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AMENDED
September 26, 2016

Via E-mail and Hand Delivery

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

Re: Proposed Special Exception Application
Fairfax County Tax Map Reference: 6-4 ((3)) 1 (the "Subject Property")
Applicant: Seneca Corner Associates LLC

Dear Ms. Berlin:

Please accept this letter as a statement of justification for a special exception application on the Subject Property.

The Subject Property, which is currently vacant land, contains approximately 3.37 acres and is located in the northwest quadrant of the intersection of Georgetown Pike (Route 193) and Seneca Road (Route 602), in proximity to Leesburg Pike (Route 7), in the Dranesville Magisterial District. Approximately 2.07 acres of the Subject Property is zoned to the C-8 District, and approximately 1.30 acres is zoned to the R-1 District. Zoning records indicate that the Subject Property is not subject to any proffered conditions, development conditions, or rezoning, special permit, or special exception approvals. The Subject Property has been the subject of a previously approved site plan for commercial development in accordance with its existing zoning. The site plan includes a two story building with 33,953 square feet of gross floor area ("GFA") and a 0.37 floor area ratio ("FAR"), including office space and ground floor retail, as calculated on the C-8 portion of the Subject Property.

Pursuant to Fairfax County Zoning Ordinance (the "Zoning Ordinance") Sections 4-804(4)(H), 9-501(36) and 9-502, the Applicant proposes a special exception to permit the development of a retail sales establishment with a drive-thru pharmacy on the C-8 District portion of the Subject Property. As shown in the accompanying Special Exception Plat (the "SE Plat") prepared by Charles P. Johnson & Associates, Inc., dated March 1, 2016 and revised

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through September 26, 2016, the Applicant proposes an approximately 11,945 square foot retail sales establishment with a drive-thru pharmacy on the northern portion of the Subject Property that will be operated by CVS Pharmacy. The Applicant also proposes an approximately 5,760 square foot building on the southern portion of the Subject Property that will be occupied by retail or other permitted uses in the C-8 District. The Applicant has limited the uses permitted on the Subject Property as detailed in the attached list. The maximum height of the proposed buildings is twenty-four (24) feet, with a 0.21 FAR, which is within the maximum FAR of 0.50 permitted in the C-8 District. Ninety-two (92) standard parking spaces, six (6) accessible parking spaces, and two (2) loading spaces are proposed, which exceed the number of parking spaces required by the Zoning Ordinance. Access will be provided from a curb-cut located near the northeast corner of the Subject Property on to Seneca Road. The drive-thru window and stacking spaces for the drive-thru pharmacy will be located along the northern and western sides of the building and will not be visible from any of the adjacent streets.

The proposal includes improvements to Seneca Road along the Subject Property's frontage, including curb-and-gutter, a five (5) foot wide concrete sidewalk to connect to the existing ten (10) foot wide asphalt trail on Georgetown Pike, and one (1) southbound right-turn lane approaching Seneca Road's intersection with Georgetown Pike. As shown on Sheets 5 and 7 of the SE Plat, landscaping is proposed along the perimeter of the development to provide screening to the neighboring properties, including the residential properties to the west and northeast. While maintaining the previously dedicated right-of-way, the Applicant proposes a waiver of the ten (10) foot minimum parking setback to a front lot line in order to maximize the amount of screening between the proposed buildings and the existing residential community located to the west. The Applicant's traffic consultant has conducted an operational analysis of the traffic generated by the proposed uses and has determined an additional turn lane is not warranted, however, the previously dedicated right-of-way will not be vacated. The Applicant will landscape the unimproved right-of-way subject to VDOT's permission. A majority of the R-1 District portion of the Subject Property will be preserved either as open space within a proposed conservation easement or as transitional screening. An underground stormwater management facility will ensure that stormwater management and water quality requirements are met.

The Subject Property is located within the UP2 Springvale Community Planning Sector of the Upper Potomac Planning District in Area III of the Fairfax County Comprehensive Plan (the "Plan"). The Plan generally recommends compatible uses, types and intensities to existing development. The Subject Property is included within Recommendation 4 which describes commercially zoned properties at Seneca Road and Georgetown Pike. Commercial development is recommended to be limited to low intensity office and neighborhood retail uses not to exceed a 0.25 FAR, subject to certain conditions.

