



APPLICATION ACCEPTED: December 18, 2015
PLANNING COMMISSION: May 4, 2016
BOARD OF SUPERVISORS: May 17, 2016 at 3:30 p.m.

County of Fairfax, Virginia

April 20, 2016

STAFF REPORT

SEA 98-Y-011

SULLY DISTRICT

WS



APPLICANT: RWG Ventures, Inc.

ZONING: I-5 (General Industrial); &
WS (Water Supply Protection Overlay)

PARCEL: 54-3 ((3)) 5A

ACREAGE: 1.2 acres

FAR: 0.07

PLAN MAP: Industrial

PROPOSAL: Amend SE 98-Y-011, previously approved for a service station, quick-service food store, and car wash, to permit modification of development conditions to allow the sale of alcohol.

STAFF RECOMMENDATIONS:

Staff recommends approval of SEA 98-Y-011, subject to development conditions consistent with those contained in Appendix 1.

Staff recommends approval of the reaffirmations and modification listed below, in favor of the alternatives as shown on the proposed plat and as conditioned, pursuant to Sect. 13-305 of the Zoning Ordinance:

- Reaffirmation of the modification of the transitional screening requirement along the western boundary adjacent to the single-family attached development;
- Modification of the barrier requirement along the western boundary adjacent to the single-family attached development; and

Joe Gorney

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/



- Reaffirmation of the modification of the barrier requirement along the northern boundary adjacent to the child care center.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owners, relieve the applicants/owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and 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 easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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

O:\jgorney\APPLICATIONS\SEA-98-Y-011-RWG-Ventures-Inc\STAFF REPORT\
STAFF-REPORT-SEA-98-Y-011.docx



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 98-Y-011

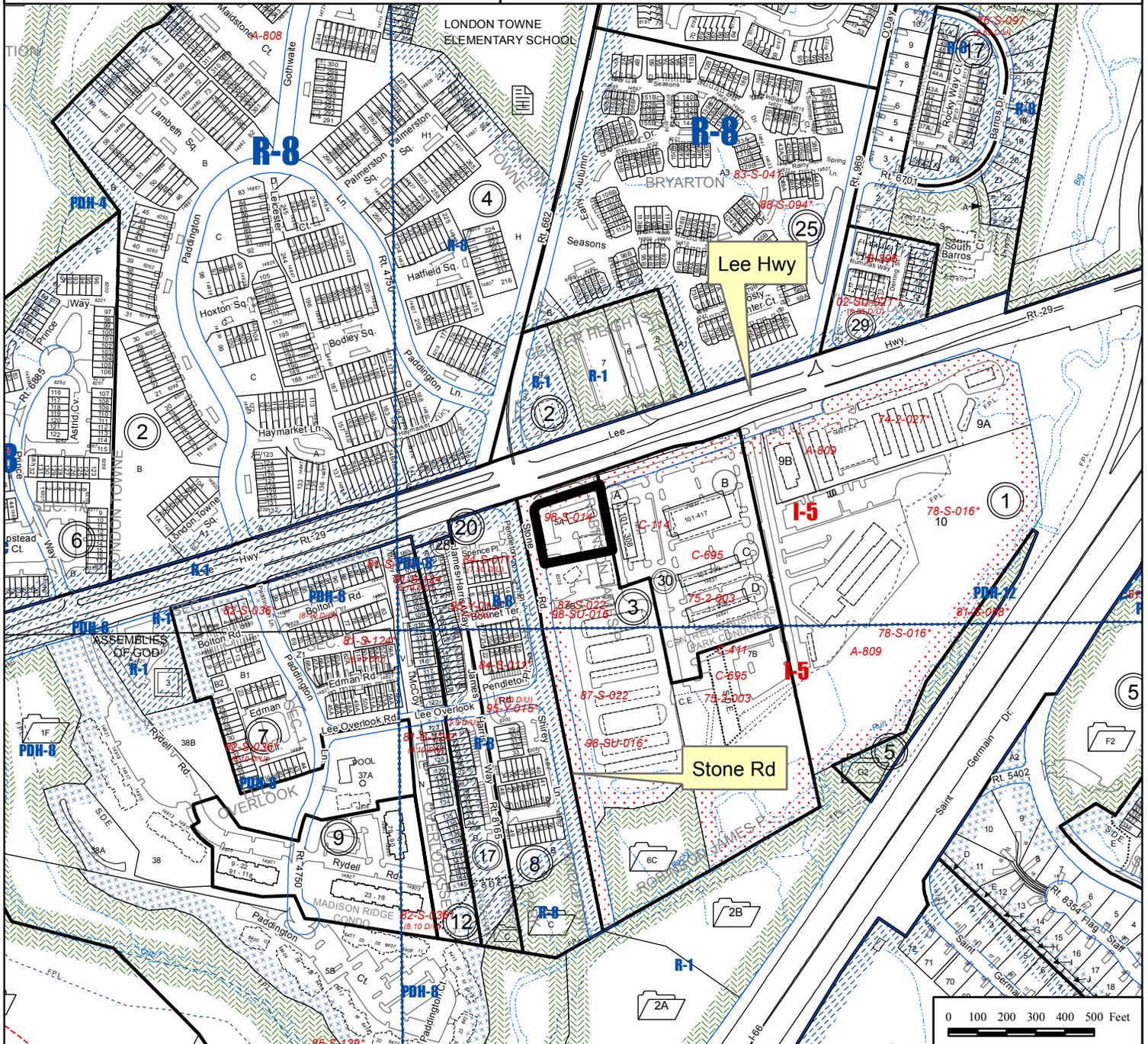


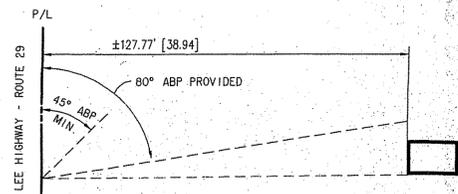
Applicant:
Accepted:
Proposed:

RWG VENTURES, INC.
12/18/2015
AMEND SE 98-Y-011 PREVIOUSLY APPROVED FOR A SERVICE STATION, QUICK SERVICE FOOD STORE AND CAR WASH TO PERMIT MODIFICATION OF DEVELOPMENT CONDITIONS

Area: 1.2 AC OF LAND; DISTRICT - SULLY
Zoning Dist Sect: 05-050405-050405-0504
Located: 14709 LEE HIGHWAY, CENTREVILLE, VA 20121

