



# County of Fairfax, Virginia

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September 21, 2016

## STAFF REPORT

### SPECIAL PERMIT SP 2016-SU-058

#### SULLY DISTRICT

**APPLICANT:** A&E Entertainment LLC

**OWNER:** Wilbur L McBay Associates LLC

**ZONING:** I-5, WS, AN, HC

**LOCATION:** 14130 Sullyfield Circle, Chantilly, 20151

**ZONING ORDINANCE PROVISIONS:** 5-503, 8-501

**TAX MAP:** 34-3 ((5)) E4

**SIZE:** 5.1 acres

**PLAN MAP:** Mixed Use

**SPECIAL PERMIT PROPOSAL:** To permit an indoor commercial recreation use in an industrial district.

#### STAFF RECOMMENDATION:

Staff recommends approval of SP 2016-SU-058 subject to the proposed development conditions contained in Appendix 1.

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

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

*Casey V. Gresham*



A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**



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



PLAN APPROVAL INFORMATION				
RELATED INFORMATION	REQUIRED	NOT REQUIRED	COUNTY I.D. NUMBER	COMMENTS/SHEET NO.
1. CONCURRENT PROCESSING				
2. MODIFIED PROCESSING				
3. AFFORDABLE DWELLING UNITS				
4. R.P.A. DELINEATION				
5. FLOOD PLAIN STUDY				
6. DRAINAGE STUDY				
7. CHESAPEAKE BAY ACT EXCEPTION				
8. WATER QUALITY IMPACT ASSESSMENT				
9. SOILS REPORT APPROVAL				
10. ONSITE EASEMENTS				
11. OFFSITE EASEMENTS				
12. NOTARIZED LETTERS OF PERMISSION				
13. ARCHITECTURAL REVIEW BOARD APPROVAL				
14. RETURN PLAN TO B.O.S. PRIOR TO APPR.				
15. RETURN PLAN TO P.C. PRIOR TO APPR.				
16. ADJACENT PROPERTY OWNER NOTIFICATIONS				
17. OFFSITE UTILITY WORK NOTICES				
18. MAJOR UNDERGROUND UTILITY NOTICES				
19. REZONING APPROVAL				
20. B.O.S. CLERK LETTER/RESOLUTION				
21. REZONING PROFFERS/CONDITIONS				
22. REZONING DEVELOPMENT PLAN				
23. SPECIAL EXCEPTION FOR USE				
24. SPECIAL PERMIT FOR USE				
25. B.Z.A. VARIANCE APPROVAL				
26. B.Z.A. CLERK LETTER/RESOLUTION				

ZONING REQUIREMENTS	
1) ZONING	I-5
2) AVERAGE LOT AREA	N/A (sq. ft. or sq.m)
3) MIN. LOT AREA	20,000 SF (sq. ft. or sq.m)
4) MIN. LOT WIDTH	100 LF (ft. or m)
5) MAX. BUILDING HEIGHT	35' (ft. or m)
6) NUMBER OF FLOORS	N/A (Commercial/Industrial ONLY)
7) MIN. YARD REQUIREMENTS:	
FRONT	40 (ft. or m)
SIDE	(ft. or m)
REAR	(ft. or m)
8) MAXIMUM LOT COVERAGE	N/A
9) MAXIMUM DENSITY	N/A (D.U./Ac. or D.U./ha)
10) OPEN SPACE REQUIRED	15 % 33,277 SF (sq. ft. or sq.m)
11) ANGLE OF BULK PLANE: FRONT	45% SIDE NONE REAR NONE
(DETAIL(S) ON SHEET 3.)	
12) OVERLAY DISTRICT(S)	AIRPORT NOISE, WATER SUPPLY PROTECTION

SUBDIVISION PLAN (SD) TABULATIONS	
1) SITE AREA	(Ac. or ha) (sq. ft. or sq.m)
2) NUMBER OF LOTS	
3) AREA OF LOTS	(sq. ft. or sq.m)
4) AVERAGE LOT AREA	(sq. ft. or sq.m)
5) AREA OF PARCEL/OUTLOT	(sq. ft. or sq.m)
6) AREA OF PARCEL/OUTLOT	(sq. ft. or sq.m)
7) AREA OF PARCEL/OUTLOT	(sq. ft. or sq.m)
8) AREA OF PARCEL/OUTLOT	(sq. ft. or sq.m)
9) TOTAL AREA OF OPEN SPACE	(sq. ft. or sq.m)
10) AREA OF STREET DEDICATION	(sq. ft. or sq.m)
11) DENSITY	(D.U./Ac. or D.U./ha)

SITE PLAN (SP) TABULATIONS	
1) SITE AREA	5.093 AC. (Ac. or ha) 221,842 SF (sq. ft. or sq.m)
2) AREA OF STREET DEDICATION	N/A (sq. ft. or sq.m)
3) USE	WAREHOUSE (IN AREA BEING MODIFIED)
4) NUMBER OF LOTS	1
5) AREA OF LOTS	221,842 SF (sq. ft. or sq.m)
6) DENSITY	N/A (D.U./Ac. or D.U./ha)
7) EXISTING BUILDING GROSS FLOOR AREA	79,896 SF (sq. ft. or sq.m)
8) PROPOSED BUILDING GROSS FLOOR AREA	81,896 SF (sq. ft. or sq.m)
9) EXISTING BUILDING NET FLOOR AREA	63,917 SF (sq. ft. or sq.m)
10) PROPOSED BUILDING NET FLOOR AREA	65,517 SF (sq. ft. or sq.m)
11) TOTAL FLOOR AREA RATIO (FAR) FOR ENTIRE SITE	0.37
12) PROPOSED BUILDING HEIGHT	29' (ft. or m)
13) PROPOSED NUMBER OF FLOORS	1 W/MEZZANINE (Commercial/Industrial ONLY)
14) TOTAL HANDICAPPED PARKING REQUIRED	7
15) TOTAL HANDICAPPED PARKING PROVIDED	7
16) TOTAL HANDICAPPED VAN SPACES REQUIRED	1
17) TOTAL HANDICAPPED VAN SPACES PROVIDED	2
18) TOTAL PARKING SPACES REQUIRED	143
19) TOTAL PARKING SPACES PROVIDED	204
20) LOADING SPACES REQUIRED	5
21) LOADING SPACES PROVIDED	7
22) OPEN SPACE PROVIDED	25 % 55,000 SF (sq. ft. or sq.m)

FIRE MARSHAL NOTES	
AVAILABLE FIRE FLOW	3954 GPM (gal/min or liters/min)
SOURCE OF FIRE FLOW INFO.	4/2000 flow test on hydrant #77
TYPE OF CONSTRUCTION	BOCA 3A
USE GROUP CLASSIFICATION	BOCA S-1
BUILDING HEIGHT	29' (ft. or m)
BUILDING TO BE FULLY SPRINKLERED	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
IF YES, CHECK APPROPRIATE STANDARD:	NFPA 13 <input type="checkbox"/> ; NFPA 13D <input type="checkbox"/> ; NFPA 13R <input type="checkbox"/>
SEE PFM CHAPTER 9, PART 2 FOR FULL INFORMATION REQUIRED.	FIRE FLOW REQUIREMENTS TO BE DETERMINED BY THE FIRE PREVENTION DIVISION.
[SEE PUBLIC WATER AGENCY NOTES ON SHEET N/A]	

SOLID WASTE STATEMENT		RECYCLING SYSTEM STATEMENT	
REFUSE COLLECTION AGENCY		<input type="checkbox"/> PFM SECTION 10-407.1A	
TYPE & SIZE OF CONTAINERS OR EQUIPMENT		<input type="checkbox"/> PFM SECTION 10-407.1B	
FREQUENCY OF COLLECTION		<input type="checkbox"/> PFM SECTION 10-407.1C	
		<input checked="" type="checkbox"/> NO STATEMENT REQUIRED PER PFM 10-0403	

SANITARY SEWER STATEMENT	
WASTEWATER TREATMENT PLANT	UPPER OCCOQUAN
<input checked="" type="checkbox"/> THIS SITE IS SUBJECT TO SANITARY SEWER REIMBURSEMENT CHARGES.	
<input type="checkbox"/> THIS SITE IS SERVED BY ONSITE SEWAGE TREATMENT SYSTEM(S).	

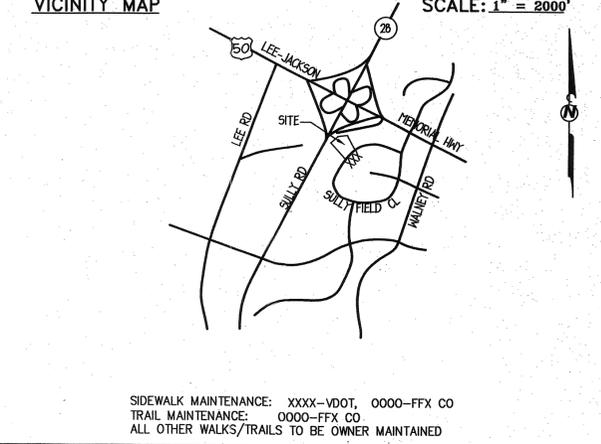
STORMWATER STATEMENT	
WATERSHED(S)	CUB RUN
<input checked="" type="checkbox"/> THIS SITE IS LOCATED WITHIN THE W.S.P.O.D. (OCCOQUAN WATERSHED).	
NUMBER OF STORMWATER DETENTION FACILITIES	0
NUMBER OF BMP FACILITIES	0
NUMBER OF PRIVATE STORMWATER MANAGEMENT FACILITIES	0
HIGH DENSITY POLYETHYLENE (HDPE) USED ON THIS PROJECT	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
DISTURBED AREA (DA) WITHIN WATERSHED(S): NO LAND DISTURBANCE REQD	
WATERSHED 1	DA= (Ac. or ha)
WATERSHED 2	DA= (Ac. or ha)
WATERSHED 3	DA= (Ac. or ha)
TOTAL DISTURBED AREA=	(Ac. or ha)

PROFESSIONAL SEAL AND SIGNATURE

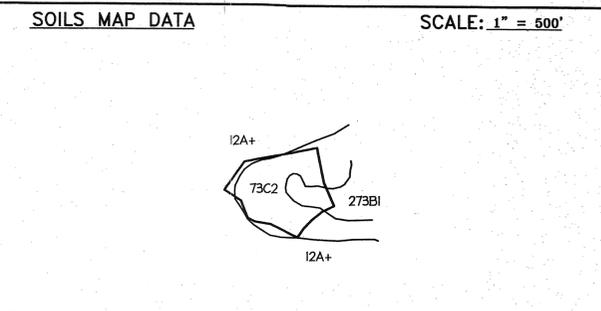


DATE: 4/28/04

DESIGNATED PLANS EXAMINER (DPE) CERTIFICATE	
1ST SUBMISSION REVIEWED & RECOMMENDED FOR SUBMISSION	2ND SUBMISSION REVIEWED & RECOMMENDED FOR APPROVAL
D.P.E. SIGNATURE & PRINTED NAME	D.P.E. SIGNATURE & PRINTED NAME
DATE: _____ REG. NO.: _____	DATE: _____ REG. NO.: _____



TAX MAP REFERENCE NUMBER(S)			
MAP PAGE #	DOUBLE CIRCLE #	BLOCK (SINGLE CIRCLE #)	LOT/PARCEL(S) #
34-3	05	-	E4



SOIL ID NUMBERS	SOIL SERIES NAME	FOUNDATION SUPPORT	SUBSURFACE DRAINAGE	SLOPE STABILITY	ERODIBILITY	PROBLEM CLASS
73C2	PENN	GOOD	POOR	GOOD	HIGH	C
273BI	READINGTON	GOOD	POOR	GOOD	MODERATE	B
12A+	ROWLAND	POOR	POOR	POOR	LOW	A

NO SOILS REPORT REQUIRED. FOUNDATION IS EXISTING  
NO IMPROVEMENTS WITHIN "A" TYPE SOILS

SOILS MAP SOURCE:  COUNTY MAP;  PRIVATE SOILS SCIENTIST (FOR UNMAPPED SITES)

SOILS WITH IDENTIFICATION NUMBERS 59, 66, 69, 141, 142, AND 152 MAY OVERLIE PARENT BEDROCK FORMATIONS WHICH HAVE BEEN FOUND TO CONTAIN NATURALLY OCCURRING ASBESTOS MINERALS. SPECIAL MINIMUM CONSTRUCTION MEASURES AND PRECAUTIONS ARE REQUIRED IN COMPLIANCE WITH HEALTH DEPARTMENT DIRECTIVES WITHIN THESE SOILS OR WITHIN FILL ORIGINATING FROM THESE SOILS.

