July 3, 2018

STAFF REPORT

RZ 2018-MV-007

MOUNT VERNON DISTRICT

APPLICANT: Lafayette Building LLC

EXISTING ZONING: C-2

PROPOSED ZONING: C-5

PARCELS: 102-2 ((2)) (1) 605 & 606

SITE AREA: 20,322 square feet

PLAN MAP: Office

FAR: 0.27

OPEN SPACE: 28 percent

PROPOSAL: To rezone 20,322 square feet from the C-2 District to the C-5 District to permit commercial uses, waivers of minimum lot size, width, setback, and an increase in office percentage in accordance with Sects. 9-515 and 9-610 of the Zoning Ordinance

STAFF RECOMMENDATION:

Staff recommends approval of RZ 2018-MV-007, subject to the execution of proffers consistent with those contained in Appendix 1.
Staff recommends approval of the following waivers and modifications:

- Waiver of Sect. 4-506 of the Zoning Ordinance for the 40,000 square foot minimum lot area to permit 20,332 square feet.

- Waiver of Sect. 4-506 of the Zoning Ordinance for the 200 foot minimum lot width to permit 115 feet.

- Modification of Par. 2 of Sect. 4-507 of the Zoning Ordinance for a 40-foot minimum front yard setback to permit 34 feet for the existing building.

- Increase in the office maximum gross floor area to 50 percent of the maximum floor area permitted on the lot per Par. 7A of Sect. 4-505 and Par. 2 of Sect. 9-515 of the Zoning Ordinance.

- Modification of Sect. 13-303 of the Zoning Ordinance to provide transitional screening and landscaping as depicted on the Generalized Development Plan.

- Waiver of Sect. 13-304 of the Zoning Ordinance for the requirement to construct a barrier.

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

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

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

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.
Rezoning Application
RZ  2018-MV-007

Applicant:  LAFAYETTE BUILDING LLC
Accepted:  03/05/2018
Proposed:  COMMERCIAL USES AND WAIVER OF MINIMUM LOT SIZE REQUIREMENTS

Area:  20332 SF; DISTRICT - MOUNT VERNON
Zoning Dist Sect:  NORTHWEST CORNER OF THE INTERSECTION OF LAFAYETTE DRIVE AND FORT HUNT ROAD
Located:  FROM C- 2 TO C- 5
Overlay Dist:  Map Ref Num:  102-2- /02/01/0605 /02/01/0606

Located:
Zoning Dist Sect:  LOT SIZE REQUIREMENTS
Area:  20332 SF; DISTRICT - MOUNT VERNON
Located:  NORTHWEST CORNER OF THE INTERSECTION OF LAFAYETTE DRIVE AND FORT HUNT ROAD
Overlay Dist:  FROM C- 2 TO C- 5
Map Ref Num:  102-2- /02/01/0605 /02/01/0606

Located:
Zoning Dist Sect:  LOT SIZE REQUIREMENTS
Area:  20332 SF; DISTRICT - MOUNT VERNON
Located:  NORTHWEST CORNER OF THE INTERSECTION OF LAFAYETTE DRIVE AND FORT HUNT ROAD
Overlay Dist:  FROM C- 2 TO C- 5
Map Ref Num:  102-2- /02/01/0605 /02/01/0606
Site Name: Lafayette Centre
Parcel Numbers: 102-3-02-22

Site Address: 1300 and 1302 Lafayette Drive, Alexandria, Virginia 22308

Per Section 9-103 of the Fairfax County Zoning Ordinance, this is to certify that the proposed rezoning at the above-referenced property will meet all performance standards of the Commercial (C-5) Zoning District (Article 3, Part 3) related to noise, vibration, and glare.

The 20,332-square foot parcel does not meet the 40,000-square foot minimum lot area of the C-5 Zoning District nor the 200-foot minimum lot width. The Applicant requests that these requirements be waived as provided by Section 9-610 of the Fairfax County Zoning Ordinance. The criteria provided by this section of the Ordinance allows for such waivers as the existing lot has not been reduced in width or area since the effective date of the Ordinance in 1972; the proposed rezoning will not change the existing or the proposed use; there are no adverse environmental features; and the proposed rezoning will not have any deleterious effect upon the surrounding property.

The existing building is on a corner lot set back 35.1 feet from Lafayette Drive and 34.0 feet from Fort Hunt Road. The Applicant requests a modification of the setback regulations for the C-5 Zoning District. The proposed change of zoning districts will not measurably increase existing stormwater from the site, and the waiver of the stormwater management requirement is also requested.
DESCRIPTION OF THE APPLICATION

The applicant, Lafayette Building LLC, requests approval to rezone the site from the C-2 District (Limited Office) to the C-5 District (Neighborhood Retail Commercial). The site is developed with an existing office building, and the applicant requests the zone change to permit additional potential uses in the building.

A reduction of the GDP is included at the front of this report. A copy of the proposed proffers, statement of justification and affidavit is provided in Appendices 1-3, respectively.

LOCATION AND CHARACTER

The 20,322 square foot site is located at 1300 and 1302 Lafayette Drive at the northwestern corner of Lafayette Drive and Fort Hunt Road. Access to the property is from the existing entrance off of Lafayette Drive. The application property currently contains a 5,297 square foot building occupied by several commercial tenants.

The surrounding uses are identified in the table and map below.

<table>
<thead>
<tr>
<th>Direction</th>
<th>Use</th>
<th>Zoning</th>
<th>Plan Map</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Hollin Hall Shopping Center</td>
<td>C-5</td>
<td>Retail and Other</td>
</tr>
<tr>
<td>East</td>
<td>Single Family Detached</td>
<td>R-2</td>
<td>Residential, 2-3 du/ac</td>
</tr>
<tr>
<td></td>
<td>(Tauxemont Subdivision)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>West</td>
<td>Vacant Lot</td>
<td>R-3</td>
<td>Residential, 2-3 du/ac</td>
</tr>
<tr>
<td>South</td>
<td>Single Family Detached</td>
<td>R-3</td>
<td>Residential, 2-3 du/ac</td>
</tr>
<tr>
<td></td>
<td>(Hollin Hall Village Subdivision)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
BACKGROUND

On December 23, 1964, the Board of Supervisors approved RZ A-955 to rezone the western half of the property (parcel 605) to the equivalent of the C-2 District. The eastern half of the application property (parcel 606) was rezoned to the equivalent of the C-2 District at an earlier date. The 5,297 square foot building on the application property was built in 1950.