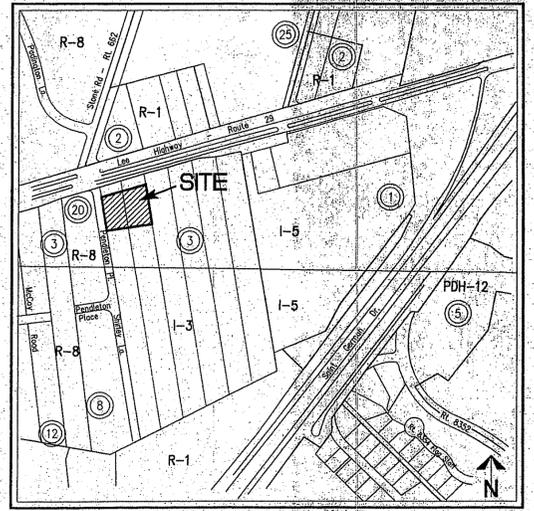
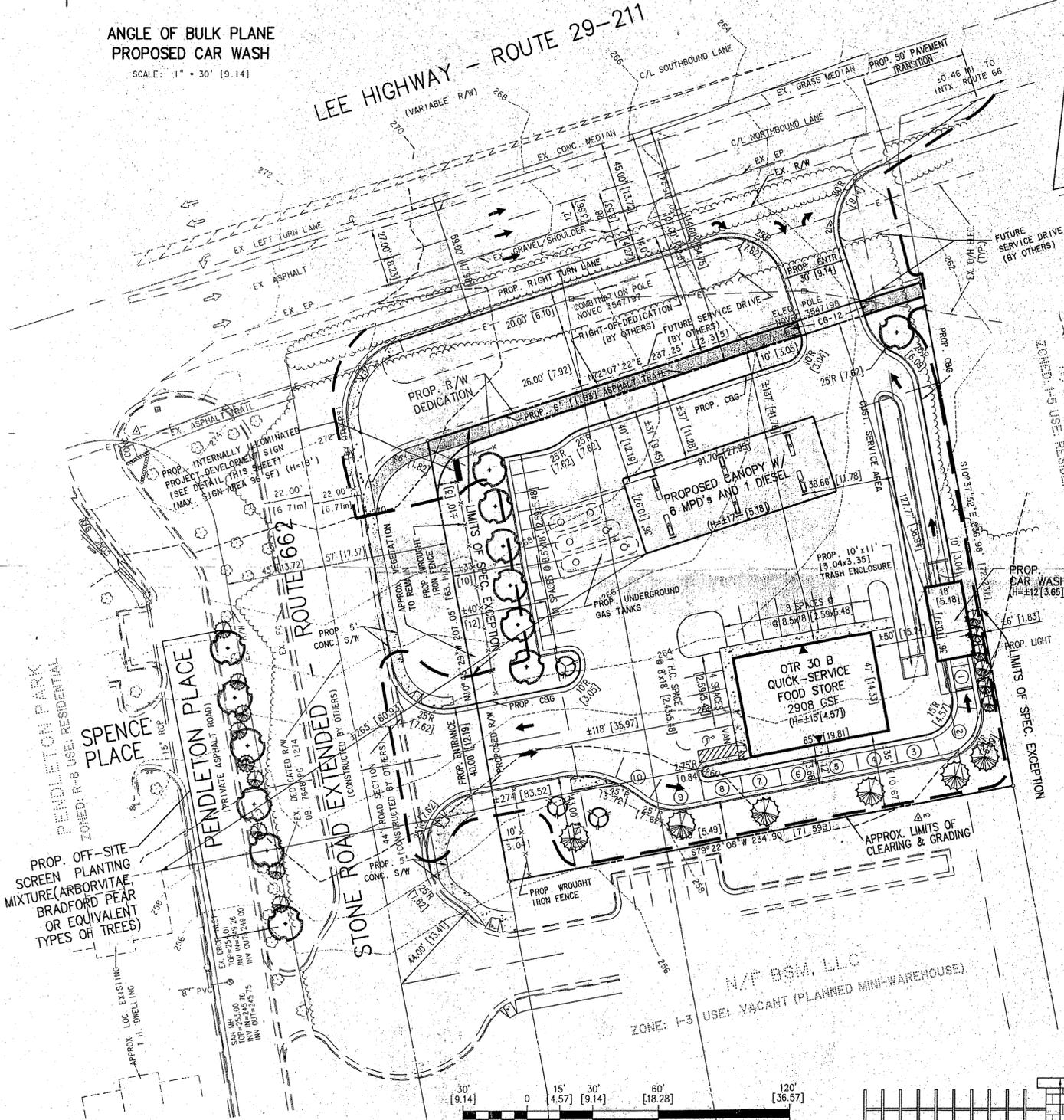
Zoning: I- 5
Plan Area: 3,
Overlay Dist: WS
Map Ref Num: 054-3- /03/ /0005A



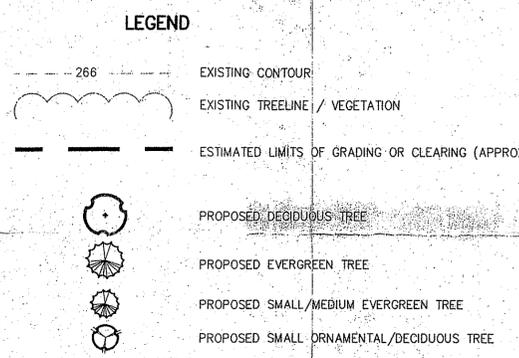


ANGLE OF BULK PLANE
PROPOSED CAR WASH
SCALE: 1" = 30' [9.14]

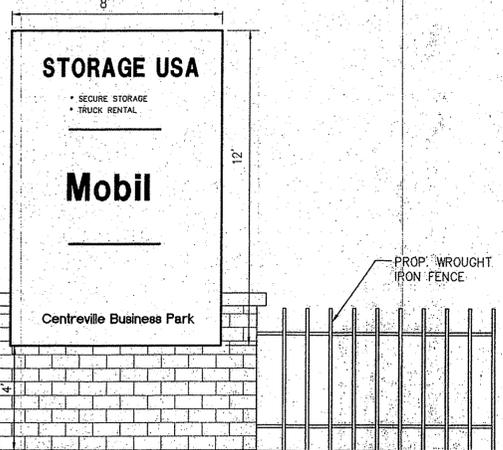
LEE HIGHWAY - ROUTE 29-211
(VARIABLE R/W)



VICINITY MAP
SCALE: 1" = 500'



LEGEND



PROJECT DEVELOPMENT SIGN
N.T.S.

GENERAL NOTES

- THIS PROPERTY IS LOCATED ON FAIRFAX COUNTY TAX MAP NO. 54-3 ((3)) PART OF PARCELS 5, 6 & 7 AND IS CURRENTLY ZONED I-3 WITH WS OVERLAY.
- OWNER: BSM, LLC, 9300 GRANT AVENUE, MANASSAS, VA 20100. Application No. 99-4-011 Staff: Greg Rice
- DEVELOPER: MOBIL OIL CORPORATION, 10617 BRADDOCK ROAD, FAIRFAX, VA, 22032. APPROVED SEY SP PLAN, SEE DEV CONDS DATED 1/15/98, Date of BOS (BZA) approval 1/11/99
- PROPOSED ZONING: I-5
- PROPOSED USE: SERVICE STATION / QUICK SERVICE FOOD STORE, AND CAR WASH.
- SITE AREA: 52,109 SF / 1.20 AC.
- THE PLAT MAY NOT SHOW ALL COVENANTS, RESTRICTIONS, EASEMENTS OR DEDICATIONS WHICH MY APPEAR IN THE CHAIN OF TITLE. NO TITLE REPORT FURNISHED.
- BOUNDARY AND TOPOGRAPHIC INFORMATION IS BASED ON A PLANS PREPARED BY BENGTSON, DEBELL & ELKIN, LTD. DATED APRIL 1997 AND IS ASSUMED TO BE FIELD RUN. BOUNDARY AND TOPOGRAPHIC INFORMATION IS NOT VERIFIED.
- THE LOCATION OF EXISTING UTILITIES ARE TAKEN FROM EXISTING PLANS AND RECORDS AND ARE NOT FIELD VERIFIED.
- THIS PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
- BASED ON AVAILABLE MAPS AND RECORDS, THERE IS NO FLOOD PLAIN, ENVIRONMENTAL QUALITY CORRIDOR (EQC) OR RESOURCE PROTECTION AREA (RPA) ON THE PORTION OF THE PROPERTY THAT IS THE SUBJECT OF THIS APPLICATION.
- THE STORMWATER MANAGEMENT / WATER QUALITY (BMP) REQUIREMENTS FOR THIS SITE WILL BE PROVIDED BY OTHERS AS PART OF THE SELF-STORAGE USE IN ACCORDANCE WITH THE PUBLIC FACILITIES MANUAL. THE TYPE, LOCATION AND DESIGN PARAMETERS SHALL BE DETERMINED AT THE SITE PLAN PHASE.
- TO THE BEST OF OUR KNOWLEDGE AND BELIEF, ALL UTILITY EASEMENTS HAVING A WIDTH OF 25 FEET OR MORE ON THIS PROPERTY ARE SHOWN ON THE PLAT.
- THERE ARE NO SCENIC ASSETS OR NATURAL FEATURES ON THIS PROPERTY DESERVING OF PROTECTION.
- BASED ON AVAILABLE MAPS AND RECORDS, THERE ARE NO KNOWN BURIAL SITES ON THIS PROPERTY.
- A MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS FOR THE PORTION OF THE PROPERTY ALONG LEE HIGHWAY AND ADJACENT TO THE PENDLETON PARK RESIDENTIAL DEVELOPMENT IS HEREBY REQUESTED WITH THIS APPLICATION.
- BASED ON THE CURRENT ADOPTED FAIRFAX COUNTY COMPREHENSIVE PLAN, A BICYCLE TRAIL IS PLANNED ALONG LEE HIGHWAY AND THIS TRAIL IS SHOWN ON THIS PLAN.
- THIS PLAN IS CONCEPTUAL ONLY, IS INTENDED TO BE USED IN CONJUNCTION WITH THE LAND USE APPROVAL PROCESS AND IS NOT AN ENGINEERING CONSTRUCTION DRAWING. MINOR DEVIATIONS AND MODIFICATIONS ARE PERMITTED, MAY BE REQUIRED AND ARE TO BE EXPECTED AS PART OF THE SITE PLAN APPROVAL PROCESS.
- A WAIVER OF THE SERVICE DRIVE REQUIREMENTS ALONG LEE HIGHWAY IS HEREBY REQUESTED WITH THIS APPLICATION.