ENGINEER'S/SURVEYOR'S CERTIFICATE:	
THE PROPERTIES ARE IN THE NAME OF	WILBUR L MCBAY ASSOC., LLC
DEED BOOK	11651 PAGE 1245 OF THE LAND RECORDS OF FAIRFAX COUNTY, VA.
<input checked="" type="checkbox"/> OWNER-TRUSTEE	<input checked="" type="checkbox"/> A CORPORATION
<input type="checkbox"/> A PARTNERSHIP	<input type="checkbox"/> AN INDIVIDUAL
NAME	WILBUR L MCBAY ASSOC., LLC
PHONE	703-793-2754
ADDRESS	1713 CHESTERBROOK VALE CT MCLEAN, VA 22101

DEVELOPER INFORMATION	
<input checked="" type="checkbox"/> DEVELOPER CONTRACT OWNER	<input checked="" type="checkbox"/> A CORPORATION
<input type="checkbox"/> LESSEE	<input type="checkbox"/> A PARTNERSHIP
<input type="checkbox"/> AN INDIVIDUAL	
NAME	MITRE CORPORATION
PHONE	703-883-6000
ADDRESS	1575 COLSHIRE DR MCLEAN, VA 22101

I HEREBY CERTIFY THAT ALL WETLANDS PERMITS REQUIRED BY LAW WILL BE OBTAINED PRIOR TO COMMENCING LAND-DISTURBING ACTIVITIES.

SIGNATURE:  DATE: 4/28/04

OWNER/DEVELOPER: KARL E. SCHWARTZ AGENT

RECOMMEND APPROVAL (SIGNATURE & PRINTED NAME)	
STREETLIGHT SECTION, PLANNING & DESIGN DIVISION-DPWES	
PUBLIC WATER AGENCY	
SANITARY SEWER REVIEW, EFRD, OSDS - DPWES	
GEOTECHNICAL REVIEW, EFRD, OSDS - DPWES	
STORMWATER REVIEW, EFRD, OSDS - DPWES	
URBAN FORESTRY DIVISION, OSDS - DPWES	
FAIRFAX COUNTY FIRE MARSHAL	
FAIRFAX COUNTY HEALTH DEPARTMENT	
VIRGINIA DEPARTMENT OF TRANSPORTATION	
PLAN REVIEWER, ENVIRONMENTAL & FACILITIES REVIEW DIVISION, OSDS - DPWES	
DIRECTOR, ENVIRONMENTAL & FACILITIES REVIEW DIVISION, OSDS - DPWES	

APPROVED

DATE: \_\_\_\_\_ BY: \_\_\_\_\_ DIRECTOR, DEPT. OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES

THIS PLAN SHALL EXPIRE WITHOUT NOTICE IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF THE COUNTY CODE. REVISIONS DO NOT EXTEND THE APPROVAL PERIOD. THE APPROVAL PERIOD IS INDEPENDENT OF THE AGREEMENT EXPIRATION DATE.

THIS APPROVAL IS NOT A COMMITMENT TO PROVIDE PUBLIC SANITARY SEWER

CERTIFICATE OF NO CHANGE (FOR SUBMISSION OTHER THAN THE FIRST)

HEREBY CERTIFY THAT NO CHANGES HAVE BEEN MADE THAT WOULD AFFECT THE PRIOR APPROVAL BY THE

FIRE MARSHAL DATED \_\_\_\_\_  
WATER AUTHORITY DATED \_\_\_\_\_  
HEALTH DEPARTMENT DATED \_\_\_\_\_  
VDOT DATED \_\_\_\_\_  
DPWES-WPMD (SAN. SEW.) DATED \_\_\_\_\_  
DPWES-STREETLIGHTS DATED \_\_\_\_\_

SHEET INDEX	
1	COVER SHEET
2	NOTES & CORRESPONDENCE
3	GRADING PLAN
4	FIRE LANE PLAN

PLAN REVIEW FEE COMPUTATION				
PLAN TYPE	PUBLIC IMPROVEMENT PLANS (PI)	SUBDIVISION PLANS (SD)	SITE PLANS (SP)	
BASE FEE	BASE FEE= \$1,725 \$1,725	IF LESS THAN 10 LOTS \$4,300	IF 10 LOTS OR MORE, ADD \$1,500	PLUS \$890 PER DISTURBED ACRE (OR \$2,200 PER DISTURBED HECTARE) (ROUND UP DISTURBED AREA TO WHOLE NUMBER) (OR AC. X \$890 ha X \$2,200)
BASE FEE	\$1,725	\$4,300	\$1,725	\$4,800
FEES IN ADDITION TO BASE FEE - APPLIES TO ALL PLAN TYPES				
REZONING	\$1,000			
SPECIAL EXCEPTION OR PERMIT	\$700			
VARIANCE	\$520			
MAX. FEE RELATED TO ZONING	\$1,700			
PROBLEM SOIL AREA	\$520			
NATURAL DRAINAGE WAY	\$350			
FLOOD PLAIN AREA	\$350			
SWM FACILITY (EA)	\$430			
BMP FACILITY (EA)	\$1,150			
FEE RELATED TO DRAINAGE & SOILS				
IMPROVEMENTS ON PI PLANS (OR QNTY.(ft.) X \$0.58/ft. OR QNTY.(m) X \$1.90/m) FEE				
SANITARY SEWER				
STORM SEWER				
TRAILS				
SIDEWALKS				
ROAD IMPROVEMENTS				
CHANNEL IMPROVEMENTS				
WATERLINE				
TOTAL REVIEW FEE PAYABLE UPON SUBMISSION	ADD 1, 2, 3 & 4 ABOVE	ADD 1, 2 & 3 ABOVE	ADD 1, 2 & 3 ABOVE	
INSERT FEE \$50 PER PAGE DUE PRIOR TO APPROVAL	A \$	B \$	C \$	D \$
RESUBMISSION FEE 50% OF ORIG. FEE	3RD \$	2,300 PER SUBMISSION>2ND 4TH \$	2,300 PER SUBMISSION>2ND 4TH \$	3RD \$

FOR COUNTY USE ONLY

APPROVAL NOTES/CONDITIONS:		AGREEMENTS, PERMITS, ETC.	
DATE _____	CONSTRUCTION PERMIT RECEIVED	DATE _____	SANITARY SEWER AGREEMENT
# _____		DATE _____	CONSERVATION ESCROW AGREEMENT RECEIVED
DATE _____	AGREEMENT AND BOND APPROVED	DATE _____	AGREEMENT EXPIRES
DATE _____	BALANCE OF FEE PAID	DATE _____	RESPONSIBLE LAND DISTURBER (R.L.D.)
NAME _____	R.L.D. CERTIFICATE NUMBER	# _____	

NOTES AND CONDITIONS

- THE APPROVAL OF THESE PLANS SHALL IN NO WAY RELIEVE THE DEVELOPER OR HIS AGENT OF ANY LEGAL RESPONSIBILITIES WHICH MAY BE REQUIRED BY THE CODE OF VIRGINIA OR ANY ORDINANCE ENACTED BY THE COUNTY OF FAIRFAX.
- THE DESIGN, CONSTRUCTION, FIELD PRACTICES, AND METHODS SHALL CONFORM TO THE REQUIREMENTS SET FORTH IN THE FAIRFAX COUNTY CODE AND IN THE PUBLIC FACILITIES MANUAL AS AMENDED. FAILURE TO COMPLY WITH THE FAIRFAX COUNTY CODE, THE PUBLIC FACILITIES MANUAL, THE APPROVED PLANS, THE PROVISIONS OF THE CONSTRUCTION AND ESCROW AGREEMENT PERMIT SHALL BE DEEMED A VIOLATION.
- WATER DISTRIBUTION NOTE: ALL FIRE PROTECTION SYSTEMS WHICH ARE INSTALLED IN COMPLIANCE WITH THESE PLANS AND COUNTY OF FAIRFAX ORDINANCES SHALL BE MAINTAINED IN AN OPERATIVE CONDITION AT ALL TIMES. WHEN NECESSARY TO TEMPORARILY REDUCE OR DISCONTINUE THE PROTECTION IN ORDER TO MAKE TESTS, REPAIRS, ALTERATIONS OR ADDITIONS, NOTIFY THE FAIRFAX COUNTY PUBLIC SAFETY COMMUNICATIONS CENTER AT 703-691-2131.
- A PERMIT MUST BE OBTAINED FROM THE OFFICE OF THE RESIDENT ENGINEER, VIRGINIA DEPARTMENT OF TRANSPORTATION, NORTHERN VIRGINIA DISTRICT, BEFORE ANY CONSTRUCTION IS STARTED ON ANY EXISTING STATE ROUTE. CONTACT THE VIRGINIA DEPARTMENT OF TRANSPORTATION THREE WORKING DAYS BEFORE EXCAVATION IN ANY STATE RIGHT OF WAY AT 703-383-2888.
- CONTRACTORS SHALL NOTIFY THE "MISS UTILITY" NOTIFICATION CENTER AT 1-800-552-7001 FOR ANY PROPOSED EXCAVATION, DEMOLITION, OR BLASTING AT LEAST TWO WORKING DAYS PRIOR TO COMMENCEMENT OF EXCAVATION, DEMOLITION, OR BLASTING IN ACCORDANCE WITH THE VIRGINIA UNDERGROUND UTILITY DAMAGE PREVENTION ACT. IN ADDITION, NAMES AND TELEPHONE NUMBERS SHALL ALSO BE USED TO SERVE IN AN EMERGENCY CONDITION AS REQUIRED BY SECTION 63-2-2 OF THE FAIRFAX COUNTY CODE.
- FOR SITES PROPOSING LAND DISTURBING ACTIVITIES OF ONE (1) ACRE OR MORE, THE CONSTRUCTION ACTIVITY OPERATOR MUST REGISTER WITH THE DEPARTMENT OF ENVIRONMENTAL QUALITY OF THE COMMONWEALTH OF VIRGINIA. THIS IS A REQUIREMENT OF THE VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM (VPDES) GENERAL PERMIT FOR CONSTRUCTION ACTIVITIES.
- THE COUNTY INSPECTOR SHALL BE NOTIFIED WHEN ANY IMPROVEMENTS PERTINENT TO HIS INSPECTION DUTIES ARE BEING INSTALLED. SPECIFIC REQUIREMENTS ARE:
  - A. THE COUNTY SITE INSPECTOR IS TO BE NOTIFIED AT LEAST 3 DAYS PRIOR TO START OF CONSTRUCTION.
  - B. A MINIMUM OF 24 HOURS NOTICE IS REQUIRED WHEN REQUESTING RESIDENTIAL OR NON-RESIDENTIAL USE PERMITS.
  - C. A MINIMUM OF 48 HOURS NOTICE IS REQUIRED WHEN REQUESTING TESTS PERTAINING TO SANITARY SEWER ACCEPTANCE.

