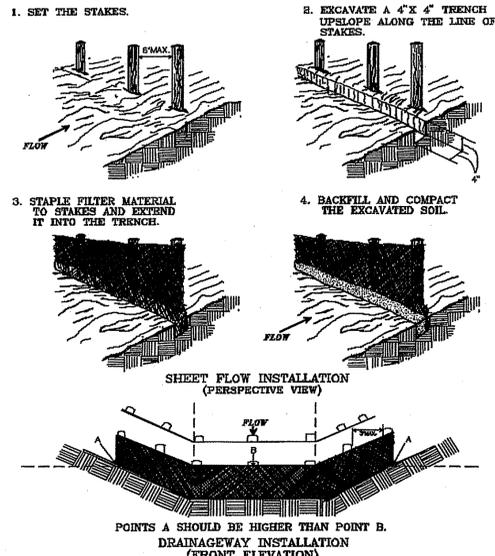
CONSTRUCTION SEQUENCE:

- PHASE I IMPLEMENTATION:**
1. USE THE EXISTING ASPHALT AS CONSTRUCTION ENTRANCE
 2. INSTALL SILT FENCE
 3. OBTAIN COUNTY INSPECTOR'S APPROVAL OF PHASE I IMPLEMENTATION AND PERMISSION TO PROCEED TO PHASE II.
- PHASE II IMPLEMENTATION:**
4. ADJUST PAVEMENT FOR PARKING AREA.
 5. ADD THE TWO LIFTS, WITH THE TWO STORAGE TRAILERS.
 6. STABILIZE ALL AFFECTED AREAS AS PER FAIR FAX MANUAL.
 7. ONCE ALL AREAS HAVE BEEN STABILIZED, PERIMETER CONTROLS MAY BE REMOVED WITH THE APPROVAL OF THE COUNTY INSPECTOR.

NOTES:

1. SUBSTITUTIONS OF THE PLANT LIST SHALL BE OF THE SAME CATEGORY OF PLANT MATERIAL. ANY SUBSTITUTIONS SHALL BE LOW MAINTENANCE, NATIVE SPECIES.
2. TREES AND SHRUBS SHALL BE NURSERY GROWN, UNLESS OTHERWISE APPROVED, AND SHALL BE HEALTHY AND VIGOROUS PLANTS, FREE FROM DEFECTS, DECAY, DISFIGURING ROOTS, SUN-SCALD, INJURIES, ABRASIONS OF THE BARK, PLANT DISEASES INSECT PEST EGGS, BORERS AND ALL FORMS OF INFESTATIONS OR OBJECTIONABLE DISFIGUREMENTS, AS DETERMINED BY THE DIRECTOR OF PUBLIC WORKS. PLANTS SHALL BE IN ACCORDANCE WITH THE CURRENT AMERICAN ASSOCIATION OF NURSERYMAN'S STANDARDS AND CONFORM IN GENERAL TO REPRESENTATIVE SPECIES.
3. ALL PLANT MATERIALS AND PLANTING METHODS SHALL CONFORM TO FFX CO PFM STANDARDS.
4. ANY EQUIPMENT OR DEBRIS CURRENTLY EXISTING WITHIN THE CONSERVATION EASEMENT AREA SHALL BE REMOVED. THE PLANTED CONSERVATION AREA SHALL REMAIN FREE OF EQUIPMENT OR DEBRIS. SIGNS SHALL BE ERRECTED ALONG THE BOUNDARY OF THE CONSERVATION EASEMENT AREA INDICATING IT AS SUCH.

CONSTRUCTION OF A SILT FENCE (WITHOUT WIRE SUPPORT)



SOURCE: Adapted from Installation of Straw and Fabric Filter Barriers for Sediment Control, VA. DSWC Plate 3.03-2 Sherwood and Wyatt

TABLE 12.12 10-Yr. Tree Canop+A1:H49y Calculation Worksheet

Step	Description	Totals
A. Tree Preservation Target and Statement		
	Pre-development area of existing tree canopy (from Existing Vegetation Map) =	6035.27
	Percentage of gross site area covered by existing tree canopy =	19.8%
	Percentage of 10-yr tree canopy required for site =	10%
	Percentage of 10-yr tree canopy requirement that should be met through tree preservation =	100%
A1	Has the Tree Preservation Target been met? Yes	
	The tree preservation target would require the preservation of trees that do not meet the standards for health and structural condition and other vegetation and risk management requirements of § 12-0400 of sec of § 12-0400 of sec	
	(Additional Statement: The trees that were unhealthy were removed by the property owner without a permit, and thus this current plan is an effort at remedial zoning violation that was issued for altering, without permission from Fairfax County, the approved Special Exception Plan for the site, which had used the preservation of the existing trees on site to satisfy the 10-Year Tree Canopy Area requirement at that time.)	
B. Tree Canopy Requirement		
B1	Identify Gross Area =	30,478.00
B2	Subtract area dedicated to parks, road, frontage, and	0
B3	Subtract area of exemptions =	0
B4	Adjusted Site Area (B1 - B2) =	30,478.00
B5	Identify site's zoning and/or use =	C-6
B6	Percentage of 10-yr tree canopy required =	10%
B7	Area of 10-yr tree canopy required (B4 x B5) =	3047.80
B8	Modification of 10-yr Tree Canopy Requirements requested?	No
B9	If B8 is yes, then list plan sheet where modification is located	
C. Tree Preservation		
C1	Tree Preservation Target Area =	3047.8
C2	Total Canopy area meeting standards of §12-0200 =	6035.27
C3	C2 x 1.25 =	7544.09
C4	Total Canopy Area provided by unique or valuable forest or woodland communities =	0.00
C5	C4 x 1.5 =	0.00
C6	Total of Canopy Area provided by "Heritage, Memorial, Spocimen, or Street" trees =	0.00
C7	C6 x 1.5 to 3.0 =	0.00
C8	Canopy Area of trees within Resource Protection Area and 100-year floodplains =	0.00
C9	C8 x 1.0 =	0.00
C10	Total of C3, C5, C7 and C9 =	7544.09
D. Tree Planting		
D1	Area of Canopy to be met through tree planting (B7-C10) =	-4,496.49
D2	Area of Canopy planted for air quality benefits =	0.00
D3	D2 x 1.5 =	0.00
D4	Area of Canopy planted for energy conservation =	0.00
D5	D4 x 1.5 =	0.00
D6	Area of Canopy planted for water quality benefits =	0.00
D7	D6 x 1.25 =	0.00
D8	Area of Canopy planted for wildlife benefits =	0.00
D9	D8 x 1.5 =	0.00
D10	Area of Canopy planted by native trees =	0.00
D11	D10 x 1.5 =	0.00
D12	Area of Canopy provided by improved cultivars and varieties =	0.00
D13	D12 x 1.25 =	0.00
D14	Area of Canopy provided through tree seedlings =	0.00
D15	D14 x 1.5 =	0.00
D16	Percentage of D14 represented by D15 =	0.00%
D17	Total of Canopy area provided through tree planting =	0.00
D18	Is an offsite planting relief requested? No	
D19	Tree Bank or Tree Fund? No	
D20	Canopy area requested to be provided through offsite banking or tree fund =	0.00
D21	Amount to be deposited into Tree Preservation and Planting Fund =	\$0.00
E. Total of Tree Canopy Provided		
E1	Total of Canopy area provided through tree preservation (C10) =	6035.27
E2	Total of Canopy area provided through tree planting (D17) =	0.00
E3	Total of Canopy area provided through offsite mechanism (D19) =	0.00
E4	Total of 10-Year Tree Canopy Provided =	6,035.27

EROSION AND SEDIMENT CONTROL NARRATIVE:

PROJECT DESCRIPTION:
THIS PROJECT CONSISTS OF:
1- ADDING TWO LIFTS;
2- ADDING TWO STORAGE TRAILERS AS SHOWN ON THE PLANS;
THE LOT HAS AN EXISTING OPERATING SERVICE STATION. NO STRUCTURAL ADDITION IS TO BE DONE OR PROPOSED. MINIMAL GRADING IS REQUIRED. NO DRAINAGE ISSUES ARE TO BE RESOLVED OR PRESENT. THE PROPOSED WORK CONSISTS OF ADJUSTING THE PARKING AREA AT THE BACK OF THE PROPERTY WITH MINIMAL CLEARING TO COMPLETE THE GRADING; STABILIZING THE SOIL.

DEVELOPED CONDITIONS:
THIS PROJECT PROPOSES TO COMPLETE THE GRADING; TO ADJUST PAVEMENTS FOR THE PARKING AREAS SHOWN ABOVE.

ADJACENT PROPERTIES:
OUR SITE IS LOCATED IN SPRINGFIELD AREA IN THE LEE TRANSPORTATION DISTRICT. IT IS IN THE NO COUNTY HISTORIC OVERLAY DISTRICT. THE LOT IS BORDERED BY BACKLICK ROAD TO THE WEST, AND THE INTERSTATE 95 THE TO EAST AND, C-6 ZONED PROPERTIES TO THE EAST AND WEST.

OFF-SITE AREAS:
NO OFF-SITE AREAS ARE AFFECTED BY THIS PROJECT.

SOILS:
SEE COVER SHEET FOR MAP.

CRITICAL EROSION AREAS:
NO CRITICAL EROSION AREAS ARE AFFECTED BY THIS PLAN.

EROSION AND SEDIMENT CONTROL MEASURES:
UNLESS OTHERWISE INDICATED, ALL VEGETATIVE AND STRUCTURAL EROSION AND SEDIMENT CONTROLS SHALL BE CONSTRUCTED AND MAINTAINED ACCORDING TO THE MINIMUM STANDARDS AND SPECIFICATIONS OF THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK (VESCH). THESE STANDARDS SHALL BE ADHERED TO UNLESS OTHERWISE AUTHORIZED BY AN AGENT OF THE GOVERNING COUNTY AGENCY.

STRUCTURAL PRACTICES:
1. TEMPORARY CONSTRUCTION ENTRANCE - 3.02
THE EXISTING DRIVEWAY SHALL BE USED AS THE CONSTRUCTION ENTRANCE FOR THIS PROJECT. A GRAVEL ENTRANCE SHALL BE INSTALLED IF EXISTING DRIVEWAY TO BE REMOVED.

2. SILT FENCE - 3.05
SILT FENCE SHALL BE CONSTRUCTED AS SHOWN ON THE PLAN TO FILTER SEDIMENT LADEN SHEET FLOW FROM LEAVING THE SITE.

3. TEMPORARY SEEDING-3.33
ALL DENUDE AREAS WHICH WILL BE LEFT DORMANT FOR EXTENDED PERIODS OF TIME SHALL BE SEEDED WITHIN 14 DAYS WITH FAST GERMINATING TEMPORARY VEGETATION IMMEDIATELY FOLLOWING GRADING.

PERMANENT STABILIZATION:
ALL AREAS DISTURBED BY CONSTRUCTION NOT RECEIVING PAVEMENT SHALL BE STABILIZED WITH PERMANENT SEEDING IMMEDIATELY FOLLOWING FINISH GRADING IN ACCORDANCE WITH MINIMUM STANDARDS # 3.32

ALL DISTURBED AREAS WHERE THERE ARE CUT OR FILL SLOPES GREATER THAN 3:1 SHALL BE PLANTED GROUND COVERS FROM THE FOLLOWING LIST:

- ENGLISH IVY, AJUGA, CROWN VETCH, PACHYSANDRA, PERIWINKLE, EPONYMOUS, CREEPING JUNIPER, OR OTHERS AS APPROVED BY THE DIRECTOR.

AREA SHALL ALSO BE MULCHED TO HELP STABILIZE THE SLOPE DURING THE PERIOD IT TAKES FOR VEGETATION TO ESTABLISH.

MAINTENANCE:
ALL EROSION CONTROL MEASURES SHALL BE CHECKED DAILY AND AFTER EVERY SIGNIFICANT RAINFALL.

1- THE SILT FENCE SHALL BE CLEANED WHEN THE SEDIMENT HAS BUILT UP TO ONE HALF OF THE HEIGHT OF THE SILT FENCE OR WHEN "BULGES" APPEAR.

INSPECTIONS:
THE ENVIRONMENTAL AND FACILITIES INSPECTIONS DIVISION HAS PRIMARY RESPONSIBILITY FOR FIELD INSPECTION TO ENSURE THAT THE E & S CONTROL MEASURES SHOWN ON APPROVED GRADING PLANS OR SITE AND SUBDIVISION PLANS ARE ACTUALLY PROVIDED. FIELD INSPECTORS ARE AUTHORIZED TO MAKE MINOR MODIFICATIONS TO THE REQUIREMENTS SHOWN ON THE PLANS WHERE NECESSARY TO CONFORM TO FIELD CONDITIONS OR TO ENSURE EFFECTIVE CONTROL. MAJOR CHANGES SHALL BE CLEARED WITH THE ENVIRONMENTAL AND FACILITIES REVIEW DIVISION.

THIS PLAN REPRESENTS:

- 1- TO ALLOW PROPOSED OUTSIDE LIFTS.
- 2- TO ALLOW PROPOSED TRAILERS TO STAY.
- 3- TO REDUCE VEGETATION COVER TO 6,035 S.F. WITHIN THE LOT AND OUTLOT AREA.
- 4- TO ADD 1,653.00 SQ.FT OF PAVEMENT AREA TO THE REAR OF THE PARKING LOT

ROLAND G. JOUN, P.E.

LIME AND FERTILIZER APPLICATION SPECS. FOR COASTAL PLAIN:
LIME 2 TONS/ACRE PULVERIZED AGRICULTURAL GRADE LIMESTONE FERTILIZER:
MIXED GRASSES & LEGUMES 1000 LBS/ ACRE 10-20-10 OR EQUIV.
LEGUME STANDS ONLY 1000 LBS/ACRE 5-20-10 (23 LBS/ACRE)
GRASS STANDS ONLY 1000 LBS/ACRE 10-20-10 OR EQUIV.

