



County of Fairfax, Virginia

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

September 21, 2016

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

RECEIVED
Department of Planning & Zoning
OCT 11 2016
Zoning Evaluation Division

Re: Special Exception Amendment Application SEA 97-L-065

Dear Ms. Mariska:

At a regular meeting of the Board of Supervisors held on September 20, 2016, the Board approved Special Exception Amendment Application SEA 97-L-065 in the name Dogwood Petroleum Realty, LLC. The subject property is located at 8071 Alban Road, on approximately 1.24 acres of land zoned C-6 in the Lee District [Tax Map 99-1 ((17)) 3]. The Board's action amends Special Exception Application SE 97-L-065, previously approved for a service station/mini-mart, to convert to a service station/quick service food store and permit associated modifications to site design and development conditions; and to permit modification to the 75 foot setback from an interstate right-of-way. Previously approved conditions or those with minor modifications 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 plat approved with the application, as qualified by these development conditions.*
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception shall be in conformance with the Special Exception Plat entitled Exxon Station 2-0390, both prepared by The Plan Source which is dated February 25, 1998 and the Landscaping Plan which is dated July 15, 1999 and these conditions.

Office of the Clerk to the Board of Supervisors
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035
Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 711
Email: clerktothebos@fairfaxcounty.gov
<http://www.fairfaxcounty.gov/bosclerk>

4. A copy of this Special Exception and the Non-Residential Use Permit shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
5. Notwithstanding any notations on the Special Exception Plat, SEA 97-L-065 hereby authorizes the service station/quick-service food store use, rather than the previous service station/mini-mart use.
6. On a weekly basis, the site shall be inspected and any loose trash shall be picked up and placed in dumpsters.
7. The applicant shall repair the existing fence and extend it along the rear of the property located on the eastern side of the subject property.
8. Regardless of that shown on the Special Exception Plat, in the event that the existing freestanding sign is altered or replaced, the sign shall not exceed a maximum sign area of 80 square feet, height of 20 feet, and shall in no instance project beyond any lot line or be within five feet of the curb line of a service drive, travel lane or adjoining street. However, the sign area may be increased in size in accordance with Article 4 of Chapter 10 of the Code of Fairfax.
9. Within one year of the approval of this Special Exception Amendment application and prior to the receipt of a Non-RUP, the applicant shall complete the following as shown on the Special Exception Plat and match the sizes depicted on the Planting Schedule:
 - A. Provide flowers, ground cover, and shrubs that are missing around the freestanding sign on the eastern side of the northern entrance.
 - B. Remove the willow oak located along the northern boundary and replace with two redbud trees to avoid overhead electrical lines.
 - C. Remove the redbuds in poor condition along the northern boundary and replace with five redbuds.
 - D. Remove the redbud in poor condition along the northeastern edge of the parking lot and replace with seven yew.
 - E. Replace the dogwood in poor condition along the southern boundary and replaced with four kousa dogwoods, two arborvitae, and one European hornbeam.
 - F. Remove the two existing red maples in poor condition along the western boundary and replace with one redbud and three red maples.

10. Exterior storage and display of goods is limited to 50 square feet, per the Zoning Ordinance definition of a service station use, and shall not be located so as to block any required entrance, sidewalk or accessible path.
11. All exterior lighting, including signage, canopy lighting, security, pedestrian and/or other incidental lighting, shall be in conformance with Part 9 of Article 14 of the Zoning Ordinance.
12. The applicant shall install one bicycle parking space located in front of the building within close proximity to the building entrance and provide one long-term bicycle parking space in a secure location inside the building for employees, prior to issuance of a Non RUP.
13. The service station/quick-service food store may operate seven days a week, 24 hours per day.

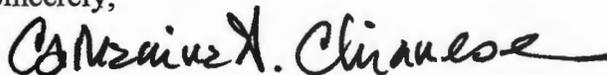
This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established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

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted as evidenced by the issuance of a Non-Residential Use Permit for the use. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

The Board also:

- Modified Section 2-414 of the Zoning Ordinance requiring that commercial buildings be located 75 feet from an interstate right-of-way to permit the building to remain approximately 58 feet

Sincerely,



Catherine A. Chianese
Clerk to the Board of Supervisors

SEA 97-L-065
September 21, 2016

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cc: Chairman Sharon Bulova
Supervisor Daniel Storck, Mount Vernon District
Howard Goodie, Director, Real Estate Division, Dept. of Tax Administration
Barbara C. Berlin, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Michael Davis, Section Chief, Transportation, Planning Division
Donald Stephens, Department of Transportation
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Abdi Hamud, Development Officer, DHCD/Design Development Division
Jill Cooper, Executive Director, Planning Commission
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation



COUNTY OF FAIRFAX
Department of Planning and Zoning
Zoning Evaluation Division
 12055 Government Center Parkway, Suite 801
 Fairfax, VA 22035 (703) 324-1290, TTY 711
www.fairfaxcounty.gov/dpz/zoning/applications

APPLICATION No: SEA 97-L-065
 (Staff will assign)

RECEIVED
 Department of Planning & Zoning

FEB 29 2016

APPLICATION FOR A SPECIAL EXCEPTION
 (PLEASE TYPE or PRINT IN BLACK INK)

APPLICANT	NAME Dogwood Petroleum Realty, LLC
	MAILING ADDRESS 6820 B Commercial Drive Springfield, Virginia 22151
	PHONE HOME () WORK ()
	PHONE MOBILE ()
PROPERTY INFORMATION	PROPERTY ADDRESS 8071 Alban Road Springfield, Virginia 22150
	TAX MAP NO. 99-1 ((17)) 3 SIZE (ACRES/SQ FT) Approx. 1.24 acres
	ZONING DISTRICT C-6 MAGISTERIAL DISTRICT Mt Vernon
	PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION: N/A
SPECIAL EXCEPTION REQUEST INFORMATION	ZONING ORDINANCE SECTION 4-604, 9-501
	PROPOSED USE Applicant proposes to change the use from a mini-mart to a quick service food store. No physical modifications are proposed.
AGENT/CONTACT INFORMATION	NAME Sara V. Mariska
	MAILING ADDRESS Walsh, Colucci, Lubeley & Walsh, P.C. 2200 Clarendon Boulevard, Suite 1300 Arlington, Virginia 22201
	PHONE HOME () WORK (703) 528-4700
	PHONE MOBILE ()
MAILING	Send all correspondence to (check one): <input type="checkbox"/> Applicant -or- <input checked="" type="checkbox"/> Agent/Contact
<p>The name(s) and addresses of owner(s) of record shall be provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter the subject property as necessary to process the application.</p> <p>Sara V. Mariska, Attorney/Agent</p> <p align="right"><i>Sara V. Mariska</i></p> <p>TYPE/PRINT NAME OF APPLICANT/AGENT SIGNATURE OF APPLICANT/AGENT</p>	

DO NOT WRITE IN THIS SPACE *Deborah Estelle Substant* SEA 2016-0056 *MPC*
 Date Application accepted: March 23, 2016 Application Fee Paid: \$ 8,187.50 *3/23/16*