Elabarger, Mike

From: Williams, Kelly
Sent: Monday, November 09, 2009 12:22 PM
To: Elabarger, Mike
Subject: ZMOD 2008-0013, Safeway Signs at Sterling Plaza

I have reviewed the third submission of ZMOD 2008-0013, Safeway Signs at Sterling Plaza and offer the following comments:

1. Staff continues to recommend that the application be revised to include signage for all of the tenants in the Sterling Plaza Shopping Center, thereby creating a unified, coordinated sign plan throughout the entire development. However, if the application proceeds, staff requests a condition of approval that the Safeway signage be re-considered as part of any sign plan submitted for the overall Sterling Plaza Shopping Center. In the response letter dated October 30, 2009 the applicant agreed to a condition of approval to include the Safeway in any future sign plans for the Sterling Plaza Shopping Center. ***This issue can be addressed via a condition of approval.***

2. A new ground-mounted sign is being proposed to replace the existing shopping center sign. The design of the sign appears to be smaller in size than the existing sign on-site and more consistently exhibits the architectural elements of the shopping center. The sign is also proposed to be relocated to an area where it will be more centrally located to the shopping center and would better serve the tenants of the center. ***This issue has been adequately addressed.***

3. Staff recommended that the signs be reduced in size on the building and that the Safeway sign on the peaked portion of the roof be redesigned to be compatible with the signage proposed on the other peaked roofline. Staff further recommended that commitments made to the illustrative to ensure that the signage will be constructed as approved. The application has not been revised to reduce the size of the signs.

   The response letter indicates that the proposed signs are comparable in size with the Broadlands Safeway. While the sizes may be comparable, no information has been submitted to compare the size of the store frontages with respect to the scale and proportions of the signs. As such, staff is unable to determine if the scale and proportion of the proposed signs are comparable to those in the Broadlands development. ***This issue has not been adequately resolved.***

County of Loudoun

Department of Planning

MEMORANDUM

DATE: May 14, 2009

TO: Mike Elabarger, Project Manager, Land Use Review

FROM: Kelly Williams, Planner, Community Planning

SUBJECT: ZMOD 2008-0013, Safeway Signs at Sterling Plaza, Comprehensive Sign Plan, 2nd Referral

BACKGROUND

Safeway, Inc, the applicant, is requesting a Zoning Ordinance Modification (ZMOD) to permit a Comprehensive Sign Plan for the Safeway in the Sterling Plaza Shopping Center, pursuant to the provisions of the Revised 1993 Zoning Ordinance. The proposal is to specifically modify Section 5-1204(3)(D) of the Revised 1993 Loudoun Zoning Ordinance in order to increase the sign area for its building façade and allow more than three signs per facade. The proposal includes a statement of justification, a sign plan and illustrative drawings of the signs proposed for the development.

The subject site is located in the existing Sterling Plaza Shopping Center on the southeast corner of East Maple Avenue and Sterling Boulevard. The site is zoned PD-CC(CC) (Planned Development–Commercial Center, (Community Center).

This is the second submission of the application. The applicant has responded to first submission comments by providing a revised statement of justification, response letter and Comprehensive Sign Matrix dated April 1, 2009. The remaining outstanding issues are described below. This referral is intended to be supplementary to Community Planning's January 20, 2009 referral.

A-02

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The site is located within the Sterling Community in the Suburban Policy Area and is governed under the policies outlined in the Revised General Plan. The Plan designates this area for residential uses (*Revised General Plan, Planned Land Use Map*). The retail policies of the Countywide Retail Plan (Retail Plan) also apply.

Vicinty Map

ANALYSIS

The proposed Comprehensive Sign Plan for the Safeway in the Sterling Plaza Shopping Center was reviewed using both the design guidelines provided in the Revised General Plan for Residential Communities and the Retail Plan.

Currently, the Safeway has one Safeway sign and logo, a Food and Drug sign, and two temporary signs, located on the windows, for the Starbucks and the SunTrust Bank. The proposed package includes two building-mounted Safeway signs and logos, two building-mounted sub-tenant signs (Starbucks and SunTrust), one building-mounted Pharmacy sign and logo, and one building-mounted Signature Café sign. The second submittal also includes a blade sign and updated ground-mounted sign that was not previously identified in the previous application.

Wall-Mounted Signs

In the first referral, staff recommended that the application be revised to include signage for all of the tenants in the Sterling Plaza Shopping Center, thereby creating a unified, coordinated sign plan throughout the entire development. The applicant has included a letter and concept sketch from McCaffery Interests, Inc., the landlord of the Sterling Plaza Shopping Center, regarding signage for the rest of the shopping center. The letter indicates that it is the landlord's intention to update signage throughout the center in the future, however, this proposal is not part of the application and does not provide commitments to a unified design as called for in the Plan.

Staff continues to recommend that the application be revised to include signage for all of the tenants in the Sterling Plaza Shopping Center, thereby creating a unified, coordinated sign plan throughout the entire development. However, if the application proceeds, staff requests a condition of approval that the Safeway signage be re-considered as part of any sign plan submitted for the overall Sterling Plaza Shopping Center.

The Sterling Plaza Shopping Center is located in a prominent location along a major roadway in the Sterling Community. The shopping center is located and designed to function as a "service area-based retail" use which serves the surrounding community and is not intended to attract drive-by shoppers *(Retail Plan, Service Area-Based Retail Polices, text)*. Service area based retail include "community retail centers" which are defined as those serving several residential neighborhoods with a market area of 2,000 to 8,000 households and offer a variety of daily and weekly shopping goods *(Retail Plan, Service Area-Based Retail Polices, policies 1 and 2)*. As such, the majority of the shoppers should be aware of the center's location and the available retail and service offerings, thereby limiting the need for excessive signage.

As stated in the first referral it is recognized that the signage at the Safeway may need to be updated to include a more current façade prototype, however additional signs along the frontage may be excessive. In general, all the proposed building-mounted signs exceed the square footage prescribed by the Zoning Ordinance. Zoning staff has identified that the calculations for the signs are incorrect. Community Planning staff is unable to fully evaluate how much additional signage is being proposed until such information is clarified.

There are concerns with the number, size and the possible redundancy of information presented on the proposed wall-mounted tenant signs and building-mounted which could contribute to visual clutter and detract from the overall quality of the retail/commercial center. Below is an example of the new Safeway store in the

Broadland Village Center. This is a good example of how the scale and placement of signs provide adequate identification while not overpowering the façade. Staff could support a design more in keeping with the example below. In order to achieve such a design, perhaps the proposed Safeway sign and logo on the peaked roof line could be reduced in size or only contain the logo portion of the sign, to be more in scale and compatible with the signature café sign proposed on the other peaked roofline. This would help reduce the visual clutter and reduce the signage to be more in keeping with the Zoning Ordinance requirements.

The second submittal of this application proposes an additional blade sign which is to be located under the awning area of the store. The design of the blade sign matches that which is included in the landlord's illustrative for the entire center. As the landlord's proposal is not a part of this application, staff is concerned that this sign may not be in keeping with the centers design should the landlord decide not to update the signage in the future.

As stated above, this shopping center is existing and is surrounded by the existing residential community of Sterling. While an update of sign design and materials may be appropriate, given the nature of this community serving retail center and its visible location in the neighborhood, staff recommends that the signs be reduced in size and that the Safeway sign on the peaked portion of the roof be redesigned to be compatible with the signage proposed on the other peaked roofline. Staff further recommends that commitments made to the illustrative to ensure that the signage will be constructed as approved.

Ground-Mounted Sign

The application has been revised to include an update of the existing ground-mounted sign. It appears that the word "Safeway" has been enlarged and that the Safeway logo has been added to the existing sign.

Staff could support this change, if the wording and logo are reduced in size to match what is currently displayed on the existing sign.