COMPREHENSIVE PLAN PROVISIONS

Plan Area: Area IV
Planning District: Mount Vernon Planning District
Planning Sector: MV6 - Fort Hunt Community Planning Sector
Plan Map: Office
The Comprehensive Plan language can be found on pages 91-97 in the 2017 Edition, Area IV, MV6 – Fort Hunt Community Planning Sector, as amended through March 20, 2018. It is designated for Office on the Comprehensive Plan Map. There are no site specific Comprehensive Plan guidance for this property.

DESCRIPTION OF THE GENERALIZED DEVELOPMENT PLAN (copy at the font of the staff report)

The GDP titled “Lot 605 & Part Lot 606 Section 3, Hollin Hall Village Mount Vernon District Fairfax County, Virginia,” was prepared by Alexandria Survey’s, LLC, and consists of 3 sheets dated January 20, 2018, and revised through April 21, 2018. An excerpt of this plan is depicted in Figure 2 and a copy is provided at the front of the staff report.

Figure 2 - GDP Sheet 1
Site Layout

The GDP depicts the existing 2-story 5,729 square foot building on the application property. Vehicular access will be provided by an existing entrance from Lafayette Drive. There are ten existing parking spaces in front of the building which have direct access to Lafayette Drive, as there is no curb or gutter between Lafayette Drive and the ten parking spaces. There are an additional five parking spaces to the rear of and behind the building, for a total of 15 existing parking spaces. The GDP does not depict any construction or disturbance on the application property other than proposing to pave three additional parking spaces behind the building. Additionally, the GDP depicts the restriping of the ten parking spaces in front of the building to increase the number of parking spaces in that location to twelve spaces. The proposed restriping and additionally parking will provide a total of 20 parking spaces, or five additional spaces.

Open Space and Landscaping

The development provides for 28% percent open space. Open space on the application property is located on the eastern and northeastern portions of the property that front along Fort Hunt Road as well as at the intersection of Fort Hunt Road and Lafayette Drive. The GDP depicts three existing trees on the western portion of the application property, one existing tree on the eastern portion of the application property, and eight existing trees along the northern boundary of the application property. The eight trees along the northern boundary of the application property also constitute interior parking lot landscaping. In addition to the aforementioned existing vegetation, landscaping consisting of a mixture of deciduous trees, evergreen trees, and decorative plants are proposed on the eastern portion of the application property along Fort Hunt Road. The applicant has requested a modification of Sect. 13-303 of the Zoning Ordinance to provide transitional screening in favor or that depicted on the GDP. Additionally, the applicant has requested a waiver of Sect. 13-304 of the Zoning Ordinance requiring a barrier (both the modification request and the waiver request are discussed later in the staff report).

Stormwater Management

The GDP depicts 598 square feet of land disturbance taking place on the application property for paving the three additional parking spaces behind the building, with no other land disturbance proposed. Because the total disturbance shown on the GDP is less than 2,500 square feet, no stormwater quality controls are required.
ANALYSIS

Land Use Analysis (Appendix 4)

The property is designated for office uses on the Comprehensive Plan Map, and the Comprehensive Plan does not have specific recommendations for this site. Other than adding 598 square feet of impervious pavement for the additional parking spaces behind and to the rear of the existing building, no other disturbance to the property is proposed. Additionally, there are no changes proposed to the architecture and/or the exterior of the existing structure. The zone change to the C-5 District would permit additional uses in the building that would be consistent with the adjacent C-5-zoned property to the north, which is the Hollin Hall Shopping Center.

Uses that are currently not permitted on the site which will be permitted by the application include: Business service and supply service establishments; Personal service establishments; Private clubs and public benefit associations; Repair service establishments; and Retail sales establishments. These uses and any future uses will require the obtainment of Non-Residential Use Permits from the County and meeting the minimum parking requirements of Article 11 of the Zoning Ordinance.

Due to the proximity of residentially zoned and occupied properties to the south, east, and west of the application property, and the application property’s access onto a roadway that is primarily utilized by a residential subdivision (Lafayette Drive), the applicant has proffered to prohibit certain uses which are permitted in the C-5 District that could potentially be too intensive in relationship to the nearby residential uses.

To mitigate the impact of uses on surrounding properties, the applicant has also proffered to restrict the hours of operation for business service and supply service establishments, garment cleaning establishments, personal service establishments, and retail sales establishments to 6:00 am to 11:00 pm.

Transportation Analysis (Appendix 5)

The Virginia Department of Transportation (VDOT) requested that the applicant verify the site distance at the entrance to the application property, which is off of Lafayette Drive. In response to VDOT’s request, the applicant has provided a graphic on page 3 of the GDP which depicts the sight distance of eastbound and west bound traffic along Lafayette Drive.

Urban Forest Management Division (UFMD) (Appendix 6)

During staff’s review of a previous GDP submission, the landscaping proposed by the applicant, the location of the proposed landscaping, and headlight glare from cars in the parking area were identified as possible issues. Regarding the landscaping proposed by the applicant, staff stated that the landscaping proposed on the GDP is located within the critical root zone and under the crown of an existing tree, which is not likely to result in a successful landscape.
Regarding headlight glare, staff suggested that the applicant provide landscaping and/or a barrier which would block the headlight glare from the addition of parking spaces proposed. The applicant has proffered to coordinate a pre-installation meeting on site with the landscape contractor and a representative of UFMD to review the supplemental landscaping proposed by the applicant as well as any proposed changes to the planting location, size of trees/shrubs, and any proposed plant substitutions.

**ZONING ORDINANCE PROVISIONS**

The proposed rezoning conforms to the Zoning Ordinance standards for the C-5 District as shown in the table below.