ZONING AND SITE TABULATIONS

1. SITE AREA - +/- 52,109 SF / 1.20 ACRES	
2. EXISTING USE - VACANT	
3. PROPOSED USE: SERVICE STATION / QUICK SERVICE FOOD STORE, AND CAR WASH.	
4. PROPOSED BUILDING AREA - +/- 3,556 GSF	
ORDINANCE DATA	
	REQUIRED PROVIDED
6. LOT WIDTH	100 FT +/- 238 FT
7. MIN. LOT AREA	20,000 SF 52,109 SF
8. SETBACKS	
FRONT	45 ABP (40' MIN.) +/- 118'
SIDE	NONE +/- 6'
REAR	NONE N/A
9. MAX. PERMITTED FAR	0.50 0.07
10. MAX. BUILDING HEIGHT	75' +/- 17'
11. OPEN SPACE	15% +/- 15,000 SF (+29%)
12. TREE COVER	10% OF NET AREA +/- 9,200 SF (+19%)
13. PARKING:	
QUICK SERVICE FOOD STORE -	
6.5 SPACES/1000GSF X 2908 GSF = 19	
CAR WASH	
1-EMPL. @ 1 SPC./EMPL.	20
	27, INCL. 1 HDCCP
	10 STACKING SPACES

TREE COVER CALCULATIONS

SITE AREA	52,109 SF
EXEMPTIONS:	
OTR BLDG	3,055 SF
CAR WASH	648 SF
TOTAL EXEMPTIONS	3,703 SF
NET SITE AREA	48,406 SF
REQUIRED TREE COVER (10%)	4,841 SF
APPROX. TREE COVER TO BE SAVED	+ 5,200 SF
CREDIT FOR TREE COVER SAVED (125%)	+ 6,500 SF
PROP. ADDITIONAL PLANTING	+ 2,700 SF
TOTAL TREE COVER PROVIDED	+ 9,200 SF

RECEIVED
DEPARTMENT OF PLANNING AND ZONING
OCT 30 1998
ZONING EVALUATION DIVISION

GENERALIZED DEVELOPMENT PLAN / SPECIAL EXCEPTION PLAT

MOBIL SERVICE STATION #16-N8Q

SULLY DISTRICT
FAIRFAX COUNTY, VIRGINIA

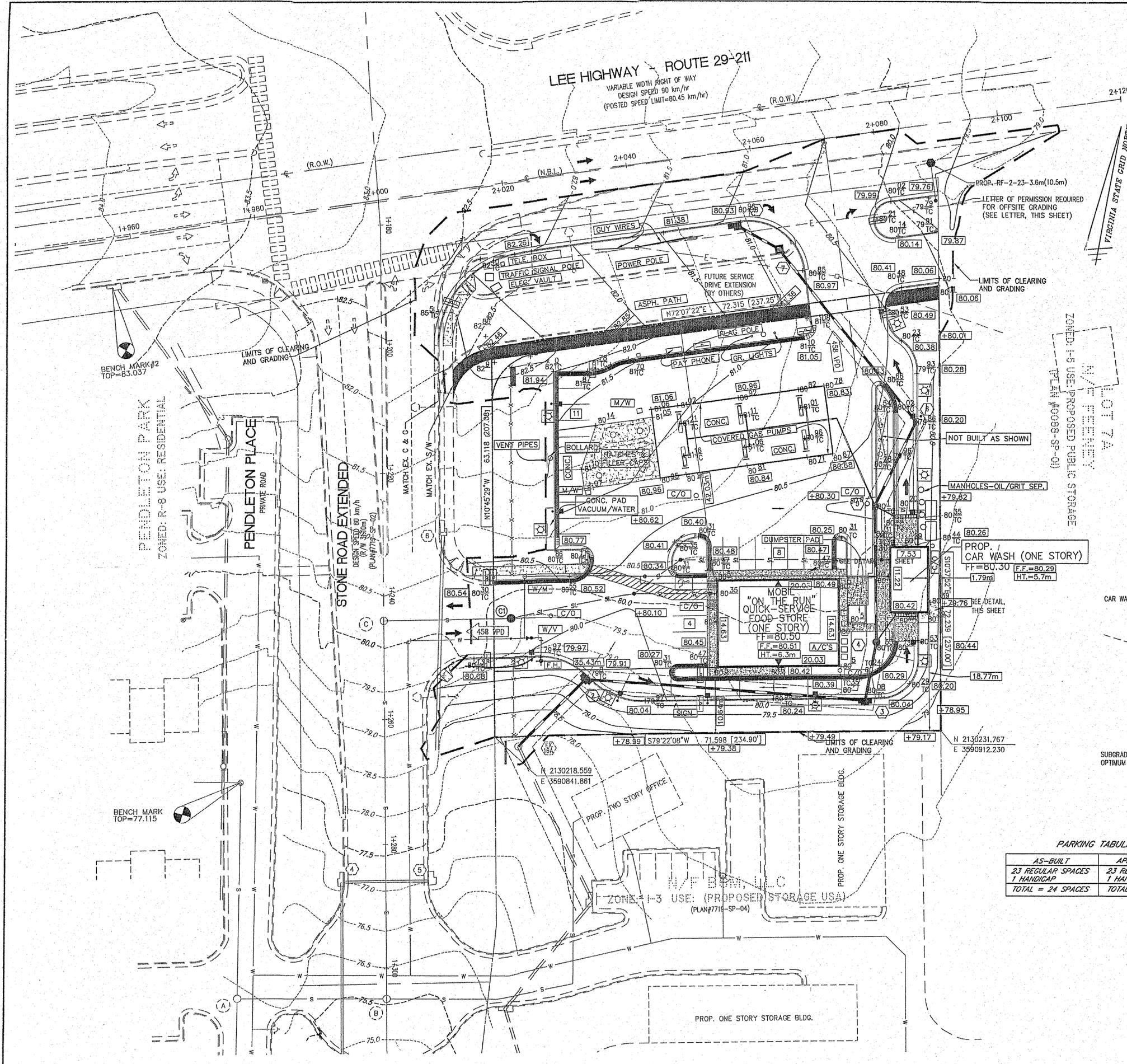
WALTER L. PHILLIPS
INCORPORATED
CIVIL ENGINEERS LAND SURVEYORS PLANNERS LANDSCAPE ARCHITECTS
207 PARK AVENUE FALLS CHURCH, VIRGINIA 22046
(703) 552-6163 FAX (703) 553-1601
DATE: 10-27-98
SCALE: 1" = 30' [9.14]