RECOMMENDATIONS

The general concept of updating the signage for the Safeway within the Sterling Plaza Shopping Center appears to be consistent with the guidelines found in the Revised General Plan and the Retail Plan. However, as the Safeway is only a single tenant in the overall Sterling Plaza, staff continues to recommend that the application be revised to include signage for all of the tenants in the Sterling Plaza Shopping Center, thereby creating a unified, coordinated sign plan throughout the entire development.

Should this application proceed, staff recommends that the proposal be redesigned to reduce the size and content of the signs to be more in keeping with the Zoning Ordinance requirements as outlined in this referral. Commitments should be made to the illustrative to ensure that the signage will be constructed as approved.

cc: Julie Pastor, AICP, Planning Director
Cindy Keegan, AICP, Community Planning Program Manager, via e-mail

County of Loudoun

Department of Planning

MEMORANDUM

DATE: January 20, 2009

TO: Mike Elabarger, Project Manager, Land Use Review

FROM: Kelly Williams, Planner, Community Planning

SUBJECT: ZMOD 2008-0013, Safeway Signs at Sterling Plaza, Comprehensive Sign Plan

BACKGROUND

Safeway, Inc, the applicant, is requesting a Zoning Ordinance Modification (ZMOD) to permit a Comprehensive Sign Plan for the Safeway in the Sterling Plaza Shopping Center, pursuant to the provisions of the Revised 1993 Zoning Ordinance. The proposal is to specifically modify Section 5-1204(3)(D) of the Revised 1993 Loudoun Zoning Ordinance in order to increase the sign area for its building façade and allow more than three signs per facade. The proposal includes a statement of justification, a sign plan and illustrative drawings of the signs proposed for the development.

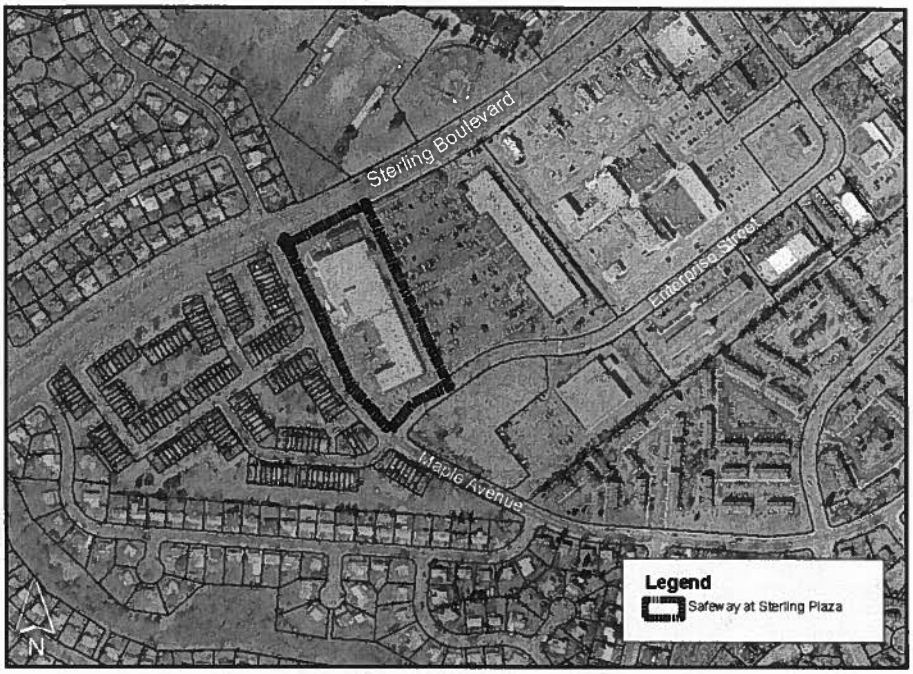
The subject site is located in the existing Sterling Plaza Shopping Center on the southeast corner of East Maple Avenue and Sterling Boulevard. The site is zoned PD-CC(CC) (Planned Development–Commercial Center, (Community Center)).

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The site is located within the Sterling Community in the Suburban Policy Area and is governed under the policies outlined in the Revised General Plan. The Plan designates this area for residential uses (*Revised General Plan, Planned Land Use Map*). The retail policies of the Countywide Retail Plan (Retail Plan) also apply.

A-07

Vicinty Map



ANALYSIS

The proposed Comprehensive Sign Plan for the Safeway in the Sterling Plaza Shopping Center was reviewed using both the design guidelines provided in the Revised General Plan for Residential Communities and the Retail Plan.

Signs

Collectively, the location, quality, and clarity of signs define the general perception of a development, individual business or commercial center and its surrounding community. If signs are well presented and coordinated, the image of the development as well as the individual businesses and tenants is enhanced. The Retail Plan specifies that buildings within a multi-building retail center should exhibit a unity of design through the use of similar elements such as rooflines, materials, window arrangement, location of signage and architectural details (*Retail Plan, Design Guidelines, Building Placement and Design*). The Retail Plan specifies that signs for commercial centers should be developed as an integral part of the overall center design and that a unified graphic design scheme is strongly encouraged (*Retail Plan, Design Guidelines, Signs and Lighting*).

The Safeway store is one of several tenants in the Sterling Plaza Shopping Center. The

purpose of a Comprehensive Sign Plan is to provide a unified sign package for an entire development and not just for a single tenant.

Staff recommends that the application be revised to include signage for all of the tenants in the Sterling Plaza Shopping Center, thereby creating a unified, coordinated sign plan throughout the entire development.

The Comprehensive Sign Plan application for the Safeway in the Sterling Plaza Shopping Center includes guidelines and illustrative drawings of the existing Safeway signs and of the new proposed signage. The sign plan proposes to eliminate four existing signs with a total of 183 square feet and replace it with seven signs with a total of 246 square feet. Currently, the Safeway has one Safeway sign and logo, a Food and Drug sign, and two temporary signs, located on the windows, for the Starbucks and the SunTrust Bank. The proposed package includes two building-mounted Safeway signs and logos, two building-mounted sub-tenant signs (Starbucks and SunTrust), one building-mounted Pharmacy sign and logo, and one building-mounted Signature Café sign.

The Sterling Plaza Shopping Center is located in a prominent location along a major roadway in the Sterling Community. The shopping center is located and designed to function as a "service area-based retail" use which serves the surrounding community and is not intended to attract drive-by shoppers *(Retail Plan, Service Area-Based Retail Polices, text)*. As such, the majority of the shoppers are aware of the center's location and the available retail and service offerings, thereby limiting the need for excessive signage. While staff recognizes that the signage at the Safeway may need to be updated to include a more current façade prototype, adding three additional signs along the frontage may be excessive. It would seem that only one Safeway sign and logo would be necessary to identify the store and eliminating one would reduce the square footage to be more in keeping with the Zoning Ordinance requirements.

In general, the proposed signage appears uniform in design and composition as shown on the illustrative. However, specific details as to the sign materials and lighting have not been included. Further, commitments and assurances that the sign package will be implemented as proposed should be included.

As stated above, this shopping center is existing and is surrounded by the existing residential community of Sterling. While an update of sign design and materials may be appropriate, given the nature of this community serving retail center and its visible location in the neighborhood, increasing the number of the signs may be excessive. Staff recommends that the application be revised to reduce the number of entrance signs to be more in keeping with the Zoning

Ordinance requirements. The revised plan should include more detailed information regarding the materials and lighting for the proposed signs and commitments to the proposed design.

RECOMMENDATIONS

The general concept of updating the signage for the Safeway within the Sterling Plaza Shopping Center appears to be consistent with the guidelines found in the Revised General Plan and the Retail Plan. However, as the Safeway is only a single tenant in the overall Sterling Plaza, staff recommends that the application be revised to include signage for all of the tenants in the Sterling Plaza Shopping Center, thereby creating a unified, coordinated sign plan throughout the entire development.

Further, staff finds that one Safeway entrance sign would be adequate to identify the location and tenant of the building and recommends that the application be revised to reduce the number of signs to be more in keeping with the Zoning Ordinance requirements. The revised plan should also include more detailed information regarding the proposed materials and lighting of the signs and commitments to the proposed design.