<table>
<thead>
<tr>
<th>Standard</th>
<th>Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min. lot area</td>
<td>40,000 square feet</td>
<td>20,332 sq.ft.(^1)</td>
</tr>
<tr>
<td>Min. lot width</td>
<td>200 ft.</td>
<td>115 ft. (west side)(^2)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>117 ft. (east side)(^2)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>141 ft. (north side)(^2)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>189 ft. (south side)(^2)</td>
</tr>
<tr>
<td>Open space</td>
<td>20%</td>
<td>28%</td>
</tr>
<tr>
<td>Front yard</td>
<td>40 ft.</td>
<td>35 ft. (south side)(^3)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>34 ft. (east side)(^3)</td>
</tr>
<tr>
<td>Rear yard</td>
<td>20 ft.</td>
<td>N/A</td>
</tr>
<tr>
<td>Max. building height</td>
<td>40 ft.</td>
<td>21.5 ft.</td>
</tr>
<tr>
<td>Parking spaces</td>
<td>20 spaces (for office uses)</td>
<td>20 spaces</td>
</tr>
<tr>
<td>FAR (maximum)</td>
<td>0.30</td>
<td>0.27</td>
</tr>
</tbody>
</table>

\(^1\) A waiver to permit 20,332 square feet is proposed.

\(^2\) A waiver to permit the existing lot width is proposed.

\(^3\) A waiver to permit the existing setbacks is proposed.
Waivers and Modifications

Waiver of minimum lot size

The applicant is requesting a waiver of the minimum lot area of 40,000 square feet required by Sect. 4-506, as permitted by Sect. 9-610 of the Zoning Ordinance. According to the GDP, the size of the application property is 20,332 square feet. The application property has not been reduced in area since the effective date of the Zoning Ordinance in 1978. The applicant is proposing to add vegetative screening on the eastern portion of the application property, and in staff’s opinion the development of the application property will not have any deleterious effect on the existing or planned development of adjacent properties or on area roadways. Staff does not object to this waiver request.

Waiver of minimum lot width

The applicant is requesting a waiver of the minimum lot width of 200 feet required by Sect. 4-506, as permitted by Sect. 9-610 of the Zoning Ordinance. According to the GDP, the application property is as narrow as 115 feet wide on its western-side boundary, and is widest on its southern-front boundary along Lafayette Drive; no boundary of the application property meets the 200-foot requirement. The application property has not been reduced in width since the effective date of the Zoning Ordinance in 1978. In staff’s opinion, the development of the application property will not have any deleterious effect on the existing or planned development of adjacent properties or on area roadways, and does not object to this waiver request.

Modification of minimum yard

The applicant is requesting a modification of the minimum yard requirement for a 40 foot minimum front yard setback as required by Par. 2 of Sect. 4-507 and permitted by Sect. 2-418 of the Zoning Ordinance. According to the GDP, the building on the application property is 34 feet from the eastern property boundary along Fort Hunt Road and 35 feet from the southern property boundary along Lafayette Drive. The building was constructed in 1950, before the enactment of the Zoning Ordinance of 1978, and has not been expanded since its construction. Staff does not object to this modification request for the existing building.

Increase in office percentage

Par. 7A of Sect. 4-505 of the Zoning Ordinance restricts the percentage of office uses in the C-5 District to no more than 30 percent of the maximum floor area (FAR) permitted on the lot in accordance with the maximum FAR for the district. The maximum FAR in the C-5 District is 0.30, which for the application property (20,332 square feet in size) equates to a maximum floor area of 1,830 square feet for office uses. Par. 2 of Sect. 9-515 of the Zoning Ordinance permits the Board of Supervisors to approve office uses up to 50 percent of the maximum floor area permitted on the lot.
This would permit up to 3,050 square feet for office uses. The office use restriction does not apply to the current zoning in the C-2 District, and the property is currently occupied by several office uses. Staff does not object to an increase in office FAR to 50 percent of the maximum floor area permitted on the lot.

**Waiver of barrier**

The applicant is requesting a waiver of Article 13 of the Zoning Ordinance for the requirement to construct a barrier as part of the transitional screening requirement. Due to the size of the application property, no proposed change to the office building, and the limited space available for a barrier, staff does not object to this waiver request.

**Modification of transitional screening and landscaping**

The applicant is requesting a modification of Article 13 of the Zoning Ordinance to provide transitional screening and landscaping as depicted on the GDP. In addition to preserving existing trees, the applicant is proposing to plant 12 deciduous and evergreen trees on the eastern portion of the application property along Fort Hunt Road. Due to the size of the application property, no proposed change to the office building, and the limited open space available for transitional screening and landscaping, staff does not object to this modification request.

**CONCLUSION**

In staff’s opinion, the development on the application property is compatible with commercial uses in the C-5-zoned Hollin Hall Shopping Center to the north. The applicant has proffered to prohibit certain uses which are permitted in the C-5 District that could potentially be too intensive in use on the application property relative to residentially zoned and occupied properties to the east, south, and west of the application property. Additionally, the applicant has proffered to restrict the hours of operation for certain uses to mitigate the impact of the uses on surrounding properties. The requested rezoning will facilitate the functional use of an existing building by allowing additional uses.

**RECOMMENDATIONS**

Staff recommends approval of RZ 2018-MV-007, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of the following waivers and modifications:

- Waiver of Sect. 4-506 of the Zoning Ordinance for the 40,000 square foot minimum lot area to permit 20,332 square feet.
• Waiver of Sect. 4-506 of the Zoning Ordinance for the 200 foot minimum lot width to permit 115 feet.

• Modification of Par. 2 of Sect. 4-507 of the Zoning Ordinance for a 40-foot minimum front yard setback to permit 34 feet for the existing building.

• Increase in the office maximum gross floor area to 50 percent of the maximum floor area permitted on the lot per Par. 7A of Sect. 4-505 and Par. 2 of Sect. 9-515 of the Zoning Ordinance.

• Modification of Sect. 13-303 of the Zoning Ordinance to provide transitional screening and landscaping as depicted on the Generalized Development Plan.