NO.	DESCRIPTION	DATE	REV. BY	APPROVED
1	REVISIONS OF S.E.	10-26-97		
2	REVISION PER DCP COMMENTS	12-12-97		
3	REVISION PER BSM ACP	8-24-98		
4	REVISION PER DCP COMMENTS	10-12-98		
5	REVISION BUD. PER DCP	10-26-98		

RECEIVED
Department of Planning & Zoning
NOV 3 0 2015
SHEET: 1 of 1
DATE: 10-27-98

S:\Drawing\1988\1988GP.dwg, 10/22/2002 11:13:40 AM, mclments, XEROX, p3, 1:1, TRI-TEK Engineering, Inc.



MILES & STOCKBRIDGE
A PROFESSIONAL CORPORATION
1781 FIRMALE DRIVE
SUITE 800
MCLEAN, VIRGINIA 22102-0800
TELEPHONE 703-800-0000
FAX 703-810-8888
December 21, 1999

Mr. Trey Davidson
Mobil Oil Corporation
16617 Braddock Road
Fairfax, Virginia 22203-2200

Re: Letter of Permission for Off-site Clearing and Grading for Mobil S/S #16-N80, Lee Highway at Stone Road Extended, Centreville, VA; Plan #7719-SP-03 - Feeney Property

Dear Mr. Davidson:

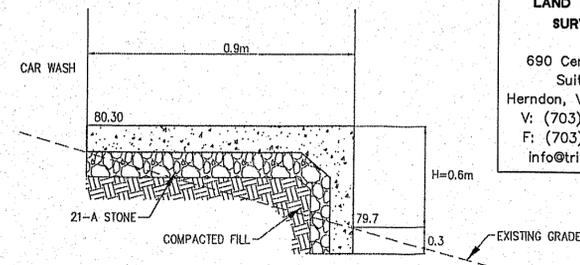
I am counsel for the Feeney family, which owns property contiguous to the Mobil site described above (the "Feeney Property"). The Feeney Property is under contract to Public Storage. Public Storage is processing a site plan for the Feeney Property, and the service drive on the Mobil property is consistent with a service drive to be constructed on the Feeney Property (pursuant to the Public Storage site plan).

This letter hereby serves to grant permission for off-site grading on the Feeney Property in conjunction with the referenced site plan prepared by Walter L. Phillips, Inc. dated May 20, 1999, revised September 30, 1999. This grading is permitted to construct a service drive and road widening between Mobil's proposed entrance on Lee Highway and the western property line of the Feeney Property. All clearing and grading activities shall be performed in accordance with the referenced site plan, shall conform to all applicable Fairfax County regulations and shall be properly stabilized and seeded upon completion of the grading activities.

This Letter of Permission is for the proposed clearing and grading activities only and does not convey any perpetual rights for the use of the Feeney Property. This permission is also temporary and shall automatically expire upon the completion of the work and Mobil's release from surety.

Very truly yours,
Timothy R. Casgar
Timothy R. Casgar
Attorney for Feeney Family

cc: Paul Dorr
James D'Agostino
Bassam F. Measry (via fax 804-747-9399)
Mike Bender
Su Kruger
Charles Dunlap (via fax 703-533-1301)

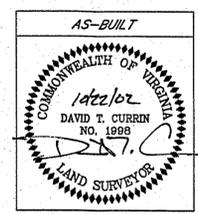


CONCRETE SIDEWALK/WALL DETAIL
N.T.S.

SUBGRADE FOR ALL CONCRETE PADS SHALL BE COMPACTED TO MINIMUM 95% DENSITY AT OPTIMUM MOISTURE TO FULL WIDTH IN ACCORDANCE WITH AASHTO T99.

PARKING TABULATION

AS-BUILT	APPROVED PLAN
23 REGULAR SPACES	23 REGULAR SPACES
1 HANDICAP	1 HANDICAP
TOTAL = 24 SPACES	TOTAL = 24 SPACES



AS-BUILT

I HEREBY CERTIFY THAT NO OTHER CHANGES HAVE BEEN MADE TO THIS PLAN, OTHER THAN THOSE INDICATED EXCEPT FOR THOSE PREVIOUSLY APPROVED.
Charles J. Smith

AS-BUILT

TRI-TEK ENGINEERING

CIVIL ENVIRONMENTAL LAND PLANNING SURVEYING

690 Center Street
Suite 300
Herndon, Virginia 20170
V: (703) 481-5900
F: (703) 481-5901
info@tritekinc.com

WALTER L. PHILLIPS
INCORPORATED
CIVIL ENGINEERS LAND SURVEYORS PLANNERS LANDSCAPE ARCHITECTS
207 PARK AVENUE FALLS CHURCH, VIRGINIA 22046
PHONE 502-6163 FAX (703) 533-8301
DATE: 5-20-99 CO. REV: 9-30-99

GRADING PLAN

MOBIL SERVICE STATION #16-N80
SULLY DISTRICT
FAIRFAX COUNTY, VIRGINIA

SHEET 2 OF 3

APPLICATION DESCRIPTION

The applicant, RWG Ventures, Inc., requests approval of a Special Exception Amendment to SE 98-Y-011, previously approved for a service station, quick-service food store, and car wash, to permit modification of the development conditions to allow the sale of alcohol. The project site consists of one 1.2-acre parcel, located at 14709 Lee Highway, within the I-5 (General Industrial) and WS (Water Supply Protection Overlay) Zoning Districts.

Development Condition #5 of SE 98-Y-011 states the following:

“The quick-service food store structure shall not exceed 2,908 square feet in gross floor area. Additionally, no alcohol sales shall be permitted within this facility.”

The applicant requests the deletion of the prohibition against the sale of alcohol. No modifications to the site or the existing structures are proposed.



Aerial View of the Project Site

A reduced copy of the Special Exception Amendment plat is included at the front of this report. Copies of the proposed development conditions, the affidavit, and the applicant's statement of justification are included in Appendices 1, 2 and 3, respectively. The most recently approved development conditions and plat are included in Appendices 4 and 5, respectively. The applicable Comprehensive Plan text is included in Appendix 6 and the applicable Zoning Ordinance standards are included in Appendix 7.

LOCATION AND CHARACTER

Site Description:

The 1.2-acre site is located on Parcel 54-3 ((3)) 5A at 14709 Lee Highway (at the southeast corner of the intersection of Stone Road and Lee Highway). The project site contains an existing service station, quick-service food store, and car wash. The Gross Floor Area (GFA) of the quick-service food store is 2,908 square feet (sq. ft).

A summary of the surrounding land use, zoning, and Comprehensive Plan recommendations is provided in the following table:

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Comprehensive Plan Recommendation
North	Lee Highway; child care center	R-1, WS	Residential (5-8 du/ac)
East	Office and retail uses	I-5, WS	Industrial
South	Self-storage facility	I-5, WS	Industrial
West	Stone Road; town home development	R-8, WS	Residential (5-8 du/ac)

BACKGROUND

A summary of previous related land use approvals is provided in the following table:

File Number	Approval Date	Area (acres)	Description
SE 98-Y-011	January 11, 1999	1.2	Application approved for a quick-service food store, service station, car wash, and waiver of certain sign regulations.
RZ 1998-SU-014	January 11, 1999	1.2	Application approved for a rezoning from the I-3 and WS Districts to the I-5 and WS Districts for the development of a quick-service food store, service station, car wash, and waiver of certain sign regulations.

