



FAIRFAX COUNTY
SITE-SPECIFIC PLAN AMENDMENT PROCESS

COUNTYWIDE

Nomination Number	CPN22-MV-002
Supervisor District	Mount Vernon
Parcel ID Number(s)	106-2 ((7)) 1, 4, 5 and 9A
Parcel Address(es)	8919 and 9009 Ox Road, 8920 and 9000 Windrush Drive, Lorton, VA 22079
Nominator	Lorton Valley Retail, LLC (Bernard S. Suchicital, agent)
Plan Map Designation	Residential .5-1 du/ac
Comprehensive Plan Recommendation for Nominated Property	Planned for residential at .5-1 du/ac with option as a neighborhood shopping center up to 125k GFA, and no free-standing retail use.
Proposed Land Use	Retail_OtherCommercial
Summary of Proposed Comprehensive Plan Change	Permit free-standing retail structures.



Bernard S. Suchicital
Land Use Planner
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**WALSH COLUCCI
LUBELEY & WALSH PC**

October 31, 2022

Via Electronic Submission

Ms. Leanna O'Donnell, Director
Planning Division
Fairfax County Department of Planning & Development
12055 Government Center Parkway, Suite 730
Fairfax, Virginia 22035

**Re: Site-Specific Plan Amendment Nomination Justification
Nominator: Lorton Valley Retail, LLC
Property: 8971 Ox Road; Tax Map Parcels 106-2 ((7)) 1, 4, 5, and 106-2 ((1))
9A**

Dear Ms. O'Donnell:

On behalf of the Property owner, **Lorton Valley Retail, LLC (the “Nominator”)**, please accept the following as a statement of justification for a Site-Specific Plan Amendment (“SSPA”) nomination for the above-referenced Property.

Location & Background

The Property comprises approximately 19.8 acres as part of the Shoppes of Lorton Valley. The Property is bordered to the south by Ox Road (Route 123), Halley Elementary School to the north, a single-family detached residential community to the east, and on the north, south, and a place of worship to the west.

The Property is zoned to the C-6 Community Retail Commercial zoning district per subsection 2103.6 et seq. of the Zoning Ordinance of Fairfax County, Virginia. The Board of Supervisors (the “Board”) rezoned the Property to the C-6 zoning district in on February 24, 1992 (RZ 89-V-059) in the name of Harper’s View Associates, L.P. and the associated Generalized Development Plan (“GDP”).

ATTORNEYS AT LAW

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Existing Comprehensive Plan Text

The Property is located within the P5-Dominion Community Planning Sector of the Pohick Planning District of the Area III Plan. The Property is specifically referenced in Land Use Recommendation #8, and is planned for residential development at .5-1 dwelling units per acre with an option for development as a neighborhood shopping center, not to exceed 125,000 gross square feet with conditions. Of concern to this SSPA request, the second condition states that, due to the residential setting, the center should not have a free-standing retail use.

Proposed Nomination

As of the result from two years of shifts in retail shopping patterns, behaviors, and preferences as of a result of the pandemic, the Nominator requesting the flexibility to provide a free-standing retail structure with a drive-through facility within the existing shopping center parking lot. As depicted in the attached illustrative concept plan, the Nominator envisions up to free-standing retail structure up to 2,000 square feet to be located along the Ox Road frontage of the Property. The proposed drive-through facility may be located between the proposed retail structure and Ox Road. The Nominator anticipates to continue providing an enhanced landscape screening and buffering along Ox Road. Vehicle access and circulation will remain internal to the shopping center.

Given the forgoing, I have provided the following suggested edits to the Comprehensive Plan, identified with underlines and strikethroughs, for your consideration:

Fairfax County Comprehensive Plan, 2017 Edition, Area III, Pohick Planning District, as amended through September 14, 2021, P5-Dominion Community Planning Sector, page 60:

"8. [2nd bullet] The shopping center includes a supermarket of approximately 30,000 to 60,000 square feet to serve the surrounding residential area. ~~The center, because of its residential setting, should have no free standing retail structures~~ Proposed free-standing retail structures should be rigorously reviewed;"

Justification

The nomination serves to advance changes observed in society's consumer retail habits and preferences, and adapt the Property to allow the shopping center to have the flexibility and tools needed to retain current tenants and attract new tenants in the rapidly-changing retail environment. The proposed nomination does not contemplate any increase in development intensity over the existing Comprehensive Plan text. Introducing free-standing retail with drive-through uses would result in meeting the unprecedented demand and expectations of today's post-pandemic society.