The Applicant's proposal is in harmony with the recommendations and conditions in the Plan, as a retail sales establishment with a drive-thru pharmacy is a neighborhood-serving use. A pharmacy drive-thru is for prescription service only and is typically used by individuals who are sick, or are transporting children or elderly individuals. The result is that the drive-thru component will have a low traffic impact and the use is more neighborhood-serving than other

types of drive-thru commercial uses. In addition, substantial screening consisting of an open space buffer, plantings, and a fence will be provided to the adjacent residential properties. As demonstrated on Sheet 9 of the SE Plat, high quality architecture is proposed, using style and design elements that are compatible with the neighboring residential community. Finally, the proposed buildings will have a total FAR of 0.21 and a maximum height of twenty-four (24) feet, which is well below the FAR and height limits recommended in the Plan and Zoning Ordinance.

The Applicant's proposal meets the additional standards of Section 9-505 of the Zoning Ordinance for a drive-thru pharmacy. As addressed above, the proposed buildings will be architecturally compatible with the surrounding neighborhood. Pedestrian and vehicular circulation has been designed so that individuals and vehicles will move safely and efficiently on-site without negatively impacting adjacent properties. The proposed drive-thru lane will have five (5) stacking spaces, which is more than adequate for the demand shown at similarly located drive-thru pharmacies and consistent with Zoning Ordinance requirements. Signs will be utilized to direct vehicles in the drive-thru lane. The proposed entrance to the Subject Property is located away from the intersection of Seneca Road and Georgetown Pike, which will prevent traffic conflicts between the entrance and the intersection, and a southbound right-turn lane is proposed to improve vehicular circulation along Seneca Road and through the intersection at Georgetown Pike. The proposed screening and layout of the development will ensure that operational considerations such as noise generation, parking and glare will not affect the surrounding residential area. All outdoor lighting will comply with the standards in Article 14 of the Zoning Ordinance. Finally, the directional sign posted at the entrance to the Subject Property, near the entrance to the drive-thru lane, will state the limitations on the use of the window service, including the hours of operation.

In accordance with Section 9-011 of the Zoning Ordinance, please accept the following information:

- The type of use proposed is a building containing approximately 11,945 square feet designed to accommodate a retail sales establishment and pharmacy with a drive-thru window. A second building containing approximately 5,760 square feet is also proposed. This building will include uses permitted in the C-8 District. The Applicant has limited the uses permitted on the Subject Property as detailed in the attached list.
- The anticipated hours of operation of the retail sales establishment and pharmacy will be Monday through Saturday, 8:00 a.m. to 10:00 p.m., and Sunday, 8:00 a.m. to 8:00 p.m., with the drive-thru window operating Monday through Saturday, 8:00 a.m. to 10:00 p.m., and Sunday 8:00 a.m. to 8:00 p.m. The anticipated hours of operation of the tenants in the second building will be limited to no earlier than 6:00 a.m. and no later than 12:00 a.m.
- The estimated number of patrons of the retail sales establishment and pharmacy with a drive-thru window is approximately 490 persons per day. The estimated

number of patrons for the tenants in the second building is approximately 165 persons per day.

- The estimated number of employees for the retail sales establishment and pharmacy with a drive-thru window is a maximum of eight (8) on-site at any one time. The estimated number of employees for tenants in the second building is a maximum of five (5) on-site at any one time.
- The proposed retail sales establishment and pharmacy with a drive-thru window will generate approximately 1,158 vehicle trips per day. The uses in the second building will generate approximately 1,947 vehicle trips per day.
- The general area to be served by the use is a radius of approximately two (2) miles and primarily nearby neighborhoods in proximity to the intersection of Seneca Road and Georgetown Pike.
- To the best of the Applicant's knowledge, no hazardous or toxic substances will be utilized or stored on the Subject Property.
- The proposed use conforms to all applicable ordinances, regulations, adopted standards and conditions, except as modified by this application.