COMPREHENSIVE PLAN PROVISIONS

Plan Area:	III
Planning District:	Bull Run
Community Planning Sector:	BR5, Stone Bridge
Centreville Suburban Center:	Land Unit H-2
Plan Map:	Industrial

Applicable Comprehensive Plan citations are contained in Appendix 6. There is no site-specific text for the application property.

ANALYSIS

Special Exception Amendment Plat: (copy at front of staff report)
Title: Generalized Developmet [sic] Plan/
 Special Exception Plat,
 Mobil Service Station #16-N8Q (Sheet 1); &
 As-Built, Grading Plan,
 Mobil Service Station #16-N8Q (Sheet 2)
Prepared by: Walter L. Phillips, Inc. (Sheet 1); &
 Tri-Tek Engineering (Sheet 2)
Original and Revision Dates: October 27, 1998 [sic] as revised through
 October 29, 1998 (Sheet 1); &
 May 20, 1999 as revised through
 April 12, 2001 (Sheet 2)
Number of Pages: 2

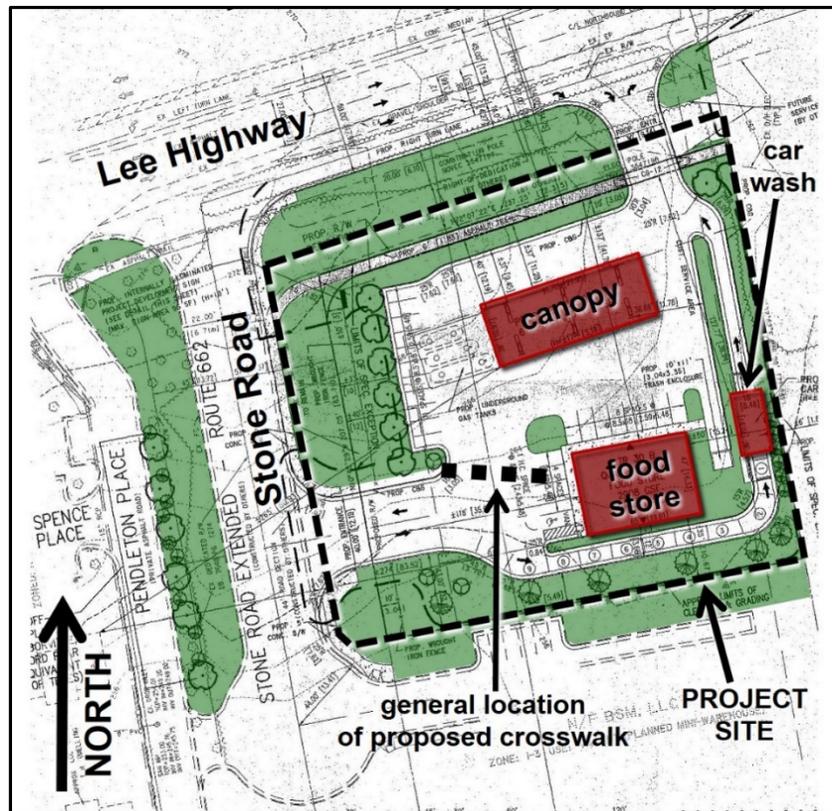
As no site modifications are proposed, the requirement to submit a Special Exception Amendment plat was modified to allow the Special Exception plat associated with SE 98-Y-011 and the relevant portions of the general as-built plat of the subject property to be submitted as the Special Exception Amendment plat.

Proposal: The applicant seeks to amend Development Condition 5 to remove the prohibition of the sale of alcoholic beverages. There are no external building or site modifications associated with the proposal.

The application was reviewed by staff from various agencies, including County Transportation, Urban Forest Management, and Stormwater Management. No agencies identified any negative impacts or concerns with the request.

Staff does not believe that the change in condition language to remove the prohibition of the sale of alcoholic beverages will have a negative impact on the surrounding area.

The proposed change is compatible with other uses surrounding the subject property and is in harmony with the recommendations of the Comprehensive Plan.



Subject Site

ZONING ANALYSIS

Section 9-006 - General Standards

The General Special Exception standards of the Zoning Ordinance require that the proposal: be in harmony with the adopted Comprehensive Plan; be in conformance with the general purpose and intent of the applicable zoning district regulations; be harmonious with and not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan, with the location, size, and height of buildings, structures, walls, and fences, and the nature and extent of screening, buffering, and landscaping 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; 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; and include landscaping, screening, open space, adequate utility, drainage, parking, loading, and other necessary facilities to serve the proposed use in accordance with the Zoning Ordinance. Signs shall be regulated by the provisions of Article 12. The Board may impose more strict sign requirements for a given use than those set forth in the Zoning Ordinance.

Conformance of the proposal with the General Standards of the Zoning Ordinance was evaluated under the original Special Exception application. There are no proposed external building or site modifications associated with the proposal and staff does not believe that the change in condition language to remove the prohibition of the sale of alcoholic beverages will have a negative impact on the surrounding area. However, a site visit revealed that a previously-installed painted crosswalk was missing. Therefore, in the interest of pedestrian safety, a development condition is proposed, which would require a marked crosswalk across the parking lot, from the sidewalk located along the western driveway entrance to the quick-service food store. Staff believes that these standards continue to be met.

Section 9-503 - Standards for all Category 5 Uses

All Category 5 special exception uses shall comply with the lot size and bulk regulations of the zoning district in which located; shall comply with the performance standards specified for the zoning district in which located; and shall be subject to the provisions of Article 17, Site Plans.

Conformance of the proposal with the Standards for all Category 5 Uses was evaluated under the original Special Exception application. There are no external building or site modifications associated with the proposal. Staff believes that these standards continue to be met.

Section 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

The additional standards require that the proposal: have on all sides the same architectural features or shall be architecturally compatible with the building group or neighborhood with which it is associated; shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties; shall be designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation; shall provide and locate parking and stacking spaces in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the site; in reviewing such a use or combination of uses, 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; shall be an integral design element for a site plan of an industrial building or building complex containing not less than 30,000 sq. ft. of gross floor area; and shall have no Building Permit approved unless a Building Permit has been approved for the related industrial building(s).

Conformance of the proposal with the Additional Standards was evaluated under the original Special Exception application. There are no external building or site

modifications associated with the proposal. Staff believes that these standards continue to be met.

Overlay District Requirements

Water Supply Protection Overlay (WS) District (Part 8, Article 7)

The WS District requires that developments provide water quality control measures designed to reduce by one-half the projected phosphorus runoff pollution for the proposed use. Such water quality control measures or Best Management Practices (BMPs) shall be reviewed, modified, waived, and/or approved by the Director in accordance with the Public Facilities Manual (PFM). In no instance shall the requirement for BMPs be modified or waived except where existing site characteristics make the provision impractical or unreasonable on-site and an alternative provision is not or cannot be accommodated off-site, and where it can be established that the modification or waiver will not affect the achievement of the water quality goals for the public water supply watershed as set forth in the adopted comprehensive plan.

Conformance of the proposal with the provisions of the Water Supply Protection Overlay District was evaluated under the original Special Exception application. There are no external building or site modifications associated with the proposal. Staff believes that the provisions of the WS District continue to be met.