Additionally, introducing free-standing retail and drive-through uses would also likely necessitate some manner of legislative approval by the Board, which can result in substantial public benefits. In the event a proffered condition amendment (to modify the GDP), and special exception (to allow for the drive-through use) are required, for example, the Nominator would be expected to offer a series of development conditions that would not otherwise be provided by the Property's existing commercial plan (which predates many of the County's current Plan, and proffer policies).

On January 25, 2022, the Property Owner met with the South County Federation Land Use Committee (the "Committee") to present and discuss the possibility of a Plan amendment to allow free-standing retail with a drive-through use. The Committee requested the Property Owner to defer further action until the Popeyes drive-through restaurant opened to observe how vehicle circulation would be impacted by the new tenant. The restaurant opened in May 2022, which allowed the Property Owner and the community to observe any changes or impacts that may have occurred. The Nominator intends to return to the Committee in 2023 as part of the SSPA process to continue outreach.

I would appreciate it if you would consider the information provided in the 2023 Comprehensive Plan Amendment Work Program. For your review, I have enclosed a vicinity map of the Property, the proposed development concept, and the Nominator's endorsement of the SSPA nomination. It is the Nominator's intent to file a zoning application to Fairfax County for the Property to be reviewed concurrently with the Plan amendment, should the Board authorize the requested nomination for consideration.

Thank you for your time and consideration in this matter, and please feel free to call me directly at (703) 528-4700 should you have any questions.