Widewater Consulting, Inc.  
519 Pearce Blvd  
Stafford, Virginia 22459-2922  
PH: (540) 687-2823  
FX: (540) 687-2824  
www.widewaterconsulting.com

PROJECT COORDINATOR: KARL E. SCHWARTZ, P.E.  
CHECK IF SUBMITTED BY DPE:

COVER SHEET  
MITRE CORPORATION  
DULLES SOUTH THREE  
FAIRFAX COUNTY, VIRGINIA  
SULLY DISTRICT

COUNTY NUMBER  
4948 - MSP -02-1

SITE REVIEW ENGINEER

SHEET 1 OF 4  
REVISED: 7/7/03

March 31, 1982

PROFFER STATEMENT IN CONNECTION WITH REZONING CASE No. RZ 80-S-019 From R-1 Residential to I-5 Industrial Filed in the Name of Rosalie L. Schnider and Fred Schnider

In the event that the Fairfax County Board of Supervisors amends the zoning ordinance to the I-5 Industrial District as requested, development of the subject property will be in general accordance with the Generalized Development Plan prepared by Patton, Harris, Rust and Associates, P.C., dated February, 1982, and will be in accordance with the following conditions voluntarily offered, pursuant to Virginia Code 15.1-491(a):

- 1. A spill containment program will be provided, consisting of berming around any chemical or hazardous substance storage areas, with an impermeable seal beneath these areas and on-site straw bale storage for emergency spill control.
2. If educational, institutional or hotel/motel uses are developed on the site, noise attenuation measures prescribed by Appendix A to Board Policy on noise attenuation in the Dulles Airport noise zone will be provided.
3. Where the site abuts Walney Road (State Route #657), Walney Road will be widened 35 feet from centerline, with

curb, gutter and sidewalk. Right-of-way will be dedicated 45 feet from centerline. Appropriate right-turn deceleration/acceleration lanes will be provided for site entrances, and appropriate transition pavements will be provided to the existing roadway.

- 4. On Lee-Jackson Highway (U.S. Route #50), a third east-bound lane will be constructed across the site frontage and across the adjacent church parcel (provided adequate right-of-way exists across the church parcel). The existing left-turn stacking lane in the median of Route #50, which will serve the site's Route #50 entrance, will be extended to provide a 200-ft. stacking lane. A reservation of land will be made for a future service drive along Route #50 between the adjacent church parcel and the commercially zoned properties to the east, if the Fairfax County Department of Environmental Management determines that a standard service drive may be required in the future. In lieu of the standard service drive, travel lane access easements will be granted to these adjacent properties at a distance removed from the Route #50 intersection, to provide for safer turning movements.
5. The Applicant acknowledges the possibility of limited access status for Lee-Jackson Highway (U.S. Route #50) in the future. In the event that VDH&T acquires limited access rights for all properties adjacent to Lee-Jackson Highway, between Sully Road (Route #28) and Walney Road (Route #657), and implements the same, the Applicant

would agree to the closing of the Route #50 site entrance and the Route #50 median break. In the event that VDH&T enters into a contract for construction of the proposed Route #50/Route #28 interchange, the Applicant would agree to the closing of the Route #50 median break or the closure of the Route #50 site entrance.

- 6. Minor reservations of right-of-way will be made for the future construction of the Route #50/Route #28 interchange, as shown on the Generalized Development Plan.
7. A reverse frontage concept will be employed along Walney Road; however, the Applicant reserves the right to provide up to three secondary entrances (right-turn-in/right-turn-out) along Walney Road as indicated on the Generalized Development Plan.
8. No access shall be provided to or from Coda Place.
9. An industrial street will be constructed, or funds will be escrowed for eventual construction of a stub street which will provide future access to the proposed Willard Road; the location of this street will be coordinated with the adjacent industrial property to the south.
10. Stormwater detention facilities will be constructed in the general locations shown on the Generalized Development Plan. These facilities will be designed in accordance with the "Best Management Practices" for stormwater quality control.

- 11. A county-wide trail will be constructed along the site's Route #50 frontage.

WITNESS the following signatures and seals:

Handwritten signatures and seals for Fred Schnider and Rosalie L. Schnider.

PROFFER CONDITIONS ANALYSIS

- 1. NO HAZARDOUS WASTE STORAGE AREAS ARE PROPOSED WITH THIS APPLICATION. DOES NOT APPLY.
2. NO NEW HOTEL, EDUCATIONAL OR INSTITUTIONAL USES ARE PROPOSED WITH THIS APPLICATION. DOES NOT APPLY.
3. THIS PARCEL DOES NOT ABUT WALNEY RD. DOES NOT APPLY.
4. DOES NOT APPLY TO THIS PARCEL. THIS WORK HAS ALREADY BEEN COMPLETED WITH PRIOR SITE PLANS.
5. DULY NOTED.
6. DULY NOTED AND THE RESERVATION IS SHOWN ON THE PLAN.
7. DOES NOT APPLY TO THIS PLAN.
8. DULY NOTED. THE PLAN PROPOSES NO CONNECTION TO CODA PLACE.
9. ALREADY CONSTRUCTED WITH PRIOR DEVELOPMENT.
10. ALREADY CONSTRUCTED WITH PRIOR DEVELOPMENT. THIS PLAN DOES NOT PROPOSE ANY LAND DISTURBANCE OR INCREASE IN IMPERVIOUS AREA.

PROJECT DESCRIPTION

THIS PROJECT PROPOSES THE CONSTRUCTION OF APPROXIMATELY 2,000 S.F. OF MEZZANINE WITHIN THE EXISTING FOOTPRINT OF THE EXISTING BUILDING. NO EXTERIOR EXPANSION OF THE EXISTING BUILDING IS PROPOSED. THE WORK IS PROPOSED BY MITRE CORPORATION A TENANT OF THE BUILDING, AND WILL EXPAND THEIR PORTION OF THE BUILDING FROM 13,664 SQUARE FEET TO 15,664 SQUARE FEET. THE EXPANSION CONSISTS OF A METAL FLOOR FOR STORAGE. NO NEW BATHROOMS OR OFFICE SPACE IS PROPOSED.

THE ONLY EXTERIOR WORK PROPOSED CONSISTS OF STRIPING TWO NEW HANDICAPPED ACCESSIBLE PARKING SPACES, PLANTING OF 2 TREES AND NEW SIGNAGE AS REQUIRED. NO GRADING OR LAND DISTURBANCE REQUIRING AN EROSION AND SEDIMENT CONTROL PLAN IS PROPOSED.

GENERAL NOTES

- 1. THIS PROPERTY IS LOCATED ON TAX MAP 34-3 ((5)) E4 AND IS ZONED I-5.
2. OWNER: WILBUR L. MCBAY ASSOC. LLC 1713 CHESTERBROOK VALE CT MCLEAN, VIRGINIA 22101
3. BOUNDARY INFORMATION TAKEN FROM RECORD INFORMATION. THE RECORD PLAT PREPARED BY PATTON HARRIS RUST IN D.B. 5907 PG 1923 IN FAIRFAX COUNTY LAND RECORDS.
4. TOPOGRAPHY INFORMATION IS TAKEN FROM RECORD SOURCES. NO OUTDOOR CONSTRUCTION IS PROPOSED.
5. THE DEVELOPMENT PROPOSES WILL UTILIZE EXISTING WATER & SANITARY CONNECTIONS.
6. THE DEVELOPMENT SHALL CONFORM TO ALL APPLICABLE ORDINANCES, REGULATIONS AND ADOPTED STANDARDS.
7. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO GRAVES, OBJECTS OR STRUCTURES MARKING A PLACE OF BURIAL ON THIS SITE.
8. NO LAND DISTURBING ACTIVITIES ARE PROPOSED WITH THIS APPLICATION, THEREFORE NO EROSION AND SEDIMENT CONTROL PLANS OR PRIORITY RATING FORM IS REQUIRED.
9. CONSTRUCTION OF THE MEZZANINE IS SCHEDULED TO BEGIN AS SOON AS ALL NECESSARY COUNTY APPROVALS AND PERMITS ARE OBTAINED.
10. TO THE BEST OF OUR KNOWLEDGE, NO HAZARDOUS WASTE EXISTS ON THIS SITE.
11. AN AIR QUALITY PERMIT SHALL BE OBTAINED, IF NECESSARY, PRIOR TO CLEARING, GRADING AND CONSTRUCTION.
12. THIS PLAN WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. NOT ALL ENCUMBRANCES MAY BE SHOWN ON THIS PLAN.
13. THIS SITE LIES WITHIN ZONE "X", AN AREA OUTSIDE THE 500 YEAR FLOOD PLAIN PER FEMA FIRM PANEL 51552500025D.
14. PER COUNTY MAPPING THERE IS AN RPA ON THIS SITE AS PLOTTED ON THE PLAN.
15. TRANSITIONAL SCREENING NOT REQUIRED.
16. ALL EXISTING PAVEMENT AREAS ONSITE WILL BE PRIVATELY OWNED AND MAINTAINED. NO ADDITIONAL PAVEMENT IS PROPOSED.

RPA STATEMENT

THIS PLAN COMPLIES WITH THE CHESAPEAKE BAY PRESERVATION ORDINANCE AS AMENDED THROUGH NOVEMBER 18, 2003. NO DISTURBANCE IS PROPOSED WITHIN AN RPA AREA ESTABLISHED BY FAIRFAX COUNTY MAPPING AS SHOWN ON THIS PLAN. EXISTING IMPROVEMENTS AND USES WITHIN THE RPA WERE ESTABLISHED IN 1986 UNDER APPROVED PLAN #4948-SP-01 PRIOR TO THE ESTABLISHMENT OF THE RPA. IN 1993. ADDITIONALLY THERE IS NO INCREASE IN IMPERVIOUS AREA, THEREFORE THERE IS NO INCREASE IN PHOSPHORUS LOADING.

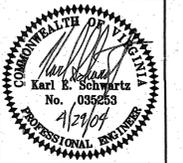
MITRE CORPORATION DULLES SOUTH THREE

GENERAL NOTES AND CONDITIONS

Table with columns: DATE, DESIGNER, NO., DESCRIPTION, REV. APPROVED, DATE

SCALE: 1" = 30'

DATE: APRIL 2004



Widewater Consulting, Inc. Civil Engineering 515 Decatur Road Stafford, Virginia 22554-2822 PH: (540) 657-2626 FX: (540) 657-2624 karl@widewaterconsulting.com

**INTERIOR PARKING LOT LANDSCAPING**  
(20 OR MORE PARKING SPACES)

AREA OF PARKING LOT	88,270 SF
LANDSCAPING REQUIRED (5% OF ABOVE)	4,414 SF
LANDSCAPING PROVIDED 5.3%	4,700 SF

**PERIPHERAL PARKING LOT LANDSCAPING**

- 430 LF ALONG RTE 28 @ 1/40 = 11 TREES REQ  
 9 EXISTING  
 2 PROPOSED  
 150 LF ALONG RTE 28 @ 1/40 = 4 TREES REQ  
 4 EXISTING  
 465 LF ALONG POND @ 1/50 = 9 TREES REQ  
 11 EXISTING  
 126 LF ALONG PARCEL E2 @ 1/50 = 3 TREES REQ  
 3 EXISTING

**OPEN SPACE CALCULATION**

OPEN SPACE REQUIRED(15%) = 33,277 SF  
 OPEN SPACE PROVIDED(25%) = 55,000 SF

**TREE COVER CALCULATION**

EXISTING ZONING	1-5
REQUIRED % TREE COVER	10%
GROSS LOT AREA	221,842 S.F.
DEDUCTIBLE AREA (BUILDING)	57,828 S.F.
NET LOT AREA	16,401 S.F.

TREE COVER REQUIRED(10%) = 43,975 S.F.

**EXISTING TREE COVER CREDIT**  
(PFM 12-0702.2C OPTION A)

14,400 SF x 1.25 = 18,000 S.F.