MODIFICATIONS

Transitional Screening and Barrier Requirements

Transitional screening and barriers may be waived or modified by the Director in certain circumstances in accordance with Sect. 13-305 of the Zoning Ordinance. The Director may attach conditions to any modification which would assure that the results of the modification would be in accordance with the purpose and intent of the Zoning Ordinance.

In order to formalize and reinforce the landscape planting commitments from the previous approval, the applicant requests the following reaffirmations and modification:

- Reaffirmation of the modification of the transitional screening requirement along the western boundary adjacent to the single-family attached development, in favor of the proposed plat and as conditioned;
- Modification of the barrier requirement along the western boundary adjacent to the single-family attached development, in favor of the proposed plat and as conditioned; and
- Reaffirmation of the modification of the barrier requirement along the northern boundary adjacent to the child care center, in favor of the proposed plat and as conditioned.

Transitional screening and barrier requirements were evaluated under the original Special Exception application, which depicted existing trees to be saved and supplemental landscape plantings and barriers, designed with consideration of the surrounding uses. There are no external site modifications associated with the proposal. Staff supports the reaffirmations and modification as proposed.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

There are no external building or site modifications associated with the proposal and staff does not believe that the change in condition language to remove the prohibition of the sale of alcoholic beverages will have a negative impact on the surrounding area. Additionally, a development condition is proposed, which would require a marked crosswalk across the parking lot, from the sidewalk located along the western driveway entrance to the quick-service food store.

Given these factors, staff concludes that the proposal would be in harmony with the Comprehensive Plan and the applicable Zoning Ordinance provisions.

Recommendations

Staff recommends approval of SEA 98-Y-011, subject to the proposed development conditions in Appendix 1.

Staff recommends approval of the reaffirmations and modification listed below, in favor of the alternatives as shown on the proposed plat and as conditioned, pursuant to Sect. 13-305 of the Zoning Ordinance:

- Reaffirmation of the modification of the transitional screening requirement along the western boundary adjacent to the single-family attached development;
- Modification of the barrier requirement along the western boundary adjacent to the single-family attached development; and
- Reaffirmation of the modification of the barrier requirement along the northern boundary adjacent to the child care center.

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. 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.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

APPENDICES

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. SE 98-Y-011 – Previously Approved Development Conditions
5. SE 98-Y-011 – Previously Approved Plat
6. Comprehensive Plan Excerpts
7. Applicable Zoning Ordinance Standards
8. Glossary of Terms

PROPOSED DEVELOPMENT CONDITIONS

SEA 98-Y-011

April 20, 2016

If it is the intent of the Board of Supervisors to approve Special Exception Amendment SEA 98-Y-011, located at 14709 Lee Highway, Tax Map 54-3 ((3)) 5A, previously approved for a service station, quick-service food store, and car wash, to permit modification of the development conditions, staff recommends that the Board of Supervisors condition the approval by requiring conformance with the following development conditions. (Those conditions that are identical to conditions that were included in the previous approval or that contain only minor editorial changes are marked with an asterisk*).

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.*
2. This Special Exception Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Amendment Plat approved with the application, as qualified by these development conditions.*
3. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans, as may be determined by DPWES. Any plan submitted pursuant to this Special Exception Amendment shall be in substantial conformance with the approved Special Exception Amendment Plat entitled: Generalized Developmet [sic] Plan/Special Exception Plat, Mobil Service Station #16-N8Q, prepared by Walter L. Phillips, Inc., which is dated October 27, 1998 [sic] as revised through October 29, 1998 (Sheet 1); & As-Built, Grading Plan, Mobil Service Station #16-N8Q, prepared by Tri-Tek Engineering, which is dated May 20, 1999 as revised through April 12, 2001 (Sheet 2) and these conditions. Minor modification to the approved Special Exception Amendment may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance.
4. Pole-mounted lighting shall not exceed 16 feet in height, shall be equipped with box-type light fixtures which focus light downward and inward to minimize light spillover onto adjacent properties.*
5. The quick-service food store structure shall not exceed 2,908 square feet in gross floor area.*
6. The subject structures shall be architecturally compatible with the proposed mini-warehousing establishment located to the south. As such, all exposed facades of the buildings shall be constructed of brick, which is similar in color and texture to the proposed office/residence of the manager of the mini-warehousing establishment as depicted on Exhibit B of the proffers associated with application RZ 1998-SU-014. All rooftop mechanical equipment shall be fully enclosed with solid screening walls to the

maximum extent feasible from an engineering standpoint. The southern, northern, and western faces of the canopy shall be painted with a non-reflective paint in a muted color with a matte finish to minimize the visual impact of the canopy from the residentially-zoned properties to the south, north, and west. Further, there shall be no lighted panels on the faces of the canopy.*

7. The hours of operation for the service station and quick-service food store shall be limited to 5:00 a.m. to 1:00 a.m. The hours of operation for the car wash and associated vacuum facility shall be limited to 7:00 a.m. to 9:00 p.m.*

8. Understory plantings shall be provided along the Stone Road frontage of the site in conjunction with the trees shown along the western periphery to further soften the visual effects of the structures on the surrounding residential uses. A combination of evergreen and deciduous trees and understory plantings shall be provided along the Lee Highway frontage to soften the view of the subject uses from the development located to the north.*

9. Evergreen shrubs shall be planted along the outside edge of the car wash stacking lanes to supplement the proposed screening of the vehicles from adjacent residential uses.*

10. The car wash shall employ a system that recycles a minimum of 80% of the wash water used.*

11. A crosswalk shall be completed across the parking lot from the sidewalk located along the western driveway entrance to the quick-service food store, as generally shown on Sheet 2 of the SEA plat, prior to the issuance of a Non-RUP for this SEA.

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

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

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception Amendment shall automatically expire, without notice, 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 Amendment. 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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: March 22, 2016
 (enter date affidavit is notarized)

133204a

I, Sara V. Mariska, attorney/agent, 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

in Application No.(s): SEA 98-Y-011
 (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)
RWG Ventures, Inc. Agent: Robert W. Garrett	13896 Old Nursery Court Chantilly, VA 20151	Applicant/Lessee of Tax Map 54-3 ((3)) 5A
Sunoco, LLC Agents: Joan C. Scarpa Anthony M. Williams Michael L. Millman	1900 Dalrock Road Rowlett, TX 75088	Title Owner/Lessor of Tax Map 54-3 ((3)) 5A

(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)

133204a

DATE: March 22, 2016

(enter date affidavit is notarized)

for Application No. (s): SEA 98-Y-011

(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)
--	---	--

Walsh, Colucci, Lubeley & Walsh, P.C.	2200 Clarendon Boulevard, Suite 1300 Arlington, VA 22201	Attorneys/Agents for Applicant
--	---	--------------------------------

Agents: Martin D. Walsh Lynne J. Strobel M. Catharine Puskar Sara V. Mariska G. Evan Pritchard Andrew A. Painter Matthew J. Allman Jeffrey R. Sunderland Robert D. Brant Elizabeth D. Baker Inda E. Stagg Amy E. Friedlander		Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney*/Agent Attorney/Agent Planner/Agent Planner/Agent Planner/Agent
---	--	--

*Admitted in New York and California. Admission to Virginia Bar pending.