• Waiver of Sect. 13-304 of the Zoning Ordinance for the requirement to construct a barrier.

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

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

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

APPENDICES

1. Proposed Proffers
2. Statement of Justification
3. Affidavit
4. Land Use Analysis
5. Virginia Department of Transportation Analysis
6. Urban Forest Management Division Analysis
7. Glossary of Terms
PROFFER CONDITIONS
LAFAYETTE CENTRE
1300 and 1302 LAFAYETTE DRIVE
RZ 2018-MV-007

June 14, 2018

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950 as amended, the undersigned Owner and Applicant, in this rezoning proffer that the development of the parcel under consideration and shown on the Fairfax County Tax Map as Tax Map Reference 102-2-02-01-605 and 606 (hereinafter referred to as the “Property”) will be in accordance with the following conditions (the “Proffer Conditions”), if and only if, said rezoning is granted. In the event said requested rezoning is denied, the Proffer Conditions will be null and void. The Owner and the Applicant for themselves, their successors and assigns, hereby agree that these Proffer Conditions will be binding on the future use and development of the Property unless modified, waived or rescinded in the future by the Board of Supervisors of Fairfax County, Virginia, (hereinafter referred to as the “Board”) in accordance with applicable Fairfax County (hereinafter “County”) and State statutory procedures. The following Proffer Conditions supersede any and all Proffers previously governing the Property.

I. General

A. Substantial Conformance: Subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance (hereinafter “Zoning Ordinance”), development of the Property must be in substantial conformance with the Generalized Development Plan (“GDP”), prepared by Alexandria Surveys, LLC, dated January 20, 2018 and revised through April 21, 2018.

B. Minor Modifications: Pursuant to Paragraph 4 of Section 18-204 of the Zoning Ordinance, minor modifications to the GDP may be permitted as determined by the Zoning Administrator. The Applicant reserves the right to make minor adjustments to the GDP at the time of Site Plan submission provided that the amount of open space, tree save, limits of clearing and grading, building height and distances to peripheral lot lines as shown on the GDP are maintained and provided that the adjustments are deemed in substantial conformance with the GDP by Fairfax County.

II. Screening and Buffering Landscape Pre-inspection Meeting: In lieu of transitional screening along Lafayette Drive and Fort Hunt Road, Applicant will maintain the existing landscaping facing Lafayette Drive and will supplement the existing landscaping facing Fort Hunt Road with that shown on the GDP. Prior to installation of the plants listed to supplement the existing landscaping, Applicant will coordinate a pre-installation meeting on site with the Landscape Contractor and a representative of the Urban Forestry Management Division (“UFMD”). Any proposed changes to the location or planning, size
of trees/shrubs, and any proposed plant substitutions for species specified on the GDP will be reviewed at this time and must be approved prior to planting.

III. **Uses Under The C-5 District That Will Be Prohibited:** The following uses are prohibited: carry-out restaurants; colleges, universities; commercial swimming pools, tennis courts and similar courts, indoor; craft beverage production establishments; cultural centers, museums; drive-in financial institutions; drive-through pharmacy; funeral chapels; kennels; mobile and land based telecommunication facilities; quasi-public athletic fields and related facilities; quick service food stores; restaurants; and telecommunications facilities. The uses listed as Special Exception and Special Permit uses can be permitted upon appropriate application to the Board of Supervisors and the Board of Zoning Appeals and approval of same, if they are in substantial conformance with the GDP.

IV. **Time Restrictions for Permitted Uses:** Business Service and Supply Service Establishments; Garment Cleaning Establishments; Personal Service Establishments; and Retail Sales Establishments will not be open to the public between the hours of 11:00pm and 6:00am.

V. **Successors and Assigns:** These Proffers will bind and inure to the benefit of the Owner and Applicant and his/her successors and assigns.

LAFAYETTE BUILDING, LLC
Owner & Applicant

By

__________________________
Jerry A. Hinn
Its: Owner & Sole Member
Revised Statement of Justification
Lafayette Centre
Lafayette Building LLC
June 14, 2018

Pursuant to Sections 16-401 et seq. and 18-201 et seq. of the Fairfax County Zoning Ordinance, dated August 14, 1978, as amended ("Ordinance"), Lafayette Centre, LLC ("Applicant") hereby requests approval of a rezoning application from the C-2 to the C-5 Zoning District, with approval of the Generalized Development Plan filed herewith as further described below.

Existing Conditions

The Applicant is the owner of two parcels located on Tax Map 102-2 ((2)) (1) Parcels 605 and 606 within the Mount Vernon District with the street address of 1300 and 1302 Lafayette Drive, Alexandria, Virginia. The property is currently zoned C-2 ("Property") and consists of a total land area of 22,332 square feet (0.47 acres). The Property currently is improved with a one and two-story brick and frame office building measuring 95.7 feet long by 36.6 wide with a total gross floor area of 5,297 square feet and a related asphalt parking area with 15 parking spaces which will be restriped and slightly enlarged to provide 20 parking spaces as noted below. The building fronts on and has entrance from the north side of Lafayette Drive just west of its intersection with Fort Hunt Road. The Property abuts and is just south of the Holin Hall Shopping Center zoned C-5. To the south, west and east of the site, properties are developed and zoned for residential uses in the R-2 Zoning Category. The subject property is planned for Office Use.

Proposed Development

The Applicant is requesting that the property be rezoned from the Commercial C-2 Zoning District to the Commercial C-5 Zoning District to allow a range of permitted uses that are more in keeping with this neighborhood than office. The Applicant is not proposing to enlarge, alter or change the character of the existing 5,297 square foot building on the property. The existing and proposed FAR of the property is 0.24.

The existing 15-space parking area on the property will be restriped and additional asphalt added to a small area in the rear of the building to create a total of 20 parking spaces. The total disturbed area for the parking area expansion will be 598 square feet. A total of 6,313 square feet or 28.48% of the parcel will remain as open space. A Generalized Development Plan prepared by Alexandria Surveys, LLC and dated January 20, 2018 is included with the Rezoning package.