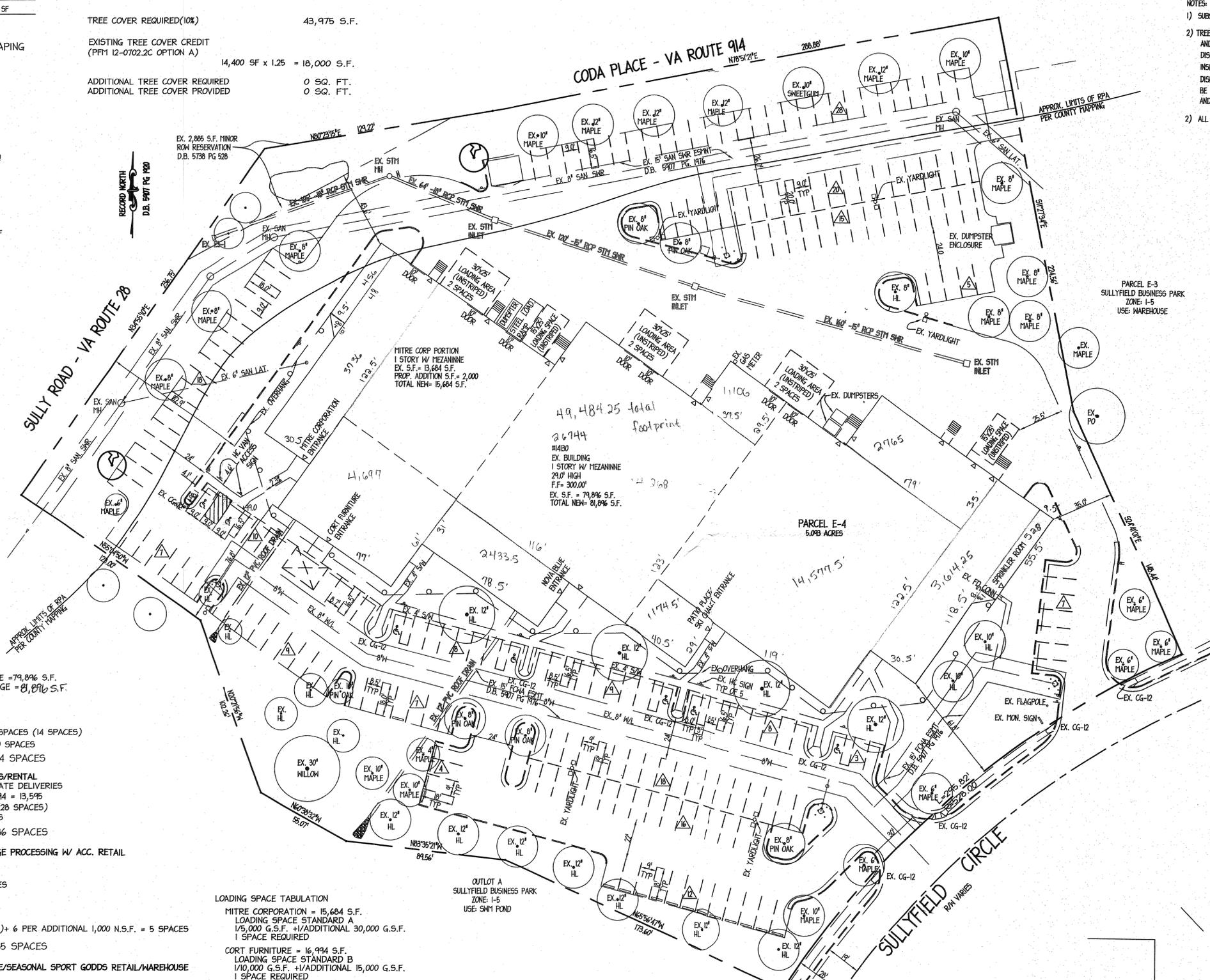
ADDITIONAL TREE COVER REQUIRED = 0 SQ. FT.  
 ADDITIONAL TREE COVER PROVIDED = 0 SQ. FT.

SYMBOL	BOTANICAL NAME	COMMON NAME	QUANTITY	CALIPER	HEIGHT	TREE COVER CREDIT	REMARKS
	ACER RUBRUM	RED MAPLE	2	2"		400 SF	B&B

**NOTES:**

- SUBSTITUTIONS TO THE PLANT LIST SHALL BE OF THE SAME CATEGORY OF PLANT MATERIAL, AND SHALL BE HEALTHY AND VIGOROUS PLANTS, FREE FROM DEFECTS, DECAY, DISFIGURING ROOTS, SUN-SCALD, INJURIES, ABRASIONS OF THE BARK, PLANT DISEASES, INSECT PEST EGGS, BORERS AND ALL FORMS OF INFESTATIONS OR OBJECTIONABLE DISFIGUREMENTS, AS DETERMINED BY THE DIRECTOR OF PUBLIC WORKS. PLANTS SHALL BE IN ACCORDANCE WITH THE CURRENT AMERICAN ASSOCIATION OF NURSERYMEN'S STANDARDS AND CONFORM IN GENERAL TO REPRESENTATIVE SPECIES.
- ALL PLANT MATERIALS AND PLANTING METHODS SHALL CONFORM TO FFX CO PFM STANDARDS.

HL = THORNLESS COMMON HONEY LOCUST



**PARKING TABULATION**

TOTAL EXISTING BUILDING SQUARE FOOTAGE = 79,896 S.F.  
 TOTAL PROPOSED BUILDING SQUARE FOOTAGE = 21,076 S.F.

**USE: MITRE CORPORATION - WAREHOUSE**

EXISTING G.S.F. = 13,684 S.F.  
 PROPOSED G.S.F. = 15,684 S.F.  
 1 SPACES/1.5 EMPLOYEES(20) = 13.3 SPACES (14 SPACES)  
 1 SPACES PER COMPANY VEHICLE = 0 SPACES  
 SPACES REQUIRED FOR THIS USE = 14 SPACES

**USE: CORT FURNITURE - FURNITURE SALES/RENTAL**

NO WAREHOUSING EXCEPT FOR IMMEDIATE DELIVERIES  
 G.S.F. = 16,994 S.F. N.S.F. = 0.8046, 994 = 13,595  
 1 SPACES/500 N.S.F. = 27.2 SPACES (28 SPACES)  
 1 SPACE PER EMPLOYEE = 8 SPACES  
 SPACES REQUIRED FOR THIS USE = 36 SPACES

**USE: NOVA BLUE PRINTING - PRINTING/IMAGE PROCESSING W/ ACC. RETAIL**

TOTAL S.F. = 12,400 G.S.F.  
 MANUFACTURING S.F. = 11,400 G.S.F.  
 1 SPACE PER EMPLOYEE = 25 SPACES  
 1 SPACE PER VEHICLE = 5 SPACES  
 RETAIL S.F. = 1,000 N.S.F.  
 1 SPACE/200 N.S.F. (1ST 1,000 N.S.F.) + 6 PER ADDITIONAL 1,000 N.S.F. = 5 SPACES  
 SPACES REQUIRED FOR THIS USE = 35 SPACES

**USE: PATIO PLACE/SKI CHALET - FURNITURE/SEASONAL SPORT GODDS RETAIL/WAREHOUSE**

TOTAL S.F. = 36,818 S.F.  
 FURNITURE RETAIL = 40% \* 36,818 S.F. = 14,727 S.F.  
 1 SPACE/500 S.F. = 29 SPACES (30 SPACES)  
 1 SPACE PER EMPLOYEE = 15 SPACES  
 WAREHOUSE = 60% \* 36,818 S.F. = 22,091 S.F.  
 1 SPACE PER 1.5 EMPLOYEES(15) = 10 SPACES  
 1 SPACE PER COMPANY VEHICLE = 3 SPACES  
 SPACES REQUIRED FOR THIS USE = 58 SPACES

TOTAL SPACES REQUIRED = 143 SPACES  
 TOTAL SPACES PROVIDED = 204 SPACES

**LOADING SPACE TABULATION**

MITRE CORPORATION = 15,684 S.F.  
 LOADING SPACE STANDARD A  
 1/5,000 G.S.F. +/ADDITIONAL 30,000 G.S.F.  
 1 SPACE REQUIRED

CORT FURNITURE = 16,994 S.F.  
 LOADING SPACE STANDARD B  
 1/10,000 G.S.F. +/ADDITIONAL 15,000 G.S.F.  
 1 SPACE REQUIRED

NOVA BLUE = 12,400 S.F.  
 LOADING SPACE STANDARD A  
 1/10,000 G.S.F. +/ADDITIONAL 30,000 G.S.F.  
 1 SPACE REQUIRED

PATIO PLACE/SKI CHALET = 36,818 S.F.  
 LOADING SPACE STANDARD A  
 1/5,000 G.S.F. +/ADDITIONAL 30,000 G.S.F.  
 2 SPACES REQUIRED

TOTAL LOADING SPACES REQUIRED = 5  
 TOTAL LOADING SPACES PROVIDED = 7

**ACCESSIBLE SPACE TABULATION**

HANDICAPPED SPACES REQUIRED:  
 201 TO 300 SPACES = 7 SPACES  
 EXISTING SPACES = 5  
 ADDITIONAL SPACES PROVIDED = 2  
 VAN ACCESSIBLE SPACES PROVIDED = 2

**Widewater Consulting, Inc.**  
 CIVIL ENGINEERING  
 515 Decatur Road  
 Stafford, Virginia 22554-2922  
 PH: (540) 657-2626  
 FX: (540) 657-2624  
 karl@widewaterconsulting.com

**MITRE CORPORATION**  
**DULLES SOUTH THREE**  
 SULLY DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

DATE	DESIGNER	NO.	DESCRIPTION	REV.	APPROVED	DATE

SCALE: 1" = 30'  
 DATE: APRIL 2004

**Karl E. Schwartz**  
 No. 035283  
 PROFESSIONAL ENGINEER

SHEET 3 OF 4

## DESCRIPTION OF THE APPLICATION

The applicant, A&E Entertainment., seeks approval of a special permit application to permit an indoor commercial recreation use in the General Industrial District (I-5). The applicant proposes to convert the interior of an existing industrial building into an indoor miniature golf establishment, which would include miniature golf activities along with miniature bowling and arcade games. These recreational spaces would be supported with a small office area. No exterior modifications are proposed.

The facility would accommodate a maximum of 70 patrons along with 10 employees on-site at any one time. The proposed hours of operation are varied and included in the following table:

<b>PROPOSAL</b>	
<b>Size of Tenant Space:</b>	12,291 square feet
<b>Parking:</b>	184 spaces required / 205 spaces provided
<b>Patrons:</b>	70
<b>Employees:</b>	10
<b>Hours of Operation:</b>	Sunday through Saturday: 10:00 a.m. to 12:00 a.m.

A copy of the special permit plat titled "Mitre Corporation Dulles South Three," prepared by Karl E. Schwartz, P.E., dated April 29, 2004, is included at the front of the staff report. Copies of the proposed development conditions, the statement of justification with select file photographs, and the affidavit are contained in Appendices 1 through 3, respectively.

## CHARACTER OF THE SITE AND SURROUNDING AREA

The applicant's space is located within a five-acre parcel located on the west side of Sullyfield Circle, which is directly south of the Sully Road (Route 28) and Lee Jackson Memorial Highway (Route 50) interchange. The site is part of the larger Sullyfield Business Park. The property is developed as an industrial warehouse/flex building with a total floor area ratio of 0.37. The property can be accessed from two different entrances along Sullyfield Circle. According to the previously approved parking tabulations, the site provides a total of 205 parking spaces.



Figure 1: Site location

The subject property and surrounding properties to the east and south are zoned I-5, HC, WS, and AN and developed with industrial / flex uses. The land to the north and west VDOT right-of-way associated with the Sully Road (Route 28) interchange with Lee Jackson Memorial Highway (Route 50).

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Sully / Lee Jackson Interchange	R-1	Mixed Use
South	Industrial / Flex	I-5	Mixed Use
East	Industrial / Flex	I-5	Mixed Use
West	Sully Road (Route 28)	R-1	Mixed Use

**BACKGROUND**

The one-story industrial building, part of which will be converted to a miniature golf use, was constructed in 1985.

On February 7, 2008, a parking tabulation identified as 4948-PKS-053-1 was approved for the subject property; this tabulation is included as Appendix 4. The tabulation shows a required 180 parking spaces for the mix of uses, which requires 30 parking spaces for Suite B (the subject space). With the proposed indoor commercial recreation use taking the wholesale trade establishment’s place, the new use will require 34 parking spaces. Therefore, the new mix of uses on-site would require 184 parking spaces, or a net gain of 4 parking spaces. The site is currently over-parked with 205 parking spaces. The applicant has provided a revised parking tabulation to reflect the proposed use and

required spaces; this tabulation is included in Appendix 5.

On April 5, 1982, the Board of Supervisors approved RZ 80-S-019, which rezoned 138.16 acres to the I-5 District.

