



APPLICATION ACCEPTED: April 29, 2015
PLANNING COMMISSION: January 14, 2016
BOARD OF SUPERVISORS: Not Yet Scheduled

County of Fairfax, Virginia

December 31, 2015

STAFF REPORT

APPLICATION SEA 97-V-061

MOUNT VERNON DISTRICT



APPLICANT: ARA, Inc. t/a Gunston Shell Service Station

ZONING: C-6: Community Retail Commercial District

PARCEL: 113-2 ((1)) 24

LOCATION: 9801 Richmond Highway

SITE ACREAGE: 36,885 square feet

PLAN MAP: Retail and other Commercial Uses

SPECIAL EXCEPTION: Category 5: Commercial and Industrial Uses of Special Impact

- Use 21: Service stations (Sect. 9-505)

PROPOSAL: To permit an unpermitted service bay constructed on site to remain; to replace two underground fuel storage tanks, two fuel pumps, and one fuel canopy

STAFF RECOMMENDATIONS:

Staff recommends approval of SEA 97-V-061, subject to the proposed conditions contained in Appendix 1.

Staff recommends approval of a waiver of the frontage improvements requirement found in Sect. 17-201 of the Zoning Ordinance.

Nick Rogers, AICP

**Excellence * Innovation * Stewardship
Integrity * Teamwork * Public Service**

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703-324-1290 FAX 703-324-3924
www.fairfaxcounty.gov/dpz



Staff recommends approval of a waiver of the transitional screening and barrier requirements in Sect. 13-302 of the Zoning Ordinance.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, 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 application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to 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.



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 97-V-061



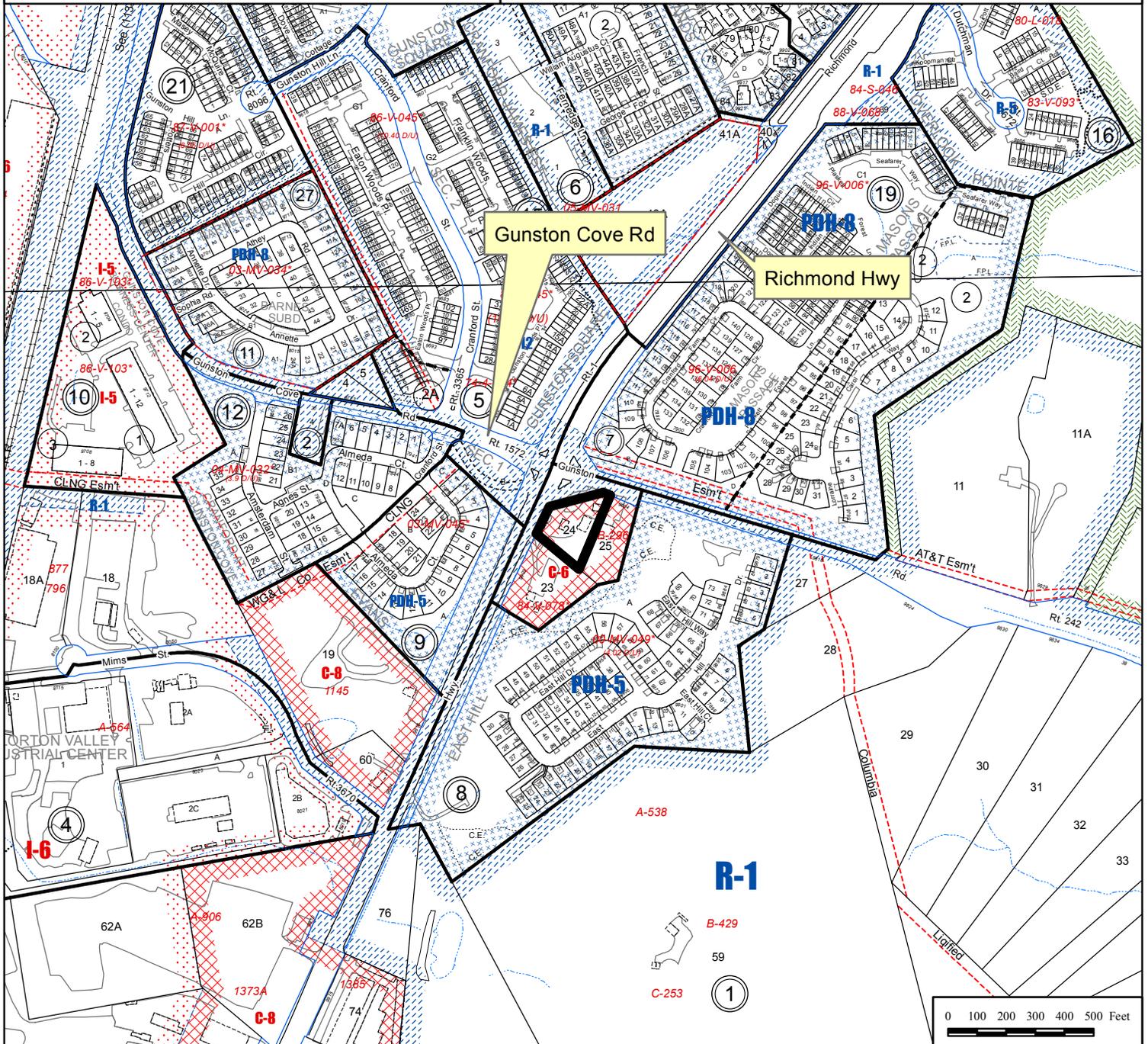
Applicant: ARA, INC. T/A GUNSTON SHELL SERVICE STATION

Accepted: 04/29/2015
Proposed: AMEND SE 97-V-061 PREVIOUSLY APPROVED FOR SERVICE STATION TO ALLOW SITE MODIFICATIONS

Area: 36885 SF OF LAND; DISTRICT - MOUNT VERNON

Zoning Dist Sect: 04-0604
Located: 9801 RICHMOND HIGHWAY, LORTON, VA 22079

Zoning: C-6
Plan Area: 4,
Overlay Dist:
Map Ref Num: 113-2- /01/ /0024



RATIONAL METHOD STORM RUN OFF CALCULATIONS

	EXISTING			EXISTING		
	AREA (AC)	C	CxA	AREA (AC)	C	CxA
PERV	0.32	0.4	0.13	0.32	0.4	0.13
IMPERV	0.52	0.9	0.47	0.52	0.9	0.47
TOTAL			0.60			0.60

EX. Q2 = 0.60 x 5.8 = 3.5 CFS (0.10 m³/s)
 PROP Q2 = 0.60 x 5.8 = 3.5 CFS (0.10 m³/s)
 EX Q10 = 0.60 x 7.2 = 4.3 CFS (0.12 m³/s)
 PROP Q10 = 0.60 x 7.2 = 4.3 CFS (0.12 m³/s)

STORM DRAINAGE NARRATIVE
 AS SHOWN BY THE STORM RUN OFF CALCULATIONS ABOVE, THE PROPOSED REDEVELOPMENT DOES NOT INCREASE THE RATE OF RUN OFF. THE RUN OFF WILL CONTINUE TO FOLLOW EXISTING GRADES AS SHEET FLOW TO THE YARD INLET BEHIND THE SERVICE STATION AND TWO CURB INLETS AT THE GUNSTON HALL ROAD ENTRANCES. THE EXISTING STORM SYSTEM IS ADEQUATE FOR THE 10 YEAR RUN OFF. THE REDEVELOPMENT WILL NOT ADVERSELY IMPACT THE DOWNSTREAM OR ADJOINING PROPERTIES.

LOT SIZE ANALYSIS

	MINIMUM	PROVIDED
LOT AREA	40,000 SF (3716.1 m ²)	36,885 SF (3426.7 m ²)
LOT WIDTH	200 FT (61 m)	106 / 214 FT (32.3 / 65.2 m)

TOTAL LOT AREA = 36,885 SF = 0.8468 AC (3426.7 m²)

FAR CALCULATIONS

USE	GFA SF	LOT AREA SF	RESULTANT FAR	ALLOWABLE FAR
EXISTING	1560	36,885	0.042	0.400
PROPOSED	2217 (1)	36,885	0.060	0.400

(1) 1560 SF (SERVICE STATION) + 497 SF (4th SERVICE BAY) + 160 SF (ACCESSORY USE STORAGE) = 2217 SF

YARD REGULATIONS

	MINIMUM	PROVIDED
FRONT	40 FT (12.2 m)	67 FT (20.4 m)
SIDE	NONE	NONE
REAR	NONE	NONE

OPEN SPACE CALCULATION
 OPEN SPACE REQUIRED = 15%
 OPEN SPACE PROVIDED = 38.2%

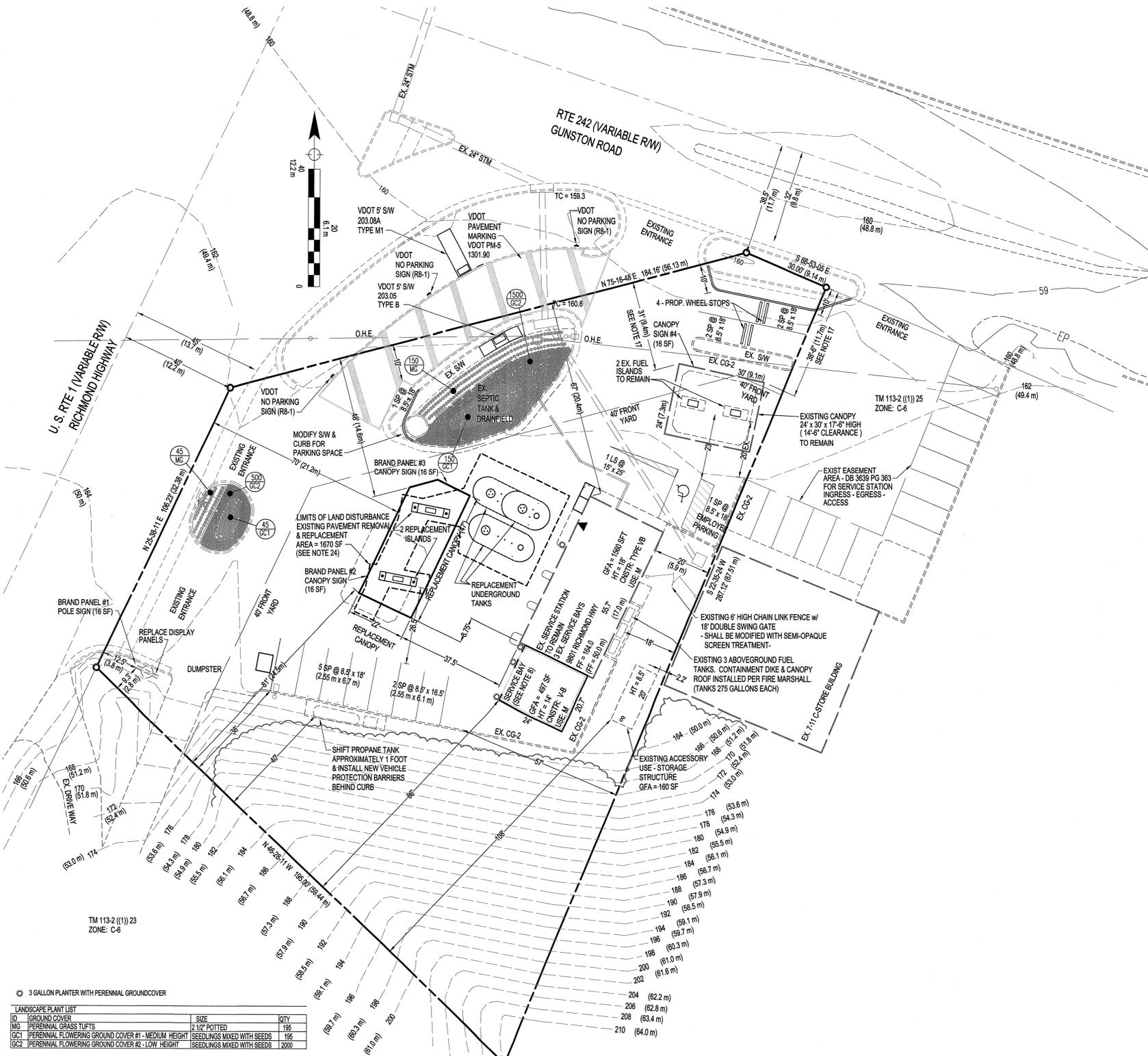
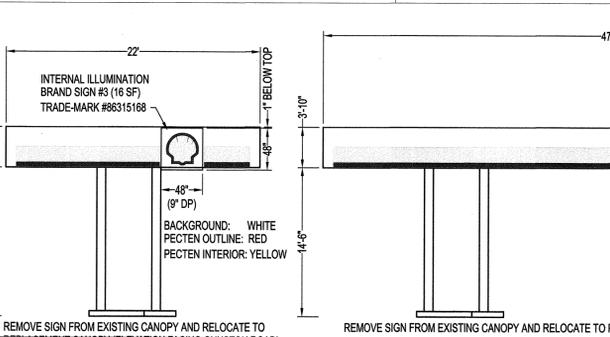
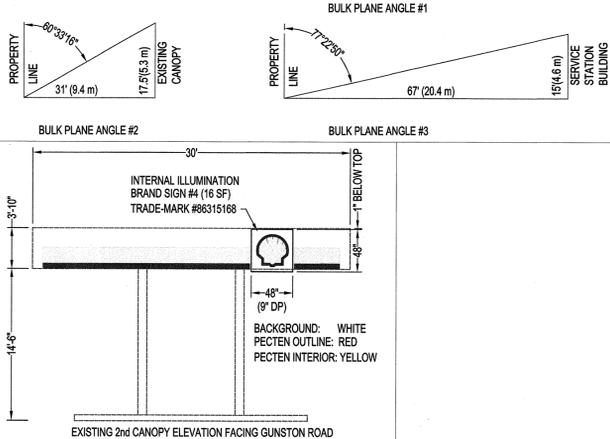
	EXISTING	PROPOSED
IMPERVIOUS AREA (SF)	22,780	22,780
PERVIOUS AREA (SF)	14,105	14,105
% OPEN SPACE	38.2	38.2

