



# County of Fairfax, Virginia

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January 19, 2017

**2017 Planning  
Commission**

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*Hunter Mill District*

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

Bhoopendra Prakash  
The Plan Source, Inc.  
8565D Sudley Road  
Manassas, VA 20110

**Re: SEA 95-H-013 – MACS RETAIL LLC  
Hunter Mill District**

Dear Mr. Prakash:

At its January 18, 2017 meeting, the Planning Commission voted 11-0 (Commissioner Strandlie was absent from the meeting) to **RECOMMEND APPROVAL** on the above referenced application, subject to the development conditions dated January 4, 2017, as attached. A copy of the verbatim transcript is attached.

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

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

Sincerely,

  
John W. Cooper, Clerk  
Fairfax County Planning Commission

Attachments (a/s)

cc: Catherine Hudgins, Supervisor, Hunter Mill District  
Frank A. de la Fe, Planning Commissioner, Hunter Mill District  
Catherine A. Chianese, Assistant County Executive, Clerk to the Board of Supervisors, County Executive Office  
Harold Ellis, Staff Coordinator, ZED, DPZ  
Robert Harrison, ZED, DPZ  
January 18, 2017 date file

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



## PROPOSED DEVELOPMENT CONDITIONS

### SEA 95-H-013

January 4, 2017

If it is the intent of the Board of Supervisors to approve SEA 95-H-013, located at Tax Parcel 25-4 ((1)) 02 C for use as a service station/quick-service food store pursuant to Section 4-604 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s), and/or use(s) indicated on the Special Exception Plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as 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 approved Special Exception Plat entitled 2601 Quincy Adams Drive, Hunter Mill Magisterial District and prepared by The Plan Source which is dated April 4, 1994, as revised through June 19, 1995, and these conditions.
4. A copy of these development conditions shall be posted in a conspicuous place on the property and be made available to all department of the County of Fairfax and be available for review during the hours of operation of the permitted use.
5. Supplemental landscaping shall continue to be provided within the 50 foot wide conservation easement to provide a continuous year-round screen of vegetation. All landscaping shall be maintained and all dead or diseased landscaping shall be replaced on a regular basis.
6. The hours of operation of the service station and quick-service food store shall not exceed 5:00 am until 11:00 pm, seven days a week.
7. The parking spaces located in the off-site parking area shown on the Special Exception Plat shall be restricted to employee parking. These spaces shall be striped and/or posted for use by employees only.

8. The retail sale area of the quick-service food store shall be limited to a maximum area of 1,215 square feet.
9. A stop sign for exiting traffic and a speed bump shall be installed at both access points to the site, subject to the approval of DPWES.
10. All litter on the site shall be picked up at least twice daily, including all the green area within the 50 foot wide conservation easement fronting on Lawyer's Road and Quincy Adams Drive.
11. All truck deliveries, including fuel and trash pickup, to the site shall occur between 8:00 am, and 9:00 pm only.
12. A pro rata contribution shall be made to any security program developed by the management of the Fox Mill Shopping Center which includes the site.
13. "No Loitering" signs shall be posted on the service station structure and a no loitering policy shall be enforced on all areas of the site.

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

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

**County of Fairfax, Virginia  
Planning Commission Meeting  
January 18, 2017  
Verbatim Excerpt**

*SEA 95-H-013 – MACS RETAIL, LLC – Appl. under Sects. 4-604 and 9-610 of the Zoning Ordinance to amend SE 95-H-013 previously approved for a Service Station, Quick Service Food Store and a waiver of the minimum lot width requirement to permit modification of development conditions. Located 2601 Quincy Adams Rd., Herndon, 20171 on approx. 40,163 sq. ft. of land zoned C-6. Tax Map 25-4 ((01)) 0002-C. (Hunter Mill District)*

After Close of the Public Hearing

Chairman Murphy: Without objection, we will close the public hearing. Recognize Mr. de la Fe.

Commissioner de la Fe: Thank you very much, Mr. Chairman. I thank staff for all the work that they have done on this. And if the applicant could – do you agree with the development conditions dated January 4<sup>th</sup>, 2017?

Bhoopendra Prakash, Applicant's Agent, The Plan Source, Inc.: Yes, we do.

Commissioner de la Fe: Thank you very much. Mr. Chairman, this is a – an application similar to a number that we have had in the last few months in which it's to allow a – the stores at a service station to, essentially, serve – or sell alcoholic beverages. At the time that these were originally granted, in this case, I think, it was 95 – it was standard to request that such – that such sales not occur in these kinds of gasoline stations and – but that has changed and since then we have been approving them. And, therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 95-H-013, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JANUARY 4<sup>TH</sup>, 2017.

Commissioners Hart and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Hart and Mr. Sargeant. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SEA 95-H-013, say aye.

Commissioner: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Mr. Chairman, I ALSO REQUEST AND MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT:

- THE BOARD OF SUPERVISORS REAFFIRM THE PREVIOUSLY-APPROVED MODIFICATION OF SECTION 13-303 OF THE ZONING ORDINANCE FOR A TRANSITIONAL SCREEN, AS SHOWN ON THE SE PLAT;
- A WAIVER OF SECTION 13-304 OF THE ZONING ORDINANCE FOR THE BARRIER REQUIREMENT; AND

- A WAIVER OF THE MINIMUM LOT WIDTH REQUIREMENT OF SECTION 9-601 OF THE ZONING ORDINANCE.

Commissioners Hart and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Hart and Mr. Sargeant. Discussion? All those in favor of the motion, as articulated by Mr. de la Fe, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Thank you very much.

Mr. Prakash: Thank you.

Chairman Murphy: Thank you.

Each motion carried by a vote of 11-0. Commissioner Strandlie were absent from the meeting.

JLC