Since the adoption of the Zoning Ordinance, the Board of Zoning Appeals (BZA) has approved a Special Permit and subsequent amendments for two health clubs and an indoor commercial recreation use. SP 91-Y-058 approved the Women's Club Fitness Center & Day Spa, which is located at 14175 Sullyfield Circle; SP 87-S-088 and subsequent amendments permitted Gold's Gym, which is located at 14290 Sullyfield Circle. SP 88-S-014 approved an indoor recreation use, which appears to no longer be in operation.

**Plan Area:** Area III, Bull Run Planning District  
**Planning Sector:** Dulles Suburban Center, Land Unit E-3  
**Plan Map:** Mixed Use

**Plan Text:**

The Fairfax County Comprehensive Plan, 2013 Edition, Area III, Dulles Suburban Center, as amended through 10-20-2015, Land Unit E-3 Recommendations, Page 115, the Plan, as applied to the application area, states the following:

*"Most of the land unit is developed, primarily in retail, industrial, industrial/flex and campus-style office use. The industrial and industrial/flex uses are primarily located in the northern portion of the land unit oriented to the Route 50/Route 28 interchange. This portion of the land unit includes the Sullyfield Business Park, developed at an FAR of approximately .35."*

**ANALYSIS**

**Description of SP Plat:**

***Proposed Layout:***

The applicant's plat (they are using the Mitre Corporation's site plan from 2004, which was permitted by staff in-lieu of a special permit plat) shows the existing four industrial/flex building along with the parking lot. No exterior construction or modifications are proposed with this application. The applicant proposes to utilize a 12,291 space within the 91,246 SF building.

***Vehicle Access and Parking:***

The site, located in the northwestern portion of the industrial park, is accessed from an entrance off of Sullyfield Circle. As previously discussed, a parking tabulation was approved on February 7, 2008, which is included in Appendix 4. Based on the existing uses of Warehouse, Associated Retail, and Wholesale Trade Establishment, a total of

180 parking spaces is required. With the newly proposed Indoor Commercial Recreation use, 184 parking spaces will be required. With the provision of 205 total parking spaces on-site, the lot has an excess of 21 parking spaces.

### ***Stormwater Management***

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

## **STAFF ANALYSIS**

### **Land Use Analysis**

As stated by the Comprehensive Plan, development in this area should be consistent with the goals of maintaining the retail and industrial/flex nature of the Sullyfield Business Park. The proposed indoor commercial recreation use is a permitted special permit use within the I-5 zoning district. No new exterior construction is proposed, and the commercial recreation use will operate in a consistent manner with the surrounding uses. As the busiest hours of operation mainly occur outside of normal business hours of the surrounding uses, staff does not anticipate any conflict with the industrial/flex uses within the adjacent tenant bays. Staff believes that the proposed use is in harmony with the Comprehensive Plan.

### **Transportation Analysis (Appendix 6)**

FCDOT and VDOT have reviewed this application, and FCDOT noted that the pedestrian curb ramp nearest to the proposed entrance to the proposed miniature golf establishment is not compliant with ADA-requirements. Due to the increase of pedestrian traffic from the previous warehouse use, this curb ramp should be made ADA-compliant to facilitate safe ingress for all patrons. Staff has included a development condition to this effect.

### **Urban Forest Management**

The Urban Forest Management Branch of DPWES reviewed the application, and no comments or concerns were noted.

## ZONING ORDINANCE PROVISIONS

The chart below compares the required bulk standards of the I-5 zoning district with the proposed development:

Bulk Requirements (I-5)		
Standard	Required	Provided
Min. Lot Area	20,000 square feet	5.1 acres
Min. Lot Width	100 feet	>100 feet
Max. Building Height	75 ft.	29 ft.
Front Yard	45° angle of bulk plane, not less than 40 ft.	>40 ft.
Rear Yard	No requirement	N/A
Side Yard	No requirement	N/A
Maximum FAR	0.50	0.37
Parking Spaces	184	205

### Special Permit Requirements

**General Standard 1** states that *the proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan*. The site falls within the Sullyfield Business Park, which is planned for mixed use and envisioned to contain a mix of retail, industrial/flex, and offices uses. The proposed use will take place entirely inside the building and should not have any impact on the character of the business park. As discussed in the land use analysis section, the proposed operational hours of the commercial recreation use are mainly outside of the normal business areas of the surrounding uses. Accordingly, the proposed use is in harmony with the recommendations of the Comprehensive Plan for the Dulles Suburban Center.

**General Standard 2** states that *the proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations*. An indoor commercial recreation use is permitted in an I-5 zone through special permit approval. In staff's opinion, the proposed use will not negatively affect the nearby industrial and commercial uses. With the adoption of the proposed development conditions, it is staff's opinion that the proposal is consistent with the purpose and intent of the I-5 District.

**General Standard 3** requires that *the proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan*. *The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof*. The site is surrounded by industrial and commercial uses, and the busiest hours for the indoor commercial recreation use are predominantly outside the business hours of the surrounding industrial/flex uses. It is staff's opinion that the proposed use will not hinder or discourage development of the neighboring properties, and that this use is in

conformance with the comprehensive plan recommendations. As no construction or exterior alterations are proposed, the building will continue to be in harmony with the surrounding buildings in regards to size, height, and appearance. In addition, no new screening or landscaping is required, as no construction is proposed with this application.

**General Standard 4** states that *the proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.* As previously discussed, much of the anticipated traffic associated with the use will occur outside of the business hours of surrounding uses. Staff believes that the proposal will not conflict with existing traffic at the Sullyfield Business Park. In staff's opinion, this standard has been met.

**General Standard 5** states that *in addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.* This application was reviewed by the Urban Forestry Management Division, and the existing vegetation was determined to be sufficient. As there is no construction or exterior modifications proposed, no new landscaping or screening is required. Staff finds that this standard has been met.

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

**General Standard 7** requires that *adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking requirements are proposed to be in accordance with the provisions of Article 11.* With an overall total of 205 parking spaces, the site exceeds the parking requirements in Article 11. The project is exempt from stormwater regulations, and all other utilities appear adequate to serve the project.

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

#### **Standards for All Group 5 Uses (Sect. 8-503)**

*The Group 5 Standards require that the proposed use comply with the lot size and bulk regulations for the I-5 District, comply with the performance standards and satisfy site plan review.*

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

## **CONCLUSION**

As previously discussed, staff believes that the proposed indoor commercial recreation use will not adversely impact the surrounding industrial/flex uses. The location within the Sullyfield Business Park is suitable for the inclusion of an indoor commercial recreation use. No exterior construction or modifications are proposed, and the commercial recreation activities will occur within the interior of the facility. As the site meets parking requirements for the mix of uses, staff has no outstanding objections or concerns with the proposal.

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

## **RECOMMENDATION**

Staff recommends approval of SP 2016-SU-058 subject to the proposed development conditions contained in Appendix 1.

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

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

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

## **APPENDICES**

1. Proposed Development Conditions
2. Statement of Justification and Select File Photos
3. Affidavit
4. Previously Approved Parking Tabulation, dated October 30, 2007
5. Updated Parking Tabulation, Dated May 2016
6. Memo from FCDOT
7. Applicable Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****SP 2016-SU-058****September 21, 2016**

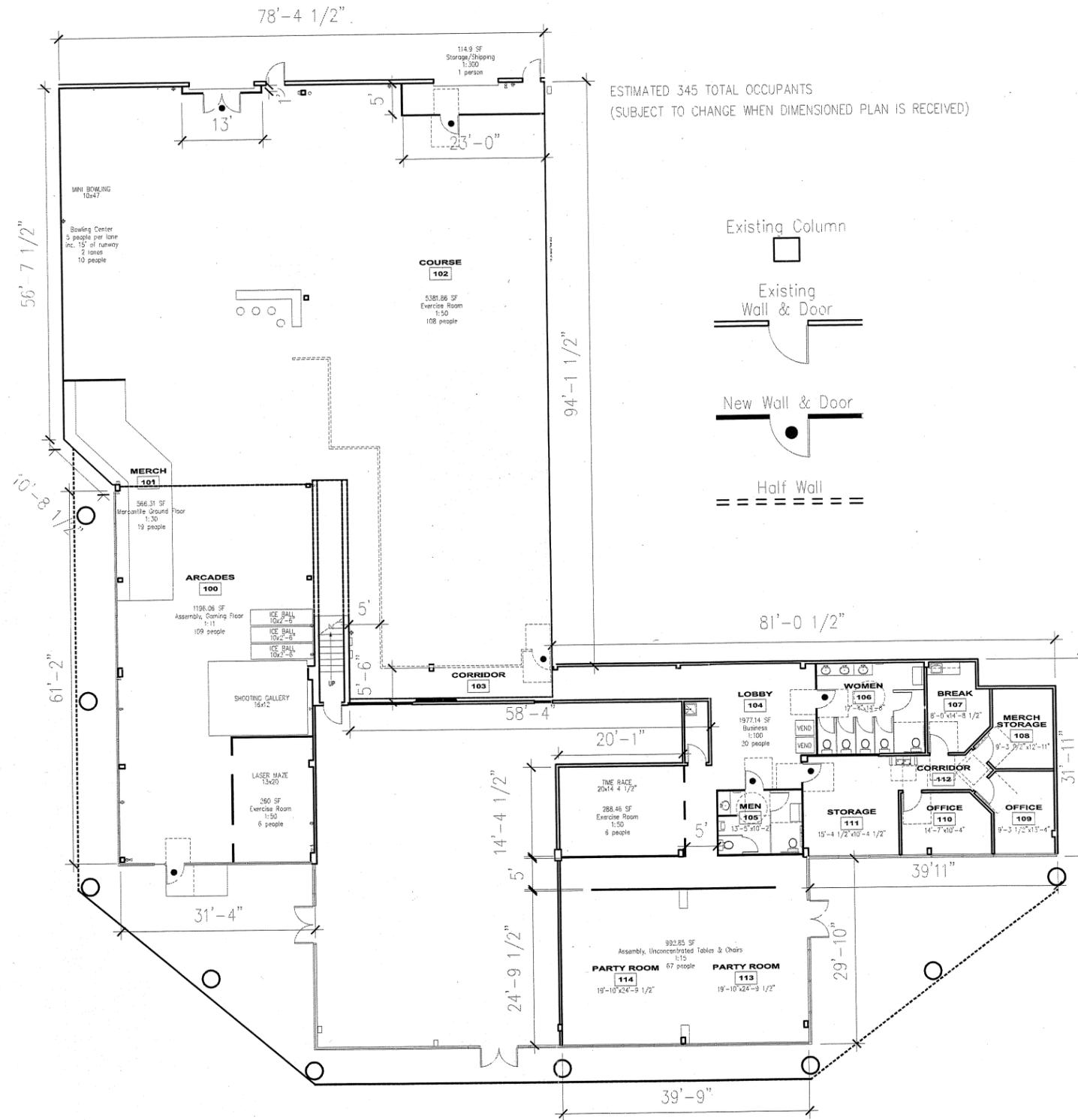
If it is the intent of the Board of Zoning Appeals to approve SP 2016-SU-058 located at Tax Map 34-3 ((5)) E4 to permit an indoor commercial recreation use under Sects. 5-503 and 8-501 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This approval is granted to the applicant, A&E Entertainment LLC, only, and is not transferable without further action of this Board, and is for the location indicated on the application, 14130 Sullyfield Circle, and is not transferable to other land.
2. This special permit is granted only for the purposes, structures and/or uses indicated on the special permit plat titled, "Mitre Corporation Dulles South Three," prepared by Karl E. Schwartz, P.E., dated April 29, 2004, approved with this application, as qualified by these development conditions.
3. A copy of this special permit and the Non-Residential Use Permit (Non-RUP) shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The use shall be in general conformance with the floor plan, included as Attachment 1.
5. Maximum occupancy shall be based on the approved Non-RUP occupancy as issued by the Fairfax County Department of Public Works and Environmental Services (DPWES), and subject to final approval by the Fire Marshal's office.
6. The maximum hours of operation of the use shall be limited to Sunday through Saturday from 10:00 a.m. to 12:00 a.m.
7. The number of employees shall be limited to ten (10) on-site at any one time.
8. The number of required parking spaces shall be provided in conformance with the provisions of Article 11 of the Zoning Ordinance, as determined by DPWES.
9. If food is served, the applicant shall maintain a valid food handler's permit with the Virginia Department of Health and the site shall be in conformance with the provisions of said permit at all times.