SEEDING MIXTURES FOR COASTAL PLAIN AREA:
MINIMUM CARE LAWN
- KENTUCKY 31 OR TURF-TYPE TALL FESCUE OR 175-200 LBS/ACRE
- COMMON BERMUDA GRASS**
HIGH MAINTENANCE LAWN
- KENTUCKY 31 OR TURF-TYPE TALL FESCUE OR 200-250 LBS/ACRE
- HYBRID BERMUDAGRASS (SEED)** OR 40 LBS/ACRE (UNHULLED) 30 LBS/ACRE (HULLED)

-HYBRID BERMUDAGRASS (BY OTHER ESTABLISHMENT METHOD SEE STD & SPEC 3.34)
GENERAL SLOPE (3:1 OR LESS)
-KENTUCKY 31 TALL FESCUE 128 LBS/ACRE
-RED TOP GRASS 2 LBS/ACRE
-SEASONAL NURSE CROP* 20 LBS/ACRE

150 LBS/ACRE
LOW MAINTENANCE (STEEPER THAN 3:1)
-KENTUCKY 31 TALL FESCUE 93-108 LBS/ACRE
-COMMON BERMUDA GRASS** 0-15 LBS/ACRE
-RED TOP GRASS 2 LBS/ACRE
-SEASONAL NURSE CROP* 20 LBS/ACRE
-SERICEA LESPEDEZA** 20 LBS/ACRE

* USE SEASONAL NURSE CROP IN ACCORDANCE WITH SEEDING DATES STATED BELOW:
FEBRUARY, MARCH THROUGH APRIL ANNUAL RYE
MAY 1ST THROUGH AUGUST FOXTAIL MILLET
SEPTEMBER, OCTOBER THROUGH NOVEMBER 15TH ANNUAL RYE
NOVEMBER 16TH THROUGH JANUARY WINTER RYE.

** MAY THROUGH OCTOBER, USE HULLED SEED. ALL OTHER SEEDING PERIODS, USE UNHULLED SEED. WEEPING LOVEGRASS MAY BE ADDED TO ANY SLOPE OR LOW MAINTENANCE MIX DURING WARMER SEEDING PERIODS; ADD 10-20 LBS/ACRE IN MIXES.

LIME AND FERTILIZER APPLICATION SPECS. FOR TEMPORARY SEEDING:

PH TEST	REC. APPLICATION OF AG. LIMESTONE	(LBS/ACRE)
BELOW 4.2	3 TONS PER ACRE	50-100
4.2 TO 5.2	2 TONS PER ACRE	
5.2 TO 6.0	1 TON PER ACRE	

FERTILIZER SHALL BE APPLIED @ 600 LBS/ACRE OF 10-20-10 (14 LBS/1000 SQ.FT) OR EQUIV.

TEMPORARY SEEDING APPLICATION SPECIFICATIONS:

PLANTING DATES	SPECIES	(LBS/ACRE)
SEPT. 1 - FEB. 15	50/50 MIX OF ANNUAL RYEGRASS & CEREAL (WINTER) RYEGRASS	50-100
FEB. 16 - APR. 30	ANNUAL RYEGRASS	60-100
MAY 1 - AUG. 31	GERMAN MILLET	50

MINIMUM STANDARDS

1- PERMANENT OR TEMPORARY SOIL STABILIZATION BE APPLIED TO DENUDE AREAS WITHIN SEVEN DAYS AFTER FINAL GRADE IS REACHED ON ANY PORTION OF THE SITE. TEMPORARY SOIL STABILIZATION SHALL BE APPLIED WITHIN SEVEN DAYS TO DENUDE AREAS THAT MAY NOT BE AT FINAL GRADE BUT WILL REMAIN DORMANT FOR MORE THAN THIRTY DAYS. PERMANENT STABILIZATION SHALL BE APPLIED TO AREAS THAT ARE TO BE LEFT DORMANT FOR MORE THAN ONE YEAR.

2-) DURING CONSTRUCTION OF THE PROJECT, SOIL STOCKPILES AND BORROW AREAS SHALL BE STABILIZED OR PROTECTED WITH SEDIMENT TRAPPING MEASURES. THE APPLICANT IS RESPONSIBLE FOR THE TEMPORARY PROTECTION AND PERMANENT STABILIZATION OF ALL SOIL STOCKPILES ON SITE AS BORROW AREAS AND SOIL INTENTIONALLY TRANSPORTED FROM THE PROJECT SITE.

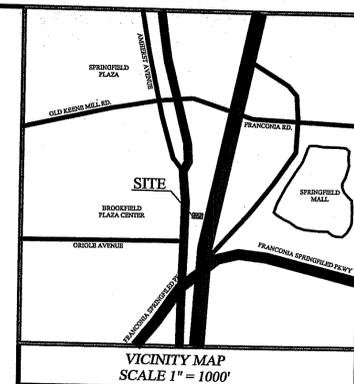
3-) A PERMANENT VEGETATIVE COVER SHALL BE ESTABLISHED ON DENUDE AREA NOT OTHERWISE PERMANENTLY STABILIZED. PERMANENT VEGETATION SHALL NOT BE CONSIDERED ESTABLISHED UNTIL A GROUND COVER IS ACHIEVED THAT IS UNIFORM MATURE ENOUGH TO SURVIVE AND WILL INHIBIT EROSION.

4-) SEDIMENT BASINS AND TRAPS, PERIMETER DIKES, SEDIMENT BARRIERS, AND OTHER MEASURES INTENDED TO TRAP SEDIMENT SHALL BE CONSTRUCTED AS A FIRST STEP IN ANY LAND-DISTURBING ACTIVITY AND SHALL BE MADE FUNCTIONAL BEFORE UPSLOPE LAND DISTURBANCE TAKES PLACE.

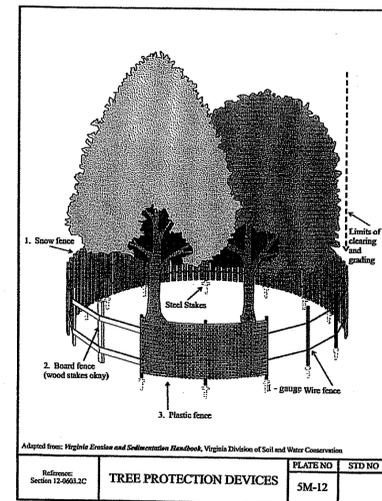
5-) STABILIZATION MEASURES SHALL BE APPLIED TO EARTHEN STRUCTURES SUCH AS DAMS, DIKES AND DIVERSIONS IMMEDIATELY AFTER INSTALLATION.

6-) CUT AND FILL SLOPES SHALL BE DESIGNED AND CONSTRUCTED IN A MANNER THAT WILL MINIMIZE EROSION. SLOPES THAT ARE FOUND TO BE ERODING EXCESSIVELY WITHIN ONE YEAR OF PERMANENT SHALL BE PROVIDED WITH ADDITIONAL SLOPE STABILIZING MEASURES UNTIL THE PROBLEM IS CORRECTED.

7-) CONCENTRATED RUNOFF SHALL NOT FLOW DOWN CUT OR FILL SLOPES UNLESS CONTAINED WITHIN AN ADEQUATE TEMPORARY OR PERMANENT CHANNEL, FLUME OR SLOPE DRAIN STRUCTURE.

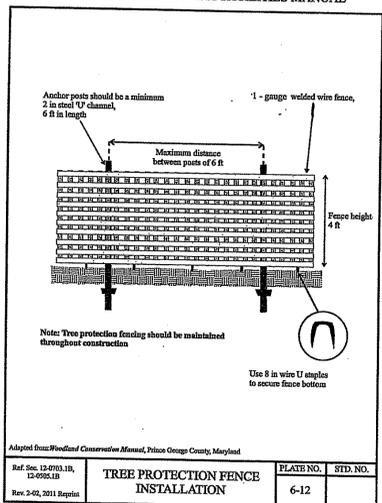


FAIRFAX COUNTY PUBLIC FACILITIES MANUAL



Reference: Section 12-0400.1C TREE PROTECTION DEVICES PLATE NO. 5M-12 STD. NO.

FAIRFAX COUNTY PUBLIC FACILITIES MANUAL



Adapted from: Virginia Division of Soil and Water Conservation
Ref. Sec. 12-0400.1C, 12-0400.1D
Rev. 2-02, 2011 Reprint
TREE PROTECTION FENCE INSTALLATION PLATE NO. 6-12 STD. NO.

DETAIL PLAN
SPECIAL EXCEPTION PLAT-PROPOSED CONDITIONS
SPRINGFIELD BP STATION
6703 BACKLICK ROAD
SPRINGFIELD, VIRGINIA 22310

WILKERSON & ASSOCIATES INC.
ENGINEERS & SURVEYORS
Box 17 Dumfries, Maryland
(410)571-2332, (301)855-8272

SHEET 7 OF 7
DETAILS

COMMONWEALTH OF VIRGINIA
ROLAND G. JOUN
22937
1/3/15
PROFESSIONAL
Date

DATE	REVISION
OCTOBER 2015	
1" = 20'	
DRAWN BY: JWC	
CHECKED BY: JWC	
DATE: 10/15/15	
FILE #	
PROJECT #	
JOB #	15-19082

DESCRIPTION OF THE APPLICATION

The applicants (R Joun Enterprise LLC; Roland Joun, Trustee; Maria Joun, Trustee) are the owners of the Springfield BP service station and seek a Special Exception Amendment (SEA) for site modifications and modifications to development conditions for a previously approved service station and quick service food store. The application proposes two outdoor lifts, two outdoor storage containers and to increase the impervious area of the site by 1,653.15 SF. This SEA request is being sought to remedy notice of violations (NOV) issued in 2009 and 2012.

A reduced copy of the SEA Plat is included at the front of this report. The proposed development conditions, the letter of approval for SEA 87-L-012, the applicant's Affidavit, and the Statement of Justification are contained in Appendices 1, 2, 3 and 4, respectively.

LOCATION AND CHARACTER

The 30,476 SF site is located on the east side of Backlick Road to the north of Oriole Avenue and to the south of Spring Garden Drive in Springfield. The property consists of two parcels that are situated between Backlick Road and the I-95 right-of-way (ROW), with access provided from Backlick Road. The property is zoned C-6 and is also located in the Highway Corridor (HC), Sign Control (SC), and Springfield Community Revitalization (CRD) overlay districts. The site is developed with a paved area that extends from Backlick Road to within approximately 65 feet of the I-95 ROW, and a conservation easement and tree preservation area extends from the rear of the paved area to the I-95 ROW. An existing 17-foot tall canopy with four pump islands exists towards the Backlick Road portion of the site (west). Directly east of the pump islands is an existing brick service station building, which contains the office area, quick service food store and three service bays that are accessed from the rear of the building. An inspection lane and parking area are located behind the building.

	Existing Zoning:	Existing Use:	Plan Recommendation:
North:	C-6	Vehicle Light Service Establishment (Jiffy Lube)	Retail
East:	ROW	I-95 ROW	ROW
South:	C-6, C-3	Retail (Springfield Garden Shopping Center)	Office
West	C-3	Financial Institution	Office

Figure 1: Table of surrounding uses



Figure 2: Aerial view of site (Source: Fairfax County GIS)

BACKGROUND (Appendices 2 and 5)

- On January 26, 1971, the Board of Zoning Appeals approved Special Permit S-238-70 to establish the service station.
- On November 30, 1976, the Board of Zoning Appeals approved S-203-76 to permit construction of a canopy over the pump islands.
- On October 19, 1987, the Board of Supervisors approved SE 87-L-012 to permit the enlargement and replacement of the canopy, replacement of pump islands, the addition of a cashier's kiosk and a 10,000 gallon fuel tank. Copies of this approval are available with the Zoning Evaluation Division of the Department of Planning and Zoning (DPZ) as well as at the following link:

<http://ldsnet.fairfaxcounty.gov/ldsnet/ZAPSMMain.aspx?cde=SE&seq=3201118>.

- On January 22, 1996, the Board of Supervisors approved SEA 87-L-012 to permit the addition of a quick service food store and site modifications in a Highway Corridor overlay district to remove the existing cashier's kiosk. A copy of the approved development conditions is provided as Appendix 2. Copies of this approval are available with the Zoning Evaluation Division of the Department of Planning and Zoning (DPZ) as well as at the following link:

<http://ldsnet.fairfaxcounty.gov/ldsnet/ZAPSMMain.aspx?cde=SEA&seq=3201119>.

- On August 13, 2009, a NOV was issued for land disturbing activity in excess of 2,500 square feet without an approved grading / conservation plan. The conservation easement adjacent to the I-95 ROW had been cleared and graded, which also violated tree preservation development conditions set forth by SEA 87-L-012. A copy of this NOV is contained in Appendix 5.
- On July 18, 2012, a NOV was issued for clearing trees and brush from the rear of the subject property, and for allowing the storage of vehicles and two cargo containers in the required open space. In addition, the business was improperly expanded to include a wrecker/towing service, the aforementioned vehicle storage, and the addition of two exterior auto lifts. A copy of this NOV is contained in Appendix 5.
- On April 24, 2013, the Circuit Court of Fairfax County issued an Agreed Final Order, determining that the Defendants (who are the current applicants) were in violation for: engaging in land-disturbing activity in excess of 2,500 SF without an approved grading plan and/or conservation plan; removing trees, brush and other natural vegetation from the property's required open space; allowing the storage of vehicles and cargo storage containers on the property's required open space; expanding the use to include a storage yard and wrecker/towing service; and expanding the use to include exterior auto lifts. The Circuit Court ordered the immediate and permanent removal of all of the aforementioned violations. A copy of this Agreed Final Order is contained in Appendix 5.
- On May 16, 2013, the SEA proposal that is the subject of this application was received by the Zoning Evaluation Division (ZED) of the Department of Planning and Zoning (DPZ). However, the application was found to be incomplete and a list of deficiencies was sent to the applicants.
- On February 28, 2014, the Circuit Court of Fairfax County issued a Court Order, finding that the zoning violations from 2012 remained unabated and that the Defendants were in contempt of court for having failed to comply with the terms of the April 24, 2013 Agreed Final Order. The Circuit Court further fined the Defendants \$69,500 plus interest until the Order was paid in full (calculated at 278 days times \$250 per day pursuant to the Agreed Final Order). The Circuit Court specifically ordered that the Defendants immediately and permanently cease the wrecker/towing service, remove the exterior auto lifts, remove all stored vehicles, wreckers, storage containers and all other items comprising a storage yard. The applicant removed all of the storage items and paid the full sanction amount. A copy of this Court Order is contained in Appendix 5.
- On September 25, 2014, the current SEA application was accepted for review.
- On May 6, 2015, a site inspection found inoperable vehicles stored on the subject property, storage of merchandise in front of the building and illegal signage. In addition, the inspection found the following inconsistencies from the previously

approved SEA Plat (SEA 87-L-012) including: an open service bay door on the front of the building; a car vacuum station located on the northwestern corner of the property; a fenced trash area (which was relocated from its location on the approved SEA Plat); and missing handicap ramps on the front of the building.