Very truly yours,

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



Bernard S. Suchicital
Land Use Planner

Enclosures

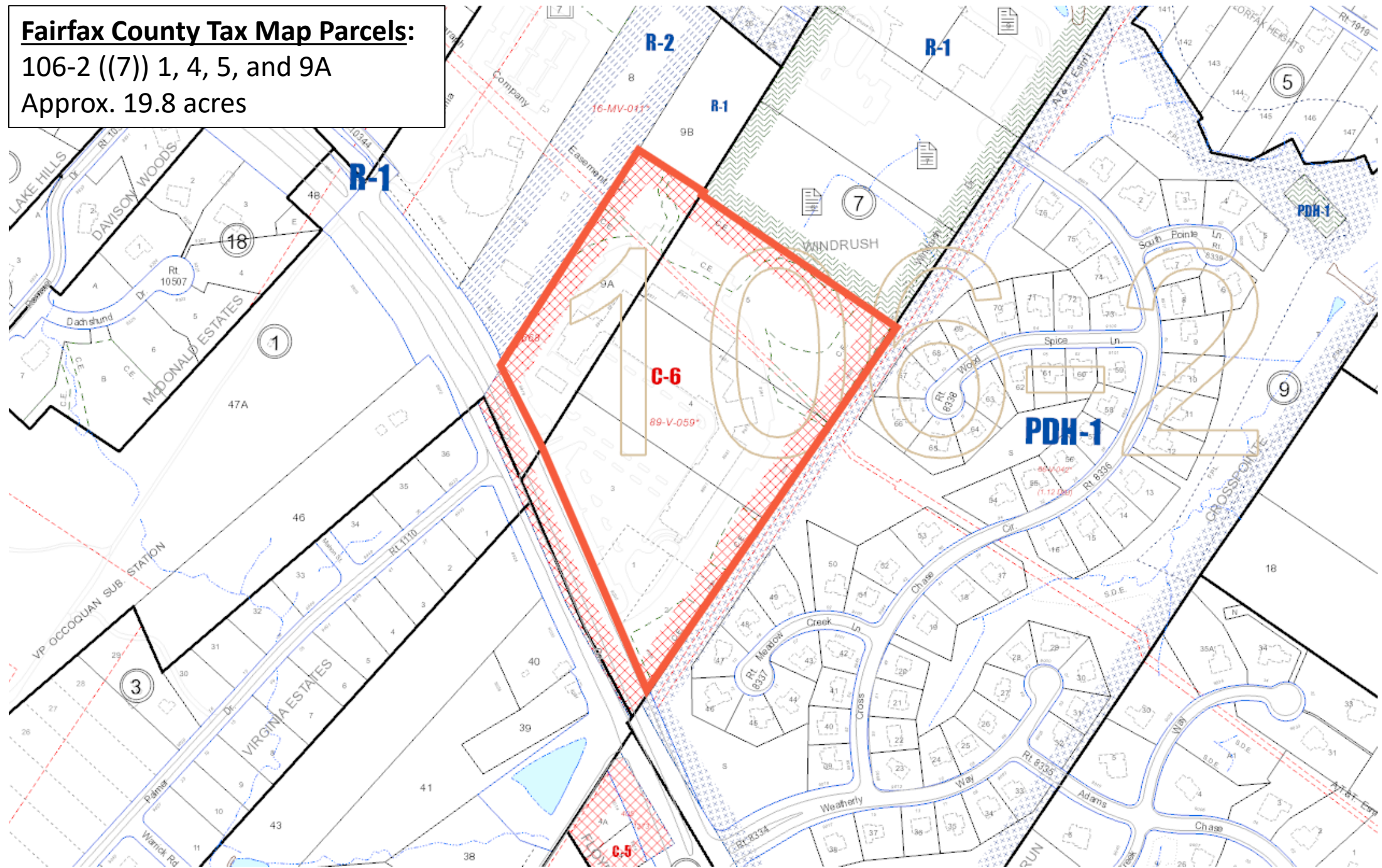
Cc: Supervisor Daniel Storck, Mount Vernon District
Planning Commissioner Walter Clarke, Mount Vernon District
Jeffrey Rodgers, Willard Retail
Michael Majestic, Willard Retail