10. The existing curb ramp adjacent to the proposed entrance to the facility shall be brought into compliance with ADA standards.

This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, 30 months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.



RECEIVED  
 Department of Planning & Zoning  
 MAY 31 2016  
 Zoning Evaluation Division

**PRELIMINARY FLOOR PLAN**  
 scale: not to scale

May 10, 2016

**Monster Mini Golf**  
 14130 Sullyfield Circle, Chantilly, Virginia 20151

millerarchitects



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

**WALSH COLUCCI  
 LUBELEY & WALSH PC**

RECEIVED  
 Department of Planning & Zoning

MAY 31 2016

May 31, 2016

Zoning Evaluation Division

**Via Hand Delivery**

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

Re: Proposed Special Permit Application  
 Applicant: A&E Entertainment LLC

Dear Ms. Berlin:

Please accept this letter as a statement of justification for a special permit for property identified among the Fairfax County tax map records as 34-3 ((5)) E4 (the "Subject Property").

The Subject Property is comprised of approximately 5.1 acres and developed with an industrial warehouse/flex building located on the west side of Sullyfield Circle (Route 7680) directly south of the Sully Road (Route 28) and Lee Jackson Memorial Highway (Route 50) interchange. Zoned to the I-5 District, the Subject Property is located in the Sully Magisterial District and is part of the Sullyfield Business Park.

The Applicant proposes to establish an indoor miniature golf establishment within approximately 12,291 square feet of the existing industrial building. The miniature golf establishment will be comprised of the miniature golf course as well as other amusement activities such as a miniature bowling area and arcades. A small office area will support the commercial recreation establishment. I have enclosed a floorplan that illustrates the proposed arrangement of activities within the existing building.

The Applicant will be one of the first indoor miniature golf facilities in the Northern Virginia area. The Applicant has been partnering with a company that has experience in indoor miniature golf courses in other areas that have proved to be a valuable, community-serving recreation option. The Applicant anticipates hosting birthday parties, corporate outings, and family groups. No food preparation will occur on-site and the primary use of the facility will be during evenings and weekends.

The Subject Property was recently the subject of a parking tabulation identified as 4948- PKS-053-1 that was approved on February 7, 2008. The approved parking tabulation notes that the Subject Property is required to have 180 parking spaces based upon the existing mix of uses;

**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

however, there are 205 parking spaces provided on the Subject Property. The Zoning Ordinance requires commercial recreation uses to have 1 space per 3 persons based upon occupancy load, plus 1 space per employee. The Applicant proposes a maximum occupancy load of 70 and a total of ten (10) employees on-site at any one time for the commercial recreation use. Based on the anticipated number of employees and patrons, the use will require 34 parking spaces which can be accommodated within the 205 parking spaces on the Subject Property. Additionally, given that the proposed use will operate on nights and weekends when other uses in the industrial building are closed, parking will be sufficient for the proposed use.

The Subject Property is located in Area III of the Fairfax County Comprehensive Plan (the "Plan") in the Dulles Suburban Center, within Land Unit E-3. The Plan states that the Subject Property is developed as the Sullyfield Business Park which is planned and developed as a mix of office, retail, and industrial uses at a 0.35 FAR. The Applicant's proposal allows for a community-serving commercial recreation use in an existing industrial/flex building. The proposed application will maintain the character of the area as envisioned in the Plan. As such, the Applicant's proposal is in harmony with the Plan's recommendations.

In accordance with the requirements of Section 8-011 of the Ordinance, please consider the following information regarding the Applicant's proposal:

- The type of operation proposed is a commercial recreation use. The Applicant proposes to allow an indoor miniature golf course with associated indoor amusement activities.
- The commercial recreation use will operate Monday through Thursday, 2:00 p.m. to 9:00 p.m., Fridays from 2:00 p.m. to 10:00 p.m., Saturdays from 12:00 p.m. to 10:00 p.m., and Sundays from 12:00 p.m. to 8:00 p.m.
- The Applicant proposes to have approximately 70 patrons on-site at any one time.
- There will be approximately ten (10) staff members on-site at any one time.
- The peak traffic impacts associated with the use are at nights and on weekends when the majority of other businesses in the immediate vicinity are closed. During the peak hour of use on Saturday afternoons, approximately 70 vehicles enter the Subject Property and use the facility. During the weekday evenings and Sunday afternoons, approximately 35 vehicles will enter the Subject Property and use the facility. The general area that is served is the Centreville area.
- There is no construction proposed with this application. The use will occupy space within an existing industrial building.
- To the best of the Applicant's knowledge, there are no hazardous or toxic substances located on the Subject Property.

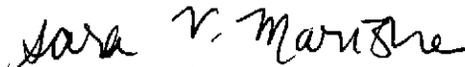
- The proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards, and applicable conditions except as may be modified by this application.

In order to accommodate community demand and enhance the indoor recreational options in the area, the Applicant seeks to provide a family-friendly gathering place in Northern Virginia. The Applicant looks forward to introducing a new amusement option to the area that is conveniently located. Additionally, the Subject Property provides a location that is not occupied by other uses at the same time that peak use of the indoor miniature golf facility will occur. As such, the proposed use takes advantage of an existing building to provide a quality experience to area residents. The Applicant looks forward to introducing this use to the Centreville area.

Should you have any questions, or require additional information, please do not hesitate to give me a call. I would appreciate the acceptance of this application and the scheduling of a hearing before the Board of Zoning Appeals at your earliest convenience. As always, I appreciate your cooperation and assistance.

Very truly yours,

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



Sara V. Mariska

cc: Tony Claridge  
Beth Spratt  
Mike Miller  
Lynne J. Strobel



RECEIVED  
Department of Planning & Zoning

MAY 13 2016

14130 Sullyfield Circle  
Chantilly, VA 20151

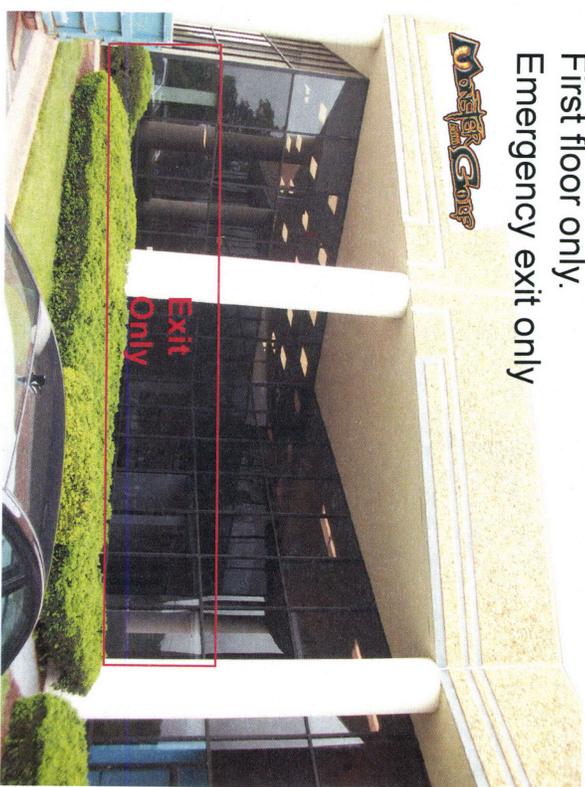
Planning Evaluation Division  
Office and party rooms around corner.

First floor only.  
Emergency exit only

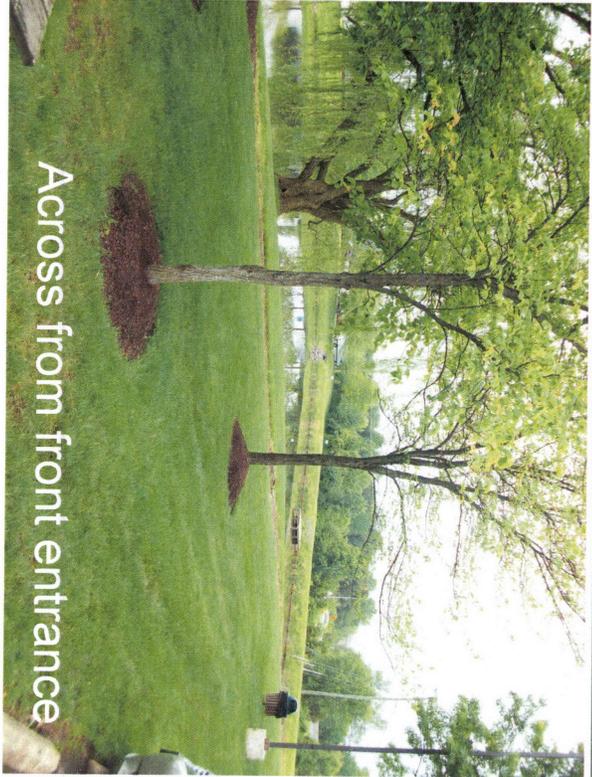


Front entrance,  
first floor on left corner

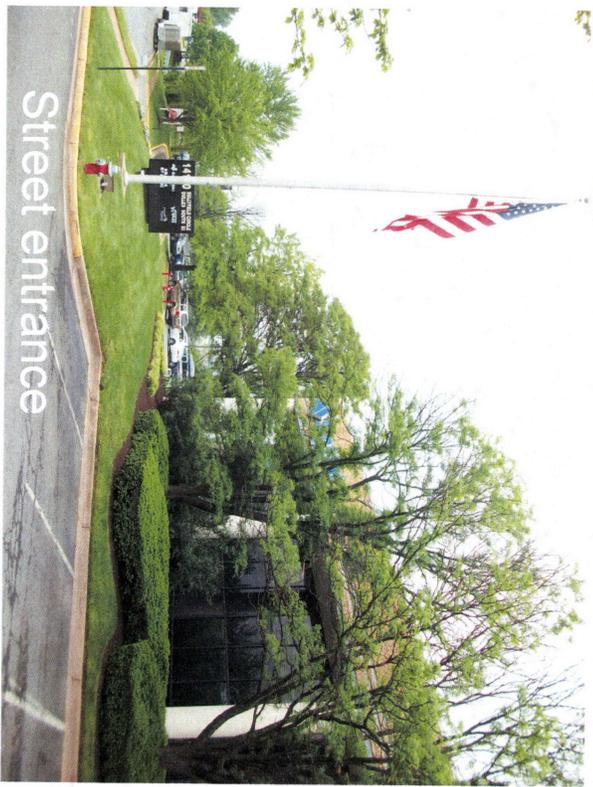
MMG signs show as reference only. Not installed.



MMG signs show as reference only. Not installed.



Across from front entrance



Street entrance



14130 Sullyfield Circle  
Chantilly, VA 20151



Parking  
in front

MMG signs show as reference only. Not installed.



Building front

MMG signs show as reference only. Not installed.