Staff would be happy to meet with the applicant to discuss these issues.

cc: Julie Pastor, AICP, Planning Director
Cindy Keegan, AICP, Community Planning Program Manager, via e-mail

COUNTY OF LOUDOUN

DEPARTMENT OF BUILDING AND DEVELOPMENT

MEMORANDUM

DATE: November 4, 2009

TO: Michael Elabarger, Project Manager, Planning Department

FROM: Theresa M. Stein, Planner, Zoning Administration

CASE NUMBER AND NAME: ZMOD 2008-0013, Safeway Signs at Sterling Plaza, 3rd submission

TAX MAP / PARCEL NUMBER (MCPI): /81/F10////22A (022-15-4155)

ZONING: PD-H3 administered as PD-CC-CC

Staff has reviewed the third submission material and the follow comments continue to be outstanding:

1. The application to modify the sign Ordinance for one user in a shopping center does not meet the intent of a comprehensive sign plan which is to provide a unified plan for a development that is cohesive. The owner of the property has expressed a desire to have a comprehensive sign plan, but there is nothing to suggest that it will be the in unison with this plan.

2. The applicant states in their October 30, 2009 response that "all measurements for the proposed signs have eliminated any gap" and that "the gaps still appear but have not been deducted" from the square footage calculation. However, in the fifth paragraph of the response states that "any gap…shown between the logos and sign letters has not been calculated" in the total square footage of the sign. The "Rule of Eight" requires that gaps are counted in the total sign area. Further, the sign exhibits are inconsistent in that some spaces between signs are measured and others are not.

3. No corrected Matters of Consideration or revised Statement of Justification was provided. The prior SOJ (undated) discusses temporary signs and different proposed square footages. The Matter's for Consideration per Section 6-1211(E) are incorrectly cited and do not include all 16 issues.

4. A "future sign not to exceed 25 sf" has been added and appears on a Proposed Signage sheet that shows the location of all proposed signs except for the entrance sign. It was not part of the original application, is not included in the response letter, not added to the Matrix, and provides no details. This sign must be removed and staff objects to a new sign being proposed at this late date with undisclosed details. There is no evidence that it will meet the unified design.

5. Another new sign (Bergmann's) has been added, but does not appear in the Matrix and no details are provided. Staff objects to a new sign being proposed at this late date. It is not in character with the other signs colors or font.

COUNTY OF LOUDOUN

DEPARTMENT OF BUILDING AND DEVELOPMENT

MEMORANDUM

DATE: May 4, 2009

TO: Michael Elabarger, Project Manager, Planning Department

FROM: Theresa M. Stein, Planner, Zoning Administration

CASE NUMBER AND NAME: ZMOD 2008-0013, Safeway Signs at Sterling Plaza, 2nd submission

TAX MAP / PARCEL NUMBER (MCPI): /81/F10////22A (022-15-4155)

ZONING: PD-H3 administered as PD-CC-CC

Staff has reviewed the second submission material and the follow comments remain outstanding (original comment appears in italics):

1. *"**II.a.CRITICAL ISSUES:** The Safeway grocery store is one of several tenants on the subject parcel, which is owned by a single owner. The intent of a Comprehensive Sign Plan is a sign package for an entire development, not for a single tenant. Thus, a Comprehensive Sign Plan should include all the tenants in the Sterling Plaza Shopping Center and because this does not, it is not comprehensive."*
   - Comment remains outstanding. The owner of the shopping center has expressed an interest in a comprehensive sign plan, but has not joined this application, nor filed his own application. The proposed signs are for one of several tenants in a large in-line shopping center and the applicant's business is in the middle of a string of other business, creating disparity in the signage on one building. Another comprehensive sign plan could be filed by the owner for the remainder of the shopping center, proposing signs that are substantially different. Therefore, this application does not meet the intent of a comprehensive sign plan which is to provide a unified plan for a development that is cohesive.

2. *"**II.c. APPLICABLE ZONING ORDINANCE INFORMATION and CONFORMANCE:***
   ii. *Please make the following changes to the Comprehensive Sign Matrix:*
      1. *In the "Proposed" column please identify each sign as a type which is listed in the Zoning Ordinance.*
      2. *Please add a column for "Permitted" and fill in according to what is permitted in the Zoning Ordinance.*
      3. *Please identify the modification to the Zoning Ordinance which would be required to allow for the proposed sign."*
   - Generally, the matrix needs to be revised in order to clarify what is allowed under the Ordinance, what the applicant is proposing, how it exceeds or modifies the Ordinance, and which category each sign illustration is representing. The Matrix typically mirrors the Ordinance, noting where changes are proposed. The following comments are related to providing a usable Matrix that is easy to administer and provide information so that the Planning Commission and Board of Supervisors may clearly see what is

being requested and/or modified. See Section 5-1202(E)(3)(b), (c), and (d).

- The "Zoning Ordinance Section" column numbers the individual signs, but does not put in the Ordinance Section that applies for each sign. For example, sign #4 in the Matrix does not have a corresponding Ordinance section (it would be a tenant sign per 5-1204(D)(3)(d) and is not a sign separate from Sign #1). The Ordinance citation for Sign #5 requires correction. Further, each sign number in the Matrix should have a coordinated sign illustration that provides a specific location (see Section 5-1202(E)(3)(d). The existing illustrations can be modified to list which sign it represents in the Matrix.
- Revise the "Permitted" column to consistently quote the Ordinance. For Sign #1, the limit per façade is not included, but it is for Sign #2. This column should include all the Sign Ordinance Matrix requirements columns such as "Total Aggregate Sign Area, Max. Number of Signs, and Max Area of Any One Sign".
- The "Sign Type As Per the Zoning Ordinance" is a duplicated column in the Matrix, but the information is not consistently provided. These are presumably the "Type Permitted" in the Ordinance, which appears to list signs that the applicant wishes to have, not its classification in the Ordinance. It lists sign types not found in the Ordinance, such as "Façade Wall Mount" use Ordinance terms such as "building mounted" ("wall mounted" is not listed in the requirements). For this zoning district, the Ordinance permits "entrance signs" and "tenant signs" that are "freestanding" or "building mounted", per 5-1204(D)(3)(c) and (d), and thus this column needs to reflect the existing allowances using terms recognized in the Ordinance. If the second "Sign Type As Per Zoning Ordinance" column is meant to show what the type of sign applicant is proposing, it should be made clearer.
- The "Existing Sign" column in the Matrix lists signs that are currently on the property, but the "Blade Sign" does not currently exist and the Starbuck and SunTrust signs are not on the exterior of the building and there is no evidence they received permits. Remove these signs from the Matrix. The only signage that exists is one "Safeway" and "Food and Drug", which must be counted as one sign per the Ordinance. If that sign is being replaced, be clear in the Matrix that it will remain, provide its total square footage (not eliminating spaces from the sign area calculation), and that another "Safeway" and logo (one) sign is being added. This Matrix will be used by the Zoning Permits section in the issuance of sign permits, so it should list want the applicant anticipates having on site.
- Clarify if the "Measurement and Area in sq ft" column is the size of the sign that is currently on the property (see above comment).
- In the "Measurement and Area in sq ft (Modification Requested" column, Sign #1 is listed as 36.18 sf and it states that it meets code when in fact, it is actually part of Sign #4 and both are counted as one sign per Figure 4 in the Ordinance (see outstanding comments below). The square footage must be total of both signs and not listed as a separate signs. The space between the logo and words are not removed from the calculation of its area as noted in the prior zoning comments (see outstanding comments below). As such, this sign will not meet the Ordinance limitation of 60 sf maximum area of one sign. Revise the total area for Signs #6, 7, 5 as the space between the words or words and logo appear to be removed from the calculation. Revise the information for Sign #3 as it is listed as 12 sf and that it meets the

