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**WALSH COLUCCI
LUBELEY & WALSH PC**

REVISED
April 25, 2025

Via PLUS

Suzanne Wright, Director
Zoning Evaluation Division
Fairfax County Department of Planning and Development
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

**Re: Special Exception Application
Fairfax County Tax Map Reference: 33-2 ((4)) 1A (the “Subject
Property”)
Applicant: Rewa Sadan VA, Inc.**

Dear Ms. Wright:

On behalf of Rewa Sadan VA, Inc. (the “Applicant”), please accept this letter as a statement of justification for a special exception application to permit a retail sales, general use with an accessory warehouse component in the existing building on the Subject Property.

Property Background

According to Fairfax County’s real estate assessment records, the Subject Property contains approximately 4.99 acres and is located at 4090 Lafayette Center Drive. Located in the Sully Magisterial District, the Subject Property is split zoned to the I-3 and I-4 Districts, as defined by subsections 2104.3 and 2104.4 of the Fairfax County Zoning Ordinance (the “Zoning Ordinance”). The majority of the Subject Property is zoned I-4 and a small area on the eastern portion of the Subject Property is zoned I-3. The Subject Property is currently improved with a one-story low-rise office building with that includes approximately 50,267 square feet of gross floor area (“GFA”). Known as Lafayette Business Center, the building was constructed in approximately 2000 in accordance with Site Plan #005951-SP-018-2 (the “Site Plan”) along with the existing office building immediately to the south. According to As-Built Site Plan #005951-SAB-004-1, a

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copy of which has been submitted with this application, the site area associated with the two buildings includes 465 parking spaces and is developed at a 0.22 floor area ratio ("FAR").

Proposal

The Subject Property is within Land Unit G of the Dulles Suburban Center Comprehensive Plan which recommends low-rise office, light industrial, research and development, and industrial/flex uses up to 0.35 FAR. The Comprehensive Plan states that commercial retail uses are not planned and are not appropriate along Route 50. Although the proposed use is commercial retail, it is not a freestanding use and will be located within an existing mixed-use building which currently includes a commercial recreational entertainment use approved by special permit in 2013. This mixed-use building cannot be accessed directly from Route 50 and has a landscape buffer and asphalt trail separating the building from the right-of-way. Additionally, multiple commercial uses exist on the northern side of Route 50 adjacent to the Subject Property which are also not directly accessible from Route 50. As a small, specialty grocery store, fewer patrons will visit as opposed to a general grocery store; therefore, this non-intensive use is in conformance with the Comprehensive Plan for flex uses in the area.

The Applicant proposes to lease approximately 15,279 square feet of the existing building and to establish a grocery store, Royal Bazaar, that will offer primarily Indian food. As illustrated on the submitted floor plan, approximately 70 percent of the store will serve as the primary retail space, which will include product shelves, display areas, coolers and freezers, and a small area for hot foods. The remaining space, representing approximately 30 percent of the total floor area, will serve as an accessory warehouse area where food and other goods sold in the store will be stored prior to sale. General Retail Sales uses like Royal Bazaar are permitted with special exception approval in the I-4 zoning district. Zoning Ordinance subsection 4102.5.HH(2)(a) limits the maximum amount of GFA devoted to retail sales, display area, and accessory office space to 60 percent with the remaining GFA devoted to warehousing. Accordingly, because 70% of the floor area will be used for retail sales purposes, the Applicant is requesting a modification of this requirement. In addition, warehouse uses are permitted in the I-3 District with special exception approval. Because a portion of Royal Bazaar's accessory warehouse use is located within a portion of the building located in the I-3 District, the Applicant is requesting special exception approval to allow the warehouse use.

In accordance with Zoning Ordinance subsection 8101.3.C(2), please accept the following information regarding the Applicant's proposal:

- The type of operation is a grocery store with the retail sales, display area, and accessory office space accounting for 70 percent of the GFA. The remaining 30 percent of the space will serve as Royal Bazaar's accessory warehouse. In addition to the sale of groceries, a hot delicatessen counter and heated display case will offer ready-to-eat food. There will not be seating provided for customers to consume food on-site. All products will be stored within the building. Loading and unloading activities will occur from the back door located in the warehousing section of the unit during off-peak hours in order to avoid conflicts with other tenants in the building. Minor reconfigurations of the building layout are proposed.