COMPREHENSIVE PLAN PROVISIONS

Plan Area:	Area IV
Planning District:	Franconia-Springfield and Fort Belvoir North Area
Planning Sector:	Springfield Community Business Center
Plan Map:	Retail and Other

The Fairfax County Comprehensive Plan, 2013 Edition, Franconia-Springfield Area and Fort Belvoir North Area, Amended through 10-28-2014, Franconia Springfield Area Land Unit Recommendations, Page 42, as applied to the application area, states the following:

This land unit is located north of the Franconia-Springfield Parkway, between I-95 and the residential areas west of Backlick Road. Land Unit F is located south of the junction of Amherst Avenue with Backlick Road. Retail, low-rise office, and residential uses are planned for this land unit. Community-serving retail uses with intensities up to .35 FAR are planned in order to retain existing businesses and provide space for the start-up of new businesses. Office uses shown on the Plan map should be retained and existing office uses located along Backlick Road should be retained at existing FARs. However, nonresidential development along the Franconia-Springfield Parkway is discouraged.

DESCRIPTION OF THE SPECIAL EXCEPTION AMENDMENT (SEA) PLAT

(Copy included at the front of the report)

Title of Combined Plan:	Springfield BP
Prepared By:	Wilkerson & Associates, Inc.
Original and Revision dates:	September 23, 2014, as revised through November 3, 2015

The SEA Plat consists of 7 sheets.

Site Layout and Proposed Use

Figures 3 – 5 below show the previously approved plat for SEA 87-L-012, the existing conditions on the site, and the proposed plan. The overall site consists of approximately 30,476 SF of land, which is developed with an existing 1,836 SF service station building and four pump islands covered by a 17-foot tall canopy. The one-story service station building is 15 feet tall and contains the office area and quick service food store. Three service bays are also located in the building and are accessed from the rear of the building. The northernmost service bay is a drive-thru service bay with an opening in the front of the building. This opening was not approved as a part of the previously approved SEA (SEA 87-L-012) and is therefore proposed with this application. As these three service bays inside the building are reserved for more time consuming auto work, the applicants propose the addition of two outdoor lifts to be located directly behind the building for minor auto repairs and quick inspections. A mobile lift and other storage items are currently located in this area, but are not permitted per the 2012 Court Order. The applicants have indicated that the computers to operate the existing indoor lifts take up a large amount of space in the building. As such, they propose two outdoor storage containers for storage of spare car parts to be located towards the northeastern corner of the site's paved area. An inspection lane is proposed behind the building and proposed outdoor lifts. In order to accommodate the proposed storage containers and ensure that there is adequate room behind the building for the proposed outdoor lifts, drive-aisles, inspection lane and parking spaces, the applicant also proposes to add 1,653.15 SF of impervious surface directly east of the 12 existing parking spaces behind the building. With this additional pavement area, the existing 12 parking spaces would be relocated eastward, where there is currently open space as conditioned by the previous SEA. The paved area where the 12 parking spaces are currently located would then become a drive aisle, facilitating the onsite automobile circulation behind the inspection lane. The application does not propose any changes to the operation of the quick service food store.

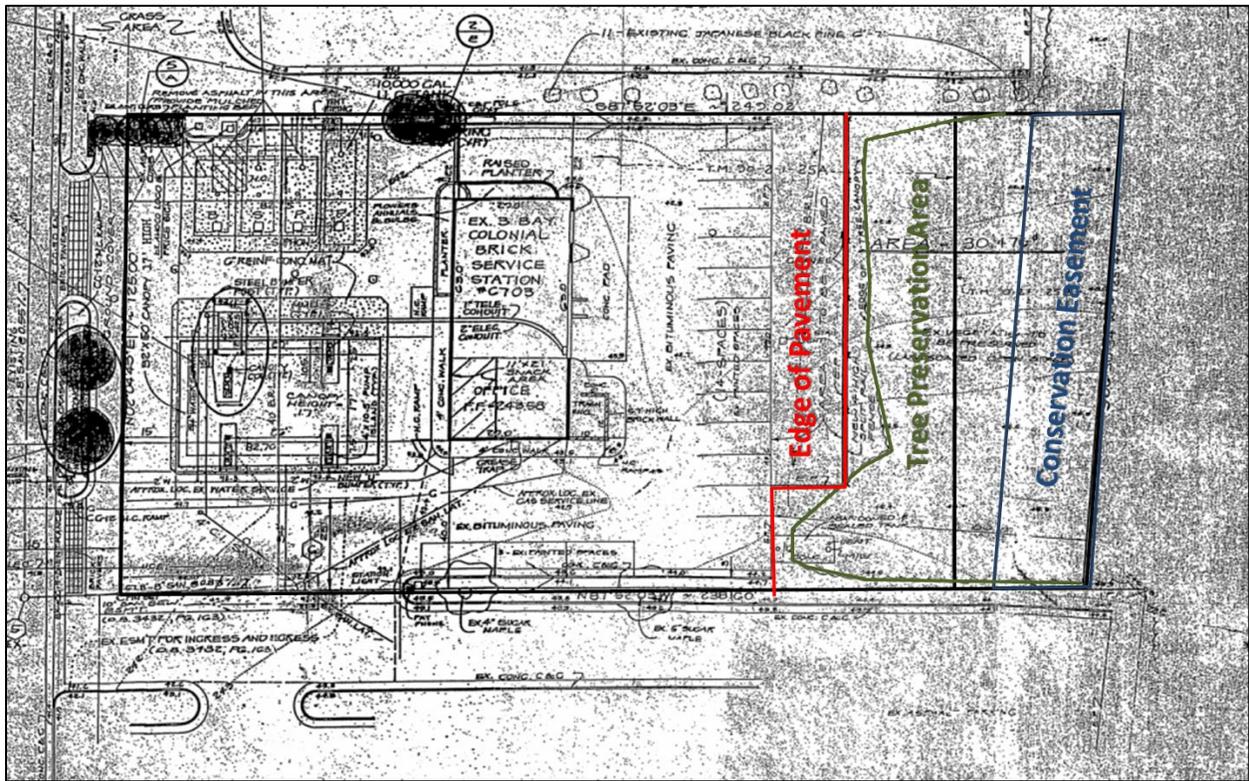


Figure 3: SEA 87-L-012 Plat

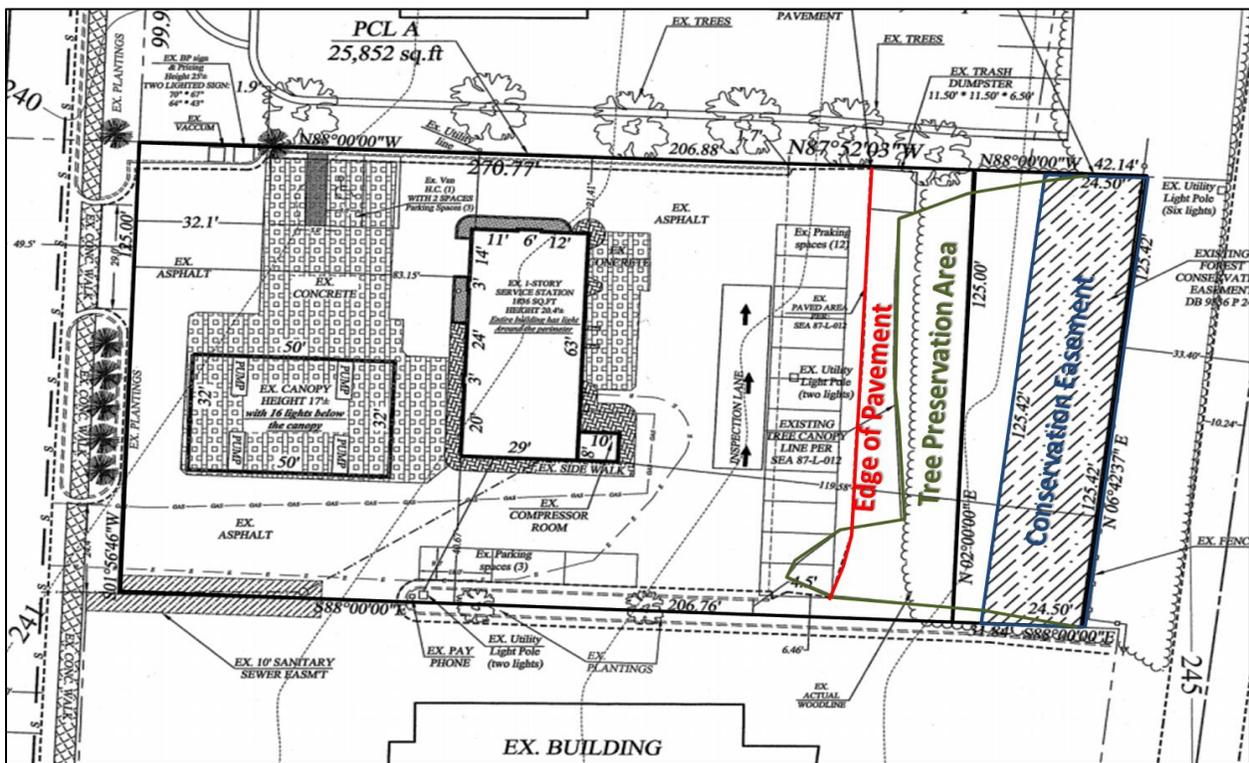


Figure 4: Existing condition

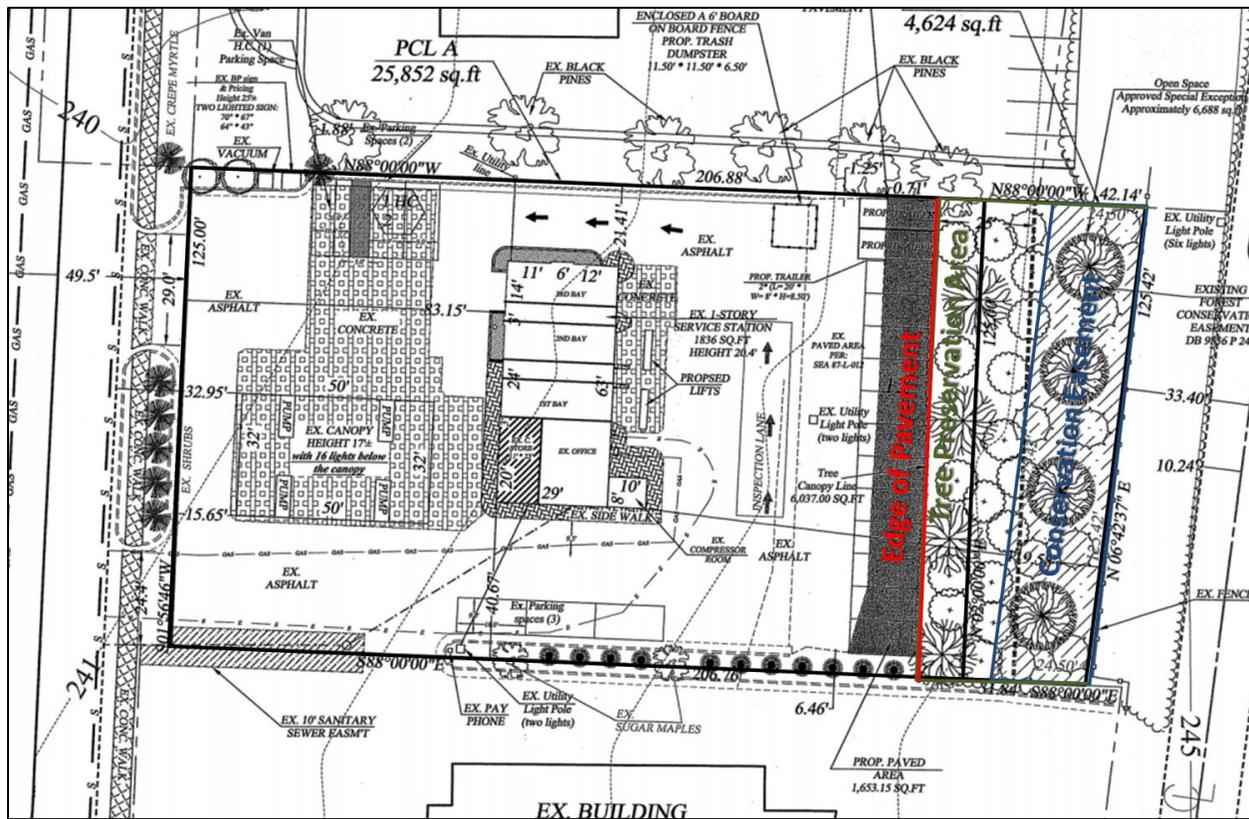


Figure 5: Proposed Plan

Vehicle Access, Circulation and Parking

Access to the site is currently provided from Backlick Road via two ingress and egress access points. The southern access point is shared with the shopping center located directly to the south of the application property, providing an interparcel connection between the two properties. A 5-foot wide concrete sidewalk exists along the Backlick Road frontage. Parking is currently accommodated by 18 parking spaces, with three head-in parking spaces located towards the northwestern corner of the property, three parallel parking spaces located along the southern edge of the property, and the remaining 12 head-in parking spaces to be located in a single row towards the rear of the property's paved area. As mentioned earlier, this row of 12 parking spaces is proposed to be shifted eastward towards the I-95 ROW in order to accommodate the proposed outdoor lifts and inspection lane and to facilitate the onsite circulation behind the building. No other changes to the parking layout are proposed.