Ordinance requirement, however, the illustration shows that the sign is over 24 sf (the gap between the symbol and words are counted toward the total area and is not deducted). In addition, Sign #9 is listed as 15 sf and meeting "Code", however, the illustration measures at 16.24 sf and does not meet the Ordinance requirements. Finally, it is noted that "(area & number)" are being modified, the column should be clear that the Ordinance permits 1 sign per façade, no more than 3 signs and the modification would request 7 signs per façade (or whatever number is), no more than a total of 9 tenant signs, so that there is a consistent comparison of what the Ordinance permits versus what is being proposed.

iii. *When calculating the square feet of each sign, please make the following adjustments:*
   1. *The Safeway sign and "S" logo at the entrance should be calculated as one (1) sign, not two separate signs. When measuring the sign, use the "Rule of Eight" noted in Figure 4 at the end of Section 5-1200. Do not subtract the space between the word Safeway and the "S" logo.*
      - Comment outstanding, continues to be incorrectly calculated; see above.
   2. *Recalculate the measurement of the SunTrust sign drawing a box around both the sunburst and the word SunTrust. Do not subtract the space between them.*
      - Comment outstanding, continues to be incorrectly calculated; see above.
   3. *Recalculate the measurement of the Starbucks sign drawing a box around both of the words. Do not subtract the space between the word Starbucks and Coffee.*
      - Comment outstanding, continues to be incorrectly calculated; see above.
   4. *Recalculate the measurement of the Safeway and "S" logo which will be replacing the Safeway Food and Drug sign. Do not subtract the space between the word Safeway and the "S" logo.*
      - Comment outstanding, continues to be incorrectly calculated; see above.

- A "Sterling Plaza, Safeway" sign illustration was included in the package, which appears to be an entrance sign, but is not included in the Matrix, nor is it clear if it will be in addition to, or replace, Sign #10 (listed as an existing Entrance sign). No total square footage is provided, nor is a proposed location provided. Clarify the purpose of this sign, state the section of the Ordinance that regulates it, provide its location, and the total number of entrance signs proposed and existing, and include it in the Matrix.
- The Sign #10, Sterling Plaza Safeway, entrance sign illustration must state the total square footage, calculated per the Ordinance, and where it will be located in relation to the subject tenant.
- The Statement of Justification must be revised to correctly calculate the sign square footage and reflect the total signage. For example, page 2 states that the proposed signs are a 36.18 sf Safeway sign and an "S" logo sign of 6.72 sf. It is one sign and must be calculated as stated in the original referral. Seven signs are listed, but 10 appear in the Matrix – correct the discrepancy. SunTrust is listed as 12 sf, but the illustration calculates over 24 sf. of sign area.
- Correct the Matters of Consideration section of the Statement of Justification as the citation is incomplete or incorrect. Provide the source of the Criterion given. Further, Criterion 6 discusses a unified plan in terms of design and color; however, the applicant does not address that the proposed signs are for one tenant in an inline shopping center, so that the proposed signs will not be consistent or unified with its neighboring inline tenants, nor tenants of the entire shopping center. The proposal does not "reflect the unique character of the planned development" as it is only one of several tenants.

COUNTY OF LOUDOUN

DEPARTMENT OF BUILDING AND DEVELOPMENT

MEMORANDUM

DATE: January 14, 2009

TO: Michael Elabarger, Project Manager, Planning Department

FROM: Gloria Purton, Planner, Zoning Administration

THROUGH: Mark Stultz, Deputy Zoning Administrator

CASE NUMBER AND NAME: ZMOD 2008-0013, Safeway Signs at Sterling Plaza

TAX MAP / PARCEL NUMBER (MCPI): /81/F10////22A (022-15-4155)

ZONING: PD-H3 administered as PD-CC-CC

Zoning Administration has reviewed the above referenced **Zoning Modification (ZMOD)** under the Revised 1993 Loudoun County Zoning Ordinance and has the following comments.

I. Section 5-1200 Signs

a. **Section 5-300 Visibility at Intersections.** Please note that all signs shall comply with the requirements of this section regarding visibility at intersections.

b. **Section 5-1203** Please note that this section requires a sign permit to be obtained prior to the erection of any sign unless the sign is specifically excluded by this section.

c. **Please note, any sign not listed or otherwise provided for in Section 5-1204(D) is not permitted. Zoning permits will not be issued for any sign not listed or otherwise provided for in Section 5-1204(D), even if included in an approved comprehensive sign plan.**

II. Safeway Signs at Sterling Plaza

a. **CRITICAL ISSUES:**

i. The Safeway grocery store is one of several tenants on the subject parcel, which is owned by a single owner. The intent of a Comprehensive Sign Plan is a sign package for an entire development, not for a single tenant. Thus, a Comprehensive Sign Plan should include all the tenants in the Sterling Plaza Shopping Center and because this does not, it is not comprehensive.

b. **STATEMENT OF JUSTIFICATION**

i. Please add the application number to the cover sheet (ZMOD-2008-0013).

ii. Introduction of Statement of Justification references Section 5-1204 (3) (D). This is incorrect, please modify to Section 5-1204 (D) (3).

iii. The information referenced in the paragraph under the heading "Safeway Store in Sterling Plaza" regarding a construction permit is incorrect. Please modify construction permit (ZP 06897) to Building permit (BP 06897).

c. APPLICABLE ZONING ORDINANCE INFORMATION and CONFORMANCE:

i. Please make the following changes to the Comprehensive Sign Matrix:
   1. In the "Proposed" column please identify each sign as a type which is listed in the Zoning Ordinance.
   2. Please add a column for "Permitted" and fill in according to what is permitted in the Zoning Ordinance.
   3. Please identify the modification to the Zoning Ordinance which would be required to allow for the proposed sign.

ii. Paragraph under heading "Existing Zoning Regulations" references Section 5-1204 (3) (D). This is incorrect, please modify to Section 5-1204 (D) (3).

iii. When calculating the square feet of each sign, please make the following adjustments:
   1. The Safeway sign and "S" logo at the entrance should be calculated as one (1) sign, not two separate signs. When measuring the sign, use the "Rule of Eight" noted in Figure 4 at the end of Section 5-1200. Do not subtract the space between the word Safeway and the "S" logo.
   2. Recalculate the measurement of the Suntrust sign drawing a box around both the sunburst and the word SunTrust. Do not subtract the space between them.
   3. Recalculate the measurement of the Starbucks sign drawing a box around both of the words. Do not subtract the space between the word Starbucks and Coffee.
   4. Recalculate the measurement of the Safeway and "S" logo which will be replacing the Safeway Food and Drug sign. Do not subtract the space between the word Safeway and the "S" logo.

iv. Under the Revised 1993 Zoning Ordinance, the tenant signs fall under 5-1204 (D) (3) (d) in the Sign Requirements Matrix (i.e. the Safeway, Signature Café and Pharmacy Signs). However, the Starbucks sign would fall under Table 5-1204 (D) (3) (dd) as a Restaurant (In Line Structure) and the Suntrust sign would fall under correct Section 5-1204(D)(3)(ii) as a Business Sign. Please adjust the "Permitted" column in the matrix and proposed modifications based on this section of the zoning ordinance to recognize the regulations for the additional types of signs.

v. The Suntrust and Starbucks signs meet the standards set forth in Section 5-1204 (D) (3) (ii) and Section 5-1204 (D) (3) (dd) respectively. However, the modifications necessary affect the proposed Safeway signs and logos, the Signature Café sign and the Pharmacy sign. The limits set forth in Section 5-1204 (D) (3) (d) limit the signage to no more than three signs totaling no more than 60 square feet.
   1. Because the proposed signs for Safeway (with logos), Signature Café, and Pharmacy total more than three times the permitted square feet, staff recommends eliminating one of the Safeway (and logo) signs as two seems excessive. This will bring the proposal much closer to compliance with the Ordinance.