SHOPPES OF LORTON VALLEY

Lorton, Virginia
Site-Specific Plan Amendment Nomination
October 19, 2022

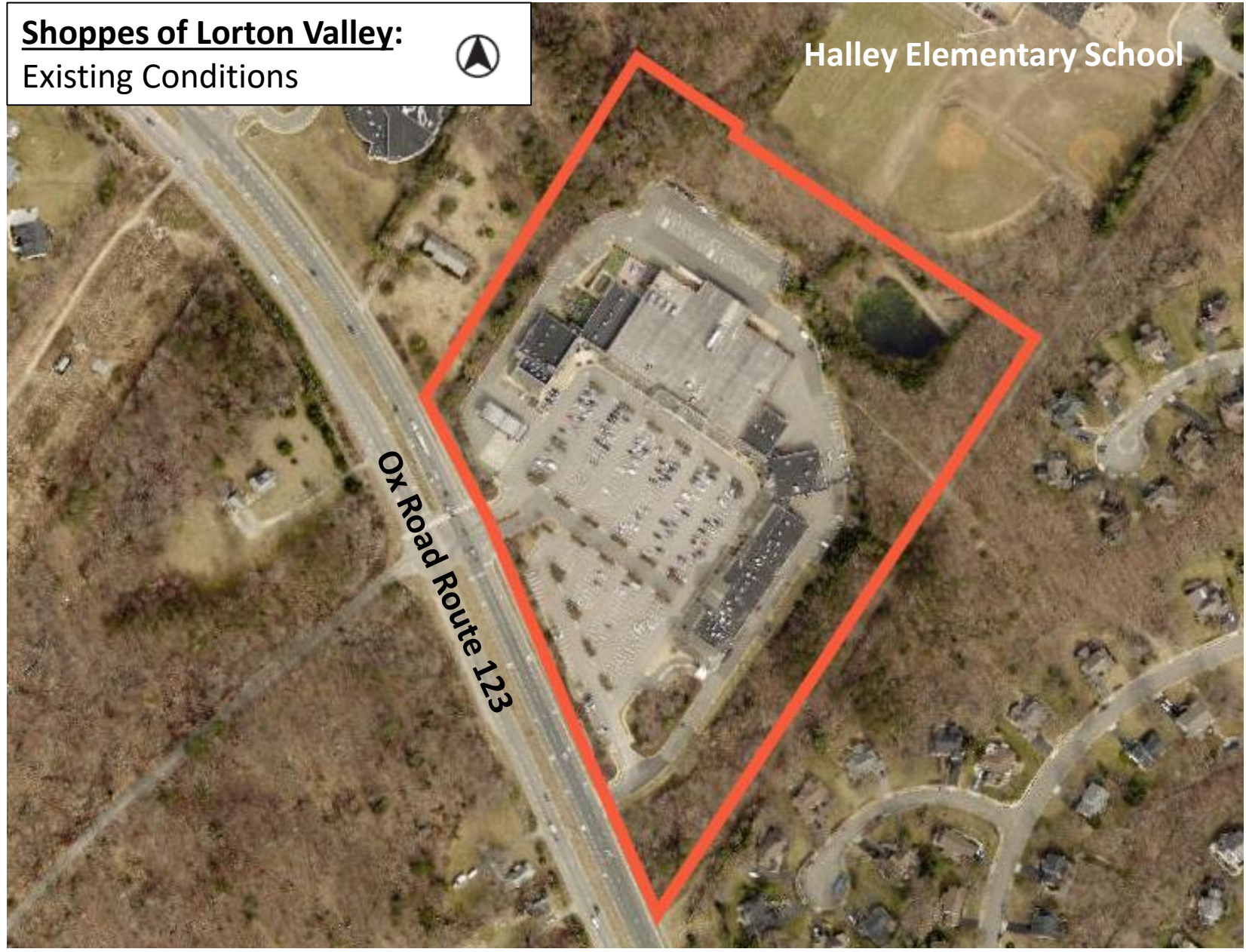
Fairfax County Tax Map Parcels:
106-2 ((7)) 1, 4, 5, and 9A
Approx. 19.8 acres



Shoppes of Lorton Valley:
Existing Conditions



Halley Elementary School



Ox Road Route 123



Proposed Retail Location



Statement of Consent by Property Owner

October 28, 2022

Leanna O'Donnell, Director
Fairfax County Department of Planning and Development
Planning Division
12055 Government Center Parkway, Suite 730
Fairfax, Virginia 22035

Re: Consent to File Nomination for Site-Specific Plan Amendment
Subject Property: Tax Map Parcels 106-2 ((7)) 1, 4, 5 and 106-2 ((1)) 9A
Nominator: Lorton Valley Retail, LLC

Dear Ms. O'Donnell,


I am an authorized representative of the title owner and nominator of the property located at 8971 Ox Road, Tax Map Parcels 106-2 ((7)) 1, 4, 5, and 106-2 ((1)) 9A (the "Subject Property"), which is being nominated for a Comprehensive Plan land use change as part of the 2022-2023 Site-Specific Plan Amendment Process. I have reviewed the subject nomination and consent to the Subject Property being submitted for consideration. Furthermore, I understand the expectations for the process and am willing to participate in the review, analysis, and community engagement, as needed.

Very truly yours,

Lorton Valley Retail, LLC

By: Lorton Valley Retail Member, L.L.C.,
its Member

By: Lorton/Willard Retail Member, L.L.C.,
its managing member



By: Michael B. Majestic
Its: Managing Member

Lorton Valley Retail, LLC
4800 Hampden Lane, Suite 800
Bethesda, Maryland 20814
Jeff Rodgers
jrodgers@willardretail.com
(443) 310-9585

Statement of Consent by Property Owner

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Fairfax County Department of Planning and Development
Planning Division
12055 Government Center Parkway, Suite 730
Fairfax, Virginia 22035

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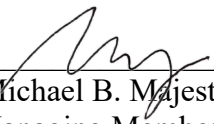
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