



# County of Fairfax, Virginia

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June 30, 2016

**2016 Planning  
Commission**

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Vice Chairman  
*Hunter Mill District*

**James R. Hart**  
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*Sully District*

**Janyce N. Hedetniemi**  
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**Jill G. Cooper**  
*Executive Director*

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

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

Sara Mariska  
Walsh, Colucci, Lubeley & Walsh, PC  
2200 Clarendon Boulevard, Suite 1300  
Arlington, VA 22201

**Re: SEA 88-S-077-08 – WILLARD ROAD MART, INC.  
Sully District**

Dear Ms. Mariska:

At its June 29, 2016 meeting, the Planning Commission voted 8-0 (Commissioners Hurley, Keys-Gamarra, Murphy, and Lawrence were absent from the meeting) to **RECOMMEND APPROVAL** of the above referenced application, subject to the development conditions dated June 15, 2016. A copy of the verbatim transcript is attached.

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

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

Sincerely,

John W. Cooper, Clerk  
Fairfax County Planning Commission

Attachments (a/s)

cc: Kathy L. Smith, Supervisor, Sully District  
Karen Keys-Gamarra, Planning Commissioner, Sully District  
Catherine A. Chianese, Assistant County Executive, Clerk to the Board of Supervisors, County Executive Office  
William O'Donnell, Staff Coordinator, ZED, DPZ  
Robert Harrison, ZED, DPZ  
June 29, 2016 date file

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



## PROPOSED DEVELOPMENT CONDITIONS

### SEA 88-S-077-8

June 15, 2016

If it is the intent of the Board of Supervisors to approve SEA 88-S-077-8, previously approved pursuant to SE 88-S-077 for a service station, car wash, and quick service food store and amended pursuant to SEA 88-S-077, SEA 88-S-077-2 and SEA 88-S-077-6 to allow minor modifications, located at the Chantilly Place Shopping Center [Tax Map 44-1 ((9)) 9 pt and 10], pursuant to Sect. 9-505 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions, which supersede the conditions in SEA-88-S-077-6 that relate to the service station, quick service food store, and car wash. All other existing conditions in SEA-88-S-077-2 shall remain in full force and effect and are not modified by these conditions except where inconsistent, in which case these conditions shall supersede (those conditions carried forward from previous approvals are marked with an asterisk):

1. This Special Exception is granted for and runs with the land indicated in this application, and is not transferable to other land.\*
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Amendment 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.
  - A. Any plan shall be in substantial conformance with the Generalized Development Plan/Special Exception Amendment Plat entitled "Generalized Development Plan/Special Exception Amendment Plat for Sunoco, Inc. (R&M)", prepared by Cornerstone Consulting dated March 3, 2012, as revised through September 10, 2013, and these conditions.
  - B. Minor modifications to the approved Special Exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. Subject to the proffers accepted in conjunction with RZ 86-S-026, as amended, and the regulations for the C-6 District in the Zoning Ordinance, any portion of the property may be subject to special exception amendment (SEA) without joinder and/or consent of the owners of the other portion of the property if such SEA does not affect such other portion of the property. Previously approved development conditions applicable to the portion of the property not subject to the SEA shall otherwise remain in full force and effect.\*

5. Landscaping for the service station property shall be provided in accordance with the landscape plan shown on the Special Exception Amendment dated March 3, 2012, as revised through August 26, 2013. All landscaping shall be maintained in good condition and shall receive regular maintenance. This maintenance includes, but is not limited to, removal of dead/diseased plantings and their prompt replacement to maintain the required landscaping of this Special Exception, as determined by Urban Forest Management.\*
6. Directional signage shall be provided as determined necessary by the Director of DPWES to facilitate traffic flow and pedestrian movements to the adjacent fast food park and retail/office development.\*
7. Signage for the service station, quick service food store, and car wash shall be of compatible materials and of consistent character with the architectural treatment of the service station. If freestanding signs are proposed, the signage shall be ground mounted and shall not exceed six (6) feet in height.\*
8. The car wash shall be equipped to capture at least 80% of the waste water associated with a single cycle of the car wash operation. All waste water discharged from the car wash shall be discharged to the sanitary sewer system.\*
9. The quick service food store on the site shall incorporate environmentally sustainable attributes into its building program, that may include, but not necessarily be limited to, such elements as high-efficiency mechanical systems, use of materials with recycled content, a high performance and insulated building envelope, water efficient fixtures, low volatile organic compounds in paints, sealants and finish materials, construction waste management, and storage and collection of recyclables.\*
10. At the time of site plan approval, the applicant may utilize the existing stormwater management system for the Chantilly Place Shopping Center, of which the subject site is a part, in lieu of the proposed new stormwater structures and facilities shown on the SEA Plat, subject to determination by DPWES that such substitution would be adequate and in conformance with all applicable standards of the Public Facilities Manual and Zoning Ordinance.\*
11. Prior to the issuance of the Non-Residential Use Permit (Non-RUP), the applicant shall demonstrate to the satisfaction of the Department of Planning and Zoning - Zoning Inspections Branch that the wall mounted lighting fixtures are in conformance with the performance standards in Article 14 of the Zoning Ordinance.

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

This approval, contingent on the above noted conditions, shall 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 amendment to permit an expansion to the service station, car wash, and quick service food store, without notice, thirty (30) months after the date of approval unless, at a minimum, 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.

Planning Commission Meeting  
June 29, 2016  
Verbatim Excerpt

SEA 88-S-077-08 – WILLARD ROAD MART, INC.

After Close of the Public Hearing

Vice Chairman de la Fe: Close the public hearing. Mr. Hart.

Commissioner Hart: Thank you, Mr. Chairman. This is – let me ask Ms. Mariska, if you could come back to the podium. Can you confirm that you have – you and your client have reviewed and understand and agree to the development – the proposed development conditions dated June 15, 2016?

Sara Mariska, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, PC: Yes. And we do.

Commissioner Hart: Thank you. Mr. Chairman, this is another straightforward application. It's another in a series where an existing filling station that had a development condition with a quick service food store that they would not sell alcohol. The condition is being modified so as to allow the sales. We've approved several of these already and I think this is consistent with that and consistent, also, with my understanding of where the citizens associations are on this issue at this point. Therefore, Mr. Chairman, first I – no, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SEA 88-S-077-08, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JUNE 15, 2016.

Commissioners Hedetniemi and Sargeant: Second.

Vice Chairman de la Fe: Seconded by Commissioner Sargeant and Hedetniemi. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries.

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(The motion carried by a vote of 8-0. Commissioners Hurley, Keys-Gamarra, Murphy, and Lawrence were absent from the meeting.)

JLC