(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: March 22, 2016
 (enter date affidavit is notarized)

133204a

for Application No. (s): SEA 98-Y-011
 (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)
 RWG Ventures, Inc.
 13896 Old Nursery Court
 Chantilly, VA 20151

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
 There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
 There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial and last name)

Robert W. Garrett

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

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. ***In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.*** Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Special Exception Attachment to Par. 1(b)

DATE: March 22, 2016
(enter date affidavit is notarized)

133204a

for Application No. (s): SEA 98-Y-011
(enter County-assigned application number (s))

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

Sunoco, LLC
1900 Dalrock Road
Rowlett, TX 75088

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)

Members:

- 1) ETP Retail Holdings, LLC
- 2) Susser Petroleum Operating Company LLC

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

- 2) Susser Petroleum Operating Company LLC
4525 Ayers Street
Corpus Christi, TX 78415

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)

- 3) Sunoco LP, Sole Member

(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: March 22, 2016
(enter date affidavit is notarized)

133204a

for Application No. (s): SEA 98-Y-011
(enter County-assigned application number (s))

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

- 1) ETP Retail Holdings, LLC
3738 Oak Lawn Avenue
Dallas, Texas 75219

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 THE SHAREHOLDERS: (enter first name, middle initial, and last name)

- Members:
- Atlantic Refining & Marketing Corp. (owns less than 10% of Sunoco, LLC)
- La Grange Acquisition, L.P. (owns less than 10% of Sunoco, LLC)
4) - Sunoco, Inc. (R&M)

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

- 4) Sunoco, Inc. (R&M)
10 Industrial Highway
Lester, PA 19029

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 THE SHAREHOLDERS: (enter first name, middle initial, and last name)

- 5) ETP Holding Corporation

(check if applicable) [x] 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: March 22, 2016
(enter date affidavit is notarized)

133204a

for Application No. (s): SEA 98-Y-011
(enter County-assigned application number (s))

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

- 5) ETP Holding Corporation
3738 Oak Lawn Avenue
Dallas, TX 75219

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)

- 6) Energy Transfer Equity, L.P.
- 7) Energy Transfer Partners, L.P.

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

- Walsh, Colucci, Lubeley & Walsh, P.C.
2200 Clarendon Boulevard, Suite 1300
Arlington, VA 22201

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)

- | | | | |
|---------------------|--------------------|---------------------|------------------|
| Wendy A. Alexander | Jay du Von | J. Randall Minchew | Lynne J. Strobel |
| David J. Bomgardner | William A. Fogarty | Andrew A. Painter | Garth M. Wainman |
| E. Andrew Burcher | John H. Foote | G. Evan Pritchard | Nan E. Walsh |
| Thomas J. Colucci | H. Mark Goetzman | M. Catharine Puskar | |
| Michael J. Coughlin | Bryan H. Guidash | John E. Rinaldi | |
| Peter M. Dolan, Jr. | Michael J. Kalish | Kathleen H. Smith | |

(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: March 22, 2016
(enter date affidavit is notarized)

133204a

for Application No. (s): SEA 98-Y-011
(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)

- 3) Sunoco LP
555 East Airtex Drive
Houston, TX 77073

(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)

General Partner/Manager:
Sunoco GP LLC (owns less than 10% of Sunoco, LLC)

Sunoco LP is a master limited partnership consisting of millions of limited partners/investors and publicly traded on the NYSE.

(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 Attachment to Par. 1(c)

DATE: March 22, 2016
(enter date affidavit is notarized)

133204a

for Application No. (s): SEA 98-Y-011
(enter County-assigned application number (s))

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

- 6) Energy Transfer Equity LP
3738 Oak Lawn Avenue
Dallas, TX 75219

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

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

General Partner/Manager:
LE GP, LLC (owns less than 10% of Sunoco, LLC)

Energy Transfer Equity LP is a master limited partnership consisting of millions of limited partners/investors and publicly traded on the NYSE

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

Special Exception Attachment to Par. 1(c)

DATE: March 22, 2016
(enter date affidavit is notarized)

133204a

for Application No. (s): SEA 98-Y-011
(enter County-assigned application number (s))

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

- 7) Energy Transfer Partners, L.P.
3738 Oak Lawn Avenue
Dallas, TX 75219

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

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

General Partner/Manager:

- 8) Energy Transfer Partners GP, LP

Energy Transfer Partners LP is a master limited partnership consisting of millions of limited partners/investors and publicly traded on the NYSE

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

Special Exception Attachment to Par. 1(c)

DATE: March 22, 2016
(enter date affidavit is notarized)

133204a

for Application No. (s): SEA 98-Y-011
(enter County-assigned application number (s))

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

- 8) Energy Transfer Partners GP, LP
3738 Oak Lawn Avenue
Dallas, TX 75219

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

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

General Partner:

Energy Transfer Partners, L.L.C. (owns less than 10% of Sunoco, LLC)

Limited Partner:

7) Energy Transfer Partners, L.P.

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: March 22, 2016
(enter date affidavit is notarized)

133204a

for Application No. (s): SEA 98-Y-011
(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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: March 22, 2016
(enter date affidavit is notarized)

133204a

for Application No. (s): SEA 98-Y-011
(county-assigned application number(s), to be entered by County Staff)

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

None

NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) There are more disclosures to be listed and Par. 3 is continued on a "Special Exception Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one) Applicant Sara V. Mariska Applicant's Authorized Agent

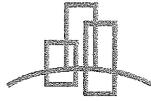
Sara V. Mariska, attorney/agent
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 22 day of March 2016, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K. Follin
Notary Public

My commission expires: 11/30/2019

KIMBERLY K. FOLLIN
Registration # 283945
Notary Public
COMMONWEALTH OF VIRGINIA



**WALSH COLUCCI
LUBELEY & WALSH PC**

Sara V. Mariska
(703) 528-4700 Ext. 5419
smariska@thelandlawyers.com

November 25, 2015

Via Hand Delivery

Barbara C. Berlin, Director
Fairfax County Department of Planning & Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

Re: Proposed Special Exception Amendment
Applicant: RWG Ventures, Inc.

Dear Ms. Berlin:

Please accept this letter as a statement of justification for a special exception amendment application on property identified among the Fairfax County tax map records as 54-3 ((3)) 5A (the "Subject Property").

The Subject Property is located in the southeastern quadrant of the intersection of Stone Road (Route 662) and Lee Highway (Route 29). The Subject Property contains approximately 1.20 acres, is zoned to the I-5 District, and is developed with a service station, quick service food store, and car wash. The Subject Property has been the subject of several prior land use approvals granted by the Fairfax County Board of Supervisors (the "Board"). Most recently, on January 11, 1999, the Board approved RZ 1998-SU-014, RZ 1998-SU-016, and SE 98-Y-011 to rezone the Subject Property to the I-5 District and allow a service station, quick service food store, and car wash use.

The Subject Property is currently developed with an approximately 2,908 square foot quick service food store, approximately 648 square foot car wash, and canopy with six (6) gasoline dispensers. The Applicant proposes no physical improvements to the Subject Property. The application proposes only to modify Condition 5 of SE 98-Y-011 to remove the prohibition on the sale of alcoholic beverages to ensure that the quick service food store remains economically viable and competitive with similar uses in the area.

The Subject Property is located within Area III of the Fairfax County Comprehensive Plan (the "Plan"). More specifically, the Subject Property is located within the Bull Run Planning District in the Centreville Area and Suburban Center, Land Unit H-2. The Plan map

ATTORNEYS AT LAW

703 528 4700 ■ WWW.THELANDLAWYERS.COM
2200 CLARENDON BLVD. ■ SUITE 1300 ■ ARLINGTON, VA 22201-3359

LOUDOUN 703 737 3633 ■ WOODBRIDGE 703 680 4664

designates the Subject Property as appropriate for industrial and public park uses, and the Plan text recommends light industrial use on the Subject Property. Given that no physical improvements or modifications are proposed with this application, the Applicant's proposal is in conformance with the Plan language.