The proposed rezoning of the parcel meets the intent of the C-5 Neighborhood Retail Commercial District regulations as it will permit a variety of commercial uses that are consistent with the neighboring and abutting C-5 Commercial Center to the north. Such
use flexibility within the current building and space benefits the vitality and profitability of the existing use to the benefit of the surrounding area.

The property has been used as office space previously and Applicant would ask to continue to use it as office if tenants could be found. The C-5 District regulations limit the amount that can be used as office to 30% of the maximum floor area. Applicant notes that there will not be an enlargement of the space and as previously noted it was built originally for office use. Per Sections 15-102(1)(B) and 15-103(2), Applicant would be permitted to use more than 30% for office as a nonconforming use.

The Application involves minor improvements to an existing parking area and no building construction. The Application requests only that the zoning designation of the two existing parcels be changed from C-2 to C-5 to allow a greater range of permitted uses that are consistent with neighboring property. There will be no hazardous or toxic substances generated, utilized, stored, treated, and/or disposed of on the site. There are no archaeological or historic sites on the property and the property is not within a historic district.

Comprehensive Plan

The Property is located within Planning Area IV, Mount Vernon Planning District, Fort Hunt Community Planning Sector, MV6. While there is no specific Plan guidance for the parcel, the Area IV Plan language for this Sector under “Character”, page 165, states that “Neighborhood retail centers are located in this planning sector”. In addition, under “Concept for Future Development” on page 165, the Plan states “This entire sector is recommended to develop as Suburban Neighborhoods in the Concept of Future Development.” By definition, neighborhood-serving commercial services are part of Suburban Neighborhoods.

Under the section “Recommendations: Land Use” for the Fort Hunt Community Planning Sector, MV6, the Plan states: “Infill development in this sector should be of a compatible use, type and intensity in accordance with the guidance provided by the Policy Plan under Land Use Objectives 8 and 14.” The proposed use is consistent with Objective 8, Policies a through e, as its intensity and scale will be compatible with the surrounding neighborhood. The proposed use is consistent with Objective 14, Policies a through l, as it will not change the existing character and extent of the property, expand or increase the existing building’s footprint or height, or negatively impact residential properties. The rezoning to C-5 will conform with and complement the C-5 commercial use to the immediate north of the site.

The small half-acre site is the only property designated for Office use on the Comprehensive Plan Map while the adjacent parcels are shown as Retail. The Hollin Hall Shopping Center which abuts the site to the north and west as well as another shopping center to the north of that center are planned for Retail and Other Uses. To the west, east and south of the parcel, land is planned for Residential Uses at 2-3 dwelling units per acre.
The property is adjacent to existing properties to the north that are zoned C-5 and are shown on the Plan for Retail and Other use. Other properties in the area surrounding the use are planned and zoned for residential uses in the 2-3 unit per acre range. The site, its access and relationship to the neighborhood, other land uses and the general development pattern of the area is consistent with the Purpose and Intent of the Neighborhood Retail Commercial zoning designation and the Retail and Other Comprehensive Plan designation. The property's neighborhood orientation and its ability to provide local retail opportunities is compatible with the neighborhood in which it is located and is consistent with Plan objectives and the intent of the zoning district.

**Modifications and Waivers**

The 22,332 square foot parcel does not meet the 40,000 square foot minimum lot area of the C-5 Zoning District nor the 200-foot minimum lot width. The Applicant requests that these requirements be waived by the Board as provided by Section 9-610 of the Fairfax County Zoning Ordinance. The criteria provided by this section of the Ordinance allows for such waivers as the existing lot has not been reduced in width or area since the effective date of the Ordinance in 1972; the proposed rezoning will not change the existing development or nature of the property including its vegetation, topography, and environmental features; and the proposed rezoning will not have any deleterious effect on the existing or planned development of adjacent properties or area roadways.

The existing building is on a corner lot set back 35.1 feet from Lafayette Drive and 34.0 feet from Fort Hunt Road. The building has not been expanded since its initial approval and the Applicant requests a modification of the setback and transitional yard regulations for the C-5 Zoning District per Section 2-418 of the Zoning Ordinance. Transitional screening is required on both the Lafayette Drive and Fort Hunt Road frontages as there is residential zoning across those streets. Additional screening is not possible along Lafayette Drive frontage as the parking extends from the front of the building to the right-of-way. There is a planting bed along the front of the building that does have some mature decorative plantings. Applicant requests that this be considered an acceptable modification to the required screening. Applicant has proposed adding some decorative plantings on the Fort Hunt Road side of the property as shown on the revised General Development Plan. It is requested that the transitional screening requirement on that frontage be modified and found acceptable with the existing and supplemental plantings. Applicant also requests that the barrier requirement be waived per Section 13-305(2) as a barrier could create a traffic sight hazard.

The proposed change of Zoning Districts will not measurably increase existing stormwater from the site and the waiver of the stormwater management requirement is also requested. No new or sanitary sewers or sewer improvements are proposed with the project. There is no disturbance greater than 2,500 square feet, and there are no major utilities having a width of 25 feet or more located on the property.
Conclusion

In light of the foregoing, the Applicant respectfully submit that this Rezoning Application as proffered and with approval of the requested waivers and modifications is in compliance with the Fairfax County Zoning Ordinance and Comprehensive Plan. Granting the Applicant’s request including the waivers and modifications will be appropriate and in the interest of the citizens of Fairfax County.

Respectfully submitted,

[Signature]

Frank W. Stearns, Agent
REZONING AFFIDAVIT

DATE: March 12, 2018
(enter date affidavit is notarized)

1. Frank W. Stearns, do hereby state that I am an
   applicant’s authorized agent listed in Par. 1(a) below

(check one)  [ ] applicant

[ ] applicant’s authorized agent listed in Par. 1(a) below

in Application No.(s): RZ 2018-MV-007

(enter County-assigned application number(s), e.g. RZ 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES of the land described in the application,* and, if any of the foregoing is a TRUSTEE,** each BENEFICIARY of such trust, and all ATTORNEYS and REAL ESTATE BROKERS, and all AGENTS who have acted on behalf of any of the foregoing with respect to the application:

   (NOTE: All relationships to the application listed above in BOLD print must 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.)