Landscaping and Open Space

An existing conservation easement is located to the rear of the site, adjacent to the I-95 ROW. As noted earlier, the Circuit Court of Fairfax County issued a Court Order, which, among other things, found that vegetation had been cleared within the conservation easement. The applicant has since fully restored and replanted the conservation

easement to the satisfaction of the Department of Public Works and Environmental Services (DPWES).

As part of the proposed SEA, the applicant proposes to pave a portion of the tree preservation area which is outside of the conservation easement in order to accommodate the proposed site modifications (including 12 parking spaces and a storage container) at the rear of the property. The applicant has agreed to the development conditions proposed by the Urban Forest Management Division (UFM) of DPWES to ensure the long term health and survival of the restored landscaping.

Stormwater Management

The subject property is located in the Accotink Creek watershed. According to the deed of the conservation easement (included in Appendix 2), the easement was recorded for the purpose of satisfying the Best Management Practices (BMPs) requirements for the redevelopment of the service station in 1996. With the restoration of the vegetation in the conservation easement and the DPWES approval of rough grading plan 7289-RG-002-01, the site meets the BMP requirements and is in conformance with the 2012 Court Order. Because the proposed additional pavement is less than 2,500 SF in area, stormwater detention and additional BMPS are not required.

ANALYSIS

Land Use Analysis

The site is planned for community-serving retail uses up to 0.35 FAR. The 0.06 FAR located on the site falls below the Comprehensive Plan's recommended intensity. The application proposes to add two outdoor lifts, two storage containers and an expanded pavement area within the previously approved tree preservation area, as well as to legally establish other existing site modifications that differ from the previously approved SEA Plat. These site modifications include an opening for a drive-thru service bay, a relocated fenced trash area to the northern property boundary, and the addition of a compressor room to the southeastern corner of the building where the trash area used to be located. Staff does not oppose these three site modifications. Other modifications depict the elimination of ADA ramps previously shown on the approved SEA Plat and the addition of a vacuum station. With regard to the elimination of the ramps, staff proposes a development condition which would require the site to meet ADA requirements. With regard to the vacuum station, it is currently located in the northwestern corner of the site. Staff recommends the removal of the vacuum station since any car using the vacuum in this location would partially block the northern access point off of Backlick Road.

The lifts and storage containers would be located behind the building and would not be visible from Backlick Road. Small evergreen trees are proposed along the southern property line in order to screen the lifts from the adjacent shopping center to the south. While staff believes that the proposed outdoor lifts would be shielded from view, staff is

concerned that the addition of these two outdoor lifts would result in an increase in traffic and parking on the site. Staff does not believe that the proposed layout addresses the potential increased activity. Furthermore, as detailed in the Background section of this report, many of the past zoning violations on the site, including citations for storage of vehicles and clearing and grading within the conservation easement, have stemmed from the illegal expansion of the business. In staff's view, the site is already constrained for space, and intensifying the use would only exacerbate these existing issues. A development condition has been proposed to prohibit the installation of outdoor lifts.

Staff also proposes two other development conditions. In order to ensure that items stored in the outdoor storage containers do not impact the conservation easement and vegetated area towards the rear of the site, staff proposes that a separate container or enclosed area be provided within the two storage containers to capture any spillage of automotive fluid or liquids stored in the container. Finally, staff recommends that a four-foot high fence be installed between the proposed parking spaces and the tree preservation area in order to ensure that there is no encroachment into this protected area.

Transportation Analysis (Appendix 6)

Staff members from Fairfax County Department of Transportation (FCDOT) and Virginia Department of Transportation (VDOT) reviewed the application and have no issues with the proposal. An inspection lane is proposed in order to formalize the onsite circulation of automobiles. The shifting of the 12 parking spaces to the east creates a travel aisle in between the inspection lane and the parking spaces, further improving the onsite circulation. The property contains a total of 18 parking spaces. Without the outdoor lifts, only 14 parking spaces are required. With the outdoor lifts, 18 parking spaces are required. In either instance, the site meets the parking requirement. Staff proposes a development condition to require the striping of all parking spaces. Furthermore, as noted earlier in this report, staff recommends that the proposed vacuum be removed so as not to obstruct access to Backlick Road.

Urban Forestry Analysis (Appendix 7)

As the site contains fewer than 20 parking spaces, there are no interior or peripheral parking lot landscaping requirements. There are also no transitional screening or barrier requirements for the site. The site would continue to meet the 15 percent open space requirement (4,571.40 SF) with a total of 15 percent open space on site (4,624 SF). In addition, the SEA Plat proposes small evergreen trees along the southern boundary to screen the rear of the service station operation from the adjacent shopping center to the south. Regarding the tree preservation area and conservation easement, the applicant has agreed to UFM's proposed development conditions regarding maintenance of the landscaping. Furthermore, the applicant has fully replanted the previously disturbed tree preservation/conservation easement area to the satisfaction of UFM. With the restoration of the tree preservation area, the site has a 10-year tree canopy of 6,035.27 SF., which almost doubles the tree preservation target of 3,047.60 SF. Finally, as stated in the Land Use Analysis, staff recommends the installation of a four foot high fence

between the parking area and the tree preservation area in order to preclude the applicants from encroaching into this protected area in the future.

Environmental Analysis

The applicant has fully restored the conservation easement to the satisfaction of DPWES. With the replanted vegetation and the approval of rough grading plan 7289-RG-002-01, the site meets the BMP requirements. The additional pavement area of 1,653.15 SF does not trigger stormwater detention requirements.

Office of Community Revitalization (OCR) Analysis (Appendix 8)

OCR does not support the addition of the outdoor lifts, noting that the physical size of the site does not support the extra vehicles generated by the additional lifts. OCR further notes that the lifts will create a negative visual impact to adjacent properties. OCR recommends that the applicant consider additional improvements to the site in order to advance revitalization goals for the Springfield CRD and further enhance the site's appearance, including improving the landscaping along Backlick Road, providing additional landscaping along the southern and northern property lines and enhancing signage with coordinated building-mounted signage. As noted above, the applicant has proposed additional landscaping along the southern property line.

ZONING ORDINANCE PROVISIONS (Appendix 9)

Bulk Standards (C-6)		
	Required	Provided
Minimum Lot Size	40,000 sf.	30,476 sf.*
Minimum Lot Width	200 feet	200 ft.
Maximum Building Height	40 ft.	15 ft.
Front Yard	45° angle of bulk plane, not less than 40 ft. (40 ft.)	83.15 ft.
Side Yard	No Requirement	21.41 ft.
Rear Yard	20 ft.	119.58
Floor Area Ratio (FAR)	0.40	0.06
Open Space	15%	15%
Parking Spaces	18	18

*Sect. 2-405(2) of the Zoning Ordinance states that a lot that did not meet the requirements of the Zoning Ordinance in effect at the time of recordation may be used for any use permitted in the zoning district in which located, even though such lot does not meet the minimum district size, lot area, lot width and/or shape factor requirements of the district.

Special Exception Requirements

General Special Exception Standards (Sect. 9-006)

General Standards 1 and 2 require that the proposed use be in harmony with the adopted Comprehensive Plan and with the general purpose and intent of the applicable zoning district regulations. The service station/quick service food store and proposed site modifications generally comply with the Comprehensive Plan, as well as with the intent of the C-6 District, which promotes retail commercial and service uses.

General Standard 3 requires that the proposed use be harmonious with and not adversely impact the development of adjacent properties. Staff finds that the proposed development complements neighboring commercial uses. Interparcel access is provided to the south, and almost all of the proposed site modifications would be located behind the building and would not be visible from Backlick Road. Approval of the proposed site modifications, with the exception of the outdoor lifts, would better organize activity on the site, as well as rectify some outstanding zoning violations. The addition of plantings along the southern property line would help screen the rear of the service station operation from the adjacent shopping center to the south. However, as previously noted, staff believes that the proposed outdoor lifts could generate more activity on the site than what is appropriate for the already constrained site and could lead to further nuisances such as those cited in the two Court Orders. As such, staff finds this standard satisfied only if the outdoor lifts are eliminated, as reflected in the staff proposed development conditions.

General Standard 4 requires that pedestrian and vehicular traffic associated with the proposed use not be hazardous nor conflict with the existing traffic. Access to and from the site would continue to be off of Backlick Road. The onsite circulation would benefit from the addition of the proposed formal inspection lane and additional pavement and travel aisle. No other site modifications would affect the pedestrian and vehicular traffic associated with the use.

General Standards 5 and 6 require that landscaping, screening and open space generally conform to the Zoning Ordinance requirements. There are no peripheral parking lot landscaping or interior parking lot landscaping requirements and no transitional screening or barrier requirements. The site meets the open space requirement of 15 percent. The applicant has replanted the tree preservation area and conservation easement area to the rear of the property to the satisfaction of UFM, and is in agreement to the maintenance conditions proposed by UFM. The proposal exceeds the tree preservation and tree canopy requirement.

General Standard 7 requires that adequate utility, drainage, and parking will be provided for the proposed site. There are no detention requirements on the site and the site meets the parking requirement of 18 parking spaces.

General Standard 8 requires any signage on the site to meet the signage requirements of the Zoning Ordinance. All signage on the property would be required to be in compliance with the provisions of Article 12, Signage.

Highway Corridor Overlay District

The purpose of the Highway Corridor Overlay District (HC) in Sect. 7-600 of the Zoning Ordinance is, in general, to protect and promote the health, safety and general welfare of the public by the prevention or reduction of traffic congestion and/or danger in the public and private streets. A limitation is placed on certain automobile oriented, fast service, or quick turn-over uses. Par. 1 of Sect. 7-608 includes three use limitations and Par. 3 of Sect. 7-608 provides limitations specific to the C-5 or C-6 District (the subject property is zoned C-6).

Par. 1A of Sect. 7-608 requires that such a use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties. An existing 5-foot wide concrete sidewalk exists along the site's Backlick Road frontage, providing a pedestrian connection to adjacent properties. Interparcel access exists to the adjacent property to the south. Staff recommends that the proposed vacuum station be removed as it impedes access to the site. With the removal of the proposed vacuum, the proposed SEA would satisfy this standard.

Par. 1B of Sect. 7-608 requires that such a use shall have access designed so as not to impede traffic on a public street intended to carry through traffic. The following means of achieving this would be considered favorably: access via a public street not intended to carry through traffic, access via the internal circulation of a shopping center containing at least six other commercial uses, or access via a service drive. The site is adjacent to a shopping center and shares an access point with the shopping center. No service drive is planned or required for this portion of Backlick Road.

Par. 1C of Sect. 7-608 requires that there shall be no outdoor storage or display of goods offered for sale except for the outdoor storage or display of goods permitted at a service station or service station/mini-mart. The definition of a "service station" in Article 20 of the Zoning Ordinance limits the service station to 250 square feet of indoor sales area and to 50 square feet of outdoor sales/display area. With the previous Special Exception approval, a quick-service food store of up to 290 square feet was permitted on the application property within the existing building. A development condition would be carried forward stating that there shall be no outside storage or display associated with the quick-service food store.

Par. 3A of Sect. 7-608 requires that service stations and service station/mini-marts shall not be used for the performance of major repairs, and no wrecked, inoperative or abandoned vehicles may be temporarily stored outdoors for a period in excess of 72 hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, there shall be no more than two such vehicles on site at any one time. The service station contains three existing service bays in which

minor vehicle repairs are performed and Virginia State emission inspections are conducted. It should be noted that past Court Orders pertaining to this site determined that the applicant was storing vehicles on site. For that reason, staff proposes a development condition which reiterates the Zoning Ordinance use limitation for the Highway Corridor Overlay District that performance of major vehicle repairs and outside storage of more than two abandoned, wrecked or inoperable vehicles on the site for more than 72 hours is prohibited. With the proposed development condition, this limitation has been met.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Overall, staff concludes that the subject application is in general harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance Provisions. All of the proposed site modifications, with the exception of the proposed outdoor lifts, would benefit the function, circulation and aesthetics of the site. However, staff cannot support the addition of two outdoor lifts to the site because the lifts would result in an increase in use intensity and generate additional onsite traffic on an already physically constrained site. Therefore, staff only recommends approval of this SEA if the proposed development conditions are approved.

Staff Recommendations

Staff recommends approval of SEA 87-L-012-02, 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.

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 Supervisors.

The approval of this Special Exception Amendment 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.

APPENDICES

1. Proposed Development Conditions
2. Letter of Approval and Development Conditions for SEA 87-L-012, Conservation Easement – Deed Book 9836
3. Affidavit
4. Statement of Justification
5. Court Orders and Notices of Violation (February 28, 2014 Court Order; April 24, 2013 Agreed Final Order; August 13, 2009 NOV and July 18, 2012 NOV)
6. Transportation Analysis (FCDOT/VDOT)
7. Urban Forest Management Analysis
8. Office of Community Revitalization Analysis (OCR)
9. Zoning Ordinance Provisions
10. Glossary

PROPOSED DEVELOPMENT CONDITIONS**SEA 87-L-012-02****November 24, 2015**

If it is the intent of the Board of Supervisors to approve Special Exception Amendment SEA 87-L-012-02, located at Tax Map 90-2 ((1)) 25A, 25B, for a service station and quick service food store in a Highway Corridor Overlay District to permit site modifications and other changes to an existing service station pursuant to Sect. 7-607 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. This approval supersedes all previous approvals, and these conditions incorporate and supersede all previous conditions. Conditions carried forward from the previous Special Exception approval are denoted with an asterisk (*).