SIGN AREA CALCULATIONS
 BUILDING FRONTAGE: 76 FT
 ALLOWABLE SIGN AREA: (1.5) (76) = 114 SF

SIGN TYPE	AREA (SF)
BRAND PANEL #1 ON POLE SIGN	16
BRAND PANEL #2 ON CANOPY	16
BRAND PANEL #3 ON CANOPY	16
BRAND PANEL #4 ON CANOPY	16
BUSINESS ID PANEL ON POLE SIGN	16
PRICE SIGN PANEL ON POLE SIGN	NA
SNACK SHOP DECAL ON STORE	NA
SERVICE CENTER DECAL ON STORE	NA
INSPECTION DECAL ON STORE	NA
INSPECTION FREE STANDING SIGN	NA
TOTAL	80

PARKING CALCULATIONS

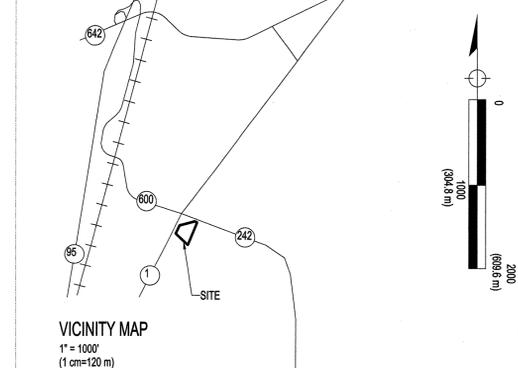
USE	SPACES REQUIRED	SPACES PROVIDED
ADA SPACE		1
4 SERVICE BAYS	8	8
5 EMPLOYEES	5	5
TOTAL	13	14



LANDSCAPE PLANT LIST

ID	GROUND COVER	SIZE	QTY
MG	PERENNIAL GRASS TUFTS	2 1/2" POTTED	195
GC1	PERENNIAL FLOWERING GROUND COVER #1 - MEDIUM HEIGHT	SEEDLINGS MIXED WITH SEEDS	195
GC2	PERENNIAL FLOWERING GROUND COVER #2 - LOW HEIGHT	SEEDLINGS MIXED WITH SEEDS	2000

3 GALLON PLANTER WITH PERENNIAL GROUND COVER



- GENERAL NOTES**
- PROPERTY IDENTIFIED AS TAX MAP 113-2 (1) 24
 - PROPERTY IS ZONED C-6
 - EXISTING USE: SERVICE STATION
PROPOSED USE: SERVICE STATION
 - OWNER: WAYLAND F. JONES AND BOBBIE JONES
805 SOUTH TAYLOR STREET
ARLINGTON, VA 22204
703-339-9800
 - DEED BOOK 04187 PAGE 0329
FIELD RUN TOPOGRAPHY AND BOUNDARY FROM SITE PLAN #1415-A (APPROVED NOVEMBER 5, 1969)
 - PROPERTY IS SERVED BY PUBLIC WATER AND PRIVATE SEWERAGE DISPOSAL FIELD
 - SERVICE BAY IS PRE-FABRICATED ASSEMBLY THAT IS DIRECTLY ATTACHED TO EXISTING CONCRETE PAVEMENT - THERE WILL BE NO LAND DISTURBANCE
 - APPLICANT HAS APPLIED FOR WAIVER OF ANY LANDSCAPE SCREENING AND/OR BARRIER REQUIREMENTS.
 - NO PERIPHERAL LANDSCAPE PLANTINGS ARE REQUIRED SINCE PARKING LOT CONTAINS FEWER THAN 20 SPACES (ZONING ORDINANCE 13-202)
 - NO INTERIOR LANDSCAPE PLANTINGS ARE REQUIRED SINCE PARKING LOT CONTAINS FEWER THAN 20 SPACES (ZONING ORDINANCE 13-201)
 - NO PORTION OF THE PROPERTY IS LOCATED WITHIN A FLOOD PLAIN
 - NO PORTION OF THE PROPERTY IS LOCATED WITHIN A RESOURCE PROTECTION AREA
 - THERE ARE NO GRAVES OR OTHER BURIAL SITES LOCATED WITHIN THE PROPERTY
 - INGRESS AND EGRESS TO THE PROPERTY WILL CONTINUE TO BE PROVIDED BY THE THREE EXISTING ENTRANCES ON THE TWO EXISTING PUBLIC ROADS THAT ADJOIN THE PROPERTY
 - THERE ARE NO DRINKING WATER WELLS LOCATED ON THE PROPERTY
 - A MAP IDENTIFYING SOIL TYPES IS NOT REQUIRED SINCE NO RESIDENTIAL DEVELOPMENT IS PROPOSED
 - SERVICE STATION FUEL ISLANDS MAY BE LOCATED IN YARD AREA PER ZONING ORDINANCE 2-504
 - MAXIMUM GROSS FLOOR AREA (GFA) = 2217 SF RESULTING IN FLOOR AREA RATIO (FAR) OF 2217 / 36885 = 0.06 (0.40 ALLOWED BY ZONING ORDINANCE 4-607-3)
 - THE ONLY EXISTING VEGETATION CONSISTS OF A GRASSED SLOPE AT THE SOUTH END OF THE LOT COVERED BY TREES AND UNDERGROWTH - THIS AREA WILL NOT BE DISTURBED
 - PROPERTY FALLS UNDER ZONING ORDINANCE SECTION 2-406 FOR MINIMUM LOT SIZE REQUIREMENT
 - MATERIALS IDENTIFIED AS HAZARDOUS BY 40 CFR 116.4 AND KNOWN TO BE STORED ON SITE INCLUDE GASOLINE, ON ROAD DIESEL, AND HOME HEAT FUELS USED MOTOR OIL, AND USED ANTI-FREEZE. GASOLINE IS CURRENTLY STORED IN TWO (2) UNDERGROUND STORAGE TANKS (USTs). ON ROAD DIESEL FUEL IS CURRENTLY STORED IN ONE (1) UST. EACH OF THE THREE (3) EXISTING USTs HAS A STORAGE VOLUME OF 6,000 GALLONS. HOME HEAT FUEL, USED MOTOR OIL AND USED ANTI-FREEZE ARE CURRENTLY STORED IN THREE (3) ABOVEGROUND STORAGE TANKS (ASTs). EACH AST HAS A STORAGE VOLUME OF 275 GALLONS. IT IS PROPOSED TO REPLACE ALL THREE (3) USTs (SEE NOTE 29). THE FIRST PROPOSED UST WILL HAVE 12,000 GALLON STORAGE FOR GASOLINE FUEL. THE SECOND PROPOSED UST WILL HAVE 6,000 GALLON STORAGE FOR GASOLINE FUEL, AND THIRD PROPOSED UST WILL HAVE 6,000 GALLON STORAGE FOR ON ROAD DIESEL FUEL. NO CHANGE IS PROPOSED FOR THE THREE (3) ASTs THAT STORE HOME HEAT FUEL, USED MOTOR OIL, AND USED ANTI-FREEZE.
 - EXISTING STORM DRAIN SYSTEM ADEQUATELY HANDLES EXISTING (PRE-DEVELOPED) SURFACE RUN-OFF. POST-DEVELOPED SURFACE RUN-OFF WILL BE SAME AS PRE-DEVELOPED SURFACE RUN-OFF.
 - NO OUTDOOR SEATING, RECREATION AREA, BIKE PARKING, TRAILS, SIDEWALKS, FENCING, LIGHTING, OR LOUDSPEAKERS ARE PROPOSED BY THIS APPLICANT
 - THE REPLACEMENT OF THE UNDERGROUND STORAGE TANKS AND THE REPLACEMENT AND REORIENTATION OF THE PUMPS AND CANOPY ON THE WEST SIDE OF THE PROPERTY HAVE BEEN PREVIOUSLY APPROVED BY FAIRFAX COUNTY AND ARE THEREFORE NOT A MATTER THAT REQUIRES A SPECIAL EXCEPTION AMENDMENT (SEE ZONING ADMINISTRATOR'S INTERPRETATION, DATED NOV 8, 2013, DETERMINING THAT THIS WORK IS IN SUBSTANTIAL CONFORMANCE WITH THE EXISTING SPECIAL EXCEPTION). THESE FEATURES ARE SHOWN ON THIS PLAN TO DEPICT THE SITE CONDITIONS UPON COMPLETION OF THIS APPROVED REPLACEMENT WORK. "LAND DISTURBANCE" CONSISTS OF 1670 SF OF EXISTING PAVEMENT REMOVAL / REPLACEMENT WHICH QUALIFIES FOR EXEMPTION PER STORMWATER MANAGEMENT ORDINANCE SECTION 124-1-7 (4).
 - PROPOSED LANDSCAPE PLANTINGS CONSIST OF PERENNIAL GROUND COVER IN EXISTING LANDSCAPE ISLANDS - NO LAND DISTURBANCE ASSOCIATED WITH LANDSCAPE.
 - ONLY EXISTING EASEMENT ON THIS LOT IS THE 30 FOOT WIDE DOMINION VIRGINIA POWER EASEMENT CENTERED ON OVERHEAD ELECTRIC LINES CROSSING NORTH EDGE OF LOT.
 - APPLICANT HAS APPLIED FOR A WAIVER TO PROVIDE TRAIL ON THIS LOT.



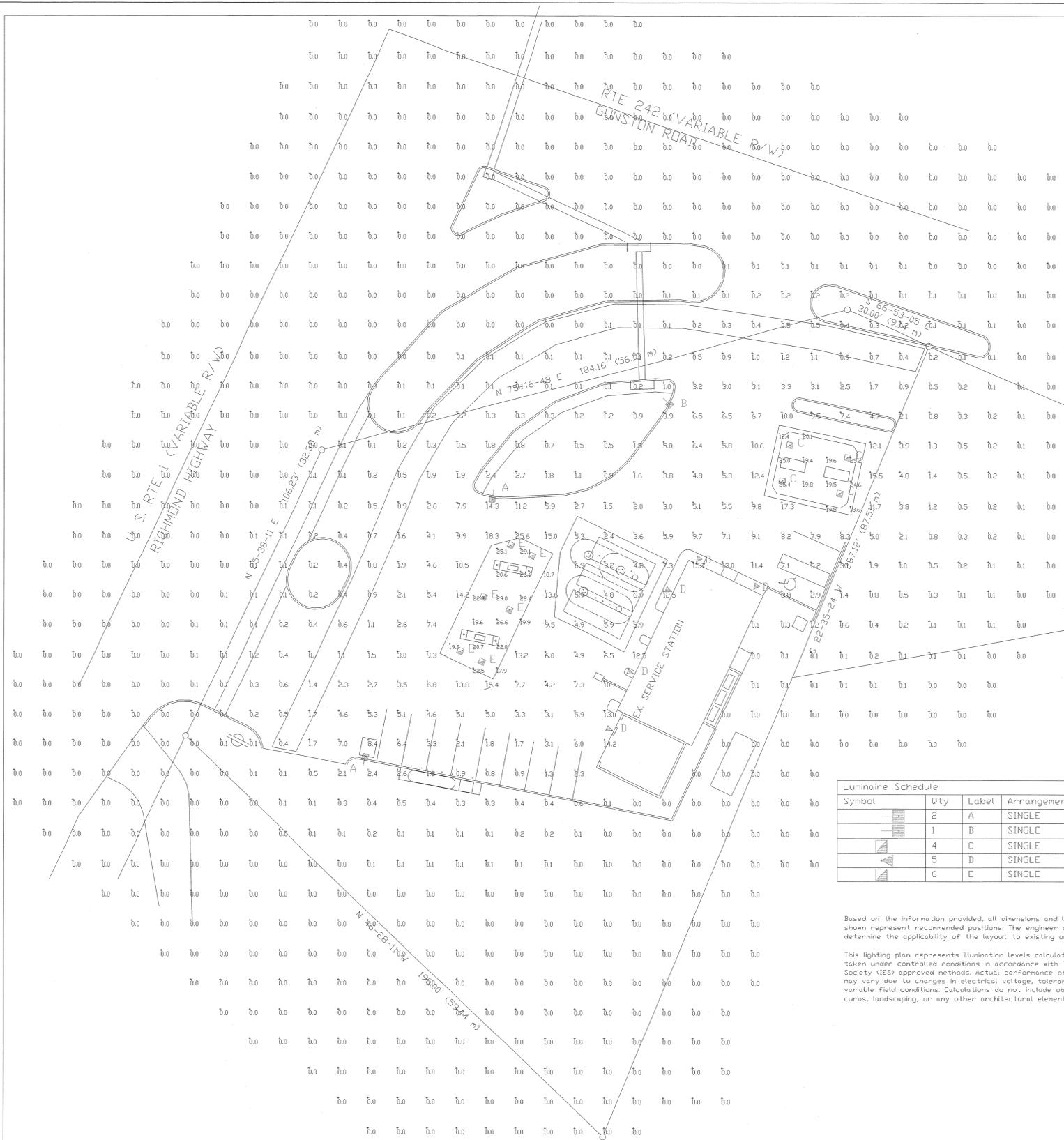
GUNSTON HALL SERVICE STATION
 9801 RICHMOND HIGHWAY, LORTON

SPECIAL EXCEPTION AMENDMENT PLAT
 PLAT FOR SEA # 97-V-061
 SITE GEOMETRY, LANDSCAPE &
 SIGN PLAN

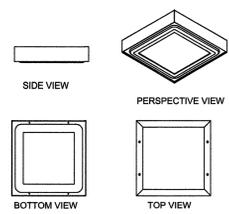
MOUNT VERNON DISTRICT
 FAIRFAX COUNTY, VIRGINIA

REV	DATE	DESCRIPTION
REV	11-13-15	ADDRESS FDOT COMMENTS
REV	11-04-15	RELOCATE DUMPSTER
REV	11-03-15	RELOCATE LOAD SPACE
REV	11-02-15	ADDRESS REVIEW COMMENTS
REV	08-15-15	ADDRESS REVIEW COMMENTS
REV	08-03-15	ADDRESS REVIEW COMMENTS
REV	07-24-15	ADDRESS REVIEW COMMENTS
REV	07-16-15	ADDRESS REVIEW COMMENTS

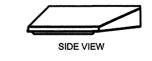
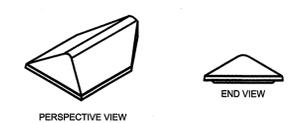
DATE: 04-08-15 BY: CAM SCALE: 1" = 20'
 DWG: DealerGunston SH: 1 OF 3



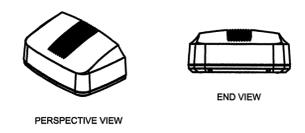
CRU-SM-LED
LED SURFACE MOUNT CANOPY LIGHT
LEGACY



XASU
LED Crossover Area Light



XPWS3
LED Crossover Wall Mount Light



Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
ALL CALC POINTS	Illuminance	Fc	0.95	25.6	0.0	N.A.	N.A.
MAIN CANOPY	Illuminance	Fc	22.72	29.1	17.9	1.27	1.63
SM CANOPY	Illuminance	Fc	21.37	25.4	18.6	1.15	1.37
INSIDE CURB	Illuminance	Fc	4.64	25.6	0.1	46.40	256.00

Symbol	Qty	Label	Arrangement	Description	LLF	Lumens/Lamp	Arr. Lum. Lumens	Arr. Watts
■	2	A	SINGLE	XASU-FT-LED-64-HD-CW-UE-SINGLE-14' MT HGT	1.000	N.A.	7656	89
■	1	B	SINGLE	XASU-FT-LED-64-HD-CW-HSS-SINGLE-14' MT HGT	1.000	N.A.	6001	88
▲	4	C	SINGLE	CRUS-SM-SC-LED-LW-CW-UE	1.000	N.A.	10871	87.9
▲	5	D	SINGLE	XPWS3-FT-LED-48-450-CW-UE	1.000	N.A.	6159	72
▲	6	E	SINGLE	CRUS-SM-SC-LED-VLW-CW	1.000	N.A.	8842	78.7

Based on the information provided, all dimensions and luminaire locations shown represent recommended positions. The engineer and/or architect must determine the applicability of the layout to existing or future field conditions.

