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WALSH COLUCCI  
LUBELEY EMRICH  
& WALSH PC

**REVISED**  
April 20, 2010

**Via Hand Delivery**

Regina C. Coyle, Director  
Fairfax County Department of Planning & Zoning  
Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035

Re: Proposed Final Development Plan Amendment  
Applicant: LB Franklin Farm LLC

Dear Ms. Coyle:

Please accept the following as a revised statement of justification for a final development plan amendment on property identified among the Fairfax County tax map records as 35-1 ((4)) (22) 1, 2A, 2B, 3, 4, 5 (the "Subject Property").

The Subject Property contains approximately 20.06 acres and is located in the northeast quadrant of the intersection of Franklin Farm Road (Route 6819) and Stone Heather Drive (Route 7283) in the Sully Magisterial District. The Subject Property is zoned to the PDH-2 and Water Supply Protection Overlay (WS) Districts and has been the subject of several prior land use applications. On October 22, 1979, the Board of Supervisors (the "Board") approved RZ 78-C-118 which rezoned the Subject Property and surrounding acreage to the PDH-2 District. On March 1, 1984, the Planning Commission approved FDPA 78-C-118-5 to establish a shopping center on the Subject Property to serve the surrounding residential development. Most recently, the Planning Commission approved FDPA 78-C-118-17 and the Board approved SE 2008-SU-032 to replace a previously approved, but never established, drive-in bank use with a fast food restaurant without a drive-through. The Subject Property's zoning to the PDH-2 District permits only limited secondary retail uses. The Franklin Farm Shopping Center is an existing, developed shopping center that is developed at its maximum intensity under the applicable zoning approvals. Accordingly, any new shopping center tenants are simply replacing existing square footage.

Over the last 25 years, a number of amendments have been approved on the Subject Property to incorporate community-serving uses and to add variety to the shopping center's existing retail offerings. Providing a variety of uses at the shopping center increases its vitality and reduces the number of vehicle trips on the surrounding road network as patrons can perform

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multiple tasks at one location. As an alternative to addressing each change in use at the shopping center with an amendment to the final development plan, the Applicant proposes to add a number of permitted secondary uses to the final development plan. Expanding the list of permitted uses on the final development plan will allow the shopping center to respond much faster to potential tenants and provide better leasing opportunities for desired users. No site modifications or changes to the proffered 0.25 FAR are proposed.

The currently approved final development plan depicts only a shopping center use and fast food restaurant use. The Applicant proposes to add the following secondary uses to the final development plan:

- Health Clubs;
- Offices;
- Places of Worship (not to exceed 5,000 square feet);
- Colleges and Universities (not to exceed 5,000 square feet);
- Personal Service Establishments;
- Private Schools of Special Education;
- Repair Service Establishments;
- Financial Institutions with Drive-Through (as shown on the FDPA);
- Financial Institutions without Drive-Throughs;
- Service Station/Mini-Marts (as shown on the FDPA);
- Community Uses; and
- Veterinary Hospitals.

The addition of the above, community-serving uses will provide needed flexibility to maintain a quality mix of tenants. The additional uses will not create additional traffic impacts and will enhance the shopping center for area residents. No site modifications or change to the approved center is proposed except for the addition of the above-listed uses to the approved final development plan. Parking will be provided for each use in accordance with the requirements of Article 11 of the Fairfax County Zoning Ordinance.

The Subject Property is in Area III of the Fairfax County Comprehensive Plan (the "Plan"), within the Upper Potomac Planning District, within the West Ox Community Planning Sector (UP7). The Plan does not contain any text specific to the Subject Property. Given the prior approvals on the Subject Property, the proposal is in conformance with the Plan's recommendations.

In summary, the Applicant proposes the addition of a number of secondary uses to the Subject Property's final development plan. The Applicant is not proposing any additional intensity or site modifications. The addition of a number of secondary uses to the final development plan will allow for greater diversity in the shopping center's tenant mix and will allow the shopping center to continue serving the community's needs by providing quality tenants.

April 20, 2010

Page 3 of 3

Should you have any questions regarding the above, or require additional information, please do not hesitate to give me a call. I would appreciate the acceptance of this application and the scheduling of a public hearing before the Fairfax County Planning Commission at your earliest convenience. As always, I appreciate your cooperation and assistance.

Very truly yours,

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

A handwritten signature in cursive script that reads "Sara V. Mariska/KAE".

Sara V. Mariska

Enclosures

cc: Josh Goldman  
Aaron Bodenschatz  
Lynne J. Strobel  
Martin D. Walsh

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