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.*
2. This Special Exception Amendment is granted only for the purpose(s), structure(s), and/or use(s) indicated on the Special Exception Amendment Plat approved with this application, as qualified by these development conditions.*
3. A copy of this Special Exception Amendment and Non-Residential Use Permit (Non-RUP) 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 Exception Amendment is subject to the provisions of Article 17 of the Zoning Ordinance, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any site plan submitted pursuant to this Special Exception Amendment shall be in substantial conformance with the approved Special Exception Amendment Plat entitled Springfield BP and prepared by Wilkerson & Associates, Inc., containing seven sheets dated September 23, 2014 and revised through November 3, 2015 and these conditions. Minor modifications to the approved Special Exception Amendment may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
5. There shall be no more than six (6) employees on site at any one time.
6. No signs shall be placed on the canopy.*
7. There shall be no display, selling, rental, or leasing of vehicles, tools or equipment on this site.*

8. Prior to the issuance of the Non-RUP, the dumpster shall be screened from view by a solid board on board fence on three sides and a gate, all a minimum of six (6) feet in height.*
9. The size of the quick-service food store, including the cashier's area and storage of the items sold at the quick service food store shall be limited to 231 square feet. There shall be no outside storage or display associated with the quick-service food store.*
10. The types of items which may be sold in the quick service food store shall be limited to prepackaged items which are normally sold from vending machines, including coffee and similar hot beverages, cakes, pies, soft drinks, juices, dairy products, prepackaged sandwiches, snack food items, e.g., pretzels, potato chips, etc. cookies assorted gum, cigarettes and tobacco products and similar items. No groceries, other than as above, shall be permitted. Food preparation and the use of microwave ovens shall not be allowed. No alcoholic beverages shall be allowed to be sold. The marketing of video tapes or video machines shall not be allowed on the premises. These restrictions, however, shall not limit the sale of automobile-related products under the definition of service station.*
11. The existing sign may remain.*
12. The maximum number of service bays on site shall be limited to three as depicted on the Special Exception Amendment Plat. Vehicle repairs shall be performed within interior service bays only.
13. No exterior automotive lifts shall be permitted on the application property.
14. No major vehicle repairs are permitted and outside storage of more than two abandoned, wrecked or inoperable vehicles on the site for more than 72 hours is strictly prohibited.
15. An automotive fluid separator and/or underground fluid container shall be installed within 60 days of this Special Exception Amendment approval and designed such that any areas that could have oil or other vehicular fluid spills shall be contained. Such facility shall be properly maintained and properly drained and any liquids contained within shall be properly disposed of on a routine basis.
16. A separate container or enclosed area within the two storage trailers shall be provided where automotive fluid or liquids are stored in order to capture spillage that may leak onto the floor of the storage trailer or onto the ground. Such container or enclosed area shall be provided within 60 days of this Special Exception Amendment approval.
17. Prior to the issuance of the Non-RUP, all parking spaces shall be striped as delineated on the Special Exception Amendment Plat and in accordance with 7-0800 of the Public Facilities Manual.

18. Prior to the issuance of the Non-RUP, the site shall meet all ADA requirements for the site.
19. Prior to the issuance of the Non-RUP, the car vacuum station shall be removed.
20. All landscaping shown on the Special Exception Amendment Plat shall be in place prior to the issuance of the Non-RUP. All plant material provided on site shall conform with the size requirements of the Public Facilities Manual. Substitutions of similar types of plants are permitted subject to the approval of the Urban Forest Management Division (UFM).
21. The vegetation in the area between the newly paved area of approximately 1,653 square feet and the right-of-way for I-95 shall be preserved, as shown on the Special Exception Amendment Plat.
22. Prior to the issuance of the Non-Rup, all equipment and other refuse shall be permanently removed from the conservation easement area. A four-foot high split rail fence shall be installed at the edge of the pavement adjacent to the tree preservation area in order to protect the tree preservation area and conservation easement from further land disturbances.
23. The installation of landscaping and condition of existing landscaping shall be inspected by a Certified Arborist who has taken and passed the certification examination sponsored by the International Society of Arboriculture and who maintains a valid certification status, or by a Registered Consulting Arborist as designated by the American Society of Consulting Arborists. Prior to the issuance of the Non-RUP, trees that are determined to be dead or dying or that do not meet the standards of PFM 12-0400 shall be replaced.
24. All replacement trees shall be planted in accordance with the standards described in the latest edition of the "Tree and Shrub Planting Guidelines" prepared by the Virginia Cooperative Extension, Virginia Polytechnic Institute and State University.
25. Upon completion of the landscape installation, UFM shall be notified in writing that all landscaping has been installed.
26. Prior to the issuance of the Non-RUP, UFM shall inspect the landscaping to ensure that it is in compliance with that shown on the approved Special Exception Amendment Plat.

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 not 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 Amendment shall not be valid until this has been accomplished.

Pursuant to Sect. 9-015 of the Zoning Ordinance, this Special Exception Amendment shall automatically expire, without notice, 6 months after the date of approval unless the use has been established as evidenced by the issuance of a Non-RUP. 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.



FAIRFAX COUNTY

OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

Tel: 703-324-3151 Fax: 703-324-3926

V I R G I N I A

February 7, 1996

Robert A. Lawrence, Esquire
Hazel and Thomas, P.C.
3110 Fairview Park Drive - Suite 1400
Post Office Box 12001
Falls Church, Virginia 22042-4505

RE: Special Exception Amendment
Number SEA 87-L-012

Dear Mr. Lawrence:

At a regular meeting of the Board of Supervisors held on January 22, 1996, the Board approved Special Exception Amendment Number SEA 87-L-012 in the name of Amoco Oil Company, located at Tax Map 90-2 ((1)) 25A and 25B for use as a service station and quick-service food mart, pursuant to Section 7-607 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions which shall supersede all previous conditions (* denotes development conditions brought forward from the approval of SE 87-L-012):

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 provisions of Article 17, Site Plans, as may be determined by the Department of Environmental Management (DEM). Any plan submitted pursuant to this Special Exception shall be in conformance with the approved Special Exception Plat entitled Amoco Oil Company Service Station #889 and prepared by J. Monaco & Associates, P.C. which is dated May 1995 as revised through 11/7/95 and these conditions.

SEA 87-L-012
February 7, 1996

2.

- *4. There shall be no more than eight (8) employees on site at any one time.
- *5. No signs shall be placed on the canopy.
- *6. There shall be no display, selling, storing, rental, or leasing of vehicles, tools or equipment on this site.
- *7. The dumpster shall be screened from view by a solid wooden fence on three sides and a gate, all a minimum of six (6) feet in height.
8. The size of the quick-service food store, including the cashier's area and storage of the items sold at the quick service food store shall be limited to 290 square feet. There shall be no outside storage or display associated with the quick-service food store.
9. The types of items which may be sold in the quick service food store shall be limited to prepackaged items which are normally sold from vending machines, including coffee and similar hot beverages, cakes, pies, soft drinks, juices, dairy products, prepackaged sandwiches, snack food items, e.g., pretzels, potato chips, etc. cookies assorted gum, cigarettes and tobacco products and similar items. No groceries, other than as above, shall be permitted. Food preparation and the use of microwave ovens shall not be allowed. No alcoholic beverages shall be allowed to be sold. The marketing of video tapes or video machines shall not be allowed on the premises. These restrictions, however, shall not limit the sale of automobile-related products under the definition of service station.
10. The existing sign may remain.
11. The landscaping shown on the Special Exception Plat shall be in place prior to the issuance of the Non-Residential Use Permit for the quick-service food store or the issuance of a building permit to construct the relocated pump island, whichever shall occur first. All plant material provided on site shall conform with the size requirements of the Public Facilities Manual. Substitutions of similar types of plants are permitted subject to the approval of the Urban Forestry Branch, DEM. If the Virginia Department of Transportation does not allow plantings within the right-of-way, the material not allowed shall be placed elsewhere on site in a location which provides the most streetscape benefits and is approved by the Urban Forestry Branch, DEM.
12. The vegetation in the area between the paved area and the right-of-way for I-95 shall be preserved.
13. Prior to paving the rear area west of the existing paved area, the soil shall be tested for contamination and any contaminated soil removed.

SEA 87-L-012
February 7, 1996

3.

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 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 use has been established or construction has commenced and been diligently prosecuted. 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.

The Board also approved the service drive waiver.

If you have questions regarding the expiration of this Special Exception Amendment or filing a request for additional time they should be directed to the Zoning Evaluation Division of the Office of Comprehensive Planning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

cc: John M. Yeatman, Director, Real Estate Dvs., Assessments
Melinda M. Artman, Deputy Zoning Administrator
Frank Jones, Assistant Chief, PPRB, OCP
Audrey Clark, Chief, Inspection Srvs., BPRB, DEM
Barbara A. Byron, Director, Zoning Evaluation Dvsn., OCP
Robert Moore, Trnsprt'n. Planning Dvs., Office of Transportation
Paul Eno, Project Planning Section, Office of Transportation
Department of Environmental Management
Y. Ho Chang, Resident Engineer, VDOT
Land Acq. & Planning Dvs., Park Authority

96 147828

OCT 22 P 12:37

SS #

BK 9836 0241

CONSERVATION EASEMENT

THIS DEED OF EASEMENT made this 26th day of September, 1996 by and between AMOCO OIL COMPANY (formerly known as The American Oil Company), hereinafter "Owner" (Grantor), and THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, a body corporate and politic, hereinafter "County" (Grantee).

WHEREAS the Owner is the owner of certain property by virtue of a deed recorded in Deed Book 3434 at page 527 & 532 among the land records of Fairfax County, Virginia (hereinafter the "Property"); and

WHEREAS it is the desire and intent of the Owner to grant certain easements to the County as hereinafter set forth and as shown on the plat attached hereto and incorporated herein, Plat No. 7289-EP-01-1 entitled "Plat Showing a 0.0700 acre Conservation Easement on a Portion of the Land of Amoco Oil Company," made by J. Monaco and Associates, P.C. and dated February 9, 1996 (hereinafter the "Plat").

NOW, THEREFORE, THIS DEED WITNESSETH THAT in consideration of the sum of Ten Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, the Owner does hereby grant unto the County, its successors and assigns, Conservation Easement(s) for the purpose of conserving and preserving undisturbed the natural vegetation, topography, habitat and other natural features now existing on and across the Property of

Return to: J. Monaco & Assoc. P.C.
4248-B Chain Bridge Rd.
Fairfax, VA 22030

nuu/maa/889casmt/6-7-96

DEM-DIVISION OF DESIGN REVIEW														
7	2	8	9	-	E	P	-	0	1	-	E	-	0	1
DOCUMENT CONTROL NUMBER														

BK 9836 0242

Owner, said Property and Easement(s) being more particularly bounded and described on the Plat attached hereto and incorporated herein. The easement(s) are subject to the following terms and conditions:

1. No use shall be made of, nor shall any improvements be made within, the conservation easement area without prior written authorization from Fairfax County.
2. All existing vegetation in the conservation easement area shall be preserved and protected and no clearing or grading shall be permitted, nor shall the easement area be denuded, defaced, or otherwise disturbed without the prior written approval of the appropriate agency or department of Fairfax County.
3. In the event of any violation of this conservation easement, the Owner shall be solely responsible for the restoration of the conservation easement area to its condition as of the execution of this Deed. Further, the County and its agents shall have the right, but not the obligation, to enter upon the property and restore the conservation easement area to the extent the County may deem necessary. The cost of such restoration by the County shall be reimbursed to the County by the Owner, its successors and assigns, upon demand.
4. The Owner agrees that the agreements and covenants stated in this Deed are not covenants personal to the Owner but are covenants running with the land which are and shall be binding upon the Owner, its heirs, personal representatives, successors and assigns.

WITNESS the following signatures and seals.



M. E. McDermed, Manager, Real Estate
Administration (Seal)

BK 9836 0243

State of Illinois
County of Cook, to wit:

The foregoing instrument was acknowledged before me by M. E. McDermed on this
the 26 day of Sept., 1996.

M. Azalia Abney
Notary Public

My Commission Expires:



BK 9836 0244

Accepted on behalf of the Board of Supervisors of Fairfax County, Virginia, by authority granted by said Board.

Approved as to form:

Albert W. Oakley
Assistant County Attorney

[Signature]
Director,
Department of Environmental
Management

COMMONWEALTH OF VIRGINIA,
COUNTY OF FAIRFAX, to wit:

This instrument was acknowledged before me by Irving Bermingham
Director, Department of Environmental Management, on this the 8th day of October,
1996.

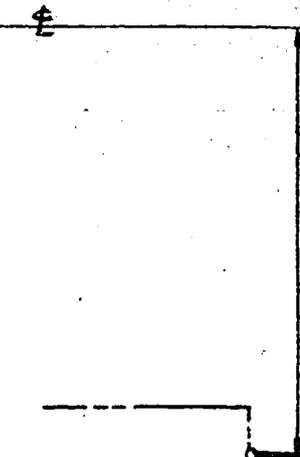
[Signature]
Notary Public

My Commission Expires: 7-31-99

with plat attached

OCT 22 1996

RECORDS FAIRFAX CO VA
TESTE: [Signature]



N87°52'03"W ~ 238.00'

CASNER AND FRIED, TRS.

- NOTES:**
1. TAX MAP PARCELS 90-2-1-25A & 25B ARE ZONED C-6.
 2. NO TITLE REPORT FURNISHED.
 3. THE GRANTING OF THIS CONSERVATION EASEMENT IS RELATED TO SITE PLAN #7289-SP-02-1 AND IS FOR THE PURPOSE OF SATISFYING THE BMP (PHOSPHORUS REMOVAL EFFICIENCY) REQUIREMENTS FOR THE REDEVELOPMENT OF THE EXISTING AMOCO OIL COMPANY SERVICE STATION. THE 0.0700 ACRES CONTAINED IN THE CONSERVATION EASEMENT IS TO REMAIN AS PERPETUALLY UNDISTURBED OPEN SPACE.