This lighting plan represents illumination levels calculated from laboratory data taken under controlled conditions in accordance with The Illuminating Engineering Society (IES) approved methods. Actual performance of any manufacturer's luminaires may vary due to changes in electrical voltage, tolerance in lamps/LED's and other variable field conditions. Calculations do not include obstructions such as buildings, curbs, landscaping, or any other architectural elements unless noted.

Total Project Watts
Total Watts = 14498

INDUSTRIES
American Innovation Through Technology
A Division of American Innovation Through Technology
1000 ALLIANCE RD. CHANTILLY, VA 20151
TEL: 703-260-4700 FAX: 703-260-4700

LIGHTING PROPOSAL LD-126908-1
GUSTON SERVICE STATION
LORTON, VA

BY/WE	DATE: 4-13-15	REV: 8-26-15	SHEET 1 OF 1
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SCALE: 1"=20'



GUNSTON HALL SERVICE STATION
9801 RICHMOND HIGHWAY, LORTON

SPECIAL EXCEPTION AMENDMENT PLAT
PLAT FOR SE # 97-V-061
PHOTOMETRIC PLAN

MOUNT VERNON DISTRICT
FAIRFAX COUNTY, VIRGINIA

REV	08-15-15	ADDRESS REVIEW COMMENTS
REV	08-03-15	ADDRESS REVIEW COMMENTS
REV	07-24-15	ADDRESS REVIEW COMMENTS
REV	07-16-15	ADDRESS REVIEW COMMENTS
DATE	04-08-15	BY CAM SCALE: 1"=20'
DWG	Dealer/Gunston	SHT 3 OF 3

DESCRIPTION OF THE APPLICATION

The applicant, ARA, Inc. t/a Gunston Shell Service Station, has requested the approval of a Special Exception Amendment (SEA) to permit modifications to the previously approved service station. The applicant proposes to make the following site modifications:

- Incorporate an existing, previously unpermitted 497 square foot 4th service bay into the Special Exception Amendment (SEA) Plat;
- Incorporate an existing accessory storage structure not previously depicted into the SEA Plat;
- Increase the number of parking spaces shown on the SEA Plat from 10 to 14;
- Incorporate the correct location of the site's propane tank into the SEA Plat;
- Incorporate the containment dike and canopy roof not previously depicted into the SEA Plat.
- Remove three underground fuel storage tanks and replace them with three new underground tanks; and,
- Demolish, replace and reorient two of the existing four gasoline fuel pumps and the associated fuel canopy.

The applicant has requested the following waivers and modifications:

- A modification of Sect. 17-201 of the Zoning Ordinance requiring frontage improvements as identified in the adopted Comprehensive Plan; and,
- A waiver of Sect. 13-302 of the Zoning Ordinance requiring transitional screening and barriers along the western property boundary.

Copies of the draft development conditions, the applicant's statement of justification, and the affidavit are included in Appendices 1, 2, and 3, respectively. A reduced copy of the applicant's SEA Plat is included at the beginning of this staff report.

LOCATION AND CHARACTER

The subject property is located in the southeastern quadrant of Richmond Highway's intersection with Gunston Road. The property is generally flat but slopes dramatically upward at its southern tip to an elevation 50 feet above the balance of the site. This slope is forested. The site has two access points on Richmond Highway and one access point on Gunston Road. The property is connected to the two adjacent commercial properties via interparcel vehicular connections.

The service station building is composed of two sections. The larger of the two sections is 18 feet tall, 1,560 square feet and contains the original service station building with three service bays that was constructed in 1970. The smaller section is a 14-foot tall, 497 square foot modular structure that acts as a fourth service bay for the service

station. According to the applicant, the fourth bay is bolted to an underlying paved surface. There are two fueling islands on site, each with a fueling canopy above two fuel pumps that can serve two cars each, for a total capacity of eight simultaneous fueling vehicles. The existing canopy closest to Richmond Highway is 18.3 feet tall with 14.5 feet between the bottom of the canopy and the finished grade. This canopy area totals 1,008 square feet. The existing canopy closest to Gunston Road is an identical height and measures 720 square feet.

The service station currently uses three underground fuel storage tanks, each with 6,000 gallons of capacity. Behind the existing service station, the SEA Plat shows an additional three 275-gallon above ground storage tanks. According to the statement of justification, these three tanks hold home heating fuel, used motor oil, and used anti-freeze. The SEA Plat shows an existing containment dike and overhead canopy, which were added to the rear of the structure at the request of the Fire Marshal. The site also contains an existing propane refill station.

Figure 1 shows the property boundary and the surrounding road network. A partial section of the service drive straddles the property boundary. With the presence of the free-flow right turn lane for northbound traffic on to Richmond Highway, the service drive



Figure 1: The subject property in relation to the partial service drive, free flow right turn lane, and surrounding properties (Source: Fairfax County DPZ GIS and 2015 aerial photography)

is seldom used by through traffic and acts more as overflow parking for the service station.

The site contains a 160 square foot storage container used by the applicant as an accessory storage structure. The container is located 2.2 feet away from the rear yard property boundary behind the service station. According to the applicant, the service station stores batteries, brake pads, brake rotors, and additional inventory in the storage container. No chemicals are stored in the structure. The site is served by public water and a septic field. The septic tank and drainfield were replaced and retrofitted in 2013.

The subject property is located across Richmond Highway and Gunston Road from single family detached residential development. A 7-Eleven quick service food store is located to the immediate east, while a contractor's office and shop is located to the immediate southwest. The subject property may access the 7-Eleven site via an interparcel access easement. No interparcel access easement has been recorded that formalizes the access with the contractor's office and shop.

BACKGROUND

On April 23, 1968, the Board of Zoning Appeals approved S-785-68 for the use of the subject property as a service station.

On May 27, 1998, the Board of Supervisors approved SE 97-V-061 to allow modifications to the existing service station. Specifically, the applicant's proposal to construct two fueling canopies over the existing fueling islands triggered the need to submit a Special Exception for the pre-existing service station use based on the Zoning Ordinance requirements. Copies of the approved development conditions and approved SE Plat are enclosed in Appendix 4.

Based on historical air photo analysis, the containment dike and canopy over the above ground fuel tanks were added between 2007 and 2009. The same analysis shows the fourth service bay building added to the property between 2009 and 2011.

On November 6, 2013, staff issued an interpretation letter to the applicant, based on an August 7, 2013 interpretation request, with a determination that the proposed replacement and reorientation of the canopy and fuel islands closest to Richmond Highway would be in substantial conformance with the 1998 Special Exception approval. A copy of the interpretation letter is included in Appendix 5.

Staff conducted a follow-up site visit with the applicant on December 11, 2013. The applicant was informed of a number of potential zoning violations that needed to be addressed, which included the removal of illegal signs, engine hoists, surplus auto parts, and inoperative vehicles from the property. Staff informed the applicant that vehicles must be parked in designated parking spaces as shown on the approved SE

Plat from 1998. Staff also identified a number of site improvements, including the fourth service bay, not shown on the approved SE Plat, which would need to be brought into compliance through the Special Exception Amendment process.

On December 20, 2013, staff received a second interpretation request from the applicant for a determination as to whether the fourth service bay, the accessory storage structure, the propane tank refill station, a modified parking layout to accommodate the fourth service bay, the containment dike, and the overhead canopy for the above ground fuel tanks would be in substantial conformance with the 1998 Special Exception approval. The interpretation request was ultimately withdrawn when staff informed the applicant that an SEA would be required.

Staff met again with the applicant on site on December 4, 2014 to discuss holds placed on the applicant's building permit application review for the replacement and reorientation of the canopy and fuel islands. The hold was placed on the review due to the items listed above, which had not been disclosed to staff during the interpretation review of the August 7, 2013 request. Staff determined that the permit holds could be lifted upon the submission of a SEA application to address outstanding issues with zoning compliance to the 1998 SE Plat. SEA 97-V-061 was filed on March 18, 2015.

COMPREHENSIVE PLAN PROVISIONS

Plan Area: Area IV, Lower Potomac Planning District
LP2: Lorton-South Route 1 Community Planning Sector
Sub-unit H1

Plan Map: Retail and Other Commercial Uses

Plan Text: "Sub-unit H1 is located on the southeast corner of Gunston Road and Richmond Highway. Neighborhood-serving retail use up to 0.15 FAR is planned for Parcels 113-2 ((1)) 23, 24, and 25. No further commercial expansion should be allowed."

DESCRIPTION OF THE SPECIAL EXCEPTION AMENDMENT PLAT

The Special Exception Amendment Plat (SEA Plat) includes three sheets prepared by Craig McBride dated April 8, 2015 as revised through November 13, 2015.

Fuel Tanks: The applicant proposes to remove the existing underground storage tanks and replace them with three new tanks in the same general area between the service station and the fuel canopy adjacent to Richmond Highway. According to the SEA Plat, the applicant would disturb 1,670 square feet on site to remove and replace the tanks.

Fuel Canopy and Pumps: The applicant would retain the fuel canopy nearest Gunston Road, and replace the canopy and fuel pumps closest to Richmond Highway. The proposed fuel canopy would be 22 feet by 47 feet for a total of 1,038 square feet. The canopy would be 14.5 feet from finished grade to the bottom edge, with a total height of 18.3 feet. The applicant would reorient the replacement fuel islands to be parallel to one another as shown in Figure 2. The applicant would install an internally illuminated sign on the existing Gunston Road canopy, and two signs on the proposed Richmond Highway canopy. Each sign would be 16 square feet.

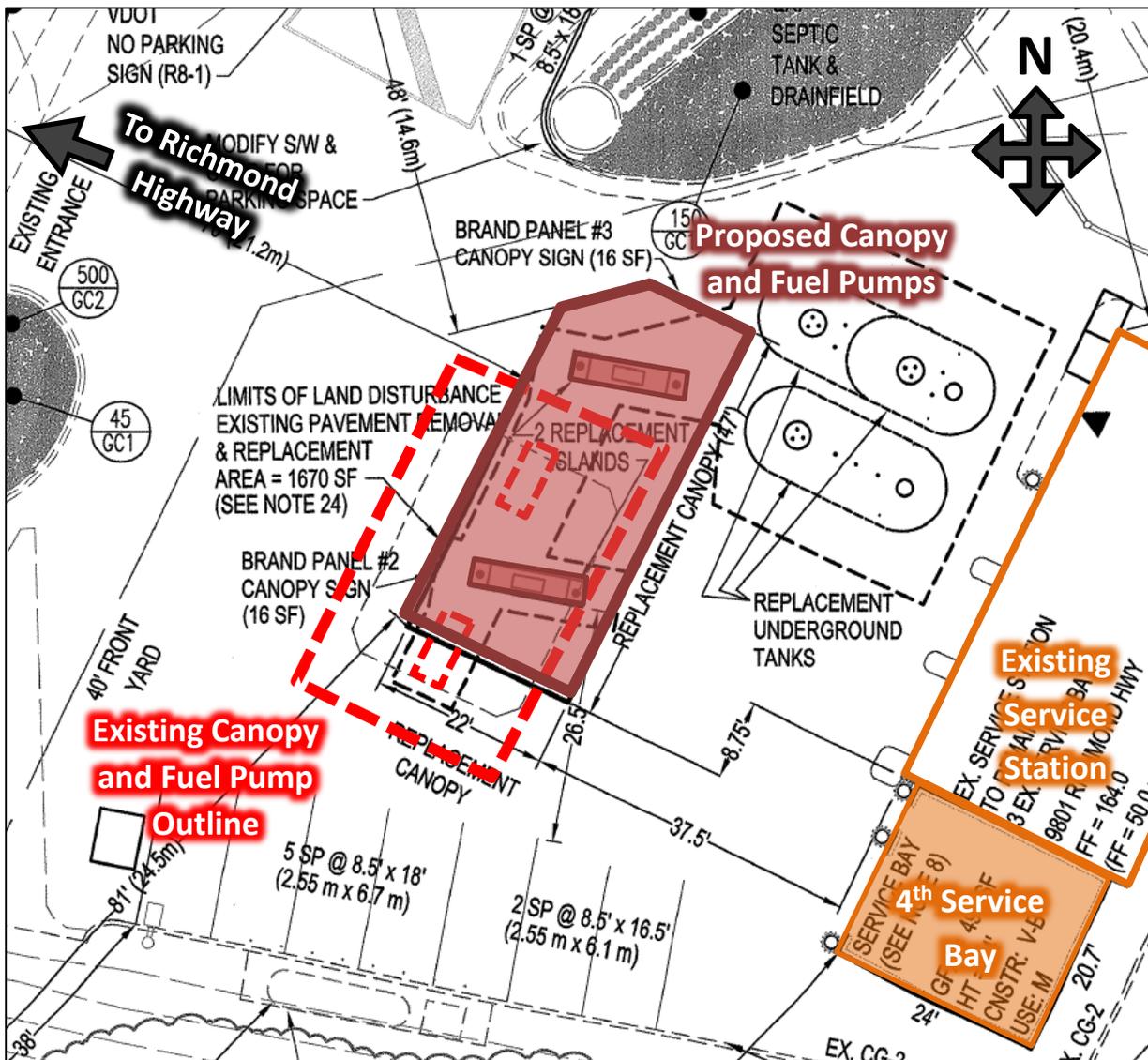


Figure 2: The proposed fueling canopy and fuel pumps would be reoriented perpendicular to Richmond Highway (Source: Craig McBride, PE (11/13/2015), Fairfax County DPZ GIS and 2015 aerial photography)

Access and Parking: The SEA Plat increases the number of parking spaces from 10 to 14. The applicant's parking tabulation accounts for two parking spaces per service bay plus one space per employee in accordance with Article 11 of the Zoning Ordinance. The two spaces closest to the currently unpermitted service bay would be 8.5 feet wide and 16.5 feet deep. The applicant would need to allow for 1.5 feet of curb overhang for these two spaces. There would be five spaces near the propane tank refill measuring 8.5 feet wide and 18 feet deep. One space would be located near the septic drainfield, and two spaces would be located to the immediate north of the service station.