APPLICATION BY SAFEWAY TO MODIFY SIGN AREA REGULATIONS TO PERMIT AN INCREASE IN SIGN AREA
22350 STERLING BLVD, STERLING, VA 20164
STATEMENT OF JUSTIFICATION
ZMOD-2008-013
AMENDED
REVISED: DECEMBER 29, 2009

RECEIVED
JAN 06 2010
PLANNING DEPARTMENT

Introduction

Safeway Inc. ("Applicant") submits this application to modify the Sign Regulations subject to Section 5-1204 (D) (3) Matrix of the Revised 1993 Loudoun County Zoning Ordinance to permit an increase in the sign area for its building facade. The Applicant requests a larger sign area than is permitted on the facade of the existing building for its signs and signs for Sun Trust Bank, Starbucks Coffee and Signature Café. Applicant requests that the freestanding entrance sign be relocated and with reduced signage permitted therein on.

Site Location

The Safeway is located at 22350 Sterling Blvd. in the Sterling Plaza in the southeast corner of East Maple Ave. and Sterling Blvd. The area is developed with a 154,000 sq. ft. neighborhood shopping center (Sterling Plaza Shopping Center) with community serving retail uses and is zoned PD-CC (CC).

The Sterling Community and Sterling Plaza

The Safeway Store is located in the Sterling community of the Suburban Policy Area and is governed by the policies of the Revised General Plan and the retail policies of the Countywide Retail Plan Amendment. The Sterling Plaza is characterized by community retail uses where the appearance and application of urban design guidelines for building designs and signage is paramount. It stresses good sign location and design as well as architectural details that enhance the building's character to form a distinctive visual appearance.

Safeway Store in Sterling Plaza

Safeway is in a one story building with an area of 55,255 sq. ft. A construction permit (BP 06897) was approved in October 2000 and an Occupancy Permit (OP 11789) was issued to Safeway on October 11, 2000.

Safeway Stores as a Supermarket

Safeway is a well known supermarket in the area and has an easily identifiable store facade prototype. Like most other large chains, when Safeway moved from small

neighborhood stores to larger supermarkets, it established a distinct predetermined design with a new prototype facade with large graphics of food items and distinctive signage to inform the public what was available within such as "Starbucks Coffee" "Sun Trust Bank" and " Pharmacy". All wall signs are related in color and appearance. Safeway currently uses a nationwide recognized coordination of its signage in terms of design and materials and logos such as "Safeway", "Starbucks Coffee" and "SunTrust Bank." These nationally recognized logos are uniform and easily recognized to provide for quick and convenient identification to people in motor vehicles and to alert the public of products that are available within the Safeway.

Therefore Safeway submits this zoning modification application to modify the existing sign regulations to permit an increase in sign area and number to permit nationally recognized signs and logos, to ensure uniformity and consistency in trademarked names and communicate to the public in an efficient and quickly recognized fashion the products available within by using nationally recognized logos of the merchants.

The owner of the Shopping Center, McCaffrey Interests ("McCaffrey") requests permission to relocate the existing freestanding monument entrance sign from the southern entrance to the northern entrance and reduce the amount of signage allowed there on. The relocation will provide better visibility do to the angle of Sterling Blvd. The present location is not in the line of sight to motorists thus giving them little time to read the sign and react.

Existing Zoning Regulations

Under the Planned Development Community Center (PD-CC (CC)) zoning, the site is subject to Section 5-1204 (D) (3) Matrix of the Revised 1993 Loudoun County Zoning Ordinance with the following regulations being germane:

a) The maximum area of any one sign is 60 sq. ft.

b) Each facade can have no more than 3 signs.

c) Total signage allowable is based upon two (2) sq. ft. for every linear foot of building frontage not to exceed 60 sq. ft.

Existing Signs at the Safeway Stores in Sterling Plaza (See attached Photographs)

This Safeway store has the following existing signs on its facade:

1) Safeway – 104 sq. ft. (to be removed)
2) Food and Drug – 63 sq. ft. (to be removed)
3) Sun Trust Bank (temporary on the front window) – 12 sq. ft.(to be removed)

4) Starbucks Coffee (temporary on the front window) – 4 sq. ft. (to be removed)

5) Freestanding Entrance Sign – 60 sq. ft.

Façade Sign Total – 183 sq. ft.

Entrance Sign Total – 60 sq. ft.

Total Area of Existing Signs – 243 sq. ft.

Proposed Signs at the Safeway Store in Sterling Plaza

1) Safeway and "S" logo – 126.5 sq. ft.

2) Safeway –"S" logo – 33.19 sq. ft.

3) Starbucks Coffee – 16.66 sq. ft.

4) Signature Café – 16 sq. ft.

5) Sun Trusts Bank – 17.569 sq. ft.

6) Pharmacy and logo – 18.85 sq. ft.

7) Freestanding Entrance Sign – 49.6 sq. ft.

Façade Sign Total – 228.77 sq. ft.

Entrance Sign Total – 49.6 sq. ft.

Total Area of Proposed Signs – 278.37 sq. ft.

Implications on Regulations

The existing and proposed signs are over the maximum allowable signage area for the store facade. The Applicant therefore requests an increase in signage area to permit the signs on the facade for the departments and tenants in Safeway for the following reasons:

- The proposed location, number, size, height, shape and color of signs on the Safeway facade compliments the visual appearance of the store and has no adverse visual impact on the shopping center, the adjacent communities or shoppers in the area.
- It promotes the regional character of the Safeway store, its products and departments.
- The signs are not intrusive upon the commercial atmosphere of the shopping center and the local business environment.

- The proposed signs promote good visual quality; add visual assistance and enhancements to better inform the public in a tasteful manner as to what is available at the site in a quickly recognized format particularly for operators of motor vehicles.

The relocation of the Freestanding Entrance Sign will place it in a more easily viewed location. The additional signage is needed to inform the public of the merchants within the 154,000 sq. ft. center. The Sterling Center is allowed three (3) freestanding entrance signs and up to 60 sq. ft. This one sign will be 49.7 square feet.

The above information supports the request for an increase in sign area for the Sterling Plaza Safeway. Should you need further information, please contact me at 703-760-1956.

Sincerely,

Frank W. Stearns

VENABLE® LLP

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T 703.760.1600 F 703.821.8949 www.Venable.com

November 13, 2009

Frank W. Stearns

T (703) 760-1956
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fwstearns@venable.com

Mike Elabarger
Loudoun County Department of Planning
1 Harrison Street SE 3rd Floor
Leesburg, VA 20177

RECEIVED
NOV 16 2009
PLANNING DEPARTMENT

Re: ZMOD 2008-0013 Safeway Signs in Sterling Plaza

Dear Mike:

This is in response to staff comments regarding the third submission for the above referenced project. Specifically a November 4, 2009 Memorandum from the Department of Building and Development and an email dated November 9, 2009 from the Department of Planning.

Addressing the Department of Building and Development memorandum first, Applicant responds to the following staff comments:

1. Staff continues to question the comprehensiveness of the sign plan. Applicant has explained the application must be viewed as a phased project as the owner of the shopping center is not ready to bring in the other tenants' sign designs at the present time. Please see letter from McCaffery Interests dated November 13, 2009 attached hereto at Tab 1. Applicant and the property owner have both indicated a willingness to accept a properly worded condition to ensure that the sign plan will be comprehensive if and when the other tenants' designs have been determined.

2. This comment concerns the methodology for measurement of the signs. Applicant assures the County that all calculations are based on the rule of eight ("Rule-of-Eight"). To the extent that there is some confusion; Applicant again states that the gaps are appearing because they are needed for the assembly of the sign by the sign manufacture; however, the size of the gaps has not been deducted from the total sign square footage. The gaps are included in the total sign area.

3. The revised Statement of Justification has been provided and is attached hereto. Applicant believes all matters for Consideration per Section 6-1211 (E) have been addressed to the extent they are relevant. Not all sixteen issues are relevant.