- The store will operate daily from 10:00 am – 9:00 pm.
- The estimated number of daily patrons is 200.
- There will be a total of 15 employees, with a maximum of 12 employees on site at any given time.
- A minimal traffic impact is anticipated as the use is a small, specialty grocery store. Trip generation is anticipated at 100 vehicles per day with peak hours during weekday afternoons. The proposed retail use requires 3.6 parking spaces per 1,000 square feet of GFA which results in a requirement of 55 off-street parking spaces for the use. The current 465 parking spaces provided on the Subject Property are sufficient for off-street parking for the proposed use and existing uses from the other building tenants.
- It is anticipated that the grocery store will primarily serve residents of Chantilly and the surrounding area.
- There are no new buildings, additions to the existing building, or exterior modifications proposed with this application.
- To the best of the Applicant's knowledge, there are no hazardous or toxic substances located on the Subject Property.
- The proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards, and applicable conditions except as follows:
 - The Applicant requests a modification of Zoning Ordinance subsection 4102.5.HH(2)(a) which permits a maximum of 60 percent of the gross floor area to be devoted to retail sales, display area, and any accessory office with the remaining gross floor area devoted to warehousing. The Applicant proposes to utilize approximately 70 percent of the gross floor area as retail sales, display area, and accessory office, with the remaining 30 percent devoted to accessory warehousing as described above and depicted in the submitted floor plans. The nominal 10 percent increase of the allowable sales area will not adversely impact the other tenants in the building or the surrounding community. The 30 percent warehousing space is sufficient to store the stock and to contain walk-in refrigerators and freezers for food storage.

In addition, the Applicant's proposal complies with the general standards for all special exception uses in accordance with Zoning Ordinance subsection 4102.1.F(2) as follows.

- a) The proposed use at the specified location must be in harmony with the Comprehensive Plan.**

The proposed retail sales, general use is in harmony with the Comprehensive Plan as a compatible, community-serving use that supports residents.

- b) The proposed use must be in harmony with the general purpose and intent of the zoning district where it is located.**

The proposed use is in harmony with the general purpose of the applicable zoning district regulations. The Property is split zoned to the I-3 and I-4 Districts, which are intended for industrial, commercial, and community-serving uses. The proposed use is a commercial use that will serve the community. As such, the proposed use is in keeping with the character of the I-3 and I-4 Districts and the intent of the Zoning Ordinance.

- c) The proposed use, including its design and operational characteristics, must not adversely affect the use or future development of neighboring properties and must be in accordance with the applicable zoning district regulations. The location, size and height of buildings, structures, walls, and fences, as well as the nature and extent of screening, buffering and landscaping cannot hinder or discourage the appropriate development and use, or impair the value of, adjacent or nearby land or buildings.**

The proposed use will operate out of a unit in a building that has been in existence since 2000. No exterior modifications to the building or existing screening, buffering, or landscaping are proposed with this application.

- d) Pedestrian and vehicular traffic associated with the use must not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.**

The proposed use's pedestrian and vehicular traffic will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood. A traffic signal is located at the intersection of Route 50 and Route 609 where the Subject Property is located. The Subject Property can be accessed from a right turn lane off Route 609 or from a divided entrance off Lafayette Center Drive, both of which provide safe vehicular access to the Subject Property. An existing concrete sidewalk and asphalt trail border the Subject Property for convenient pedestrian access.

- e) Adequate utility, drainage, and other necessary facilities to serve the proposed use must be provided.**

The existing building on the Subject Property is served by adequate utility, drainage, and other necessary facilities. No changes to the existing utilities are proposed with this application.

- f) Signs are regulated by Article 7; however, the Board or BZA may impose stricter requirements for a given use than those set forth in this Ordinance.**

No signs are proposed with this application. Any future signs will be in compliance with Article 7 of the Zoning Ordinance.

Requested Waivers and Modifications

In accordance with Zoning Ordinance Subsection 4102.1.A(6)(a), the Applicant requests a modification of Subsection 4102.5.HH(2)(a) to increase the maximum gross floor area that may be devoted to retail sales, display area, and accessory office space from 60 percent to 70 percent. The additional space will allow the Applicant to offer a greater variety of groceries to the community. This increase will permit a minimal increase of approximately 1,500 square feet of retail space and will not adversely affect the use or development of other building tenants or adjacent properties.

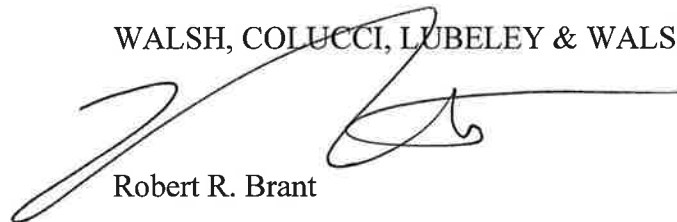
Conclusion

The Applicant's proposal will provide a new Indian grocery store in the area that will contribute toward the variety of food options in the community. The proposed use will complement existing uses on the property, and is compatible with the recommendations of the Comprehensive Plan.

Thank you for your consideration of this matter. Should you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,

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

A handwritten signature in black ink, appearing to read 'Robert R. Brant', is written over the typed name. The signature is fluid and cursive.

Robert R. Brant

cc: Praskah Desai, Rewa Sadan VA, Inc.
Prashant Patel, Rewa Sadan VA, Inc.
Jessica T. Washington, Walsh Colucci