The Applicant requests the following modifications and waivers:

- A modification of the transitional screening requirements of Zoning Ordinance Section 13-303 and the barrier requirement of Zoning Ordinance Section 13-304, based on Paragraphs 2 and 4 of Section 13-305, in favor of what is shown on Sheets 4 and 5 of the SE Plat along the northern border of the Subject Property adjacent to Parcel A. Along most of the northern border of the C-8 District area of the Subject Property, a seven (7) foot masonry wall is proposed. Although the masonry wall does not fully extend to the Seneca Road right-of-way, several trees and two rows of shrubs are proposed in that area, and additional trees and shrubs are proposed on the northern side of the masonry wall. Given the proposed landscaping and wall, the proposed conservation easement and tree save area in this portion of the Subject Property, and the fact that Parcel A is currently used as open space and does not meet the lot size requirements for residential development, a modification to the screening and barrier requirements in this area is justified.
- A waiver of the transitional screening requirements of Zoning Ordinance Section 13-303 and the barrier requirement of Zoning Ordinance Section 13-304, based on Paragraphs 2 and 3 of Section 13-305, in favor of what is shown on Sheets 4 and 5 of the SE Plat along the eastern border of the Subject Property adjacent to Parcel 8B. With the addition of the proposed southbound right-turn lane, there will be approximately 71.5 feet of right-of-way separating the edge of the

developed portion of the Subject Property from the edge of Parcel 8B. In addition, the Applicant has proposed screening and landscaping on both sides of the proposed entrance to the Subject Property. Given the significant buffer and the proposed landscaping, a modification to the screening and barrier requirements in this area is justified.

- A waiver of the access management requirement for the entrance and right-turn taper will be requested from the Virginia Department of Transportation (VDOT).
- A waiver of Zoning Ordinance Section 13-302, Paragraph 2, to allow all proposed barriers to be located on the R-1 District portion of the Subject Property is also requested.
- A waiver of the peripheral parking lot landscaping requirements of Zoning Ordinance Section 13-203, Paragraph 2. The Applicant will provide landscaping along the Seneca Road frontage of the Subject Property as shown on Sheet 5 of the SE Plat subject to approval by VDOT. Due to the presence of a future overhead utility easement, the Applicant proposes to plant this area with smaller trees and shrubs. In addition to avoiding conflicts with overhead utilities, the smaller trees and shrubs will provide more effective screening of vehicle headlights on the Subject Property.
- A waiver of the ten (10) foot minimum parking setback to a front lot line of Zoning Ordinance Section 11-102, Paragraph 8, to maximize the amount of screening between the proposed buildings and the residential community located to the west. In accordance with the requirements of Zoning Ordinance Section 13-203, Paragraph 3.B., the waiver will not have a deleterious effect on the existing or planned development of adjacent properties as the property to the east is already development as a commercial center from the Subject Property separated from the Subject Property by a four lane roadway.
- A waiver of the requirement of Zoning Ordinance Section 17-201, Paragraph 3.B. to provide a travel lane to an adjacent property along a collector street. The adjacent property is residentially zoned and owned by a homeowners association so a travel lane is neither appropriate nor warranted.

The Applicant proposes to establish a drive-thru pharmacy that will provide a valuable neighborhood service in a convenient location while providing significant right-of-way improvements, screening, and landscaping, and establishing a conservation easement. Should you have any questions regarding this proposal, or require additional information, please do not hesitate to contact me.

I would appreciate the acceptance of this revised statement in anticipation of the scheduled public hearing before the Fairfax County Planning Commission.

Very truly yours,

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



Lynne J. Strobel

LJS:kae

Attachment

cc: Jonathan Fields
Stacy Hornstein
Brian McNeal
Allan Baken
Hank Fox
John Andrus
Robin Antonucci
Chris Kabatt
Brian Thomas
Robert D. Brant

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**C-8 USES THAT SHALL BE PERMITTED WITHOUT AN AMENDMENT TO
SE 2016-DR-009**

1. Accessory uses as permitted by Article 10 of the Zoning Ordinance.
2. Business services and supply service establishments.
3. Community clubs, centers and meeting halls.
4. Cultural centers, museums.
5. Eating establishments
6. Fast food restaurants without drive-thru.
7. Financial institutions.
8. Garment cleaning establishments.
9. Health clubs.
10. Offices.
11. Personal service establishments.
12. Private clubs and public benefit associations.
13. Private schools of special education.
14. Public uses.
15. Quick-services food stores.
16. Repair service establishments, excluding the repair of lawnmowers.
17. Retail sales establishments.
18. Telecommunication facilities.
19. Veterinary hospitals.
20. Wholesale trade establishments.