4. & 5. These comments misunderstand the submittal of the Broadlands Safeway sign package. Planning Staff cited the Broadlands Safeway as a design that Staff could support. Applicant merely included the sign package at Broadlands in its resubmittal so

that the full Broadlands Safeway sign package was in the record. Applicant states that: (i) there is no Bergman's Dry Cleaning sign being proposed at the subject site; and (ii) the future sign not to exceed 25 sq. ft. was at the Broadlands site not at the Sterling Store site and is not proposed for the Sterling Store.

Turning to the Department of Planning email of November 9, 2009, Applicant states that it agrees with Staff's position that comment number one can be addressed with a condition. Comment two in this case has been adequately addressed. Comment three concerns the Broadlands Safeway signage. The Applicant submitted the entire sign package for the Broadlands Safeway to show the sizes of the signs and that the signs requested in this application are smaller. Staff has requested the size of the background facades to compare. They are attached at Tab 2. Please note that at Broadlands there is a two tone background that is not at Sterling. Overall each site has a sign properly sized for the background. Neither site has signs which appear overly large or out of proportion to the façade to which they are attached. Applicant contends that the peak portions of the roof with the proposed signage are in proper perspective one to the other whether at Broadlands or Sterling. Thus Applicant has not reduced the size of the proposed signs because there seems to be no reason to reduce it. Applicant feels that the two peak roofs at Sterling have ample room to accommodate each of the proposed signs without crowding. Applicant states neither sign is out of proportion and this is simply a matter of taste rather than a situation creating an adverse visual impact. I remain,

Very Truly Yours,

Frank W. Stearns

FWS/kkp
cc: Morgan Ziegenhein

VENABLE® LLP

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October 30, 2009

Frank W. Stearns

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fwstearns@venable.com

RECEIVED
OCT 30 2009
PLANNING DEPARTMENT

Mike Elabarger
Loudoun County Department of Planning
1 Harrison Street SE 3rd floor
Leesburg, VA 20177

Re: ZMOD 2008-013 Safeway ("Applicant") Sterling Plaza Comprehensive Sign Plan

Dear Mike:

This is in response to the second series of comments regarding the above referenced project. These comments are contained in two memorandums; one from the Department of Building and Development dated May 4, 2009 and one from the Department of Planning dated May 14, 2009. In response to those memorandums the Applicant submits the following.

The Department of Building Development memorandum dated May 4, 2009 is broken down into three sections, Applicant submits the following responses.

Section 1 II. a. Critical Issues – Given the current state of the economy the owner of the shopping center has put on hold plans to renovate the entire shopping center. The owner wishes to delay proposing signage for all in-line tenants other than Safeway with the excepting of the free standing entrance sign. The owner has indicated that it will provide a unified sign plan for development that is cohesive and will coordinate with the Safeway signs in an appropriate fashion when the time comes for renovation of the shopping center.

Section 2. II. c. Applicable Zoning Ordinance Information and Conformance – Applicant has redone the Matrix which is included here at Tab 1 and numbered the illustrations at Tab 2 to match the sign numbers in the Matrix. The blade signs are no longer part of this Application. The existing signs "Safeway" and "Food and Drug" will be removed. The measurement shown for the Existing Sign size is the size of those two signs combined. All measurements for the proposed signs have eliminated any gap and the Rule of Eight has been used. The gaps still appear but they have not been deducted. There is a dotted line around the illustrated signs that show the enclosure used for measurements. The Matrix correctly states the square footage for each sign that is being requested as well as the number of building mounted signs being requested.

Section 3 iii. Any gap that is shown between logos and sign letters has not been calculated in the square footage determination. These lines remain on the illustrations as they are used by the contractors in preparing the signs. The sign size has eliminated all gaps when doing

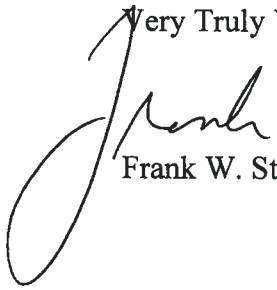
the measurements as can be seen by the light colored boxes formed by the dotted lines around each sign. This is true for the Safeway signs with "S" logos; for the SunTrust with the sunburst logo, and for the Pharmacy with the mortar and pestle logo. "Sterling Plaza Safeway" sign is no longer included in this sign application and is withdrawn. The new sign for the entrance is provided at Tab 3. The measurements are included in the Matrix as sign number 7. The existing free standing entrance sign will be removed. The proposed free standing entrance sign will be relocated as shown at Tab 3. Applicant maintains that the application does meet the Criterion as applicable. Applicant is only one of several tenants but it is the anchor tenant and the new proposed signage is much more attractive and will set the standard for any further signs to be proposed at the shopping center. It is an overall improvement to the appearance of the shopping center that should not be prevented because the complete sign package needs to be phased do to the economy.

Responding to the Department of Planning memorandum dated May 14, 2009, Staff has requested that if the application proceeds without the entire shopping center, there be a condition of approval that the Safeway signs would be reconsidered as a part of any new sign plan submitted for the overall Sterling Plaza Shopping Center. Applicant is prepared to accept such a condition. In effect this could be considered a phased comprehensive sign plan. Applicant continues to disagree with Staff's position that this shopping center is not intended to attract drive by shoppers and that all motorists, bicyclists or pedestrians using Sterling Boulevard are already aware of what is in the shopping center. The owner of the shopping center actually takes exception to that as well and this additional signage is not only to be an immediate upgrade in attractiveness but it is also necessary to inform in a safe and tasteful manner potential users of the shopping center of what retailers are available. The entrance sign is being relocated for better visibility on Sterling Boulevard. Given the amount of linear frontage of the Safeway there is not excessive signage proposed.

Applicant has recalculated the size of proposed signage by using the correct method of measurement. Applicant submits that this proposal is very much in keeping with the Broadlands Village Center ("Broadlands") Safeway signage both in scale and design. See Tab 4. The Signature Café, SunTrust and Pharmacy Sign are actually larger at Broadlands and there is an additional sign for Bergmann's Cleaners. The other signs were the same size with the exception of sign number 1 in the Matrix at Tab 1 which is slightly larger. Applicant has removed its request for the blade signs as the shopping center owner is not prepared to go forward with all in-line tenants at this time. The ground mounted sign referenced in the May 14 comments has been changed to reflect that which was attached hereto at Tab 3.

Mike we look forward to meeting with you to discuss this is greater detail should you have any questions please feel free to contact the undersigned. I remain

Very Truly Yours,



Frank W. Stearns

FWS/kkp
Enclosure
cc: Morgan Ziegenhein
Nicole Mason

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RECEIVED
APR 0 2 2009
PLANNING DEPARTMENT

April 1, 2009

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Mike Elabarger
Loudoun County Department of Planning
1 Harrison Street, S. E. 3rd Floor
Leesburg, VA 20177

RE: ZMOD 2008-013 Safeway Signs at Sterling Plaza Comprehensive Sign Plan

Dear Mike:

This is in response to the first comments regarding the above referenced project received at the end of January 2009. The comments were in two Memorandums, one from the Department of Planning and one from the Department of Building and Development. In response to those Memoranda the Applicant submits the following.

The Department of Building and Development Memorandum dated January 14th, 2008 is broken down into two Sections. The first Section contains instructions regarding Applicant meeting stated Loudoun County Zoning Ordinance ("Zoning Ordinance") requirements in the installation of the signs. The identified sections of the Zoning Ordinance will be met by the Applicant. The second Section of the Memorandum is broken down into three Subsections. Subsection A "Critical Issues" observes that this is a Comprehensive Sign Plan but does not include all tenants in the Sterling Plaza Shopping Center. Applicant herewith includes (TAB 1) a letter from the landlord, McCaffery Interests, indicating its plans for signage at the shopping center. Applicant would note that the Zoning Ordinance requires any modification to the sign requirements of Section 5-1204 be done through a Comprehensive Sign Plan (Section 5-1202(E)). This is not Applicant's election; this is the County's directive.