The applicant would delineate four parking spaces between the Gunston Road fuel island and the property boundary. Two spaces would be accessed through internal circulation on site, and two spaces would be accessed via the adjacent 7-Eleven property. Motorists may traverse the property in this manner via an interparcel access easement, Deed Book 3639 and Page Number 363, which is listed on the SEA Plat. The SEA Plat shows one loading space to the immediate north of the service station. The loading space's dimensions conform to Article 11 of the Zoning Ordinance.

No changes are shown on the SEA Plat for the two access points onto Richmond Highway or the access onto Gunston Road. Interparcel access would continue with 7-Eleven to the east and the contractor's office and shop to the southwest.

Landscaping: The applicant proposes a combination of perennial grass tufts and flowering ground cover of various heights within the landscaped island that contains the septic drain field. The applicant would plant a similar mix within the landscaped island that separates the two Richmond Highway access points.

ZONING ORDINANCE PROVISIONS (Appendix 6)

General Special Exception Standards (Sect. 9-006)

Standard 1 requires the proposed use to be in harmony with the adopted Comprehensive Plan.

The applicant's proposal does not include additional uses, such as a quick service food store, and in staff's opinion would not expand the use to additional properties. The applicant's proposed canopy and fuel pumps substantially conform to the approved Special Exception and would not increase the number of fuel pumps for vehicles.

The adopted Comprehensive Plan recommends that Richmond Highway be widened to six travel lanes at this location, with three lanes each for northbound and southbound traffic. To conform to this recommendation, staff from the Fairfax County Department of Transportation (FCDOT) recommend that the applicant dedicate 35 feet of right-of-way along Richmond Highway frontage. This dedication would also bring portions of the free flow right turn lane and the existing service drive into public right-of-way for

maintenance by the Virginia Department of Transportation (VDOT). In staff's opinion, the applicant's site design can still be accommodated with the requested dedication without adverse impacts to site circulation, building setbacks, open space, or landscaping. However, the applicant's proposal does not incorporate such a dedication.

In staff's opinion, the proposed application can be fully harmonious with the adopted Comprehensive Plan should the applicant make the recommended dedication.

Standard 2 requires that the use be in harmony with the general purpose and intent of the applicable zoning district regulations.

The purpose and intent of the C-6 Community Retail Commercial District are to provide locations for retail commercial and services uses which are oriented to serve several neighborhoods or approximately 20,000 persons. Service stations are permitted with Special Exception approval. A service station use at this location was deemed harmonious by the Board of Supervisors in their previous approval. The applicant has met the bulk requirements of the C-6 District as demonstrated in Table 1 below.

TABLE 1 – BULK STANDARDS FOR C-6 ZONING		
Standard	Required	Provided
Lot Size	40,000 square feet minimum	36,885 square feet ¹
Lot Width	200 foot minimum	Richmond Hwy.: ≈153 feet ¹ Gunston Rd.: ≈82 feet
Building Height	40 feet maximum	18 feet
Front Yard ²	Controlled by a 45° angle of bulk plane, but not less than 40 feet	Richmond Hwy.: ≈128 feet Gunston Rd.: ≈99 feet
Rear Yard	20 foot minimum	≈20 feet (East) ≈92 feet (Southwest)
Side Yard	None required	N/A
Floor Area Ratio	0.40 maximum	0.06
Landscaped Open Space	15% of the gross area	38.2%

- 1 Section 2-405 of the Zoning Ordinance permits lots that were recorded prior to the effective date of the Zoning Ordinance that met the requirements of the Zoning Ordinance in effect at the time of recordation to be used for any use permitted in the zoning district in which located even though the lot does not meet the minimum district size requirements of the district. The use on the subject property was established in 1971 and the property boundaries for the two parcels that make up the subject property have not been altered since prior to the 1978 effective date of the Zoning Ordinance.
- 2 Section 2-412, Paragraph 1(A) stipulates that fueling canopies with supports located on the pump islands may extend into minimum required yards but shall not extend into any required transitional screening areas nor overhang travel lanes, service drives, or sidewalks. The applicant's SEA Plat would meet this requirement.

In staff's opinion, the applicant's request would be in harmony with the general purpose and intent of the C-6 zoning district.

Standard 3 requires that the proposed use be harmonious with and not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the Comprehensive Plan. The features of the proposal, such as the size and height of buildings and structures along with the nature and extent of screening, buffering, and landscaping, may not hinder or discourage the development and use of nearby property or impair its value.

The Fairfax County Department of Transportation staff (Appendix 7) expressed concerns with site conditions seen on visits to the subject property where vehicles were not parked in a manner consistent with the approved SEA Plat. Staff has incorporated a condition into Appendix 1 that would require parking spaces to be striped in conformance with the Public Facilities Manual's (PFM's) standards within 120 days of SEA approval, and that all parking shall be within striped spaces.

FCDOT also recommended formalizing the interparcel connection with the adjacent contractor's office and shop. The applicant has drafted an easement which would allow vehicular traffic from the contractor's office and shop to legally traverse the subject property. Staff has proposed a development condition to require the recordation of the proposed easement language within 120 days of SEA approval.

In staff's opinion, the proposed use would be harmonious with and would not adversely affect the neighboring properties.

Standard 4 requires the pedestrian and vehicular traffic associated with the proposed use not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

In response to staff comments, the applicant has removed parking spaces near the fourth service bay and relocated them to areas on site that would not conflict with the movement of vehicles in and out of the service bays. The applicant's site circulation minimizes conflicts between vehicles backing in and out of parking spaces and the travel aisles on site that will have the most frequent vehicular use. These include areas around the fueling stations and near the service bays.

In staff's opinion the proposed use would not be hazardous or conflict with neighborhood traffic.

Standard 5 gives the Board of Supervisors the authority to require landscaping and screening in accordance with Article 13 of the Zoning Ordinance.

Article 13 of the Zoning Ordinance requires the applicant to provide Transitional Screening Type 3 and Barrier E, F or H along the property boundaries opposite the

single family residential development across Gunston Road and Richmond Highway. The applicant has request a waiver of these provisions. Given the constrained parcel size and given that the Board of Supervisors previously approved waivers of these requirements during the initial Special Exception review, it is staff's opinion that the waivers be reaffirmed. The waiver requests are evaluated further in the Modifications and Waivers section of this staff report.

Standard 6 requires that the applicant provide an amount of open space equal to that required for the particular zoning district.

The C-6 District requires that the applicant provide a minimum of 15 percent landscaped open space, or 5,533 square feet. The applicant's SEA Plat indicates that the site contains 14,105 square feet of landscaped open space, or 38.2 percent, which would exceed the minimum Zoning Ordinance requirement.

Standard 7 requires that adequate utilities, drainage, parking, loading and other necessary facilities to serve the proposed use be provided.

As previously discussed, the applicant's SEA Plat exceeds the minimum parking requirement, and meets the loading space requirement prescribed by Article 11 of the Zoning Ordinance. The proposal would discourage parking within the service drive and provide parking in areas that are accessible to visiting customers. The applicant's request would not trigger a requirement for providing stormwater management facilities because the land disturbance is below 2,500 square feet.

Standard 8 requires all signs to be regulated by the provisions of Article 12.

The applicant's proposed canopy would have the brand logo on two sides, with a third logo displayed on the existing Gunston Road canopy. Each logo would be 16 square feet. In order to install the logo on the canopy, the applicant would need approved sign permits from the Zoning Inspections Branch of the Department of Planning and Zoning. The applicant has had a history of unpermitted signs on the location and a development condition is proposed to remove all unpermitted signs. All signs must conform to the provisions of Article 12 in the Zoning Ordinance.

Additional Standards for Automobile-Oriented Uses (Sect. 9-505)

Standard 1(A) requires automobile-oriented uses, such as service stations and quick service food stores have the same architectural features on all sides or be architecturally compatible with the surrounding built environment.

As see in Figure 3 below, the unpermitted service bay is a modular building type unrelated to the form or design of the original service station building. The applicant has proposed yellow banding, decorative planters, and a roofline modification to unify the



Figure 3: The applicant would use façade treatments, landscaping, and planters to enhance the service station's appearance (*Source: Applicant photo and rendering dated 11/3/2015*)

façade and beautify the existing building. Staff has proposed a development condition to ensure that the façade treatment conforms to the depiction in Figure 3.

Standard 1(B) requires the use to be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties. As previously discussed, staff's proposed development condition would ensure that the applicant formalizes

interparcel access with the contractor's shop in a timely manner. Interparcel access is already permitted with the 7-Eleven property to the east per an access easement recorded with the subdivision of the two properties in 1972.

Standard 1(C) requires that the site be designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation. Parking and stacking spaces shall be provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the site. As previously discussed, the applicant's site design, coupled with the previously discussed parking development condition, would provide parking that minimizes conflicts between fueling and vehicle service.

Standard 1(D) requires a determination that the subject property is of sufficient area and width to accommodate the use and that any such use will not adversely affect any nearby existing or planned residential areas as a result of the hours of operation, noise generation, parking, glare or other operational factors.

Section 14-903 of the Zoning Ordinance limits the maintained lighting level under a fueling canopy for a service station to no more than 30 footcandles as measured horizontally at grade. The applicant's photometric plan on Sheet 3 of the SEA Plat depicts lighting levels below 30 footcandles. Based on this information shown on the SEA Plat, the applicant would meet the performance standards specified in Article 14 of the Zoning Ordinance.

Standard 1(E) applies only to drive-through pharmacies, and is not applicable to the proposed uses.

Standard 2 solely focuses on automobile-oriented uses in C-3 and C-4 Districts. Since the subject property is zoned C-6, this standard is not applicable.

Standard 3 focuses on such uses in C-5 and C-6 Districts. The standard restricts outdoor storage or display of goods offered for sale to no more than 50 square feet of accessory outdoor storage space. Standard 3 also prohibits major auto repairs and limits the temporary storage of wrecked, inoperative or abandoned vehicles for service stations.

The applicant has not identified an accessory outdoor storage space greater than 50 square feet on the subject property. While no inoperative vehicles were identified by staff on site visits during application review, staff noted in the Background section of the report previous instances of inoperative vehicles being located on the site. Staff has proposed a development condition that would require vehicles to be parked within designated parking spaces on site.

Standard 4 solely focuses on such uses in C-7, C-8 and C-9 Districts. Since the subject property is zoned C-6, this standard is not applicable. In staff's opinion, the applicant's request satisfies the applicable Zoning Ordinance provisions.

MODIFICATIONS AND WAIVERS

Transitional screening and barrier requirements

Section 13-302 of the Zoning Ordinance requires an applicant to provide transitional screening and barriers between dissimilar land uses as indicated in the Transitional Screening and Barrier Matrix in Article 13. For service stations, Article 13 requires screening and barriers as indicated in Table 2.

Location	Adj. Land Use	Required	Proposed
North	Single family detached dwellings (Mason's Passage)	Trans. Screening Type 3 ³ Barrier E, F or G ⁴	16 Evergreen shrubs
East	Quick service food store	None	Forested hill in part
South	Contractor's office	None	Forested hill in part
West	Single family detached dwellings (Evans Subdivision)	Trans. Screening Type 3 Barrier E, F or G	11 Evergreen shrubs

Paragraph 2 of Section 13-305 of the Zoning Ordinance permits the Board to waive or modify the strict provisions of 13-302 when their application would reduce the usable area of a lot due to lot configuration or size to a point which would preclude a

- 3 Transitional Screening 3 shall consist of an unbroken strip of open space a minimum of fifty (50) feet wide planted with all of the following:
- (1) A mixture of large and medium evergreen trees and large deciduous trees that achieves a minimum ten (10) year tree canopy of seventy-five (75) percent or greater;
 - (2) A mixture of trees consisting of at least seventy (70) percent evergreen trees, and consisting of no more than thirty-five (35) percent of any single species of evergreen or deciduous tree; and,
 - (3) A mixture of predominately medium evergreen shrubs at a rate of three (3) shrubs for every ten (10) linear feet for the length of the transition yard area. The shrubs shall generally be located away from the barrier and staggered along the outer boundary of the transition yard.
- 4 Barrier E shall consist of a 6 foot wall, brick or architectural block faced on the side facing the existing use and may be required to be so faced on both sides as determined by the Director.

Barrier F shall consist of a 6 foot high solid wood or otherwise architecturally solid fence.

Barrier G shall consist of a 6 foot chain link fence and may be required by the Director to have inserts in the fence fabric or to be coated.

reasonable use of the lot and when the side of a building, a barrier and/or the land between that building and the property line has been specifically designed to minimize adverse impacts through a combination of architectural and landscaping techniques. The Board of Supervisors waived the provision of transitional screening and barriers with their initial approval of the Special Exception in 1998. The staff report for SE 97-V-061 noted that a 50-foot wide strip of transitional screening along the northern and western property boundaries would eliminate a substantial majority of the site's usable acreage. Staff concurs with the analysis from the 1998 staff report. In staff's opinion, the combination of the façade treatments, planters, and ground cover present a proposal that meets the purpose and intent of Article 13 while qualifying for the aforementioned modification criteria. Staff supports the request for modification.

Frontage Improvements

Section 17-201 of the Zoning Ordinance requires applicants to provide a variety of improvements including pedestrian walkways, trails, and widening of roads that are called for in the Comprehensive Plan to obtain site plan approval for new construction. Service drives, which provide interparcel access between properties separate from the main roadway, are required by this section when development occurs adjacent to a primary highway. These improvements may be waived or modified based on information provided by the applicant and upon a determination that such improvements are unnecessary or will not adversely affect other required improvements and compliance with all other applicable requirements. Figure 4 on the following page shows the area that would be required for frontage improvements to meet the Article 17 public improvements requirement.