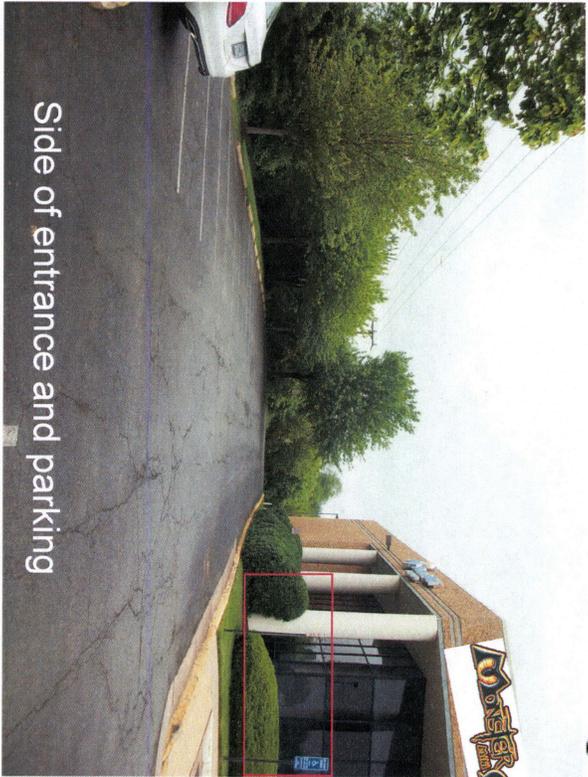
Neighboring space



Neighboring space

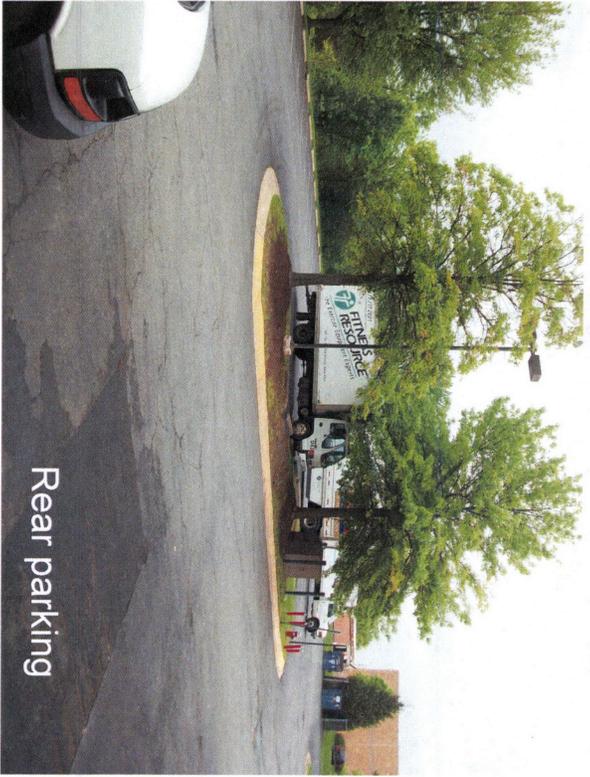
# Monster Garage

14130 Sullyfield Circle  
Chantilly, VA 20151

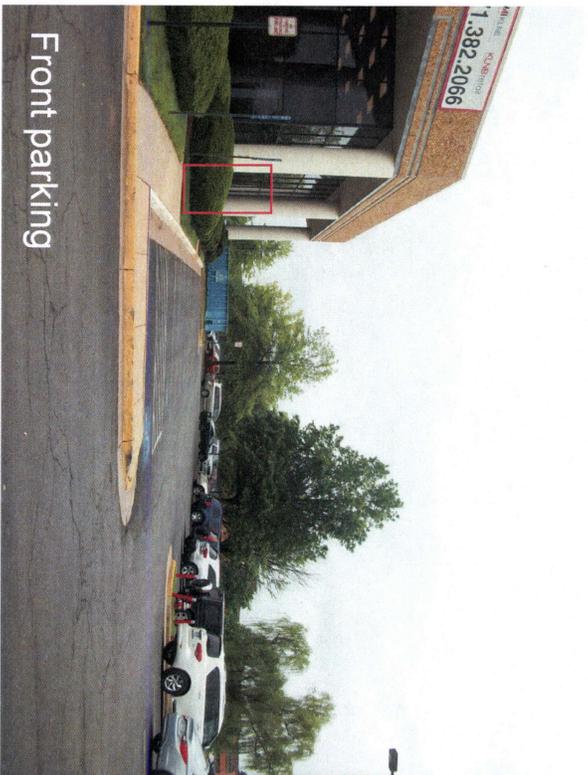


Side of entrance and parking

MMG signs show as reference only. Not installed.



Rear parking



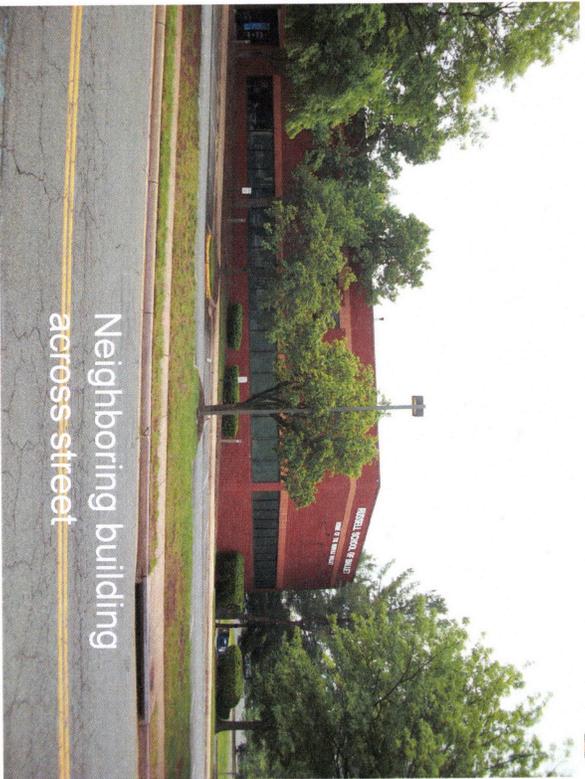
Front parking



Rear dock and overflow parking

# Monster Golf

14130 Sullyfield Circle  
Chantilly, VA 20151



Neighboring building  
across street



Neighboring building



Neighboring buildings



Route 28

Application No.(s): SP 2016-013A  
(county-assigned application number(s), to be entered by County staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

134952

DATE: May 10, 2016  
(enter date affidavit is notarized)

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

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.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
A&E Entertainment LLC Agents: Anthony M. Claridge Elizabeth P. Spratt	6627 Shalestone Court Clifton, VA 20124	Applicant/Lessee of Tax Map 34-3 ((5)) E4
Wilbur L. McBay Associates L.L.C. Agent: Matthew W. McBay	1713 Chesterbrook Vale Court McLean, VA 22101	Title Owner/Lessor of Tax Map 34-3 ((5)) E4

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

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

\*\* List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Application No.(s): SP 2016 - 0139  
 (county-assigned application number(s), to be entered by County staff)

134952

**Special Permit/Variance Attachment to Par. 1(a)**

DATE: May 10, 2016  
 (enter date affidavit is notarized)

**(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.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
M. Michael Miller Architects d/b/a Miller Architects  Agents: M. Michael Miller Sarah J. Jones	P.O. Box 2444 Reston, VA 20195	Architect/Agent
Walsh, Colucci, Lubeley & Walsh, P.C.  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	2200 Clarendon Boulevard, Suite 1300 Arlington, VA 22201	Attorneys/Agents  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 Permit/Variance Attachment to Par. 1(a)" form.

Application No.(s): SP 2016- 0139  
(county-assigned application number(s), to be entered by County staff)

134952

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: May 10, 2016  
(enter date affidavit is notarized)

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)  
A&E Entertainment LLC  
6627 Shalestone Court  
Clifton, VA 20124

**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)

Elizabeth P. Spratt,	Member:
Manager/Member	PENSCO Trust f/b/o Anthony M. Claridge

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

Application No.(s): SP 2016-0139  
(county-assigned application number(s), to be entered by County staff)

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

134952

DATE: May 10, 2016  
(enter date affidavit is notarized)

**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	

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

M. Michael Miller Architects d/b/a Miller Architects  
P.O. Box 2444  
Reston, VA 20195

**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)

M. Michael Miller, sole shareholder

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Special Permit/Variance Attachment to Par. 1(b)" form.

Application No.(s): SP 2016-0139  
(county-assigned application number(s), to be entered by County staff)

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

134952

DATE: May 10, 2016  
(enter date affidavit is notarized)

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

Wilbur L. McBay Associates L.L.C.  
1713 Chesterbrook Vle Court  
McLean, VA 22101

**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)

Matthew W. McBay, Manager  
Three Peaks Properties, LLC, Member

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

Three Peaks Properties, LLC  
PO Box 875  
McLean, VA 22101-0875

**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)

Sharon H. McBay Trust u/t/a March 27, 1998 f/b/o Shauna McBay Lonergan and Sharon H. McBay, Manager  
Matthew W. McBay  
McBay-Lonergan 2012 Irrevocable Trust u/t/a May 3, 2012 f/b/o Shauna McBay  
Lonergan  
McBay 2012 Irrevocable Trust u/t/a May 3, 2012 f/b/o Matthew W. McBay

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Special Permit/Variance Attachment to Par. 1(b)" form.

Application No.(s): SP 2016-0139  
(county-assigned application number(s), to be entered by County staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

134952

DATE: May 10, 2016  
(enter date affidavit is notarized)

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)

None

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

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

(check if applicable) [ ] There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance 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.

Application No.(s): SP 2016- 0139  
(county-assigned application number(s), to be entered by County staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

134952

DATE: May 10, 2016  
(enter date affidavit is notarized)

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 Permit/Variance Attachment to Par. 2" form.

Application No.(s): SP 2016-0139  
(county-assigned application number(s), to be entered by County staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

134952

DATE: May 10, 2016  
(enter date affidavit is notarized)

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 Permit/Variance Attachment to Par. 3" form.

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

WITNESS the following signature:

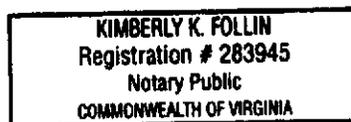
(check one)  Applicant Sara V. Mariska  Applicant's Authorized Agent

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 10 day of May 2016, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K. Follin  
Notary Public

My commission expires: 11/30/19



Engineer: Kenneth T Sachs, PE Address: 6207 Old Keene Mill Ct Springfield VA 22152 Phone #: 703-451-9100 X303  
 Plan Name: Dulles South Three Original Site Plan #: 4948-SP-06 Tax Map #: 034-3-(5)-E4  
 Zoning: I-5 Rezoning Case #: RZ 80-5-019 Proffered:  Yes  No Proffered Use Restrictions (See Note 1 below) No restrictions

APPENDIX 4

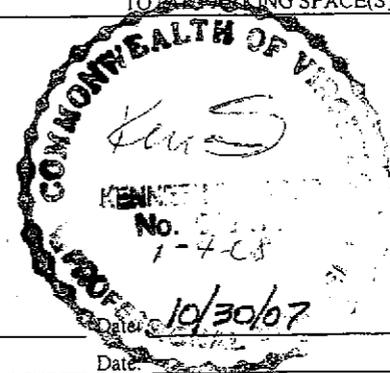
ADDRESS	LIST EACH FLOOR (include basement)	SUITE #	USE (See Notes 2, 3 and 4 below)	USE PERMITTED BY			SQUARE FEET GROSS FLOOR AREA	SQUARE FEET NET FLOOR AREA	# SEATS AND/OR STOOLS	# COMPANY VEHICLES	# SERVICE BAYS	# OF EMPLOYEES	# STUDENTS	OTHER	PARKING RATE REQUIRED PER CODE (See Note 5 below)	TOTAL PARKING SPACES REQUIRED FOR THIS USE
				RIGHT	SPECIAL PERMIT	SPECIAL EXCEPTION										
14130 Sullyfield Circle		A	Warehouse (60%)	X			9758							1 PER 1000 GROSS	9.8	
14130 Sullyfield Circle		A	Associated Retail	X			6505	5855						5 PER 1000 NET (10%) + 6 PER 1000 NET	34.1	
* 14130 Sullyfield Circle		B	Wholesale Trade Establ.	X			12,400							1 PER 1.5 EMPL. 1 PER COVER	30.0	
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <p style="text-align: center;">APPROVED</p> <p style="text-align: center;">COUNTY OF FAIRFAX</p> <p style="text-align: center;">OFFICE OF SITE DEVELOPMENT SERVICES</p> <p style="text-align: center;">DPWES</p> <p>BY: <u>[Signature]</u> 45</p> <p>DATE: <u>1 Feb 2007</u></p> </div>																
(If additional space is required use Page 2)															REQUIRED TOTAL FOR ENTIRE SITE PLAN	180
NUMBER OF ACCESSIBLE SPACE(S) PROVIDED		5	+VAN ACCESSIBLE SPACE(S) PROVIDED		2	=TOTAL ACCESSIBLE PARKING SPACE(S) on site per ADA Act and VUSBC (See Note 6 below)										7
(The total number of parking spaces, including accessible parking spaces, available and useable for vehicular parking on the area covered by this site plan [See Note 6 below])															TOTAL PARKING SPACE(S) PROVIDED	205

<sup>1</sup>List proffered use Prohibitions or Limitations.  
<sup>2</sup>In building where one floor has more than one use (personal services, general office & retail), use a separate line for each use. The uses must correspond to those identified in Article 11 of the Zoning Ordinance, or else documentation of the Zoning Administration determination must be attached to the tabulation.  
<sup>3</sup>Units which are vacant shall be included, the intended use shall be indicated and parking allocated.  
<sup>4</sup>Developer should make an initial parking assignment for each unit on the site plan. If developer, condominium, association or landlord wishes to make changes to assigned number of spaces after final site plan bond release, a site plan revision for reallocation of parking will be required. This form, when properly completed and certified, is intended to be such a site plan revision.  
<sup>5</sup>If use is a Grandfathered use, it may be calculated at previous code parking rate if so identified and justification is submitted with the parking tabulations.  
<sup>6</sup>Certification is taken to mean that the number of parking spaces shown as being provided is actually available on the site and useable (not occupied or blocked by dumpsters, air conditioners, incinerators, storage trailers, etc.), that all uses on the site have been included in the above listing, and that the requisite number of spaces and signage for compliance with ADA are provided. The number of parking spaces must be in conformance with the associated rezoning, special exception, special permit and variance.

