

Eric T. Sohn

14714 Old Lee Rd Chantilly, Va. 20151

Date: September 12, 2017

Fairfax County Planning Commission

12000 Government Center Parkway Suite 330 Fairfax, VA 22035

Ref: RZ 2016-SU-015

Dear Fairfax County Planning Commission:

Attached please find a copy of Proffer Condition Amendment application (PCA 87-S-061) for 14714 Old Lee Road (Tax Map 43-2 ((1)) 5) which located right next to the property (Tax Map 43-2((1)) 2) which will hold a public hearing on September 14, 2017. As indicated in item 13 of the attached application it restricted us from certain permitted I-5 uses and two of these were Motor vehicle storage and Vehicle major service establishments. And, above mentioned rezoning application requested for a permission to use subject property for a new vehicle storage, vehicle major service establishment and vehicle light service establishment.

I do not have any objection to their request for these uses as a property owner in the vicinity. However, if planning commission approve this zoning change request then, I want to make sure that planning commission would also remove current restriction for Motor vehicle storage and Vehicle major service establishment use from our property when I apply for this zoning change request in the future. I feel that since the subject property and our property are right next to each other it is only fair that both properties should have same permitted I-5 uses.

Thank you for giving me an opportunity to speak on my behalf.

Sincerely,



Eric Sohn

PROFFER


Eric T Sohn and Hae-Ri Kim

PCA 87-S-061

May 1, 2006

Pursuant to Section 15.2-2302 (a) of the 1950 Code of Virginia, as amended, the undersigned hereby proffers the following conditions provided that the Board of Supervisors approves PCA 87-S-061 (the "Application"). In the event the Application is approved, these proffers shall supersede and replace any previous proffers for the Application Property.

1. Development shall be in substantial conformance with the Generalized Development Plan (GDP) prepared by Harold A Logan Associates, P.C., consisting of eleven (11) sheets, revised December 12, 2005. For the purpose of this proffer, "Substantial conformance" shall have the meaning given in section 18-204(5) of the Fairfax County Zoning Ordinance.
2. The floor area ratio not to exceed 0.4.
3. No outside storage shall be visible from Old Lee Road.
4. The Applicant shall grant an easement at no cost to ensure adequate sight distance of 445 feet at the Application Property's access to Old Lee Road as shown on the GDP. Said easement shall be in a form as reviewed and approved by the County Attorney and recorded among the Fairfax County land records.
5. Subject to VDOT and DPWES approval, and prior to the issuance of the first Non-Residential Use Permit (Non-RUP) for the Application Property, the Applicant shall construct frontage improvements along Old Lee Road measuring approximately 30 feet from centerline to face of curb within the dedicated right-of-way as shown on the GDP. Frontage improvements shall consist of curb, gutter, five (5) foot wide sidewalk and pavement required to tie into existing pavement in accordance with VDOT standards.
6. The applicant shall provide a drainage structure at the low point of the existing roadside ditch, subject to DWPEs.
7. The Applicant shall provide landscaping on the Application Property as generally shown on Sheet five of the (GDP), pursuant to the approval of Urban Forest Management (UFM). Deciduous trees shall be a minimum of two (2) to two and one-half (2-1/2) inches in caliper and evergreen trees a minimum of six (6) to eight (8) feet in height at time of planting.

8. In the event that any toxic or hazardous substances are used on the property by the applicant or successor in title, incidental to the use of the property, the applicants or successor in title agree to satisfy all pertinent state, local, and federal regulations prior to the storage, use, handling, or disposal of such substances. A plan to address the possibility of spillage of toxic or hazardous substances shall be submitted for a review and approval to the Fairfax County Department of Public Works and Environmental Services (DPWES) and the Fire and Rescue Department of Fairfax County in conjunction with the submission of the site plan.
9. A permit shall be obtained from the Fire Prevention Division of the Fire and Rescue Department of Fairfax County prior to the installation, removal, repair, or abandonment of any tanks containing flammable, combustible, and/or hazardous material in compliance with Article 29 of the BOCA Fire Code. Information shall be provided to the Fire Prevention Division of the Fire and Rescue Department, 4100 Chain Bridge Road, Fairfax, VA 22030, as to the condition of any removed storage tanks and a leak detection survey of the surrounding soil shall be conducted as required by Article 29 of the BOCA Fire Code.
10. A copy of the "notification for Underground Storage Tanks", that is on file with the Virginia Water Control Board shall be submitted to the Fire and Rescue Department for its information.
11. Stormwater management Best Management Practices (BMP) will be provided downstream in the Southgate Industrial Park as per the approved detention and Water Quality Control waivers that are shown on Sheet 6 of the GDP to satisfy the requirements of the Water Supply Protection (WS) Overlay district, as set forth in the PFM and approved by DPWES.
12. In the event that uses other than those attributable to a contractor's business are constructed on the subject property, airport noise attenuation measures, as appropriate and determined by the DPWES will be incorporated in to the design and construction of any such use.
13.  The applicant recognizes that certain permitted uses within the I-5 district are potentially incompatible with the airport noise environment of this site and/or protection of the Occoquan Reservoir water quality. Accordingly, the applicant's proffer to exclude the following permitted I-5 uses from this property:
 - a. Child care centers and nursery school
 - b. Motor freight terminals
 - c. Motor vehicle storage and impoundment yards
 - d. Private schools of general education
 - e. Recycling centers
 - f. Vehicle major service establishments

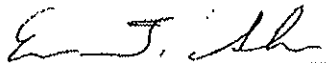
14. The maximum building height shall not exceed forty-five (45) feet.
15. Prior to any land disturbing activities on that property identified among the Fairfax County tax records as Tax Map 43-2 ((1)) 5 , Applicant shall conduct a Phase I archaeological study of the Application Property, and provide the results of such studies to the Cultural Resource Management and Planning Branch of the Fairfax County Park Authority. If deemed necessary by Heritage Resources, the Applicant shall conduct a Phase II and/or Phase III archaeological study on only those areas of the Application Property identified for further study by Heritage Resources. The studies shall be conducted by a qualified archaeological professional approved by Heritage Resources, and shall be reviewed and approved by Heritage Resources. The studies shall be completed prior to subdivision plat recordation.
16. All storage of company equipment shall be restricted to the rear of the property to minimize the visual impact on Old Lee Road.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

PCA 87-S-061

APPLICANT/OWNER:

Property Owner -- Tax Map 43-2 ((1)) 5
Eric T. Sohn and Hae-Ri Kim

By:  Date: 5-4-06

Name: Eric T. Sohn
Title: Property Owner

PCA 87-S-061

APPLICANT/OWNER:

Property Owner – Tax Map 43-2 ((1)) 5
Eric T. Sohn and Hae-Ri Kim

By:  Date: 5-4-06

Name: Hae-Ri Kim
Title: Property Owner