SURVEYOR'S
 I, JOSEPH MONACO, A DULY
 COMMONWEALTH OF VIRGINIA, DO HEREBY
 SHOWN HEREON IS PRESENTLY IN THE
 COMPANY (NOW AMOCO OIL COMPANY)
 AT PAGES 517 AND 532 AMONG THE
 VIRGINIA.

GIVEN UNDER MY HAND THIS

Joseph Monaco
 JOSEPH MONACO

BK 9836 0246

BACKLICK ROAD
(STATE ROUTE 617, VARIABLE WIDTH)

45'

N02°04'43"E ~ 125.00'

TOTAL AREA = 0.7000 ACRES

T.M. 90-2-1-26A

SPRING JIFF LIMITED PARTNERS

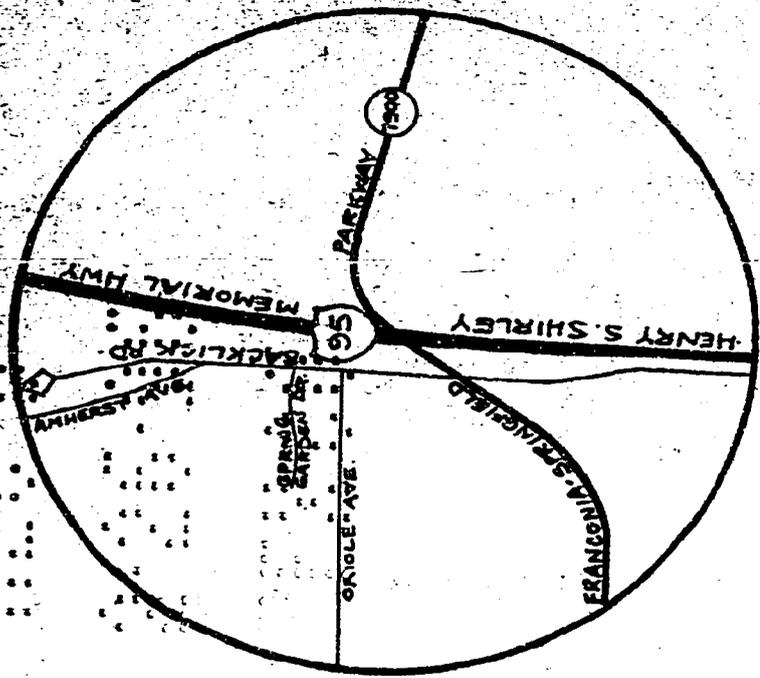
S87°52'03"E ~ 243.02'

N87°52'03"W ~ 238.60'

CASNER AND ERIED TRS

BK 9836 0247

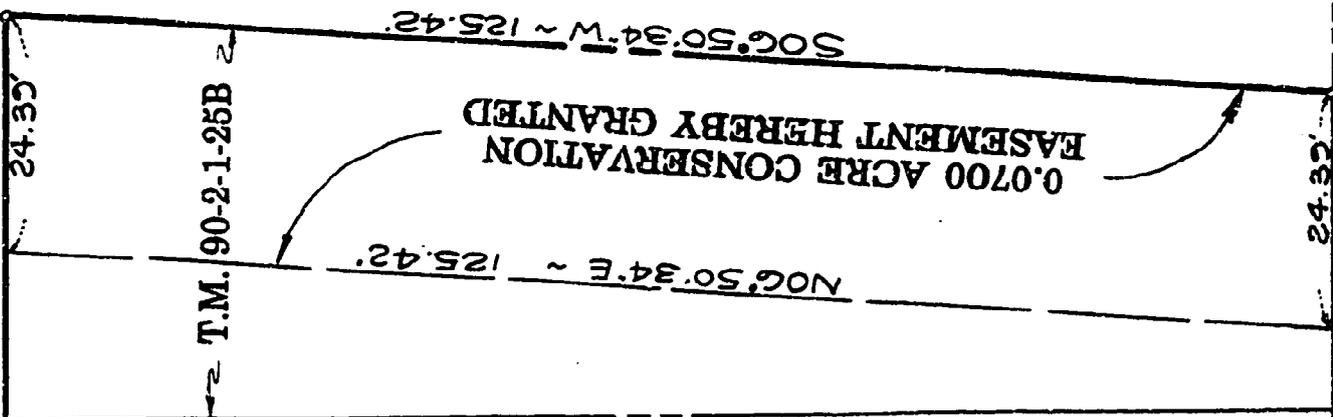
1-10



VICINITY MAP
SCALE: 1"=2000'

INTERSTATE ROUTE 95 (HENRY G. SHIRLEY MEMORIAL HIGHWAY)

TRUE NORTH



0.0700 ACRE CONSERVATION
EASEMENT HEREBY GRANTED

FF LIMITED PARTNERSHIP

S87°52'03"E ~ 242.02'

2-1-25A

0.7000 ACRES

167°52'03"W ~ 238.00'

REVERSE COPY

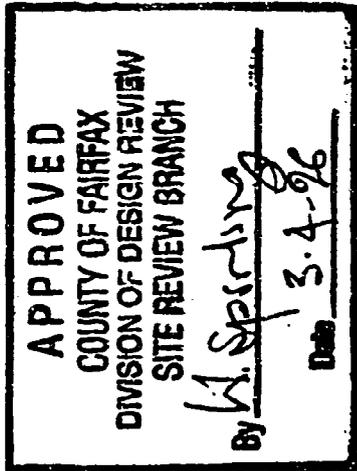
BK 9836 0248

87°52'03"W ~ 238.60'

AND FRIED TRS.

24.32'

(HENTR)



PLAT SHOWING
 A 0.0700 ACRE CONSERVATION EASEMENT
 ON A PORTION OF THE LAND OF

AMOCO OIL COMPANY
 LEE DISTRICT, FAIRFAX COUNTY, VIRGINIA

SCALE: 1" = 20' FEBRUARY, 1996

J. MONACO & ASSOCIATES, P.C.
 LAND SURVEYING - LAND DEVELOPMENT PLANNING
 FAIRFAX, VIRGINIA

SURVEYOR'S CERTIFICATE

I, JOSEPH MONACO, A DULY LICENSED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT THE LAND SHOWN HEREON IS PRESENTLY IN THE NAME OF THE AMERICAN OIL COMPANY (NOW AMOCO OIL COMPANY) AS RECORDED IN DEED BOOK 3434, AT PAGES 517 AND 532 AMONG THE LAND RECORDS OF FAIRFAX COUNTY, VIRGINIA.

GIVEN UNDER MY HAND THIS 9th DAY OF FEBRUARY, 1996.

Joseph Monaco
 JOSEPH MONACO

SPECIAL EXCEPTION AFFIDAVIT

DATE: September 15, 2015
 (enter date affidavit is notarized)

I, Roland Joun, P. E., do hereby state that I am an
 (enter name of applicant or authorized agent)

127040

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

in Application No.(s): SEA 87-L-012-02
 (enter County-assigned application number(s), e.g. SE 88-V-001)

and that, to the best of my knowledge and belief, the following information 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 are to 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)
R Joun Enterprises, LLC Manager: Maria Joun	8412 Copperleaf Court Fairfax Station, Va. 22039	Owner\Applciant Tax Map # 090-2-((01))25 A, 25 B
Roland G. Joun, Trustee under the Roland Joun Revocable Living Trust Dated Nov. 26, 2007 <i>g/b/o Roland Joun</i>	8412 Copperleaf Court Fairfax Station, Va. 22039	Owner\Applciant
Maria Joun, Trustee under the Maria Joun Revocable Living Trust Dated Dec. 7, 2007 <i>g/b/o Maria Joun</i>	8412 Copperleaf Court Fairfax Station, Va. 22039	Owner\Applciant
Wilkerson & Associates, Inc. Agent: Roland Joun	7650 Binnacle Lane Owings, Md. 20736	Engineer\Agent

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Special Exception 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).

SPECIAL EXCEPTION AFFIDAVIT

DATE: September 15, 2015
(enter date affidavit is notarized)

127040

for Application No. (s): SEA 87-L-012-02
(enter County-assigned application number(s))

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

· R Joun Enterprises, LLC
8412 Copperleaf Court
Fairfax Station, Va. 2203.9

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)

Maria J. Joun, member
Roland G. Joun, member

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

Special Exception Attachment to Par. 1(b)

DATE: Sept 15, 2015
(enter date affidavit is notarized)

127040

for Application No. (s): SEA 87-L-012-02
(enter County-assigned application number (s))

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

Wilkerson & Associates, Inc.
7650 Binnacle Lane
Owings, Md. 20736

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)

Roland G. Joun

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 Exception Attachment to Par. 1(b)" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: September 15, 2015
(enter date affidavit is notarized)

127040

for Application No. (s): SEA 87-L-012-02
(enter County-assigned application number(s))

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

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

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

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: September 15, 2015
(enter date affidavit is notarized)

127040

for Application No. (s): SEA 87-L-012-02
(enter County-assigned application number(s))

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 Supervisors, 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 Exception Attachment to Par. 2" form.

Application No.(s): SEA 87-L-012-02

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

Page Five

SPECIAL EXCEPTION AFFIDAVIT

DATE: September 15, 2015
(enter date affidavit is notarized)

127040

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, 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 Exception 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 Applicant's Authorized Agent

Roland G. Town, agent
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 15th day of September 20 15, in the State/Comm. of Maryland, County/City of Calvert County.

Tampatha A. Ireland.
Notary Public

My commission expires: 10-18-2016

MAY 20 2015

Zoning Evaluation Division

Special Exception Statement of Justification
6703 Backlick Road
Tax Map: 90-2((01))-25A, 25B
02-10-2015

Springfield BP requests approval of a category 6 Special Exception to allow the redevelopment of the existing service station. The new amended request is for minor site modification and this include to modify condition 12 in SEA 87-L-012, adding 3 parking spaces, modification request for interior parking lot landscaping, install two outside lifts and place two storage trailers. The two outside lifts will be used for minor auto repair work while the inside lifts in the bay are used for more time consuming work. This will be done to accommodate our customers in our community. As our population is growing so is our duty to accommodate our customers. The lifts existed before on the site and had to be removed due to violation that took place on the site for the removal of trees that fell on parked cars in the rear of the property in 2008 after the ice storm. The need for the storage container are a must in this business these days compared to old days as mechanic's tool boxes are big and need to be placed inside the bays. The use of computers is a must in this business and computers take room inside the building along with diagnostic equipment. For the lack of storage area the trailers are essential in day to day operation of the business. The trailers will be used to store parts and boxes of necessary car items and stock needed. The need for parking area to be reconfigured is due to the use of the dedicated inspection lane as shown on the attached plan. Without the proposed parking reconfiguration the site can not function properly. The proposed lifts had been in existing prior to the recent owner purchasing this property along with a gravel area encroaching on the conservation area, back in September 2004 as shown on the attached survey plat dated November 2, 2004 performed by Joseph W. Bronder. A grading plan was approved and remedied the violation under permit number 7289-RGP-001-1.

This property had an approved Special Exception under SEA 87-L-012. Also said property had an approved amended Special Exception under SEA 95-L-198 to permit quick service food store and minor site modifications. The new amended request is have minor site modifications as described above.

The following is offered in support of this applications:

A. Type of operation:

The existing operation consists of a Service Station/Snack Shop.

B. Hours of Operation:

The facility is currently open 24 hours for gas and from 8:00AM to 7:00PM for bay operation. No Change in operational hours is proposed.

C. Estimated Number of patrons/clients/patients/pupils.

The customers of the service station primarily reside in the greater Springfield-Franconia-Kingstowne area (Lee Magisterial District) The vast majorities of the customers drive by the site as part of their daily routine commute and are not destination trips. It is estimated that an average of 500 customers per day or 1,000 vehicles per day shall be generated by the service station.

D. Proposed number of employees/attendants:

Eight employees shall be on site at any one time.

E. Estimate of the traffic impact of the proposed use, including maximum expected trip generation and the distribution of such trips by mode and time of day:

The proposed improvements shall have a negligible impact on the traffic. The service station will continue to primarily serve the local community rather than draw retail sales customers from I-95 or I-495.

F. Vicinity of general area to be served by the use:

The service station will serve the surrounding Springfield, Franconia and Kingstowne communities.

G. Description of building facade and architecture of buildings:

There will be no new construction on any change to the existing building.

H. Listing of all known 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 contents of any existing or proposed storage tank or containers:

Other than motor vehicle fuel and petroleum products, to the best of the Applicant's knowledge, there are no hazardous or toxic substances (as outlined in the referenced state and federal regulations above) to be generated, utilized, stored, treated and or disposed of on site. Hazardous substances, comprised of petroleum products commonly found at service stations, shall be utilized, stored, and sold on site in compliance with all Federal, State and local regulations.

We respectfully request that the subject application for a Category 6 Special Exception be endorsed by the Planning Staff and the Planning Commission, and approved by the Board of Supervisors.