Certified Correct<sup>6</sup> (Applicant) Engineer's Signature: [Signature] Date: 10/30/07  
 County Approval by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Property Owners, Landlords, Condominium Association - Concurrence with Tabulation  
 Print Name & Title (Include company name when appropriate): Rita Rafferty Signature: [Signature] Date: 1-2-08  
Property Manager, Transwestern

Submit to: Land Development Services, Plan and Document Control, 12055 Government Center Parkway, Suite 506 Fairfax, Virginia 22035-5503 Number of copies required: One (1) original with Engineer's Seal, Signature and date, plus four (4) copies.  
 REVISED FORM (6/2002)

\* = NEW TENANT



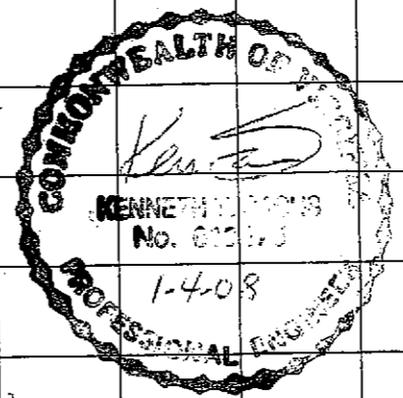
1-550-074-3116

APPENDIX 4

PROPOSED SITE PLAN USE AND PARKING TABULATION REVISION

Engineer: Kenneth T Sachs PE Address: 6207 Old Keene Mill Ct Springfield VA 22152 Phone #: 703-451-9100 X 303  
 Plan Name: Dulles South Three Original Site Plan #: 4948-SP-06 Tax Map #: 034-3-((S))-E4  
 Zoning: I-S Rezoning Case #: R2 80-S-019 Proffered:  Yes  No Proffered Use Restrictions (See Note 1 below): No restrictions

ADDRESS	LIST EACH FLOOR (include basement)	SUITE #	USE (See Notes 2, 3 and 4 below)	USE PERMITTED BY			SQUARE FEET GROSS FLOOR AREA	SQUARE FEET NET FLOOR AREA	# SEATS AND/OR STOOLS	# COMPANY VEHICLES	# SERVICE BAYS	# OF EMPLOYEES	# STUDENTS	OTHER	PARKING RATE REQUIRED PER CODE (See Note 5 below)	TOTAL PARKING SPACES REQUIRED FOR THIS USE
				RIGHT	SPECIAL PERMIT	SPECIAL EXCEPTION										
14130 Sullyfield Circle		C	Warehouse (60%)	X			10,197							1 PER 1000¢ GROSS	10.2	
14130 Sullyfield Circle		C	Associated Retail	X			6,797	6,117						5 PER 1000¢ NET (1st) + 6 PER 1000¢ NET	35.7	
14130 Sullyfield Circle		D	Warehouse	X			13,684							1 PER 1000¢ GROSS	13.7	
14130 Sullyfield Circle		E	Warehouse 60%	X			10,172							1 PER 1000¢ GROSS	10.2	
14130 Sullyfield Circle		E	Associated Retail	X			6,781	6,103						5 PER 1000¢ NET (1st) + 6 PER 1000¢ NET	35.6	



Enter Totals on Sheet 1 of 2. Number of copies required: One (1) original copy with Engineer's Seal and Signature, plus four (4) copies.

PARKING TABULATION FORM

Plan Name 14130 Sullyfield Circle Zoning District I-5 Submitter's Name Walter L. Phillips, Inc. Phone (703)-532-6163  
 County Plan # 4948-SP-06 Rezoning Case # RZ-80-S-019 Address 207 Park Ave, Falls Church, VA 22046  
 Tax Map # 0343-05-E4 Proffers:  Yes  No Email mwestgate@wpinc.com  
 Proffered Use Prohibitions & Limitations (See note 2) PTC Rate:  <1/8 mi.  1/8-1/4 mi.  > 1/4-1/2 mi.  Non TOD  NA

CHECK IF USE IS REVISED	ADDRESS and Tenant / Business	LIST EACH FLOOR (include basement)	SUITE #	USE (See Notes 3 and 4)	USE PERMITTED BY RIGHT	USE PERMITTED BY SPECIAL PERMIT SP	USE PERMITTED BY SPECIAL EXCEPTION SE	GROSS FLOOR AREA (SF)	NET FLOOR AREA (SF)	# SEATS AND/OR STOOLS	# COMPANY VEHICLES	# SERVICE BAYS	# OF EMPLOYEES	# STUDENTS	OTHER	PARKING RATE REQUIRED PER CODE (Note 5)	TOTAL PARKING SPACES REQUIRED FOR THIS USE	
	14130 Sullyfield Circle - Sun & Ski	1st	A	Warehouse	X			13,801	N/A	N/A	N/A	N/A	5	N/A	Warehouse	1 SP/1,000 SF of GFA	13.8	
		1st	A	Retail	X			6,505	5,855	N/A	N/A	N/A	N/A	N/A	Retail	1 SP/200 SF of NFA per 1st 1000 SF plus 6 SP per add. 1000 SF	34.1	
	14130 Sullyfield Circle - Veraxx Engineering Corp.	1st	B, C1, D2	Warehouse	X			17,654	N/A	N/A	N/A	N/A	10	N/A	Warehouse	1 SP/1,000 SF of GFA	17.7	
		1st	B, C1, D2	Office	X			4,413	N/A	N/A	N/A	N/A	N/A	N/A	Office	3.6 SP/1,000 SF of GFA	15.9	
	14130 Sullyfield Circle - Kratos Technology	1st	E1	Office	X			10,406	N/A	N/A	N/A	N/A	N/A	N/A	Office	3.6 SP/1,000 SF of GFA	37.5	
	14130 Sullyfield Circle - Fitness Aspects	1st	F	Private School of Special Education	X			9,270	N/A	N/A	N/A	N/A	5	30	Private School of Special Education	2 SP/3 Employees plus 1 SP/Student*	33.3	
	14130 Sullyfield Circle - Coverage Inc.	1st	J	Office	X			3,493	N/A	N/A	N/A	N/A	N/A	N/A	Office	3.6 SP/1,000 SF of GFA	12.6	
X	14130 Sullyfield Circle - Monster Mini Golf	1st	G	Commercial Recreation Use		X		12,291	N/A	N/A	N/A	N/A	8	70	Commercial Recreation Use	1 SP/3 Occupants, plus 1 SP/Employee	31.3	
	<b>This parking tabulation is being prepared for Suite G and is under review by SP 2016-SU-058.</b>																	
								<b>Total GFA:</b>	77,833									

\*Plus a sufficient number of spaces to accommodate all persons who may be at the establishment at any one time under normal operating conditions.

**TOTAL PARKING SPACES REQUIRED FOR ENTIRE SITE PLAN (NON-ACCESSIBLE + ACCESSIBLE SPACES) = 197**  
**ACCESSIBLE SPACES REQUIRED:** ( 5 REGULAR ACCESSABLE SPACES + 2 VAN ACCESSABLE SPACES ) = 7  
**ACCESSIBLE SPACES PROVIDED:** ( 5 REGULAR ACCESSABLE SPACES + 2 VAN ACCESSABLE SPACES ) = 7  
**TOTAL PARKING SPACES PROVIDED (NON-ACCESSIBLE SPACES PROVIDED + ACCESSIBLE SPACES PROVIDED) = 201**

# PARKING TABULATION FORM

Plan Name 4948-PKS-053-2 Original Site Plan # 4948-SP-06 Tax Map # 34-3-05-E4

Notes:

- <sup>1</sup> According to Article 17-104.8 of the Zoning Ordinance this parking tabulation is required for accessory service uses and changes in use to a use which has a greater parking requirement than the previous use shall require submission and approval of this parking tabulation to demonstrate that the number of existing parking spaces on site meets the minimum of off-street parking requirements for all uses.
- <sup>2</sup> List proffered use Prohibitions or Limitations.
- <sup>3</sup> In a building where one floor has more than one use (personal services, general office & retail), use a separate line for each use. The uses and parking rates must correspond to those identified in Article 11 of the Zoning Ordinance, or attach documentation of the Zoning Administration's determination in accordance with Article 11-102.19.
- <sup>4</sup> Units which are vacant shall be included, the intended use shall be indicated and parking requirements allocated.
- <sup>5</sup> Developer should make an initial parking assignment for each unit on the site plan. If developer, condominium, association or landlord wishes to make changes to the assigned number of spaces after final site plan bond releases, a site plan revision for reallocation of parking will be required. This form when properly completed and certified, is intended to be such a site plan revision.
- <sup>6</sup> An Architect submitting a Parking Tabulation Form signs and seals the form with the acknowledgement that the form has been "Prepared in Accordance with Section 54.1-401 of the Virginia State Code."

## APPLICANT CERTIFICATION

- <sup>7</sup> Certification by signature and seal is taken to mean that the Applicant has performed an onsite inspection of the property to confirm that the number of parking spaces shown as being provided is actually available on the site and useable (not occupied or blocked by dumpsters, air conditioners, incinerators, storage trailers, etc.), that all uses on the site have been included in the tabulation, that the requisite number of accessible spaces, signage and dimensions for compliance with USBC are provided, that the number of parking spaces is in conformance with the associated rezoning, special exception, special permit or variance, and that the Parking Plan provided matches the actual onsite conditions of the site.

Engineer's/Surveyor's Name (See Note 6): \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**SEAL**

Property Owner or Landlord concurrence with tabulation:

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Condominium Association concurrence with tabulation (If Applicable):

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Submit to:** Land Development Services  
Site Applications Center  
12055 Government Center Parkway  
Fairfax, VA 22035-5503

**Number of copies required:** One (1) original with seal, signature and date, plus four (4) copies



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** September 13, 2016

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

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

**FILE:** SP 2016-SU-058

**SUBJECT:** A&E Entertainment LLC  
14130 Sullyfield Circle, Chantilly, Virginia, 20151  
Tax Map: #34-3 ((5)) E4

This department has reviewed the subject application to establish an indoor miniature golf course and other indoor commercial recreational activities within the existing industrial building located at the subject property. We offer the following comments:

- A development condition is recommended which prohibits any dumpster or shipping container from being located where it interferes with site parking or site circulation.
- A development condition is recommended which requires that the pedestrian curb ramp nearest the proposed entrance to the miniature golf establishment be made ADA-compliant.

cc: Casey Gresham

MAD/EAI/AH

## **ZONING ORDINANCE PROVISIONS**

### **8-006 General Standards**

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

### **8-503 Standards for all Group 5 Uses**

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

1. All uses shall comply with the lot size and bulk regulations of the zoning district in which located, except as may be qualified below.
2. All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan as may be required by Part 9 of Article 14.
3. No building designed primarily and specifically for such use shall be located within 100 feet of any adjoining property which is in an R district.
4. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.