Staff recommends that the applicant dedicate the necessary right-of-way for future implementation of the recommended Richmond Highway cross section. While staff supports the applicant's request to not construct the ultimate improvements, the applicant's lack of dedication deviates from commitments made by numerous other Richmond Highway property owners during their development review. FCDOT discusses the issue in Appendix 7 and proposes a 35-foot dedication compromise that the applicant has not committed to providing. The applicant has demonstrated that there would be no adverse impacts to site design, landscaping, site circulation, or traffic congestion, either with the existing cross section for Richmond Highway or the ultimate cross section shown on Sheet 3 of the SEA Plat. By making the requested dedication, the acreage can be brought under VDOT maintenance and incorporated into future planning efforts without the need for right-of-way acquisition.

Staff recommends approval of a waiver of the transitional screening and barrier requirements in Sect. 13-302 of the Zoning Ordinance.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, 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 application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application

APPENDICES

1. Draft Conditions
2. Applicant's Statement of Justification
3. Affidavit
4. Clerk's Letter for SE 97-V-061
5. Interpretation Letter dated November 6, 2013
6. Zoning Ordinance Provisions
7. Fairfax County Department of Transportation Analysis
8. Glossary of Terms

PROPOSED DEVELOPMENT CONDITIONS**SEA 97-V-061****December 31, 2015**

If it is the intent of the Board of Supervisors to approve SEA 97-V-061, located at 9801 Richmond Highway, Tax Map 113-2 ((1)) 24, previously approved for use as a service station pursuant to Sect. 4-604 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions, which supersede all previous conditions.

1. This Special Exception Amendment (SEA) is granted for and runs with the land indicated in this application and is not transferable to other land.
2. A copy of these SEA conditions, along with the 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 hours of operation for the permitted use.
3. This SEA 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.
4. This SEA is subject to the provisions of Article 17, Site Plans as may be determined by the Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved SEA Plat entitled "Gunston Hall Service Station | 9801 Richmond Highway, Lorton" prepared by Craig McBride, which is dated April 8, 2015 and revised through November 13, 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. All parking for this use shall be on-site. Within 120 days of the approval of this SEA, required parking spaces shall be striped and located as shown on the SEA Plat. Parking shall occur only within designated spaces as shown on the SEA Plat with the exception of vehicles fueling at fuel pumps. Employee vehicles, vehicles waiting to be serviced, or vehicles waiting to be picked up shall not be parked within public right-of-way.
6. Within 120 days of the approval of this SEA, the applicant shall grant an interparcel access easement to the owner of Tax Map 113-2 ((1)) 23, otherwise known as 9809 Richmond Highway, in the general location of the existing driveway connection between the two properties as shown on the SEA Plat.
7. Within 120 days of the approval of this SEA, the applicant shall implement the landscaping as generally shown on the SEA Plat and Attachment A to these conditions. This vegetation shall be maintained year round by the applicant to

enhance the visual appearance of the site. The applicant shall remove and replace on-site vegetation damaged by winter weather, snow removal, and vehicular movements. The location, type, and species of the landscaping may be modified to accommodate utilities, property lines, and nursery stock availability. The on-site landscaping, and modifications referenced in this condition, shall retain a generally equivalent number of plantings as shown on the SEA Plat and Attachment A and shall be subject to the review and approval of the Urban Forest Management Division (UFMD).

8. The hours of operation shall be limited to 5:00am – 11:00pm, seven days per week. Self-service fuel operations may be permitted 24 hours a day, 7 days a week.
9. The maximum number of employees during a shift on site at any one time shall not exceed five.
10. The fuel canopy shall not exceed 18.5 feet in height.
11. Within 120 days of the approval of this SEA, the applicant shall complete the building façade modifications and install the planters as depicted in Attachment A to these conditions. The modifications shall include both the original service station building and the fourth service bay. The façade modifications and planter placement shall be in substantial conformance with the improvements shown in Attachment A.
12. All underside canopy lighting shall consist of full cut-off lighting fixtures, which direct light glare downward and shield light glare in such a manner as to prevent the light from projecting beyond the site onto adjacent residential properties. In accordance with Section 14-903 of the Zoning Ordinance, the fuel canopy lighting shall not exceed a maintained lighting level of 30 footcandles under the canopy as measured horizontally at grade.
13. Approval of this Special Exception Amendment shall not constitute approval of existing signs. Within 30 days of the approval of this Special Exception Amendment, any nonconforming signs shall be removed. No flags or banners shall be displayed on the building, except than an American flag mounted on a flag pole may be permitted. All signs, existing or proposed, shall conform to the regulations of Article 12 of the Zoning Ordinance.
14. The service station shall not be used for the performance of major repairs, and shall not include the outdoor storage of abandoned, wrecked, or inoperable vehicles on the site for more than 72 hours. Furthermore, there shall be no outdoor dismantling, wrecking or sale of said vehicles or parts thereof.
15. The service station operation shall not include vehicle or tool rental or similar uses.
16. All vehicle service shall be performed within the service bays shown on the Special Exception Plat. No outdoor lifts shall be permitted.

17. Within 120 days of the approval of this SEA, the applicant shall modify the six-foot tall chain link fence which restricts access to the accessory storage structure with a semi-opaque screen treatment as identified on the SEA Plat.
18. Within 90 days of the approval of this SEA, the applicant shall submit a retroactive building permit application for the unpermitted service bay shown on the SEA Plat. The applicant shall also obtain all applicable trade permit applications, which may include but shall not be limited to mechanical, plumbing, and electrical permits. The permits shall be subject to the review and approval of DPWES.
19. Within six months of the approval of this SEA, the applicant shall obtain final approved inspections for the retroactive building permit applicant for the unpermitted service bay in addition to all applicable trade permits applications. The inspections and approvals shall be subject to the review and approval of DPWES.

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 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, eighteen (18) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted 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.



These images are for Illustrative Purposes Only. Final plant locations and quantities are subject to Final Engineering / Design as well as Fairfax County and VDOT approvals.

Special Exception Amendment Application
 Applicant: ARA, Inc. t/a Gunston Shell Service Station
 Property: Tax Map 113-2 ((1))-24

**DESCRIPTION OF APPLICATION AND
 STATEMENT OF JUSTIFICATION**

The property subject to this Application (the "Property") is located on Richmond Highway at its intersection with Gunston Road, in the Mt. Vernon Magisterial District. The Property, consisting of approximately 36,885 sq. feet, is zoned C-6 under the Fairfax County Zoning Ordinance (the "Ordinance"); it is located in Land Unit H, Subunit H1 of the Lorton South Route 1 Community Planning Sector of the Comprehensive Plan.

The existing service station use was originally approved in 1968. A 1998 special exception (SE 97-V-061) approved canopies for the station's fuel islands and adopted development conditions.

The purpose of this Application is primarily to approve an additional service bay, consisting of approximately 497 s.f., marked on the accompanying plat (the "SEA Plat") as "Proposed Service Bay." This bay, a modular structure bolted to the existing paved surface, was added to the site some years ago so that the service station now has a total of four bays (the operators did not realize at that time that such a structure might require a special exception amendment). This fourth bay did not increase any impervious surface to the site, or involve any land disturbance, since it was bolted to the pre-existing paved surface. This bay does not create any traffic impact, as described below.

The Application also requests approval of several minor adjustments that are consistent with Ordinance requirements but may need to be reflected on a special exception plat: i) approval of the current location of the propane tank on the south side of the Property, marked as "Existing Propane Refill Station" on the SEA Plat. The location shown on the current special exception plat was in error; ii) approval of the storage structure, shown on the SEA Plat, near the eastern boundary; and iii) approval of the containment dike and canopy roof to enclose the above ground fuel tanks, located behind the building. The tanks were shown on the current special exception plat. The fire marshal later required the containment dike and canopy; iv) parking spaces are reconfigured (and not reduced) by the addition of the fourth bay.

The Applicant will be replacing the underground fuel tanks serving the fuel pumps, and replacing and reorienting the pumps on the west side of the Property. This work has been previously approved by Fairfax County and is therefore not a matter that requires a special exception amendment. The Zoning Administrator's Interpretation, dated Nov. 6, 2013, determined that this work is in substantial conformance with the existing special exception. This work (we'll call this the "Permit Work"), which will be initiated soon, is shown on the SEA Plat to present a full picture.

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 Department of Planning & Zoning

Richmond Highway is a principal arterial road. The existing service station has eight fueling locations, four at an island on the north side of the Property and four at an island on the west side. The Property is relatively flat, but with a steep wooded hill within a large portion of the southern part of the Property. The service station has a small area, approximately 50 s.f., in the office for the sale of snacks, soft drinks and sundries. The small size means that under the service station definition in the Zoning Ordinance the use is simply a service station, not a combination service station/mini-mart.

Special Exception Statement of Justification

- A. **Type of operation(s):** Service Station
- B. **Hours of operation:** 5:00 AM until 11:00 PM, seven days a week. This is the period when employees are present and service bays are in operation. Automatic fuel dispensers permit customers to use the fuel pumps 24 hours a day.
- C. **Estimated number of patrons/clients/patients/pupils/etc.** The staff report for the 1998 amendment anticipated 1,302 vehicles per day (“VPD)/107 vehicles per hour (“VPH”) based on the 5th edition of the Trip Generation Manual published by the Institute of Traffic Engineers. The current 9th Edition of this Manual anticipates substantially the same VPD/VPH. Based on recent study by the Applicant’s traffic Engineer, the total number of vehicle trips generated by the fourth service bay is zero during peak hours and 5 on a daily basis.
- D. **Proposed number of employees/attendants/teachers/etc.:** Five at any one time.
- E. **Estimate of traffic impact of the proposed use, including the maximum expected trip generation and the distribution of such trips by mode and time of day:** As noted, based on recent study by the applicant’s traffic engineer, the total number of vehicle pumps generated by the fourth service bay is zero during peak hours and 5 on a daily basis. The traffic impact is small and has an insignificant impact on the roadway network.
- F. **Vicinity or general area to be served by the use:** Vicinity of Richmond Highway/Gunston Road.
- G. **Description of building façade and architecture of proposed new building or additions:** Colonial
- H. **A listing, if known, of all hazardous or toxic substances as set forth in Title 40, Code of Federal Parts 116.4, 302.4 and 355; all hazardous waste as set forth in Virginia Department of Environments Quality Hazardous Waste Management Regulations; and/or petroleum products as defined in Title 40, Code of Federal Regulations Part 280; to be generated, utilized, stored, treated, and/or disposed of on site and the size and contents of any existing or proposed storage tanks or containers:**

Material identified as hazardous by 40 CFR 116.4 and known to be stored on site include gasoline, on road diesel and home heat fuels, used motor oil, and used anti-freeze. Gasoline is currently stored in two (2) underground storage tanks (UST's). On road diesel fuel is currently stored in one (1) UST. Each of the three (3) existing UST's has a storage volume of 6,000 gallons. Home heat fuel, used motor oil and used anti-freeze fuel are currently stored in three (3) aboveground storage tanks (AST's). Each AST has a storage volume of 275 gallons. The Permit Work will involve replacement of the underground tanks as follows. The first proposed UST will have 12,000 gallon storage for gasoline fuel, the second proposed UST will have 6,000 gallon storage for gasoline fuel, and the third proposed UST will have 6,000 gallon storage for on road diesel fuel. No change is proposed for the three (3) AST's that store home heat fuel, used motor oil and used anti-freeze.

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

The response is as follows:

Analysis of General and Special Exception Standards

This Application amply satisfies the general standards for a Special Exception set forth in Section 9-006 of the Ordinance.

1. **The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.**

Response: As noted, the Property is located within Land Unit H, Subunit H1 of the Lorton South Community Planning. The plan calls for neighborhood-serving retail use up to .15 FAR. The FAR for the site is .060, far below the maximum recommended in the Comprehensive Plan and far below the maximum of .40 specified in Sec. 4-607 of the Zoning Ordinance.

2. **The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.**

Response: The C-6 District, as stated in Section 4-501 of the Ordinance, is “. . . established to provide locations for retail companies and service uses which are oriented to serve several neighborhoods or approximately 20,000 people.” A service station at this location is a use consistent with this purpose.

3. **The proposed use shall be such that is will be harmonious with and will not adversely affect the use of 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.

Response: The additional bay does not impact the Board's finding in the original approval that this use complies with those requirements.

- 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.**

Response: The additional bay does not impact the Board's finding in the original approval that this use complies with these requirements.

- 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.**

Response: The Application is in compliance with the provisions of Article 13, subject to the waivers previously approved.

- 6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.**

Response: The C-6 district regulations require 15% of the gross area as landscaped open space. The Application provides 38.2% open space.

- 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.**

Response: The Application meets or exceeds the requirement applicable for utilities, drainage, and other necessary facilities. Parking is in compliance with Article 11. No loading requirements are applicable.

- 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.**

Response: Signs shall be in conformance with Article 12.

Exemptions and Waivers

This Application does not call for any changes to the existing stormwater facilities serving the Property and does not involve any new impervious surface. A "Minimum Storm

Water Information Form” is provided to verify that land disturbance associated with the Permit Work (assuming that this work is technically classified as land disturbance) is less than 2500 s.f. An “Archeological Survey Data Form” is not required since land disturbance is less than 2500 s.f.

Based on information from the Applicant’s traffic engineer, this Application does not meet the threshold according to 24 VAC §130-155-40. The Applicant has submitted a request to the Fairfax Department of Transportation for confirmation that a Transportation Impact Analysis (TIA) is therefore not required.

The SE approval granted in 1998 also granted the following waivers:

1. Waiver of any requirement for service drive.
2. Waiver of screening and barrier requirements along the northern and western boundaries of the Property (The Staff Report for this SE approval noted that there was no screening or barrier requirement along the other boundaries).

The Applicant requests that these waivers be carried forward and updated as needed.

The traffic volume generated by the Subject Property, including at peak hours, is insubstantial. A service drive at this location is not needed to complete an existing system and would likely generate traffic problems. Any other need for dedication of land and construction of road improvements is unrelated to the traffic generation of the use of the Subject Property, including with the additional service bay. Therefore, Applicant requests that the Board waive any requirements for a service drive and for any other right-of-way dedication/road construction under the Comprehensive Plan or under Section 17-201 of the Zoning Ordinance.