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>RELATIONSHIP(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lafayette Building, LLC</td>
<td>9383 Mt. Vernon Circle Alexandria, VA, 22309</td>
<td>Owner/Applicant Tax Map 1022 02010605/1022 02010606</td>
</tr>
<tr>
<td>Jerry A. Hinn</td>
<td>201 Liberty Street Leesburg, VA, 20175</td>
<td>Engineers for Owner/Applicant Lafayette Building, LLC</td>
</tr>
<tr>
<td>Donohue &amp; Stearns, PLC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Edward L. Donohue</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Frank W. Stearns</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alexandria Surveys, LLC</td>
<td>1229 Garrisonville Road, Suite 104 Stafford, VA, 22556</td>
<td>Real Estate Agent for Owner/Applicant Lafayette Building, LLC</td>
</tr>
<tr>
<td>Roger Bohr</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Landmark Realty Corporation d/b/a</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Landmark Commercial Real Estate</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B. Blair White</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1775 Tysons Boulevard, Fifth Floor Tysons, VA, 22102</td>
<td></td>
</tr>
</tbody>
</table>

(check if applicable)  [ ] There are more relationships to be listed and Par. 1(a) is continued on a “Rezoning 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).

FORM RZA-1 Updated (7/1/06)
REZONING AFFIDAVIT

DATE: March 12, 2018
(enter date affidavit is notarized)

for Application No. (s): RZ 2018-MV-007
(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the SHAREHOLDERS of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders, and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:

(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Lafayette Building, LLC
9383 Mt. Vernon Circle
Alexandria, VA 22309

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)
Jerry A. Hinn

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice President, Secretary, Treasurer, etc.)

(check if applicable) [ ] There is more corporation information and Par. 1(b) is continued on a “Rezoning 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 breakdown 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.

FORM RZA-1 Updated (7/1/06)
### Rezoning Attachment to Par. 1(b)

**DATE:** March 12, 2018  
(enter date affidavit is notarized)  

**NAME & ADDRESS OF CORPORATION:**  
Donohue & Stearns, PLC  
117 Oronoco Street  
Alexandria, VA 22314  

**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 SHAREHOLDER:**  
Edward L. Donohue  
Frank W. Stearns  

**NAMES OF OFFICERS & DIRECTORS:**  
(check if applicable)  
[ ] There is more corporation information and Par. 1(b) is continued further on a “Rezoning Attachment to Par. 1(b)” form.

---

### Rezoning Attachment to Par. 1(b)

**DATE:** March 12, 2018  
(enter date affidavit is notarized)  

**NAME & ADDRESS OF CORPORATION:**  
Alexandra Surveys, LLC  
1229 Garrisonville Road, Suite 104  
Stafford, VA 22556  

**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:**  
Michael L. Flynn  

**NAMES OF OFFICERS & DIRECTORS:**  
(check if applicable)  
[ ] There is more corporation information and Par. 1(b) is continued further on a “Rezoning Attachment to Par. 1(b)” form.
Rezoning Attachment to Par. 1(b)

DATE: March 12, 2018

for Application No. (s): RZ 2018-MV-007

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Landmark Realty Corporation d/b/a
Landmark Commercial Real Estate
1775 Tysons Boulevard, Fifth Floor
Tysons, VA 22102

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)

B. Blair White

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

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

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)

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable) [ ] There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

FORM RZA-1 Updated (7/1/06)
REZONING AFFIDAVIT

DATE: March 12, 2018
(enter date affidavit is notarized)

for Application No. (s): RZ 2018-MV-007
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

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

(enter date affidavit is notarized)

(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)

(enter date affidavit is notarized)

(check if applicable) [ ] There is more partnership information and Par. 1(c) is continued on a “Rezoning 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.

FORM RZA-1 Updated (7/1/06)
REZONING AFFIDAVIT

DATE: March 12, 2018
(enter date affidavit is notarized)

for Application No. (s): RZ 2018-MV-007
(enter County-assigned application number(s))

1(d). One of the following boxes must be checked:

[ ] In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land:

[ ] Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

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

None

(check if applicable) [ ] There are more interests to be listed and Par. 2 is continued on a “Rezoning Attachment to Par. 2” form.

FORM RZA-1 Updated (7/1/06)
REZONING AFFIDAVIT

DATE: March 12, 2018
(enter date affidavit is notarized)

for Application No. (s): RZ 2018-MV-007
(enter County-assigned application number(s))

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.)

Frank W. Stearns, Esq. of Donohue & Stearns, PLC has contributed in excess of $100 to Supervisor Pat Herrity.
Frank W. Stearns, Esq. of Donohue & Stearns, PLC has contributed in excess of $100 to Supervisor John Cook.
Jerry A. Hinn of Lafayette Building, LLC has contributed in excess of $100 to Supervisor Jeff McKay.

(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 “Rezoning 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:

[ ] Applicant
[ ] Applicant’s Authorized Agent

Frank W. Stearns
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 12th day of March, 2018, in the State of Virginia, County of Fairfax.

My commission expires: 4/30/22

FORM RZA-1 Updated (7/1/06)
TO:        Tracy D. Strunk, AICP, Director  
             Zoning Evaluation Division, DPZ  
FROM:    Denise M. James, Chief  
             Environment and Development Review Branch, DPZ  
SUBJECT: Comprehensive Plan Land Use Analysis:  
             RZ 2018-MV-007  
             Lafayette Building, LLC  

The memorandum, prepared by Corinne K Bebek, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the Rezoning (RZ) dated February 5, 2018 and revised through May 7, 2018; and proffers dated May 7, 2018. The extent to which the proposed use, intensity and development plan are consistent with the land use guidance contained in the Comprehensive Plan, is noted. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

DESCRIPTION OF THE APPLICATION

The applicant, Lafayette Building LLC, is requesting a Rezoning (RZ) from the C-2 (limited office) District to C-5 (neighborhood retail commercial) District and Generalized Development Plan (GDP). The requested application is for approximately 0.47 acres located on tax map parcels 102-2 ((2)) (1) 605,606. The RZ would allow a change in the proffered uses permitted for the site to allow other uses that are permitted in the C-5 District and that are consistent with the neighboring C-5 property to the north. The applicant is proposing to expand the parking area by 598 square feet for an additional 5 parking spaces. No alterations or modifications to the exterior of the existing building are requested. The overall floor area ration (FAR) will remain unchanged at 0.2383.