Subsection B "Statement of Justification" items (i) – (iii) have all been addressed in the revised Statement of Justification attached hereto (TAB 2).

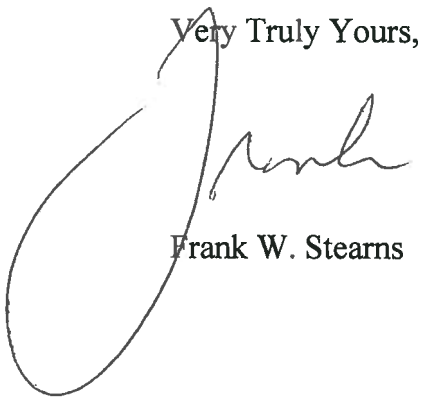
Subsection C "Applicable Zoning Ordinance Information and Conformance" (i) The Comprehensive Sign Matrix attached has been amended to address items (i), (ii) and (iii). The requested change in (ii) has been made in the revised Statement of Justification attached (TAB 2). The new calculations as requested in (iii) have been made in the attached amended Comprehensive Sign Matrix (TAB 3). The request in item (iv) has been made in the Comprehensive Sign Matrix (TAB 3). Item (v) the request to eliminate one of the signs has

been discussed and Applicant would like to have that sign. There are 276 linear feet of frontage and two separate entrances. This is more than enough area to accommodate all signs requested by Applicant without the signs appearing to be overbearing, cluttered or excessive. By way of comparison, if there were 10 store fronts along the same frontage, there could be ten (10) signs each 54 square feet in size by right for a total of 540 square feet. Safeway's total requested sign area is 246.53 square feet.

The Memorandum of the Department of Planning dated January 20, 2009 notes on page two thereof the "Retail Plan" specifies that signs for commercial centers should be developed as an integral part of the overall center design. Please note from the Landlord's letter enclosed herewith (TAB1) that that requirement is being met. At the top of page three of the Memorandum the issue regarding the Comprehensive Sign Plan being used to address just one tenant is raised. As stated above, this is the process provided to address single tenant sign modifications in the Zoning Ordinance. Nevertheless the landlord is now participating in this application for the entire center as can be seen from the attached letter (TAB1) from McCaffery Interests. The Memorandum also states on page three that the shopping center is located and designed to function as "service area based retail". As such, the Memorandum concludes, the majority of the shoppers are aware of the center's location and the available retail and service offerings. Applicant disagrees with this conclusion. Sterling Center Plaza is a community center and does not rely on merely those that know of its existence. It is located on Sterling Blvd. which is a heavily traveled right-of-way and attracts shoppers from a much larger region than the immediate neighborhood. Applicant again emphasizes that the linear frontage for the Safeway is quite extensive and that if broken up into smaller tenants, each with its own sign, substantially more signage would exist by-right than Safeway is requesting by this modification. There is more than enough wall space to accommodate these signs without them appearing to be cluttered, excessive or overpowering. The specific details of the sign materials are shown on the specifications included (TAB 4) and the lighting will be back lighting. It is not clear as to what is meant by commitments and insurances that the sign package will be implemented as proposed other than the Applicant agrees to abide by the approved Comprehensive Sign Plan.

If you should have any questions regarding the above please feel free to contact the undersigned. I remain,

Very Truly Yours,



Frank W. Stearns

FWS/kkp
Enclosure
cc: Morgan McCaffery
Nicole Mason

McCAFFERY Interests

Thoughtful and Creative
Real Estate Solutions

Frank W. Stearns, Esq.
8010 Towers Crescent Dr. Ste 300
Vienna, VA 22182

November 13, 2009

RE: Sterling Plaza Shopping Center – New Safeway Sign

To Whom this May Concern,

In 2007 Landlord was exploring the possibility to undergo a renovation of Sterling Plaza Shopping Center. Such a renovation would have called for structural, façade and possibly some site plan changes. Through the proposed renovation, Landlord anticipated submitting a comprehensive sign package in order to comply with the current sign ordinance. However, given the current economic climate it is no longer feasible to do such a renovation, and we have subsequently scaled back the renovation to include a more "lipstick and rouge" approach. Therefore, Landlord no longer intends to submit a comprehensive sign package for the center, either now or in the foreseeable future.

Please accept this letter as formal notice of Landlord's approval and support of Safeway's sign package inclusive of the proposed new Pylon sign and location. We view our Landlord/Tenant relationship with Safeway as a partnership, and agree that an upgrade to their storefront is an upgrade for the entire center and surrounding community.

If there are any additional questions or comments, please do not hesitate to contact me directly.

Sincerely,

Morgan Ziegenhein

Morgan Ziegenhein
Assistant Asset Manager
McCaffery Interests, Inc

McCAFFERY | Interests

Thoughtful and Creative
Real Estate Solutions

Frank W. Stearns, Esq.
8010 Towers Crescent Dr. Ste 300
Vienna, VA 22182

February 24, 2009

RE: Sterling Plaza Shopping Center – New Safeway Sign

Dear Mr. Stearns,

Please accept this letter as formal notice of Landlord's approval of Safeway's sign package as sent to us in January 2009. Landlord is currently reviewing upgrades to the center and Safeway's proposed changes are in alignment with one of Landlord's most immediate goals: increasing the safety, the visibility and value of the center to the community it serves.

Landlord proposes to address the issue in several ways, the first of which is to correct the placement of the monument sign for the center. The current center signage is poorly positioned which has proved a danger to motorists. Landlord intends to reposition the entrance signage from the west to the east entrance of the center (see attached Diagram A.) Due to the curve in Sterling Boulevard, the existing sign is not visible to traffic until you have passed it. Not only does that render the current location useless in the form of notification, but has proved a traffic hazard as customers are forced to slam on their brakes in order to make the turn. The new location offers greater visibility to motorists traveling in both the east and west directions. In addition, the new location takes advantage of the existing median-cut in Sterling Blvd allowing motorists to cross traffic legally rather than attempting an illegal U-turn at the next available intersection.

Landlord also intends to address the visibility issue by modernizing the entrance signage. McCaffery Interests is a firm believer in "creating a rising tide" in our retail centers. The most basic start to this is to let the community know one exists. The current signage doesn't indicate there is a center at all, nor does it name the retailers. We see the new entrance signage as an opportunity to name some of the stores in the center, many of which are locally owned and operated. Attached is a preliminary design for the new monument sign (see attached Diagram B.) Signage has always been a key item in the success of any retailer and with the current economic climate it is even more important to offer businesses every opportunity for success.

Landlord also believes that signage within the center is very important to retailers. Diagram C shows a rendering for the proposed "blade signs" for each storefront. It is important for customers to be able to differentiate between one store and the next, and short of redoing the entire façade of the building, blade signs are the easiest correction.

The fourth item in visibility is the overall look of the center. We are currently working on an improved landscape and lighting plan to open up and lighten up the feel of the center. Landscaping will include opening up sightline issues caused by an overgrowth of dense shrubbery and increasing the texture, colors and variety of plantings. An updated paint scheme for the center's two main buildings combined with added walkway lighting will feel both warmer and more welcoming.

There is a saying that perception is reality. We hope that the reality of these changes will be perceived as an invitation for the community to visit and re-explore this local center. Please don't hesitate to call if you have any questions concerning the attached.