The surrounding uses are substantially the same as when the SE was approved in 1998, so that the justification for the waivers of screening and barrier requirements remains the same. The location of the Property, especially the topography and wooded area on the southern portion of the Property, provide a natural screening from residentially zoned property. The Applicant requests that the Board waive any requirement under Section 13-300, et. seq. of the Zoning Ordinance for transitional screening and barriers on the northern and western boundaries.

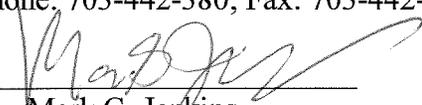
During the Application acceptance process, Staff requested that the Applicant address the trails requirement. The Comprehensive Plan Map states that a major trail is planned for Richmond Highway in this area. However, the Plan Map specifically notes that the County Wide Trail Plan does not specify the side of the road for the planned trails in the Mount Vernon District. The SW quadrant of the Richmond Highway/Gunston Road intersection, which contains the service station on the Subject Property and the adjacent 7-11 convenience store, would be an inappropriate location for a trail and would present safety issues. The properties across the street consist of open space areas of residential development that appear to be more appropriate locations for a potential trail. Therefore, the Applicant requests that the Board waive any requirement for a trail under the Comprehensive Plan or under Sec. 17-201 of the Zoning Ordinance.

ADDITIONAL STANDARDS UNDER SEC. 9-505
OF THE ZONING ORDINANCE

The use will continue to comply with the additional standards in Sec. 9-505 of the Ordinance. In particular, the use complies with Section 9-505 (3) of the Ordinance, which provides 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 seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicle or parts thereof. In addition, there shall be no more than two (2) such vehicles on site at any one time." The existing development conditions implement this standard and can be carried forward.

Mark G. Jenkins, P.C.
8233 Old Courthouse Rd., Suite 350
Vienna, Va. 22182
E-mail: mark@jenkinslaw.biz
Phone: 703-442-380; Fax: 703-442-7929

BY: _____


Mark G. Jenkins
Attorney/Agent for Applicant

4/20/2015
Date

STATEMENT OF JUSTIFICATION
FOR REQUESTED WAIVERS

The following elaborates on the description and justification for waivers requested in connection with the Special Exception Amendment Application. The current Special Exception granted several waivers, which are also described below.

A. The Applicant requests a waiver of any requirement for a service drive on Richmond Highway or Gunston Road.

Justification: The Staff Report (p. 6) for the original SE approval noted no objection by the Fairfax County Department of Transportation (“FCDOT”) to a waiver of any service drive requirement along Richmond Highway and Gunston Road. The Board of Supervisors granted the waiver. This SEA Application simply requests approval for one additional service bay, which is the only material change to the existing SE and does not affect the justification for the waiver of a service drive. A service drive at this location is not needed to complete an existing system and would likely generate traffic problems. For example, as the photographs of the Property illustrate, the topography to the south makes a service drive infeasible. The subject property also already fronts on an extended turn lane for the Richmond Highway/Gunston Road intersection.

B. The Applicant requests a waiver of any requirement for a trail or a sidewalk.

Justification: The Comprehensive Plan Map states that a major trail is planned for Richmond Highway in this area. However, the Plan Map specifically notes that the County Wide Trail Plan does not specify the side of the road for the planned trails in the Mount Vernon District. The southwest quadrant of the Richmond Highway/Gunston Road intersection, which contains the service station on the Property and the adjacent 7-11 convenience store, would be an inappropriate location for a trail and would present safety issues. The properties across the Richmond Highway have been built-out as a residential subdivision relatively recently, with apparent open space between a wall for that subdivision and the residential development. This area appears to be a more appropriate location for a potential trail.

C. The Applicant requests a waiver of any requirement for right-of-way dedication and road construction under the Comprehensive Plan or the Zoning Ordinance.

Justification: Richmond Highway is a principal arterial and therefore serves as a main travel corridor, the primary function of which is to carry through traffic, especially during peak periods. According to VDOT’s Daily Traffic Volume Estimates (2014), the average annual daily traffic for Richmond Highway, in the area of the Property, is 37,000 to 39,000 vehicles per day. Richmond Highway is the main access point for the Property.

The long established rule in Virginia is that a requirement for dedication (or construction) for road improvements can be imposed only if the need for the improvement is substantially

generated by the particular development for which an approval is sought. Seen from several perspectives, traffic generation for the Property is far below this threshold.

First, the marginal effect of the 4th bay is minimal. In a Trip Generation Analysis, dated Feb. 13, 2015, submitted with this SEA application, the Applicant's traffic engineer verified that the four bays generate 20 trips per day or 5 trips per bay. So the addition of the 4th bay is shown empirically to have no impact.

Second, the total traffic generated by the Property is also far below any threshold. In the Staff Report (Appendix 6) for the original SE, FCDOT reported that the use would generate 1302 vehicles per day ("VPD")/107 vehicles per hour ("VPH") based on the then current Fifth Edition of the Trip Generation Manual of the Institute of Traffic Engineers ("ITE"). The current 9th Edition of the Trip Generation Manual is essentially the same: 1302 VPD/108 VPH. From this more general perspective, the total traffic generated by the use is unchanged and remains a *de minimis* percentage of the volume of traffic on Richmond Highway, as shown by, e.g., the AADT figures.

It is also noteworthy that VDOT, in its regulations (24 VAC 30-155-40) relating to local land use applications, provides that a land use proposal "...substantially affects..." traffic on a state controlled highway if the proposal generates more than 5,000 vehicle trips per day.

In sum, the trip generation from the Property, whether from the additional bay or even the total use, has an insignificant impact on Richmond Highway, Gunston Road and the adjacent road network generally.

The Applicant requests a waiver of transitional screening and barriers.

Justification: The Staff Report (p.5) for the original SE approval set forth the following matrix for transitional screening and barrier requirements as applied to the Property, to which we add, in bold, updated information:

[MATRIX APPEARS IN FULL ON FOLLOWING PAGE]

BOUNDARY	REQUIRED	PROVIDED
North (Vacant, PDH-8) Current zoning & use: PDH-8/ build-out residential subdivision	TS-3 (50 ft. wide unbroken strip of vegetative screening) Current: TS-3	None Provided [Waiver requested and granted] Current: Request that waiver be continued
South (Office) Current zoning & use: C-6/ used as contractor's office	Not Required Current: Not required	Partial strip of vegetative screening Current: a steep wooded hill separates the improvements on the subject property
East (Quick Service Food Store) Current zoning & use: /C-6 quick service food store	Not Required Current: Not required	None Provided Current: Not required; none provided
West (Vacant, R-1) Current zoning & use: PDH-5/ built-out residential subdivision	TS-3 Current: TS-3	None Provided [Waiver requested and granted] Current: Request that this waiver be continued
BARRIER		
North (Vacant, PDH-8) Current zoning & use: PDH- 8/built-out subdivision	E,F, or G (6 ft. high wall or fence) Current: E, F or G	None Provided [Waiver requested and granted] Current: Request that this waiver be continued
South (Office) Current zoning & use: C-6/ used as contractor's office	Not Required Current: Not required	Partial 6 ft. High Board Fence Current: This fence no longer on site.
East (Quick Service Food Store) Current zoning & use: C-6/ quick service food store	Not Required Current: Not required	None Provided Current: Not required & none provided

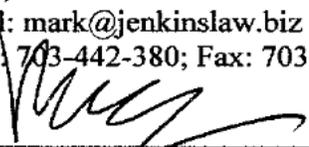
West (Vacant, R-1)	E, F, or G	None Provided [Waiver requested and granted]
Current zoning & use: PDH-5/build-out subdivision	Current: E, F, or G	Current: Request that this waiver be continued.

The Applicant requests that the existing waivers for screening and barrier requirements for the north and west boundaries be continued (as before, there are no screening or barrier requirements for the eastern and southern boundaries, so no waivers need be requested).

While the adjacent parcels to the north and west have now been built-out for residential uses, these uses were taken into account when the Board waived the screening and barrier requirements for these boundaries in the original SE. These adjacent parcels are at a considerable distance across major roads and the subject Property is both constrained in size and needs some visibility as a community-serving use. The SEA Plat does propose plantings in the grassed islands to add trees where space is available.

The prior SE approval did note a fence along the southern boundary, which appears to have become dilapidated or removed. As noted, a significant portion of the Property near the southern boundary consists of a relatively steep slope that contains trees that have matured into a relatively thick forested slope. The improvements for the service station are located far below the elevation of the residential properties on the southern boundary. The wooded slope extending from those improvements to the actual property line (see photographs) is a natural boundary that will not be altered in the future. No purpose would be served, we suggest, by a fence or by any transitional screening.

Mark G. Jenkins, P.C.
 8233 Old Courthouse Rd., Suite 350
 Vienna, VA 22182
 E-mail: mark@jenkinslaw.biz
 Phone: 703-442-380; Fax: 703-442-7929

BY: 
 Mark G. Jenkins
 Attorney/Agent for Applicant

SPECIAL EXCEPTION AFFIDAVITDATE: 9/25/2015
(enter date affidavit is notarized)I, Mark G. Jenkins, do hereby state that I am an
(enter name of applicant or authorized agent)(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below

129 313

in Application No.(s): SEA97-V-061
(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)
ARA, Inc. t/a Gunston Shell Service Station Agents: Raj Kapoor Amit Kapoor Paul Sisson	9801 Richmond Hwy Lorton, VA 22079 9801 Richmond Hwy Lorton, VA 22079 9801 Richmond Hwy Lorton, VA 22079	Applicant; Subtenant; Agent of Title Owners & Tenant Agent of Applicant, Owners & Quarles Agent of Applicant, Owners & Quarles Agent of Applicant, Owners & Quarles
Wayland F. Jones & Bobbie Jones	805 S. Taylor St. Arlington, VA 22204	Title Owners/Lessors to Quarles
Quarles Petroleum, Inc. Agents: Paul Giambra Craig McBride	1701 Fall Hill Ave. Ste 200 Fredericksburg, VA 22401 1701 Fall Hill Ave. Ste 200 Fredericksburg, VA 22401 1701 Fall Hill Ave. Ste 200 Fredericksburg, VA 22401	Lessee to Title Owners, Sub-lessor to Applicant, ARA inc. t/a Gunston Shell Service Station Agent of Quarles Petroleum, Inc. Engineer/Agent for Title Owners and Quarles

(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 Attachment to Par. 1(a)

DATE: 9/25/2015
(enter date affidavit is notarized)

129313

for Application No. (s): SEA97-V-061
(enter County-assigned application number (s))

(NOTE: All relationships to the application 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)
Mark G. Jenkins, P.C. Agent: Mark G. Jenkins	8233 Old Courthouse Road, Ste 350, Vienna, VA 22182	Attorney/Agent for Applicant, Owners & Quarles
MCV Associates, Inc. Agent: Joe Mehra	4605-C Pinecrest Office Park Dr. Alexandria, VA 22312	Engineer; Agent for Applicant

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: 9/25/2015
(enter date affidavit is notarized)

129313

for Application No. (s): SEA97-V-061
(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) - Mark G. Jenkins, P.C., 8233 Old Courthouse Road, Suite 350, Vienna, VA 22182

DESCRIPTION OF CORPORATION: (check one statement)

- [x] 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)
Mark J. Jenkins

(check if applicable) [x] 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: 9/25/2015
(enter date affidavit is notarized)

129313

for Application No. (s): SEA97-V-061
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
ARA, Inc. t/a Gunston Shell Service Station 9801 Richmond Wighway, Lorton, Virginia 22071

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)

Raj Kapoor
Asha Kapoor
Amot Kapoor

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Quarles Petroleum, Inc. 1701 Fall Hill Ave. Suite 200, Fredericksburg, Virginia 22401

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)

Kathryn Q. Wafle
Anne Quarles Doolittle
William C. Quarles
Douglas E. Quarles, III
George G. Quarles

(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 Attachment to Par. 1(b)

DATE: 9/25/2015
(enter date affidavit is notarized)

129313

for Application No. (s): SEA97-V-061
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
MVC Associates, Inc. 4605-C Pinecrest Office Park Drive, Alexandria, Virginia 22312

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)
Joe Mehra

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: 9/25/2015
(enter date affidavit is notarized)

129313

for Application No. (s): SEA97-V-061
(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)

N/A

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

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

(check if applicable) [] There is more partnership information and Par. 1(c) is continued on a "Special 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: 9/25/2015
(enter date affidavit is notarized)

129313

for Application No. (s): SEA97-V-061
(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): SEA97-V-061

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: 9/25/2015
(enter date affidavit is notarized)

129313

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) Mark G. Jenkins
[] Applicant [x] Applicant's Authorized Agent

Mark G. Jenkins, Agent for Applicant
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 25th day of September 2015, in the State/Comm. of Virginia, County/City of Fairfax.

My commission expires: 02/28/2018



Notary Public

FAIRFAX
COUNTYFAIRFAX COUNTY
RECEIVED

MAY 29 1998

DIVISION OF
ZONING ADMINISTRATIONOFFICE OF THE CLERK
BOARD OF SUPERVISORS
2000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

V I R G I N I A

Telephone: 703-324-3151

FAX: 703-324-3926

TDD: 703-324-3903

May 27, 1998

Sharon S. Scarce
Post Office Box 644
Centreville, Virginia 20122

RE: Special Exception
Number SE 97-V-061

Dear Ms. Scarce:

At a regular meeting of the Board of Supervisors held on May 11, 1998, the Board approved Special Exception Number 97-V-061 in the name of Quarles Petro, Incorporated, located at Tax Map 113-2 ((1)) 24, to allow modifications to an existing service station pursuant to Section 4-604 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions. These development conditions incorporate and supersede all previous development conditions.

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. A copy of this Special Exception and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Environmental Management (DEM). Any plan submitted pursuant to this Special Exception permit shall be in conformance with the approved Special Exception Plat entitled **Gunston Hall Texaco and prepared by Craig McBride** which is dated December 12, 1996, revised through January 30, 1998, and certified through February 9, 1998, and these conditions.