LOCATION AND CHARACTER

The subject development is located in the Fort Hunt Community Planning Sector of the Mount Vernon Planning District in Area IV. The site is located at the intersection of Fort
Hunt Road and Lafayette Drive. The subject property is bounded to the east and south by residential neighborhoods which are zoned R-2 and are planned for 2-3 dwelling units per acre (du/ac). To the west of the property are residential neighborhoods which are zoned R-3 and planned for 2-3 du/ac. Hollin Hall Shopping Center is located to the north which is zoned C-5 and planned for retail and other uses. Currently, the subject property is developed with a 5,297 square foot office building with 15 parking spaces.

**Comprehensive Plan Map: Office**

**LAND USE ANALYSIS**

The land use analysis evaluates whether the application is in general conformance and harmony with Comprehensive Plan guidance for land use and intensity.

**Land Use and Intensity**

The Comprehensive Plan does not have site specific recommendations for this site. The Plan recommends that infill development should be of compatible use, type, and intensity in accordance with the Policy Plan under Land Use Objectives 8 and 14. The application proposed to add 598 square feet of impervious pavement for the purpose of restriping the parking area. The additional square footage of pavement will allow the applicant to increase parking from 15 to 20 spaces. There are no proposed changes to the architecture of the existing structure or landscaping of this property. Compatible uses allowed in the C-5 District are included in the proffers. Any other uses, such as a veterinary clinic, could have potential adverse impacts to the nearby residential uses and would be subject to further development review.

**Summary**

Overall, the applicant addresses the Plan and Policy objectives. In light of the surrounding commercial uses and the low impacts associated with proposed use, staff concludes that the proposed rezoning is in general conformance with the Comprehensive Plan.

**COMPREHENSIVE PLAN CITATIONS**

In the Fairfax County Comprehensive Plan, 2017 Edition, Area IV, Mount Vernon Planning District, Amended through 3-20-2018, MV6 – Fort Hunt Community Planning Sector, Pages 91-97 the Plan, as applied to the application area, states the following:

"RECOMMENDATIONS

Land Use"
The Fort Hunt Community Planning Sector contains stable residential neighborhoods. Infill development in this sector should be of a compatible use, type and intensity in accordance with the guidance provided by the Policy Plan under Land Use Objectives 8 and 14.”

In the Fairfax County Comprehensive Plan, 2017 Edition, Policy Plan, Land Use, Amended through 5-1-2018, pages 5-6 and 9-10, the Plan, as applied to the application area, states the following:

“Objective 8: Fairfax County should encourage a land use pattern that protects, enhances and/or maintains stability in established residential neighborhoods.

Policy a. Protect and enhance existing neighborhoods by ensuring that infill development is of compatible use, and density/intensity, and that adverse impacts on public facility and transportation systems, the environment and the surrounding community will not occur.

Policy b. Discourage commercial development within residential communities unless the commercial uses are of a local serving nature and the intensity and scale is compatible with surrounding residential uses.

Policy c. Discourage the consolidation of residential neighborhoods for redevelopment that is incompatible with the Comprehensive Plan.

Policy d. Implement programs to improve older residential areas of the county to enhance the quality of life in these areas.

Policy e. Encourage land owners within residential conservation and revitalization areas to contribute to the funding of these efforts.”

“Objective 14: Fairfax County should seek to achieve a harmonious and attractive development pattern which minimizes undesirable visual, auditory, environmental and other impacts created by potentially incompatible uses.

Policy a. Locate land uses in accordance with the adopted guidelines contained in the Land Use Appendix.

Policy b. Encourage infill development in established areas that is compatible with existing and/or planned land use and that is at a compatible scale with the surrounding area and that can be supported by adequate public facilities and transportation systems.
Policy c. Achieve compatible transitions between adjoining land uses through the control of height and the use of appropriate buffering and screening.

Policy d. Employ a density transfer mechanism to assist in establishing distinct and compatible edges between areas of higher and areas of lower intensity development, to create open space within areas of higher intensity, and to help increase use of public transportation at Transit Station Areas.

Policy e. Stabilize residential neighborhoods adjacent to commercial areas through the establishment of transitional land uses, vegetated buffers and/or architectural screens, and the control of vehicular access.

Policy f. Utilize urban design principles to increase compatibility among adjoining uses.

Policy g. Consider the cumulative effect of institutional uses in an area prior to allowing the location of additional institutional uses.

Policy h. Utilize landscaping and open space along rights-of-way to minimize the impacts of incompatible land uses separated by roadways.

Policy i. Minimize the potential adverse impacts of the development of frontage parcels on major arterials through the control of land use, circulation and access.

Policy j. Use cluster development as one means to enhance environmental preservation when the smaller lot sizes permitted would compliment surrounding development.

Policy k: Provide incentive for the preservation of EQCs by allowing a transfer of some density potential on the EQC area to less sensitive portions of a site. The development allowed by the increase in effective density on the non-EQC portion of the site should be compatible with surrounding area's existing and/or planned land use. It is expressly intended that in instances of severely impacted sites (i.e. sites with a very high proportion of EQC), density/intensity even at the low end of a range may not be achievable.

Policy l: Regulate the amount of noise and light produced by nonresidential land uses to minimize impacts on nearby residential properties."

DMJ:CKB
To: Ms. Tracy Strunk  
Director, Zoning Evaluation Division  

From: Noreen H. Maloney  
Virginia Department of Transportation – Land Development Section  

Subject: RZ 2018-MV-007; Lafayette Building  

This office has reviewed the subject application and offers the following comments.