IT APPEARING TO THE COURT that the Director of DPWES filed a Complaint for Declaratory Judgment and Injunctive Relief ("Complaint") in Case No. CL-2012-0011286 against the Defendants on July 31, 2012, alleging, *inter alia*, that the Defendants are in violation of the Fairfax County Code § 104-1-2 for engaging in and/or allowing land-disturbing activity in an area measuring in excess of 2500 square feet without an approved grading plan on the Defendants' property located at 6703 Backlick Road, Springfield, Virginia, which is shown on the Fairfax County Real Property Identification Map as Tax Map No. 90-2((1)) parcels 25A and B ("subject property"); and

IT FURTHER APPEARING TO THE COURT that the Zoning Administrator filed a Complaint for Declaratory Judgment and Injunctive Relief ("Complaint") in Case No. CL-2012-0015804 against the Defendants on October 19, 2012, alleging, *inter alia*, that the Defendants are in violation of the Fairfax County Zoning Ordinance ("Zoning Ordinance") in connection with the various unpermitted expanded uses and the clearing of a vegetated space on the subject property in violation of Zoning Ordinance § 9-004(2) and SEA 87-L-012; and

IT FURTHER APPEARING TO THE COURT that the parties have agreed to settle this case in accordance with the terms and conditions set forth below, as evidenced by the endorsements hereon of counsel for the Plaintiff and the Defendants; and

IT FURTHER APPEARING TO THE COURT that the parties hereto agree that the terms of this Agreed Final Order are reasonable and shall not be modified except by the written agreement of the Plaintiffs and the Defendants with the approval of this Court; and

IT FURTHER APPEARING TO THE COURT that this Agreed Final Order should be entered; now, therefore, it is hereby

ADJUDGED AND ORDERED THAT:

1. The Defendants are in violation of Fairfax County Code § 104-1-2 for engaging in and/or allowing land-disturbing activity on the subject property in an area measuring in excess of 2500 square feet without an approved grading plan and/or conservation plan.
2. The Defendants removal and/or allowing the removal of trees, brush and other natural vegetation from the required open space on subject property violates Zoning Ordinance § 9-004(2).
3. The Defendants storage and/or allowing the storage of vehicles and cargo storage containers on the required open space on the subject property violates Zoning Ordinance § 9-004(2).
4. The Defendants expansion and/or allowing the expansion of the use of the subject property to include a storage yard and "Springfield Wrecker Service" on the subject property violates Zoning Ordinance § 9-004(2).
5. The Defendants expansion and/or allowing the expansion of the use of the subject property to include exterior auto lifts on the subject property violates Zoning Ordinance § 9-004(2).
6. The Defendants shall immediately and permanently cease (1) operating a storage yard on the subject property, and permanently remove all such storage, including but not limited to all stored vehicles and cargo containers, from the subject property to a lawful site, (2) permanently cease operating "Springfield Wrecker Service" or any like

towing, wrecker and/or vehicle storage operation from the subject property and relocate such operation and vehicles to a lawful and permitted site, and (3) remove the exterior auto lifts from the subject property to a lawful site.

7. The Defendants shall immediately cease and desist all further land-disturbing activity on the subject property, and within 30 days after the entry of this Agreed Final Order in favor of the Director in this case, submit and finalize a grading/conservation plan permitting land disturbing activity on the subject property that is prepared by a registered professional engineer that meets the applicable County requirements as determined by the Director and submitted to and approved by the Director, including all necessary permits completed by a Responsible Land Disturber, and the deposit of all conservation escrow funds (approximately \$14,800), inspection fees (approximately \$170), and/or any other required fees.

8. The Defendants shall, within 30 days after obtaining approval of the grading/conservation plan(s) and issuance of necessary permits, fully implement the grading/conservation plan(s) on the subject property including all required remedial work on the subject property to include permanently replacing the trees and restoring the vegetation in the required open space in compliance with Zoning Ordinance § 9-004(2) and SEA 87-L-012.

9. To the extent that the Defendants may seek to amend SEA 87-L-012 to permit an expansion of the use of the subject property, and to the extent that an amendment may by necessity modify or ameliorate certain requirements set forth in Paragraphs 7 and 8, above, and as may be applicable to parcels 25A and 25B, the Defendants shall within 30 days of the entry of this Agreed Final Order submit a full and

complete application to the Fairfax County Department of Planning and Zoning, Zoning Evaluation Division, for the required Special Exception Amendment for the alteration of the use of the area currently designated for open space and/or the expansion of any other desired uses for the subject property. The application for a Special Exception Amendment will suspend the requirements set forth in Paragraphs 7 and 8, above, provided the application is made within 30 days of the entry of this Agreed Final Order.

10. In the event the Defendants fail to submit an application for a Special Exception Amendment as set forth in Paragraph 9 above, or in the event the application is ultimately not accepted, abandoned by the applicant, or the Special Exception Amendment is denied, then within 15 days of such failure, refusal, or denial, the Defendants shall comply with Paragraphs 7 and 8, above, provided they have not already done so.

11. The Defendants shall obtain Special Exception Amendment approval for any modifications and/or expanded uses not currently permitted under SEA 87-L-012 for the subject property by November 30, 2013.

12. The Defendants shall apply for all required permits and submit any required plans, designs, drawings and specifications for all proposed and approved uses under its Special Exception Amendment within 30 days of the approval of the Special Exception Amendment.

13. The Defendants, by and through its agents and contractors, shall complete all work that is identified and/or subject to the Special Exception Amendment within 60 days after obtaining the permits required for such work. The completion of the work shall include the fully implemented actions, remedial or otherwise, required by those plans,

studies and/or assessments. The Defendants shall obtain all necessary inspections and approvals to reflect all permitted uses, the release of escrows, bonds, and permits required for grading, vegetative restoration, environmental remediation, and/or any other required actions to fully satisfy the conditions of a Special Exception Amendment for the subject property.

14. The Defendants, their agents, employees, tenants, and/or any successors-in-interest are permanently enjoined from using and/or allowing the subject property to be used, graded, modified and/or expanded in use in the future in violation of the Fairfax County Code § 104-1-2, the applicable Special Exception Amendment, and Zoning Ordinance § 9-004(2) as set forth in paragraphs 1-5, above.

15. The subject property is permanently enjoined from being used, graded, modified and/or expanded in use in the future in violation of the Fairfax County Code § 104-1-2, the applicable Special Exception Amendment, and Zoning Ordinance § 9-004(2) as set forth in paragraphs 1-5, above.

16. The various dates, milestones, and deadlines included herein may be revised or extended by agreement of the parties, provided that any delays and/or failure to comply with such dates are beyond the control and are not otherwise attributable to the actions or inaction of the Defendants.

17. The Director and the Zoning Administrator and/or their agents shall be permitted to enter upon the subject property at reasonable times for the purpose of inspecting it to monitor compliance with this Agreed Final Order.

18. If the Defendants, their agents, employees, tenants, and/or any successors-in-interest fail to comply with any provisions set forth in this Agreed Final Order,

he/she/they shall pay the sum of \$250 per day to the County of Fairfax (delivered to the Office of the County Attorney in the form of a certified check made payable to the "County of Fairfax") for every day the Court finds a violation. Payment of this amount shall be in addition to any additional sanctions the Court may impose upon a finding of contempt for any violation of this Agreed Final Order.

19. The terms set forth in this Agreed Final Order are reasonable and shall not be modified except by the written agreement of the parties hereto with the approval of this Court.

20. Pursuant to Va. Code Ann. § 17.1-227 (Supp. 2012) the Clerk of the Fairfax County Circuit Court shall record a copy of this Agreed Final Order among the land records of Fairfax County, Virginia, to give notice of the prohibitions and restrictions contained herein to any successors-in-interest to the Defendants and shall index said Agreed Final Order as follows:

GRANTORS: R. Joun Enterprises, LLC; Roland G. Joun, Trustee; Maria Joun, Trustee; Roland Joun Revocable Living Trust; Maria Joun Revocable Living Trust

GRANTEES: James W. Patteson; Director, Department of Public Works and Environmental Services; Leslie B. Johnson, Fairfax County Zoning Administrator

AND THIS CAUSE IS FINAL.

ENTERED April 24, 2013.



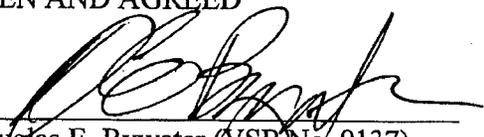
JUDGE, FAIRFAX COUNTY CIRCUIT COURT

WE ASK FOR THIS:

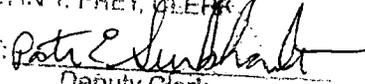
DAVID P. BOBZIEN
COUNTY ATTORNEY

By: 
Paul T. Emerick (VSB No. 33443)
Assistant County Attorney
12000 Government Center Parkway, Suite 549
Fairfax, Virginia 22035
Ph.: (703) 324-2421; Fax: (703) 324-2665
Email: Paul.Emerick@fairfaxcounty.gov
Counsel for Plaintiffs

SEEN AND AGREED


Douglas E. Bywater (VSB No. 9137)
Tate Bywater & Fuller, PLC
5740 Chain Bridge Road
Vienna, Virginia 22182
(703) 938-5100
Counsel for Defendants

A COPY TESTE:
JOHN T. FREY, CLERK

BY: 
Deputy Clerk

Date: 6-27-13
Original retained in the office of
the Clerk of the Circuit Court of
Fairfax County, Virginia

2013-11-26
Patricia E. Leukhardt

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

JAMES W. PATTESON, DIRECTOR,
FAIRFAX COUNTY DEPARTMENT OF
PUBLIC WORKS AND ENVIRONMENTAL
SERVICES,

Plaintiff,

v.

R. JOUN ENTERPRISES, LLC, et al.

Defendants.

Case No. CL-2012-0011286

LESLIE B. JOHNSON, FAIRFAX COUNTY
ZONING ADMINISTRATOR,

Plaintiff,

v.

R. JOUN ENTERPRISES, LLC, et al.,

Defendants.

Case No. CL-2012-0015804

ORDER

THIS CAUSE came on to be heard on the 28th day of February 2014 upon a review hearing for the Plaintiffs' Rule to Show Cause that was issued by this Court to the Defendants, R. Joun Enterprises, LLC, Roland G. Joun, Trustee, Maria Joun, Trustee, Roland Joun Revocable Living Trust, and Maria Joun Revocable Living Trust (collectively "the Defendants"), requiring them to show cause why they should not be held in contempt of court for violating the terms of the Agreed Final Order entered by this Court on April 24, 2013; and

copy to judgments + docket 15804
3/5/14
A
P
to
court

IT APPEARING TO THE COURT that the Defendants are the owners of real property located at 6307 Backlick Road, Springfield, Virginia (Tax Map No. 90-2((1)) parcels 25A and B ("subject property"); and

IT FURTHER APPEARING TO THE COURT that based on an inspection of the subject property on February 27, 2014, by the Department of Code Compliance, that the Zoning Ordinance violations continue unabated; and it is

IT FURTHER APPEARING TO THE COURT that the violations under County Code Chapter 104 also continue unabated; and it is

ADJUDGED AND ORDERED that the Defendants are in contempt of court for having failed to comply with the terms of the April 24, 2013, Agreed Final Order; and it is

FURTHER ADJUDGED AND ORDERED that:

1. Judgment is entered against the Defendants R. Joun Enterprises, LLC, Roland G. Joun, Trustee, Maria Joun, Trustee, Roland Joun Revocable Living Trust, and Maria Joun Revocable Living Trust and in favor of James W. Patteson, Director, DPWES, and Leslie B. Johnson, Fairfax County Zoning Administrator, in the amount of \$ 69,500 plus interest at the judgment rate from the date of entry of this Order until paid in full. The fine is calculated at 278 days times \$250 per day pursuant to the Agreed Final Order.

2. The Defendants shall immediately and permanently cease the storage yard use, and the wrecker/towing service use on the subject property. The exterior auto lifts shall be removed from the subject property to a lawful site. All stored vehicles, wreckers, storage containers, and all other items comprising a storage yard shall be immediately removed from the subject property to a lawful site.

3. The Defendants shall within ³⁰~~14~~ days submit an application for a rough grading plan and/or conservation plan to address the violations under County Code Chapter 104, and deposit all funds necessary for the conservation escrow, inspection fees, and any other required fees.

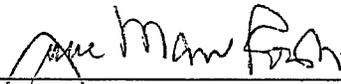
4. The Defendants shall, within 30 days after obtaining approval of the grading/conservation plan(s) and issuance of necessary permits, fully implement the grading/conservation plan(s) on the subject property including all required remedial work on the subject property to include permanently replacing the trees and restoring the vegetation in the required open space in compliance with Zoning Ordinance § 9-004(2) and SEA 87-L-012.

5. The terms and conditions set forth in the Agreed Final Order, to the extent it is not inconsistent with this Order, are hereby continued and incorporated herein by reference.

6. The Defendant is hereby ordered and directed to appear before this Court on Friday, ^{MAY 9}~~April 25~~ ^{OK}, 2014, at 10:00 a.m., to have a hearing on that date to determine if they are in full compliance with the Court's Orders and impose on the Defendants whatever sanctions may be necessary based on their compliance or lack thereof.

AND THIS CAUSE IS CONTINUED

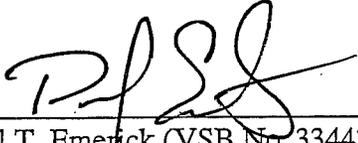
ENTERED this 28 day of February 2014.



 Judge, Fairfax County Circuit Court

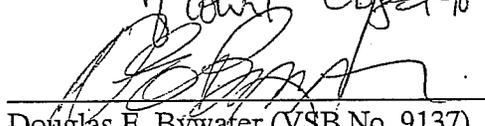
SEEN AND AGREED:

DAVID P. BOBZIEN
COUNTY ATTORNEY



Paul T. Emerick (VSB No. 33443)
Assistant County Attorney
12000 Government Center Parkway, Suite 549
Fairfax, Virginia 22035-0064
(703) 324-2421; (703) 324-2665 (fax)
Email: Paul.Emerick@fairfaxcounty.gov
Counsel for Plaintiff Leslie B. Johnson,
Fairfax County Zoning Administrator

SEEN: *and object to finding that defendants are in contempt
of court. Object to finding, violation and impose judgement*



Douglas E. Bywater (VSB No. 9137)
Tate Bywater & Fuller, PLC
5740 Chain Bridge Road
Vienna, Virginia 22182
(703) 938-5100
Email: DEBywater@tatebywater.com
Counsel for Defendants



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

NOTICE OF VIOLATION

VIOLATION ISSUED TO: Roland G. Joun, Registered Agent
R. Joun Enterprises, LLC
8412 Copper Leaf Court
Fairfax Station, Virginia 22039

LOCATION OF VIOLATION: 6703 Backlick Road

COMPLAINT NUMBER: 200904848

MAP REFERENCE: 0902 01 0025A

On August 12, 2009, I inspected the above referenced site and found the following violation:

Land-disturbing activity in excess of 2500 square feet without an approved grading/conservation plan.