4. Low growing shrubs and/or other vegetation shall be installed and maintained by the applicant in all median/island areas fronting the property prior to the issuance of a Non-Residential Use Permit (Non-RUP) for either canopy. This vegetation shall be continuously maintained by the applicant to enhance the visual appearance of the site and shall contain sufficient evergreen plants to accomplish a full landscaping effect year-round. The type and amount of vegetation installed shall be as determined appropriate by the Urban Forester, DEM, and the Virginia Department of Transportation (VDOT) in order to soften the effect of the commercial intensification of the site in lieu of transitional screening and barriers.
5. All parking for this use shall be on-site. Required parking spaces shall be striped and located as shown on the Special Exception Plat.
6. The hours of operation shall be limited to 5:00 a.m. until 11:00 p.m., seven (7) days per week.
7. The maximum number of employees on site at any one time shall not exceed six (6).
8. The proposed fuel pump canopies shall not exceed 24 feet by 42 feet, and 24 feet by 30 feet in measurement. Neither canopy shall exceed and 17.5 feet in height.
9. All canopy lighting shall be installed so that light glare is directed downward. All lighting shall be shielded in such a manner to prevent the light from projecting beyond the site onto adjacent residential properties.
10. Approval of the Special Exception shall not constitute approval of existing signs. Any non-conforming signs shall be removed and all signs, existing or proposed, shall conform with the regulations of Article 12 of the Fairfax County Zoning Ordinance.
11. The service station shall not be used for the performance of major repairs, and shall not include the outdoor storage of more than two (2) abandoned, wrecked or inoperable vehicles on the site for more than 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, in no event shall any one (1) abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding seventy-two (72) hours.

SE 97-V-061
May 27, 1998

3.

12. The service station operation shall not include any uses such as vehicle or tool rental.
13. No flags or banners shall be displayed on the building, except that an American flag mounted on a flag pole may be permitted.

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.

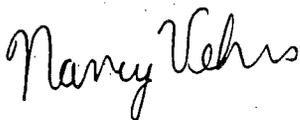
Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional 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:

- Waived the transitional screening and barrier requirements on the northern and western periphery; and
- Waived the service drive requirements on Gunston Road and Richmond Highway.

If you have questions regarding the expiration of this Special Exception 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

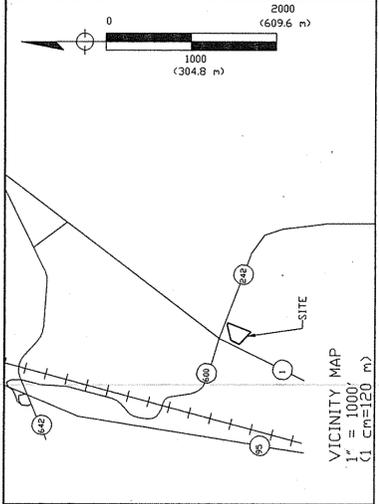
SE 97-V-061
May 27, 1998

4.

NV/ns

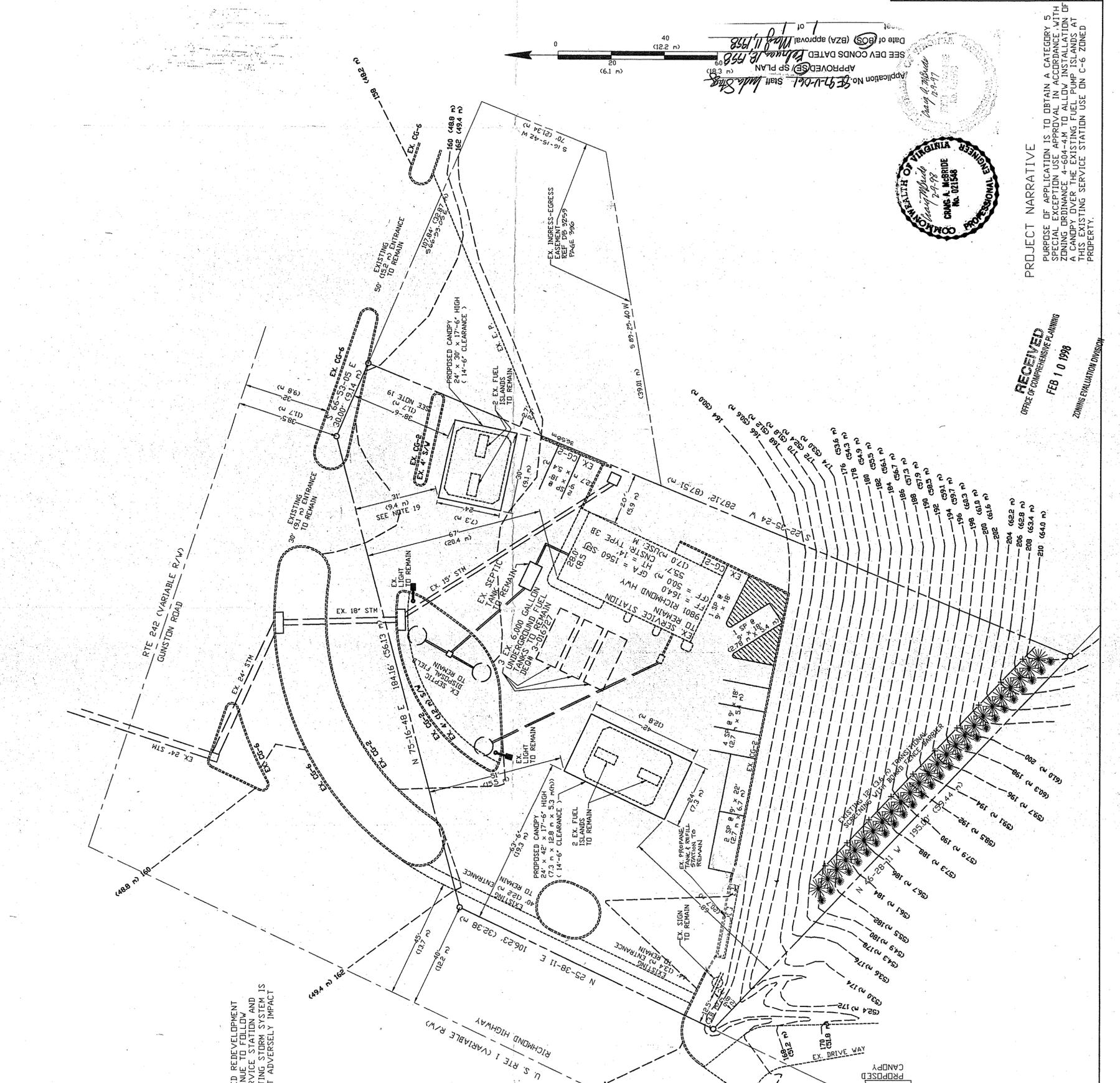
cc: John M. Yeatman, Director, Real Estate Div., Dept. of Tax Administration
Michael Congleton, Deputy Zoning Administrator
Frank Jones, Assistant Chief, PPRB, OCP
Audrey Clark, Chief, Inspection Svcs., BPRB, DEM
Barbara A. Byron, Director, Zoning Evaluation Div., OCP
Robert Moore, Trnsprt'n. Planning Div., Office of Transportation
Paul Eno, Project Planning Section, Office of Transportation
Department of Environmental Management
Department of Highways, VDOT
Land Acqr. & Planning Div., Park Authority

Appendix 4



- GENERAL NOTES**
1. PROPERTY IDENTIFIED AS TAX MAP 113-2 (11) 24
 2. PROPERTY IS ZONED C-6
 3. EXISTING USE: SERVICE STATION
 4. PROPOSED USE: SERVICE STATION
 5. LANDLORDS: WAYLAND F. JONES AND BOBBIE JONES
 6. ADDRESS: 805 SOUTH TAYLOR STREET ARLINGTON, VA 22204
 7. DEED BOOK: 06260 PAGE 0945, RECORDED NOV. 7, 1985
 8. TOPOGRAPHY (AIR SURVEY) AND BOUNDARY INFORMATION FROM SITE PLAN 14145-A (APPROVED NOVEMBER 5, 1969)
 9. PROPERTY IS SERVED BY PUBLIC WATER AND PRIVATE SANITARY SEWERAGE DISPOSAL FIELD
 10. PROPOSED CANOPY CONSTRUCTION DOES NOT REQUIRE CLEARING
 11. NO SUPPLEMENT TO EXISTING TRANSITIONAL SCREENING IS PROPOSED SINCE THE EXISTING TREES AND FENCE ARE ADEQUATE
 12. NO PERIPHERAL LANDSCAPE PLANTINGS ARE REQUIRED SINCE PARKING LOT CONTAINS FEWER THAN 20 SPACES (ZONING ORDINANCE 15-202)
 13. NO INTERIOR LANDSCAPE PLANTINGS ARE REQUIRED SINCE PARKING LOT CONTAINS FEWER THAN 20 SPACES (ZONING ORDINANCE 15-201)
 14. NO PORTION OF THE PROPERTY IS LOCATED WITHIN A FLOOD PLAIN
 15. NO PORTION OF THE PROPERTY IS LOCATED WITHIN A RESOURCE PROTECTION AREA OR A RESOURCE MANAGEMENT AREA
 16. NO BURIAL SITES ARE LOCATED WITHIN THE PROPERTY
 17. NO STORM WATER MANAGEMENT FACILITIES ARE REQUIRED SINCE THE PROPOSED CANOPY CONSTRUCTION DOES NOT CAUSE A CHANGE TO THE BOUNDARIES FOR PERVIOUS AND IMPERVIOUS AREAS
 18. INGRESS AND EGRESS TO THE PROPERTY WILL CONTINUE TO BE PROVIDED BY THE FOUR EXISTING ENTRANCES ON THE TWO EXISTING PUBLIC ROADS ADJOINING THE PROPERTY
 19. THERE ARE NO DRINKING WATER WELLS LOCATED ON THE PROPERTY
 20. A MAP IDENTIFYING SOIL TYPES IS NOT REQUIRED SINCE NO RESIDENTIAL DEVELOPMENT IS PROPOSED
 21. SERVICE STATION FUEL ISLANDS MAY BE LOCATED IN YARD AREA PER ZONING ORDINANCE 2-504
 22. MAXIMUM GROSS FLOOR AREA (GFA) = 1660 SF FLOOR AREA RATIO (FAR) = 1560 / 1660 = 0.94 (< 0.40 ALLOWED BY ZONING ORDINANCE 4-607-3)
 23. THE ONLY EXISTING VEGETATION CONSISTS OF A GRASSED SLOPE AT THE SOUTH END OF THE LOT WITH A 12 FOOT WIDE STRIP OF TREES ALONG THE SOUTH BOUNDARY LINE
 24. APPLICANT REQUEST A MODIFICATION TO THE TRANSITIONAL LANDSCAPE SCREENING REQUIREMENT FOR THE PROPOSED CANOPY TO ALLOW THE EXISTING VEGETATION TO REMAIN AND BE ADEQUATE FOR TRANSITIONAL LANDSCAPE SCREENING PURPOSES.
 25. PROPERTY FALLS UNDER ZONING ORDINANCE SECTION 2-405 FOR MINIMUM LOT SIZE REQUIREMENTS. SEE 1985 RECORDS AT BOOK 32259 PAGE 326 ON DEC. 8, 1985
 26. TO THE BEST OF MY KNOWLEDGE, THE ONLY MATERIALS IDENTIFIED AS HAZARDOUS BY 40 CFR 116.4 WHICH WILL BE STORED ON SITE ARE THE FUELING SYSTEMS (GASOLINE, DIESEL, KEROSENE, LUBRICANTS, OILS, GREASE, ANTIFREEZE, CYCLOHEXANE (CASH 110827), ETHYLBENZENE (CASH100144), HEXANE (CASH 110543), METHYL-TERT-BUTYL ETHER (CASH 1634044), PSEUDDOCUMENE (CASH 95636), TERTIARY BUTYL ALCOHOL (CASH 75650), TOLUENE (CASH 108863) AND XYLENE (CASH1328207)
 27. NO IMPROVEMENTS ARE PROPOSED WITHIN THE PUBLIC RIGHT OF WAY

GUNSTON HALL TEXACO		VIEW: PLOT20-2
SPECIAL EXCEPTION USE PLAT FOR INSTALLATION OF CANOPY OVER EXISTING FUEL ISLANDS	DATE	12-12-96
	DWG BY	CAM
	SCALE	1" = 20' (1 cm = 24 m)
MOUNT VERNON DISTRICT FAIRFAX COUNTY, VIRGINIA		
QUARLES PETROLEUM INC	DWG NO	6-90-1
P.O. BOX 9249	VA	22403
FREDERICKSBURG	FR	540-859-2242
	SHT	1 OF 1



RATIONAL METHOD STORM RUN OFF CALCULATIONS

	EXISTING		PROPOSED	
	AREA (AC)	C	AREA (AC)	C
PERV	0.32	0.4	0.32	0.4
IMPERV	0.52	0.9	0.52	0.9
TOTAL		0.60		0.60

$EX: Q2 = 0.60 \times 5.8 = 3.5 \text{ CFS } (0.10 \text{ m}^3/s)$
 $PRPP: Q2 = 0.60 \times 5.8 = 3.5 \text{ CFS } (0.10 \text{ m}^3/s)$
 $EX: Q10 = 0.60 \times 7.2 = 4.3 \text{ CFS } (0.12 \text{ m}^3/s)$
 $PRPP: Q10 = 0.60 \times 7.2 = 4.3 \text{ CFS } (0.12 \text{ m}^3/s)$

STORM DRAINAGE NARRATIVE

AS SHOWN BY THE STORM RUN OFF CALCULATIONS ABOVE, THE PROPOSED DEVELOPMENT DOES NOT INCREASE THE RATE OF RUN OFF. THE RUN OFF WILL CONTINUE TO FOLLOW EXISTING GRADES AS SHEET CANNOT BE CHANGED BEHIND THE SERVICE STATION AND FUEL ISLANDS. THEREFORE, THE EXISTING STORM SYSTEM IS ADEQUATE FOR THE 10 YEAR RUN OFF. THE DEVELOPMENT WILL NOT ADVERSELY IMPACT THE DOWNSIDE OR ADJOINING PROPERTIES.

LOT SIZE REQUIREMENTS

LOT AREA	PROVIDED
40,000 SF (3761 m ²)	36,885 SF (3426.7 m ²)
200 FT (61 m)	105 / 214 FT (32.3 / 65.2 m)

TOTAL LOT AREA = 36,885 SF = 0.8468 AC (3426.7 m²)

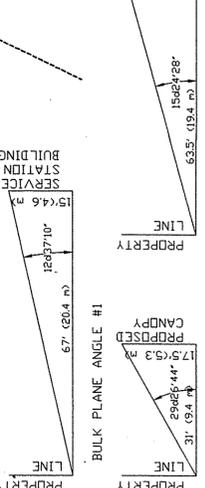
YARD REGULATIONS

	MINIMUM	PROVIDED
FRONT	40 FT (12.2 m)	67 FT (20.4 m)
SIDE	NONE	NONE
REAR	20 FT (6.1 m)	20 FT (6.1 m)

OPEN SPACE CALCULATION

	AREA (SF)	PERCENTAGE
IMPERVIOUS	22,780 (2163 m ²)	61.7
PERVIOUS	14,105 (1310.4 m ²)	38.3

OPEN SPACE REQUIRED = 15%
 OPEN SPACE PROVIDED = 38.3%



PARKING REQUIREMENT

USE	REQUIRED SPACES
3 SERVICE BAYS	6
4 EMPLOYEES	4
TOTAL	10

A TOTAL OF 10 PARKING SPACES HAVE BEEN PROVIDED TO MEET THE REQUIRED NUMBER OF SPACES.