- VDOT Waivers and Exceptions should be submitted and approved prior to zoning approval.
- Sight distance should be verified at the entrance(s).
DATE: July 2, 2018

TO: Jay Rodenbeck, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Rachel Habig-Myers, Urban Forester II
Forest Conservation Branch, DPWES

SUBJECT: Hollin Hall Vil Lt 605 606 / Lafayette Centre. RZ 2018-MV-007

The following comments are based on a review of the third submission of proposed proffers, statement of justification, and letter stamped “Received, Department of Planning and Zoning, June 15, 2018” and a Generalized Development Plan stamped “Received, Department of Planning and Zoning, June 15, 2018”.

General Comments:

1. Comment: The landscape Plan in this submission proposes planting 6 foot tall, Category 1 evergreen trees within the critical root zone and under the crown of an existing tree onsite. This is not likely to result in a successful landscape, as the plant materials proposed are too large and will not survive in a shady location. The proposed landscaping is more likely to cause impacts to existing vegetation, providing less screening and buffering overall.

Recommendation: The applicant should propose landscaping/barrier that will provide relief from the headlight glare issues that will result from the addition of parking spaces proposed in this application.

2. Comment: The applicant requests a waiver of barrier requirements in the transitional screening yard parallel to Fort Hunt Road, stating that the provision of a barrier could create a traffic sight hazard. Waiver modification requests citing line of sight issues typically demonstrate the issue in the plat as justification for a waiver/modification, which is not found in this application. Additionally, the proposed parking spaces, comprising the area where screening is most important, is not located such that a barrier could cause line of sight issues for traffic on adjacent public roads.

Recommendation: The applicant should either depict line of sight on the plat as justification for the waiver request, or should propose landscaping and/or barriers that will fulfill the intent of transitional screening and not impact existing vegetation.

rh/
UFMDID #: 246783, cc: DPZ File
GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions.

Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public’s right-of-passage over a road or road right-of-way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.
DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets, trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A GENERALIZED DEVELOPMENT PLAN (GDP) is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A CONCEPTUAL DEVELOPMENT PLAN (CDP) is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A FINAL DEVELOPMENT PLAN (FDP) is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 18 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel, access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterio network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels: the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.
OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may be function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social, and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-481) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.
WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers.

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>A&amp;F</td>
<td>Agricultural &amp; Forestal District</td>
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<tr>
<td>ADU</td>
<td>Affordable Dwelling Unit</td>
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<tr>
<td>ARB</td>
<td>Architectural Review Board</td>
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<tr>
<td>BMP</td>
<td>Best Management Practices</td>
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<tr>
<td>BOS</td>
<td>Board of Supervisors</td>
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<tr>
<td>BZA</td>
<td>Board of Zoning Appeals</td>
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<tr>
<td>COG</td>
<td>Council of Governments</td>
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<tr>
<td>CBC</td>
<td>Community Business Center</td>
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<tr>
<td>CDP</td>
<td>Conceptual Development Plan</td>
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<tr>
<td>CRD</td>
<td>Commercial Revitalization District</td>
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<tr>
<td>DOT</td>
<td>Department of Transportation</td>
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<tr>
<td>DP</td>
<td>Development Plan</td>
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<tr>
<td>DPWES</td>
<td>Department of Public Works and Environmental Services</td>
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<tr>
<td>DU/AC</td>
<td>Dwelling Units Per Acre</td>
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<tr>
<td>EQC</td>
<td>Environmental Quality Corridor</td>
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<tr>
<td>FAR</td>
<td>Floor Area Ratio</td>
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<tr>
<td>FDP</td>
<td>Final Development Plan</td>
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<tr>
<td>GDP</td>
<td>Generalized Development Plan</td>
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<tr>
<td>GFA</td>
<td>Gross Floor Area</td>
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<td>HC</td>
<td>Highway Corridor Overlay District</td>
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<tr>
<td>HCD</td>
<td>Housing and Community Development</td>
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<tr>
<td>LOS</td>
<td>Level of Service</td>
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<tr>
<td>Non-RUP</td>
<td>Non-Residential Use Permit</td>
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<tr>
<td>OSDS</td>
<td>Office of Site Development Services, DPWES</td>
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<tr>
<td>PCA</td>
<td>Proffered Condition Amendment</td>
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<tr>
<td>PD</td>
<td>Planning Division</td>
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<tr>
<td>PDC</td>
<td>Planned Development Commercial</td>
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<td>PDH</td>
<td>Planned Development Housing</td>
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<tr>
<td>PFM</td>
<td>Public Facilities Manual</td>
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<td>PRC</td>
<td>Planned Residential Community</td>
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<tr>
<td>RC</td>
<td>Residential Conservation</td>
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<td>RE</td>
<td>Residential Estate</td>
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<td>RMA</td>
<td>Resource Management Area</td>
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<td>Residential Use Permit</td>
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<td>RZ</td>
<td>Rezoning</td>
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<td>SE</td>
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<tr>
<td>TDM</td>
<td>Transportation Demand Management</td>
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<td>Transportation Management Association</td>
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<td>Transit Station Area</td>
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<td>TSM</td>
<td>Transportation System Management</td>
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<tr>
<td>UP &amp; DD</td>
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<tr>
<td>VC</td>
<td>Variance</td>
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<tr>
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<td>Virginia Dept. of Transportation</td>
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<tr>
<td>VPD</td>
<td>Vehicles Per Day</td>
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<tr>
<td>VPH</td>
<td>Vehicles per Hour</td>
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<tr>
<td>WMATA</td>
<td>Washington Metropolitan Area Transit Authority</td>
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<td>WS</td>
<td>Water Supply Protection Overlay District</td>
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<td>ZAD</td>
<td>Zoning Administration Division, DPZ</td>
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<td>ZED</td>
<td>Zoning Evaluation Division, DPZ</td>
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<tr>
<td>ZPRB</td>
<td>Zoning Permit Review Branch</td>
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N:ZED\WORDFORMS\FORMS\Miscellaneous\Glossary attached at end of reports.doc