In accordance with Section 9-011 of the Fairfax County Zoning Ordinance (the "Ordinance") please accept the following information:

- The operations are existing and include a service station, quick service food store, and car wash.
- Hours of operation: The service station and quick service food store will be open from 5:00 a.m. to 1:00 a.m., seven days a week. The car wash will be open from 7:00 a.m. to 9:00 p.m., seven days a week.
- The estimated number of patrons is approximately 1,000 persons per day.
- The number of employees is a maximum of four (4) on site at any one time.
- The existing use generates approximately 2,000 trips per day.
- The general area to be served by the use is Centreville and the surrounding area.
- The existing use results in approximately 3,556 square feet in building improvements. No modifications are proposed to the existing structures which are comprised of brick and glass.
- Petroleum products, as defined in Title 40, Code of Federal Regulations, are the only known hazardous or toxic substances to be utilized and stored on the Subject Property.
- The use conforms to the provision of all applicable ordinances, regulations, adopted standards and conditions except as modified by this application.

Should you have any questions regarding this proposal, or require additional information, please do not hesitate to contact me. I would appreciate the acceptance of this application and the scheduling of a public hearing before the Fairfax County Planning Commission at your convenience.

Very truly yours,

WALSH, COLUCCI, LUBELEY & WALSH, P.C.

A handwritten signature in black ink that reads "Sara V. Mariska". The signature is written in a cursive style with a long horizontal flourish at the end.

Sara V. Mariska

cc: Robert W. Garrett
Lynne J. Strobel
Jeffrey R. Sunderland



FAIRFAX COUNTY

APPENDIX 4 DP2

OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 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

TTY: 703-324-3903

February 3, 1999

Marie B. Travesky
Travesky and Associates
3900 Jermantown Road - Suite 300
Fairfax, Virginia 22030

RE: Special Exception Number SE 98-Y-011
(Concurrent with RZ 1998-SU-016 and RZ 1998-SU-014)

Dear Ms. Travesky:

At a regular meeting of the Board of Supervisors held on January 11, 1999, the Board approved Special Exception Number SE 98-Y-011, subject to the approval of Rezoning Application RZ 1998-SU-014, in the name of Mobil Oil Corporation, located at Tax Map 54-3 ((3)) Pt. 5, Pt. 6 and Pt. 7 for use as a service station, a quick service food store, a car wash and a waiver of certain sign regulations pursuant to Sections 5-504 and 9-620 of the Fairfax County Zoning Ordinance, by requiring conformance with the following 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. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by DPWES. Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception Plat entitled Mobil Service Station #16N8Q and prepared by Walter L. Phillips, Incorporated which is dated October 27, 1997, revised through October 29, 1998 and these conditions. Minor modification to the approved Special Exception may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance.

4. Pole-mounted lighting shall not exceed 16 feet in height, shall be equipped with box-type light fixtures which focus light downward and inward to minimize light spillover onto adjacent properties.
5. The quick-service food store structure shall not exceed 2,908 square feet in gross floor area. Additionally, no alcohol sales shall be permitted within this facility.
6. The subject structures shall be architecturally compatible with the proposed mini-warehousing establishment located to the south. As such, all exposed facades of the buildings shall be constructed of brick which is similar in color and texture to the proposed office/residence of the manager of the mini-warehousing establishment as depicted on Exhibit B of the proffers associated with application RZ 1998-SU-014. All rooftop mechanical equipment shall be fully enclosed with solid screening walls to the maximum extent feasible from an engineering standpoint. The southern, northern and western face of the canopy shall be painted with a non-reflective paint in a muted color with a matte finish to minimize the visual impact of the canopy from the residentially zoned property to the south, north and west. Further, there shall be no lighted panels on face of the canopy.
7. The hours of operation for the service station and quick service food store shall be limited to 5:00 a.m. to 1:00 a.m. The hours of operation for the car wash and associated vacuum facility shall be limited to 7:00 a.m. to 9:00 p.m.
8. Understory plantings shall be provided along the Stone Road frontage of the site in conjunction with the trees shown along the western periphery to further soften the visual effects of the structures on the surrounding residential uses. A combination of evergreen and deciduous trees and understory plantings shall be provided along the Lee Highway frontage to soften the view of the subject uses from the development located to the north.
9. Evergreen shrubs shall be planted along the outside edge of the car wash stacking lanes to supplement the proposed screening of the vehicles from adjacent residential uses.
10. The car wash shall employ a system that recycles a minimum of 80% of the wash water used.
11. The freestanding ground-mounted monument sign shall have a maximum sign area of 96 square feet and shall be a maximum height of 12 feet.

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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:

- **Modified the transitional screening requirement along the western boundary of the site associated with Rezoning Application RZ 1998-SU-014 and Special Exception SE 98-Y-011 to that shown on the Generalized Development Plan/Special Exception (GDP/SE) Plat and is further described in the development conditions;**
- **Modified the barrier requirement along the northern boundary of the site associated with Rezoning Application RZ 1998-SU-014 and Special Exception Application SE 98-Y-011 as described in the development conditions.**

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 in the Department of Planning and Zoning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

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Attachment

cc: Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Michael R. Congleton, Deputy Zoning Administrator
Frank Jones, Assistant Chief, PPRB, DPZ
Audrey Clark, Chief, Inspection Svcs., BPRB, DPW&ES
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Robert Moore, Trnsprt'n. Planning Div., Office of Transportation
Ellen Gallagher, Project Planning Section, Office of Transportation
Michelle Brickner - Deputy Director, Plan Review DPWES
DPWES - Bonds & Agreements
Department of Highways, VDOT
Land Acq. & Planning Div., Park Authority

RECEIVED
DEPARTMENT OF PLANNING AND ZONING
FEB 4 1999
ZONING EVALUATION DIVISION

COMPREHENSIVE PLAN EXCERPTS

FAIRFAX COUNTY COMPREHENSIVE PLAN, 2013 Edition, AREA III, Bull Run Planning District, Amended through 11-17-2015, Centreville Area and Suburban Center, Pages 34-35:

Land Unit H (131 Acres)

“Land Unit H is planned for industrial use on the eastern portion next to I-66 and medium density residential use on the western portion across from the London Towne townhouse subdivision.”

H-2 (53 Acres)

“Land Unit H-2 is planned for light industrial use due to its excellent access to the regional highway network. Access points to Lee Highway should be limited, however, to minimize turning movements. Part of the Big Rocky Run Environmental Quality Corridor is in this land unit. If office uses are developed in conjunction with industrial development, noise mitigation measures should be undertaken.”

“In addition, Land Unit H-2 also is appropriate for the location of a fringe parking lot. Planning strategies for the core area suggest reducing as many through or commuter trips as possible. Fringe parking locations would help achieve this objective. If a fringe parking area is chosen for Land Unit H-2, then the amount of acreage devoted to light industrial uses should be decreased by the size of the parking area.”

ZONING ORDINANCE EXCERPTS

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.

9-503 - Standards for all Category 5 Uses

In addition to the general standards set forth in Sect. 006 above, all Category 5 special exception uses shall satisfy the following standards:

1. Except as qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located.

2. All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan or photometric plan as may be required by Part 9 of Article 14.

3. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

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.

5. In the I-3, I-4, I-5 and I-6 Districts, in addition to Par. 1 above:

A. All such uses, except drive-in financial institutions, shall be an integral design element of a site plan for an industrial building or building complex containing not less than 30,000 square feet of gross floor area.

B. In an I-3 or I-4 District, 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.

C. In an I-3 or I-4 District, service stations 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.

D. No Building Permit shall be approved for such a use unless a Building Permit has been approved for the related industrial building(s).

E. The outdoor area devoted to any use such as vehicle or tool rental shall be limited to that area so designated on an approved special exception plat.

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		