PROJECT NARRATIVE

PURPOSE OF APPLICATION IS TO OBTAIN A CATEGORY 5 SPECIAL EXCEPTION USE APPROVAL IN ACCORDANCE WITH ZONING ORDINANCE 4-604-4M TO ALLOW INSTALLATION OF A CANOPY OVER THE EXISTING FUEL PUMP ISLANDS AT THIS EXISTING SERVICE STATION USE ON C-6 ZONED PROPERTY.

RECEIVED
OFFICE OF COMPREHENSIVE PLANNING
FEB 10 1998
ZONING EVALUATION DIVISION

Application No. 98-97-061, Staff: Mike Sings
APPROVED: [Signature]
DATE OF BOS (BZA) APPROVAL: [Signature]
SEE DEV CONS DATED: [Signature]

Professional Engineer
CONS. A. MARSH
No. 021543
COMMONWEALTH OF VIRGINIA



County of Fairfax, Virginia

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

November 6, 2013

Craig McBride
Quarles Fuel Network
1701 Fall Hill Avenue
Fredericksburg, VA 22401

Re: Interpretation for SE 97-V-061, Tax Map 113-2 ((1)) 24; 9801 Richmond Highway;
Gunston Shell Service Station: Canopy Replacement, Fuel Island Reorientation

Dear Mr. McBride:

This is in response to your letter of August 7, 2013, revised September 12, 2013, requesting an interpretation of the Special Exception Plat and development conditions approved by the Board of Supervisors in conjunction with the approval of SE 97-V-061. As I understand it, the question is whether the proposed replacement and reorientation of the canopy and associated fuel islands would be in substantial conformance with the SE Plat and development conditions. This determination is based on the plan attached to your letter, titled "Gunston Hall Texaco, Zoning Interpretation Exhibit," prepared by Quarles Petroleum, Inc., as revised and dated September 12, 2013. Copies of your letter and relevant documents are attached.

As I understand it, you propose to replace and reorient the west canopy and associated existing fuel islands, shifting them approximately 6 feet northward to provide improved access and visibility. According to the exhibit, you propose to replace the existing 24' x 42' canopy (1,008 square feet) with a new 22' x 54' canopy (1,188 square feet) with the same style and height of 17.5 feet. With the proposed replacement, you propose to shift the canopy location northward approximately 6', from a 51' front setback depicted on the SE Plat to a 45.5' front setback, with no canopy extension over the north travel lane. In addition, you propose to modify the fuel islands and pump dispensers beneath the replacement canopy. You propose to remove, replace, and reorient the two fuel islands to rotate their orientation approximately 120°, from parallel to the building and right-of-way to a perpendicular orientation. You state that there is no proposed increase in the number of fuel pumps.

It is my determination that the proposed replacement and reorientation of the canopy and associated fuel islands is in substantial conformance with the SE Plat and development conditions. This determination has been made in my capacity as duly authorized agent of the Zoning Administrator. If you have any questions regarding this interpretation, please contact Carrie Lee at (703) 324-1290.

Sincerely,

Barbara C. Berlin, AICP, Director
Zoning Evaluation Division, DPZ

O:\Clee01\Interpretations\SE\Gunston Shell_Canopy Replacement\Interpretation.Docx

Attachments: A/S

Cc: Gerald W. Hyland, Supervisor, Mount Vernon District
Earl L. Flanagan, Planning Commissioner, Mount Vernon District
Diane Johnson-Quinn, Deputy Zoning Administrator, Permit Review Branch, ZAD, DPZ
Kenneth Williams, Technical Processing, Land Development Services, DPWES
Angela Rodeheaver, Section Chief for Site Analysis, DOT
Kevin Guinaw, Chief, Special Projects/Applications Management Branch, ZED, DPZ
File: SE 97-V-061, SEI 13 08 036, Imaging

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703 324-1290
FAX 703 324-3924
www.fairfaxcounty.gov/dpz/





Quarles Fuel Network
1701 Fall Hill Avenue
Fredericksburg VA 22401

877.444.FUEL phone
540-371-9613 fax

Barbara C. Berlin
Director of the Zoning Evaluation Division
Department of Planning and Zoning
12055 Government Center Parkway
Suite 801
Fairfax, Virginia 22035
(703) 633-8530 phn
(703) 222-0405 fax

August 7, 2013

RECEIVED
Department of Planning & Zoning

AUG 07 2013

Zoning Evaluation Division

SUBJ: Gunston Shell Service Station
SE 97-V-061
Tax Map 113-2 ((1)) 24
Zone: C6
Mount Vernon District
9801 Richmond Highway
Lorton VA 22079

RE: Request for Interpretation that Tear Down of 24' x 42' Canopy (approved by Special Exception SE 97-V-061) and Replacement with 22' x 54' Canopy constitutes a Minor Modification that is in Substantial Conformance with the Previous Approvals

Dear Barbara Berlin:

Description of minor modification is as follows:

- 1) Tear-down two (2) existing fuel islands
- 2) Install two (2) replacement fuel islands under replacement canopy
- 3) Tear-down existing 24' x 42' (1008 sf) canopy over two existing fuel islands
- 4) Install replacement 22' x 54' (1180 sf) canopy
- 5) Remove three (3) underground fuel tanks
- 6) Install three (3) replacement underground fuel tanks

The reasons for the modifications are as follows:

- 1) Tear-down and replacement of the two existing fuel islands (item 1 and 2 above) improves the area available for vehicle maneuvering and improves visibility for station operator of activity at the fuel islands which improves vehicular and pedestrian safety at the site.
- 2) Tear-down and replacement of the canopy (items 3 & 4 above) will maintain a canopy over the two replacement fuel islands to match the existing condition and continue to reduce the potential for precipitation to come into contact with incidental fuel spills on the pavement in the fuel island area which will reduce the potential for contaminated storm run-off from the site and enhance compliance with Environmental Protection Agency and Virginia Department of Environmental Quality Regulations to prevent / minimize contaminated discharge to navigable waters.

- 3) Removal and replacement of the existing underground fuel tanks will maintain responsible fuel storage measures as the existing tanks are nearing the end of the 30 year warranty period for the tanks.

Quarles Petroleum, Inc. Quarles Petroleum, Inc. contends the proposed modifications are minor and in substantial conformance with SE 97-V-061 for the following reasons:

- 1) The existing use subject to the requested interpretation is the service station subject to SE 97-V-061 and the proposed use will remain a service station.
- 2) The proposed modification will not require and does not propose alteration to the existing topography or finished grade.
- 3) The proposed modification will not require and does not propose alteration to the existing storm drainage run-off or existing storm drainage system.
- 4) The proposed modification will not require and does not propose alteration to the existing underground utilities.
- 5) The proposed modification will not impact the structural safety of any existing structure and the replacement canopy will conform to applicable requirements of the International Building Code.
- 6) The proposed modification involves a minor adjustment to the site layout and design.
- 7) The proposed modification will not require and does not propose alteration to the existing vehicle circulation or to the existing Virginia Department of Transportation improvements or to the existing site improvements as required by Fairfax County when Site Plan 1415-A (the original Site Plan) was approved.
- 8) The proposed tear-down and replacement of two fuel islands is a like-for-like replacement which does not intensify the use.
- 9) The proposed tear-down and replacement of the canopy is a like-for-like replacement which does not intensify the use. The replacement canopy has 180 sf more roof area than the existing canopy which is less than a 250 sf increase in roof area.
- 10) The removal of three underground fuel tanks and replacement with three underground fuel tanks maintains the same number of fuel products available at the fuel islands which is a like-for-like replacement that does not increase the intensity of the use.
- 11) The proposed modification will not require and does not propose alteration to the existing parking requirement and will not alter the existing provided parking spaces.
- 12) The proposed use will remain a continuation of the current use and will be the use as approved by SE 97-V-061.
- 13) The proposed modification will not threaten or reduce the effectiveness of the existing tree cover. Urban Forestry Division indicated applicant will not be required to submit an Existing Vegetation Map, Tree Preservation Target Calculation Narrative, 10-year Tree Canopy Calculation, Tree Inventory and Condition Analysis, and / or Tree Preservation Plan and Narrative.
- 14) The proposed modification does not change the bulk, mass, orientation or location of improvements relative to adjacent property. The replacement canopy will be supported by columns permanently attached to and located on the fuel equipment islands. Zoning Ordinance 2-412.1.A exempts such canopies over fuel islands from requirement to comply with yard restrictions.
- 15) The proposed modification will not require and does not propose alteration to the clearing and / or grading for a stormwater management facility.

Barbara C. Berlin
Director of the Zoning Evaluation Division

July 22, 2013

- 16) The replacement fuel islands result in a minor modification from the locations of the two existing fuel islands.
- 17) The replacement canopy results in a minor modification to the orientation of the canopy over the replacement fuel islands from the orientation of the canopy over the existing fuel islands.
- 18) The proposed modification substantially conforms to SE 97-V-061 Condition 4 since no modification to the existing shrubs and vegetation is proposed and the applicant intends to maintain the existing shrubs and vegetation.
- 19) The proposed modification substantially conforms to SE 97-V-061 Condition 5 since no modification is proposed to the existing on-site parking which will be retained.
- 20) The proposed modification substantially conforms to SE 97-V-061 Condition 6 because the hours of operation will continue to be limited to 5:00 AM to 11:00 PM, seven (7) days per week.
- 21) The proposed modification substantially conforms to SE 97-V-061 Condition 7 because the maximum number of employees on site at one time will continue to be limited to six (6).
- 22) The proposed modification substantially conforms to SE 97-V-061 Condition 4 as the 22' x 54' (1188 sf) replacement canopy does not exceed a 250 sf increase to the existing 24' x 42' (1008 sf) canopy roof area.
- 23) The proposed modification substantially conforms to SE 97-V-061 Condition 9 as the lighting for the replacement canopy shall be directed downward and shielded in a manner to prevent light projecting beyond the site onto adjoining properties.
- 24) The proposed modification substantially conforms to SE 97-V-061 Condition 10 as there are no non-conforming signs on the property and all signs on the property will conform to Article 12 of the Fairfax County Zoning Ordinance.
- 25) The proposed modification substantially conforms to SE 97-V-061 Condition 11 as the automobile service operation will continue to be for minor repairs, shall not store more than two inoperable vehicles on site for more than 72 hours and shall not dismantle vehicles for parts sales.
- 26) The proposed modification substantially conforms to SE 97-V-061 Condition 12 as the service station operation will not include vehicle and tool rental.
- 27) The proposed modification substantially conforms to SE 97-V-061 Condition 13 as no flags or banners will be displayed on the building with the exception that the American flag mounted on a pole may be displayed.

The enclosed Red-Line Mark-up of Plat for SE 97-V-061 shows additional details for the proposed modifications. In summary the proposed scope of work consists of removal and replacement of and/or minor adjustments to location / orientation of existing improvements on the developed site. Please issue a determination confirming the proposed modifications are minor and in substantial conformance with the approved Special Exception Plat and Approval Conditions. Contact me at cmcbride@quarlesinc.com or 540.361.4863 if additional information is needed.

Sincerely,



Craig McBride - Corporate Engineer
Quarles Petroleum, Inc.

ENCL: Red-Line Mark-up of Plat for SE 97-V-061

9-006 General Standards

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.

9-505 Additional Standards for Automobile-Oriented Uses, Car Washes, Drive-In Financial Institutions, Drive-Through Pharmacies, Fast Food Restaurants, Quick-Service Food Stores, Service Stations and Service Stations/Mini-Marts

1. In all districts where permitted by special exception:

A. Such a use shall have on all sides the same architectural features or shall be architecturally compatible with the building group or neighborhood with which it is associated.

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

C. The site shall be designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation. Parking and stacking spaces shall be provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the site.

D. In reviewing such a use or combination of uses, it shall be determined that the lot is of sufficient area and width to accommodate the use and that any such use will not adversely affect any nearby existing or planned residential areas as a result of the hours of operation, noise generation, parking, glare or other operational factors.

E. For a drive-through pharmacy, signs shall be required to be posted in the vicinity of the stacking area stating the limitations on the use of the window service and/or drive-through lane. Such signs shall not exceed two (2) square feet in area or be located closer than five (5) feet to any lot line.

2. ...

3. In the C-5 and C-6 Districts, in addition to Par. 1 above:

A. 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.

B. 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 four (4) such vehicles on site at any one time.

4. ...



County of Fairfax, Virginia

MEMORANDUM

DATE: December 7, 2015

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

CC: Nicholas Rogers, Staff Coordinator
Zoning Evaluation Division, Department of Planning & Zoning

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

FILE: SE 97-V-061

SUBJECT: **ADDENDUM** – SEA 97-V-061 ARA, Inc t/a Gunston Shell Service Station
9801 Richmond Highway, Lorton, VA 22079
Tax Map: 113-2 ((01)) 024

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application and Special Exception Amendment (SEA) plat. These comments are based on the application material, dated April 8, 2015, and revised through November 13, 2015, and made available to this office.

- Staff recommends dedication of 35 feet of ROW along the Richmond Highway frontage to bring portions of the Gunston Road right turn lane and the existing service drive into public right-of-way for VDOT maintenance.
- The applicant should provide an interparcel access easement to the adjoining property to the south, located at Tax Map 113-2 ((1)) 023. An existing interparcel driveway is depicted on the SEA plat; however, without an interparcel access easement.
- The applicant should not permit vehicle parking along the west boundary between the landscaped island and the proposed refueling islands; this area is highly trafficked and the drive aisles and sight lines should be unobstructed. Current practice by applicant allows parking in this area.

MAD/RP

Fairfax County Department of Transportation
4050 Legato Road, Suite 400
Fairfax, VA 22033-2895
Phone: (703) 877-5600 TTY: 711
Fax: (703) 877-5723
www.fairfaxcounty.gov/fcdot



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		