This is a violation of Section 104-1-2 of the Fairfax County Code which requires:

No person may engage in land-disturbing activity until he has submitted to the County a conservation plan for the land-disturbing activity and the plan has been reviewed and approved by the Director.

You are directed to correct this violation within fifteen (15) days of receipt of this Notice of Violation. No additional work is permitted until the required corrective action is completed. The following corrective action is required:

- 1. Immediately, cease and desist all land disturbing activities.**
- 2. Immediately, install erosion and sediment control measures to protect waterways and off-site properties.**
- 3. Immediately, seed and straw, sod or mulch all denuded areas.**
- 4. Submit and obtain the required grading/conservation plan approved by Fairfax County to remedy the violation.**

Section 104-1-12 (a) Violations, reads as follows: Violators of Section 104-1-2 or 104-1-5 of this Article shall be guilty of a Class 1 misdemeanor.

Section 104-1-12(h) Civil Penalty, reads as follows: Without limiting the remedies which may be obtained in this Section, any person violating or failing, neglecting or refusing to obey any injunction, mandamus or other remedy obtained pursuant to this Section shall be subject, in the discretion of the court, to a civil penalty not to exceed Two Thousand Dollars (\$2,000.00) for each violation.





County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

Failure to correct the violation within the prescribed time limit may result in further legal action under the applicable state and county codes.

ISSUED BY: _____

John Zemlan, Senior Engineering Inspector
12055 Government Center Parkway
Fairfax, Virginia 22035-5503
Phone: (703) 324-1937
Email: john.zemlan@fairfaxcounty.gov

DATE ISSUED: August 13, 2009





County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

NOTICE OF VIOLATION

DATE OF ISSUANCE: July 18, 2012

CERTIFIED MAIL # 7011 1570 0001 6632 5500

CASE #: 200904848 **SR#:** 80567

SERVE: R Joun Enterprises, LLC
c/o Roland G. Joun, Registered Agent
8412 Copperleaf Court
Fairfax Station, VA 22039

LOCATION OF VIOLATION 6703 Backlick Road
Springfield, VA 22150-2707
Tax Map #: 90-2 ((1)) 25A
Zoning District: C-6
SEA 87-L-012

Dear Registered Agent:

Please forward this Notice of Violation to your client. This letter is in response to a recent complaint regarding the conditions of Special Exception Amendment SEA 87-L-012.

Research of our records indicate that R Joun Enterprises LLC located at 6703 Backlick Road is subject to Special Exception Amendment 87-L-012, which was granted by the Board of Supervisors (BOS) on January 22, 1996, for use as a service station and quick service food mart on the property. This Special Exception Amendment was granted subject to a number of development conditions. Based on a zoning inspection, on August 24, 2009 and July 12, 2012 it has been determined that this use is not being conducted in compliance with several development conditions discussed below:

Condition #2 provides that:

This Special Exception Amendment is granted only for the purposes(s), structure(s) and/or use indicated on the Special Exception Amendment plat approved with the application, as qualified by these development conditions.

R Joun Enterprises, LLC
c/o Roland G. Joun, Registered Agent
July 18, 2012
Page 2

Condition #12 provides that:

The vegetation in the area between the paved area and the right-of-way for I-95 shall be preserved.

The inspection revealed trees and brush have been removed from the rear of the property, and vehicles and two cargo storage containers being stored on the required open space area.

Therefore, this letter is to inform you that failure to conduct R Joun Enterprises LLC, on the property, in conformance with the approved Special Exception Amendment and the conditions imposed by the Board of Supervisors (BOS) constitutes a violation of Par. 2 of Sect. 9-004 of the Zoning Ordinance, which states in part:

Once established, the use shall be conducted in substantial conformance with any conditions or restrictions imposed by the Board and all other requirements of this Ordinance. Except as may be permitted under Paragraphs 3 and 4 below, no use shall be enlarged, expanded, increased in intensity or relocated and no condition of the special exception shall be modified unless an application is made.

Therefore, you, are hereby, notified of the above violation and are hereby directed to clear this violation within thirty (30) days of receipt of this Notice. Compliance can be accomplished by the following procedures:

- Replacing the trees, which were removed, as required on the landscaping plan, and
- Removing the vehicles and two cargo storage containers being stored on the required open space area.

In addition, the investigation conducted on July 12, 2012 revealed that Springfield Wrecker Service operated by Joun Enterprises LLC, R is operating from the aforementioned location. The wrecker service is storing vehicles at the location. Further, the business has been expanded by the addition of two (2) exterior auto lifts installed directly outside of the backside of the building. These uses, the wrecker service operation, vehicle storage yard and expansion of use (installation of the exterior lifts) are all considered violations of Special Exception SEA 87-1-012 as expansion of use without approval of the Board of Supervisors as defined in Par. 2 of Sect. 9-004 which states in part:

R Joun Enterprises, LLC
c/o Roland G. Joun, Registered Agent
July 18, 2012
Page 3

Once established, the use shall be conducted in substantial conformance with any conditions or restrictions imposed by the Board and all other requirements of this Ordinance. Except as may be permitted under Paragraphs 3 and 4 below, no use shall be enlarged, expanded, increased in intensity or relocated and no condition of the special exception shall be modified unless an application is made

Therefore, you, are hereby, notified of the above violation and are hereby directed to clear this violation within thirty (30) days of receipt of this Notice. Compliance can be accomplished by the following procedures:

- Cease use of the property as a storage yard and terminate the operation of "Springfield Wrecker Service" from the location, and
- Remove the exterior auto lifts, and
- Complying with all conditions specified in SEA 86-7-L-012 and the operation of a service station/quick service food mart, or
- Immediately cease operation of the business and vacate the property.

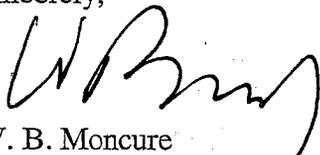
R Joun Enterprises, LLC has the right to appeal this Notice of Zoning Violation within thirty (30) days of the date of this letter in accordance with Sec. 15.2-2301 of the Code of Virginia. This decision shall be final and unappealable if it is not appealed within such thirty (30) days. Should R Joun Enterprises LLC choose to appeal, the appeal must be filed with the Clerk of the Board of Supervisors (BOS) in accordance with Part 10 of Article 18-204 of the Fairfax County Zoning Ordinance. Such notice shall be a written statement specifying the grounds on which aggrieved, the basis for appeal and a \$600.00 filing fee. Once an appeal application is accepted, it is scheduled for consideration and decision by the BOS.

A follow-up inspection will be made at the expiration of the time period outlined in this Notice. Failure to comply with the Notice will result in the initiation of appropriate legal action to gain compliance with the Zoning Ordinance.

R Joun Enterprises, LLC
c/o Roland G. Joun, Registered Agent
July 18, 2012
Page 4

Should you have any questions or need additional information, please do not hesitate to contact me at (703)324-1335 or 703-324-1300.

Sincerely,



W. B. Moncure
Code Compliance Investigator

WBM

0056 2899 1000 6632 5500

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		

R Joun Enterprises, LLC
c/o Roland G. Joun, Registered Agent
8412 Copperleaf Court
Fairfax Station, VA 22039

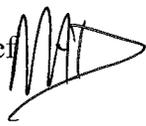


County of Fairfax, Virginia

MEMORANDUM

DATE: January 14, 2015

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

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

FILE: 3-5 (SE 87-L-012)

SUBJECT: Transportation Impact

REFERENCE: SEA 87-L-012-2 Springfield BP
Land Identification Map: 90-2 ((1)) 25A, 25B

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on information made available to this office dated September 23, 2014. The applicant requests minor site modifications and to amend the use from quick service food store to a snack store.

This department has no transportation issues with this application.

MAD/LAH/lah

**DEPARTMENT OF TRANSPORTATION**4975 Alliance Drive
Fairfax, VA 22030**Charlie Kilpatrick**
COMMISSIONER

October 21, 2014

To: Ms. Barbara Berlin
Director, Zoning Evaluation Division

From: Noreen H. Maloney
Virginia Department of Transportation – Land Development Section

Subject: SEA 87-L-012-02; Springfield BP

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

This office has reviewed the subject application and offers the following comment.

- The application will have minimal or no impact on peak hour traffic.



County of Fairfax, Virginia

MEMORANDUM

DATE: November 9, 2015

TO: Michael Van Atta, Staff Coordinator
Department of Planning and Zoning

FROM: Samantha Wangsgard, Urban Forester II
Forest Conservation Branch, DPWESW

SUBJECT: Springfield BP; SEA 87-L-012-02

The following comments are based on a review of the resubmission of SEA 87-L-012-02, date stamped as "Received Department of Planning and Zoning November 5, 2015" and associated Statement of Justification received by the county on the same date.

1. Comment: Based on a site visit conducted on October 28, 2015, all tree related issues have been resolved in the conservation easement. However, a snow plow, and other refuse have been placed in the conservation easement.

Recommendation: The applicant should commit to a development condition stating that all equipment and other refuse shall be removed from the conservation easement and signs or fencing be placed along its boundary, identifying it as a conservation easement.

2. Comment: Landscaping has been provided elsewhere onsite to offset trees that were approved as part of SEA 87-L-012 and SEA 95-L-198 in the VDOT right of way in the form of two (2) white fringe trees and their location reviewed and approved by the Urban Forest Management Division.

Recommendation: A development condition should be provided stating that landscaping previously shown in the right-of-way will to be placed elsewhere on site in locations as approved by the Urban Forest Management Division.

SW/

UFMDID #: 199860

Department of Public Works and Environmental Services
Urban Forest Management Division
12055 Government Center Parkway, Suite 518
Fairfax, Virginia 22035-5503
Phone 703-324-1770, TTY: 711, Fax: 703-653-9550
www.fairfaxcounty.gov/dpwes



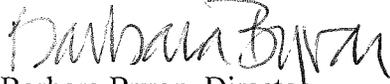


County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

DATE: November 9, 2015

TO: Barbara Berlin, Director,
Zoning Evaluation Division
Department of Planning and Zoning (DPZ)

FROM: 
Barbara Byron, Director
Office of Community Revitalization (OCR)

SUBJECT: SEA 87-L-012-02 Springfield BP

The Office of Community Revitalization (OCR) has reviewed the above referenced Special Exception Amendment (SEA) application marked "Received" by the Department of Planning and Zoning on November 5, 2015. The following comments are offered for consideration.

The applicant is requesting a SEA for a property located at 6703 Backlick Road to permit two outdoor vehicle repair lifts, additional asphalt for a reorganized rear parking lot, and two outdoor storage trailers. The current uses on the property include a fueling station, quick service food store, and service station with light vehicle repair contained within the building. The 0.70 acre property is located within the Springfield Commercial Revitalization District (CRD).

OCR Comments:

The applicant proposes to reorganize vehicle parking at the rear of the site which will improve traffic flow and enhance the property's appearance, particularly to neighboring properties. OCR does not support the addition of the two outdoor repair lifts because the site does not support the volume of extra vehicles generated by the additional lifts and the lifts create a negative visual impact to adjacent properties. The applicant should consider the following additional improvements to the site to advance revitalization goals for the Springfield CRD and further enhance the site's appearance.

1. Improve landscaping along Backlick Road to match streetscapes shown in the Springfield Connectivity Study including street trees, shrubs, and ground cover. This will provide a coordinated streetscape along the Backlick Road corridor.

Office of Community Revitalization
12055 Government Center Parkway, Suite 1048
Fairfax, VA 22035
703-324-9300, TTY 711
www.fcrevit.org



2. Provide additional landscaping in the grass islands along the southern and northern property lines to create a visual buffer between the repair services occurring at the rear of the site and the adjacent properties.
3. Enhance the signage on the property by consolidating the variety of signs into a coordinated set of primarily building-mounted signs. Consider replacing the pole-mounted pylon sign with a ground-mounted monument sign incorporated within the planting strip; this is consistent with Comprehensive Plan recommendations and with other nearby service stations. (Reference: Springfield Sunoco PCA 90-L-050-03/SEA 90-L-045-03)
4. Maintain the site and landscaping to a high standard.
5. Remove the pay phone booth along the southern edge of the property if it is no longer in service.

Cc. Michael Van Atta, Staff Coordinator, DPZ
OCR Files

ZONING ORDINANCE PROVISIONS

9-006 General Standards (Special Exceptions)

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such 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 category or use, the Board 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 Board may impose more strict requirements for a given use than those set forth in this Ordinance.

7-608 Use Limitations (Highway Corridor Overlay District)

All uses shall be subject to the use limitations set forth in the underlying zoning district(s), and, in addition, drive-in financial institutions, fast food restaurants, quick-

service food stores, service stations and service station/mini-marts shall be subject to the following use limitations:

A. In any Highway Corridor Overlay District:

A. Such a use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties.

B. Such a use shall have access designed so as not to impede traffic on a public street intended to carry through traffic. To such end, access via the following means may be given favorable consideration:

- 1) Access to the site is provided by a public street other than one intended to carry through traffic, and/or
- 2) Access to the site is provided via the internal circulation of a shopping center, which center contains at least six (6) other commercial uses, or an office complex having a limited number of well-designed access points to the public street system and no additional direct access is provided to the site from a public street intended to carry through traffic over and above those entrances which may exist to provide access to the shopping center, and/or
- 3) Access to the site is provided by a functional service drive, which provides controlled access to the site.

C. There shall be no outdoor storage or display of goods offered for sale except for the outdoor storage or display of goods permitted at a service station or service station/mini-mart.

3. Where the underlying district is C-5 or C-6, in addition to Par. 1 above:

A. Service stations and service station/mini-marts shall not be used for the performance of major repairs, and no wrecked, inoperative or abandoned vehicles may be temporarily stored outdoors for a period in excess of seventy two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, there shall be no more than two (2) such vehicles on site at any one time.

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A GENERALIZED DEVELOPMENT PLAN (GDP) is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A CONCEPTUAL DEVELOPMENT PLAN (CDP) is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A FINAL DEVELOPMENT PLAN (FDP) is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		