Sincerely,

Morgan McCaffery
McCaffery Interests, Inc

Encl: Diagram A
Diagram B
Diagram C

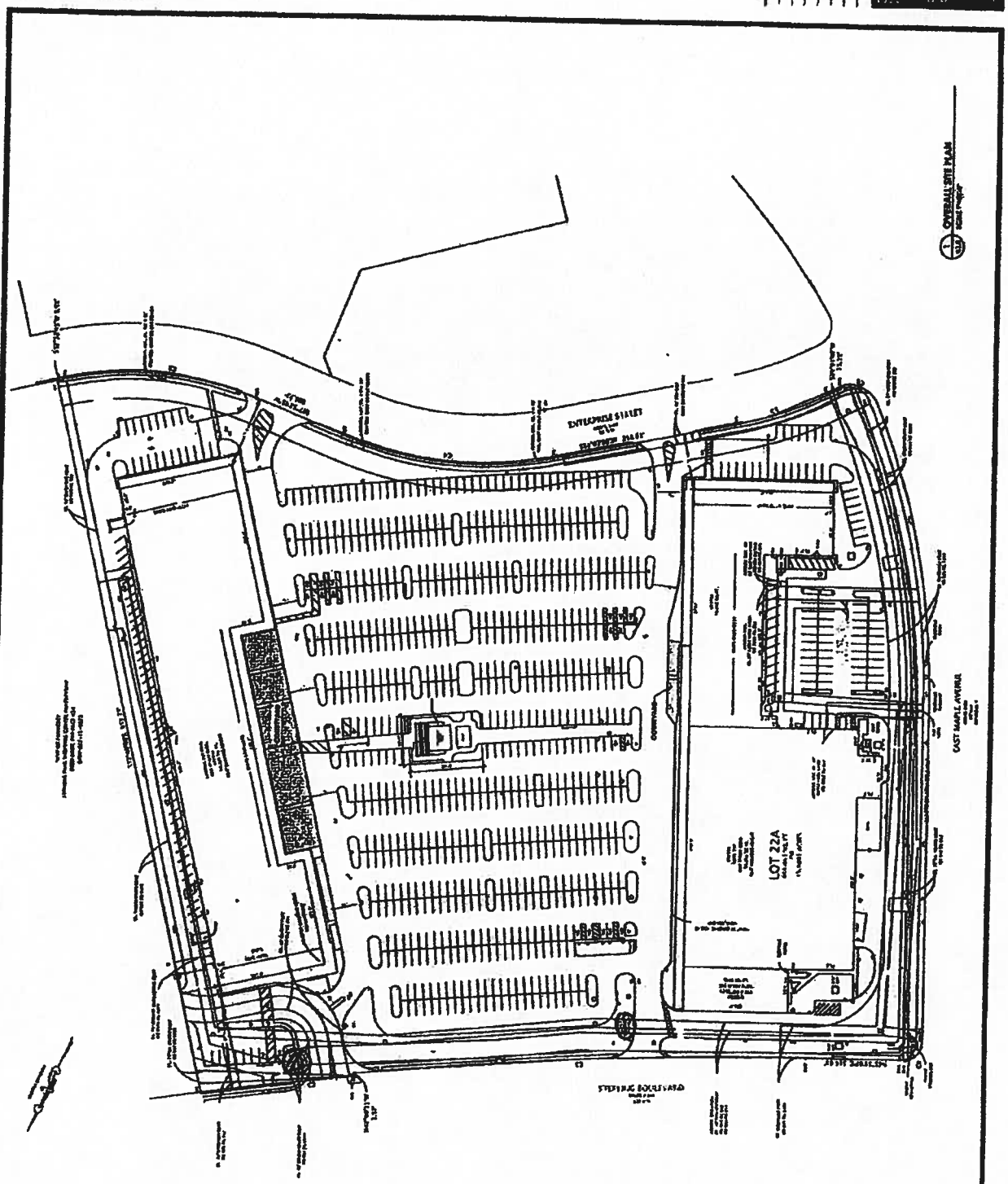
cc: Eithne Richardson, Project Manager, McCaffery Interests
Juan Cameron, Vice President, McCaffery Interests

STERLING PLAZA

STERLING, VA

REVISIONS

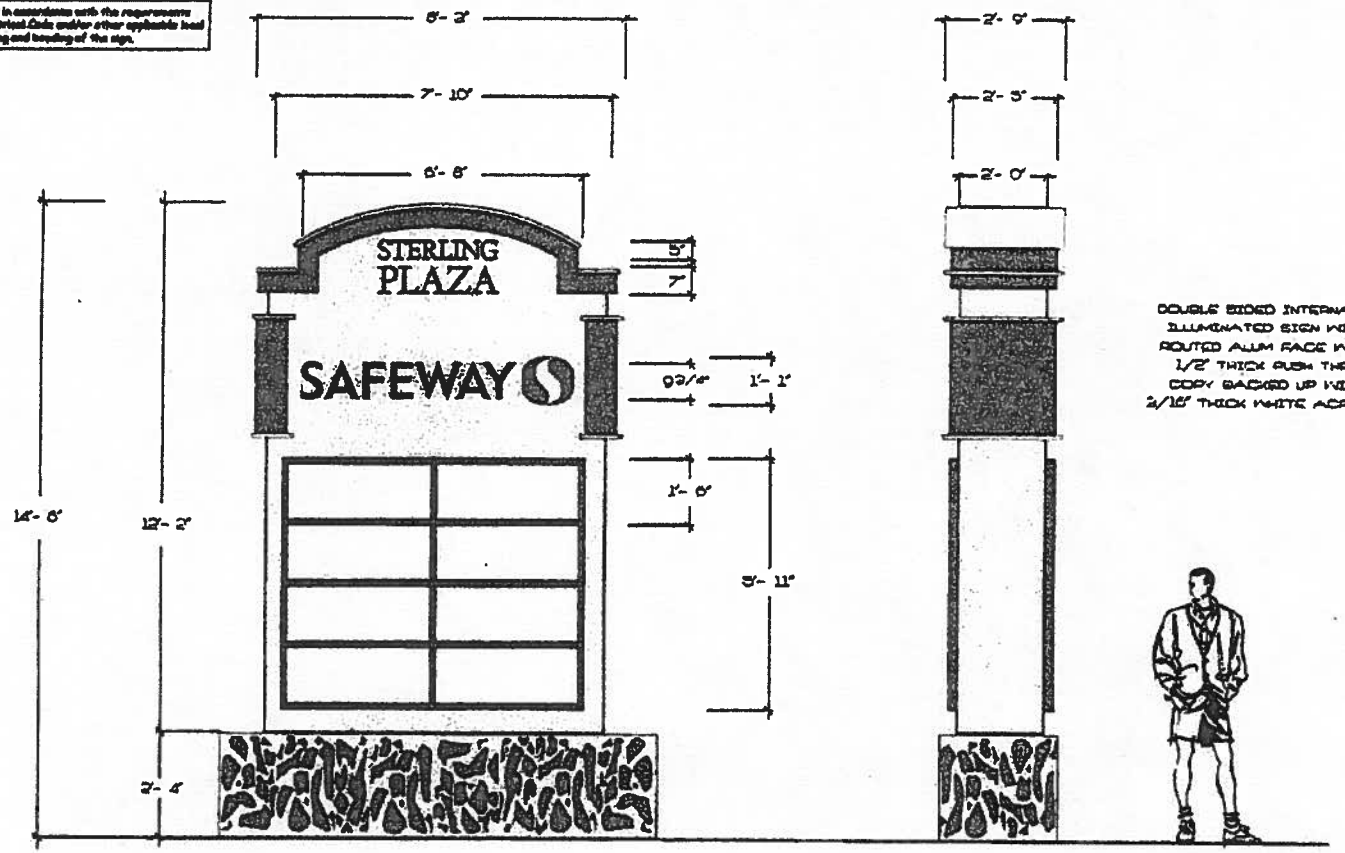
A1.0



① Current location

② Anticipated New Location

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.



Customer/Salesperson signature

Client STERLING PLAZA	**Location** M:\POWELL\STERLING_1.DGF	**Date** FEBRUARY 11, 2009	**Drawing No.** 1 OF 1	**Revised**	821P Oregon Ave. Linthicum MD 21090 Phone 410.789.1640 FAX 410.789.2790
Salesman JIM POWELL	**Job No.** N/A	**Scale** 3/8" = 1'- 0"	**Designer** JOHN WELCH		

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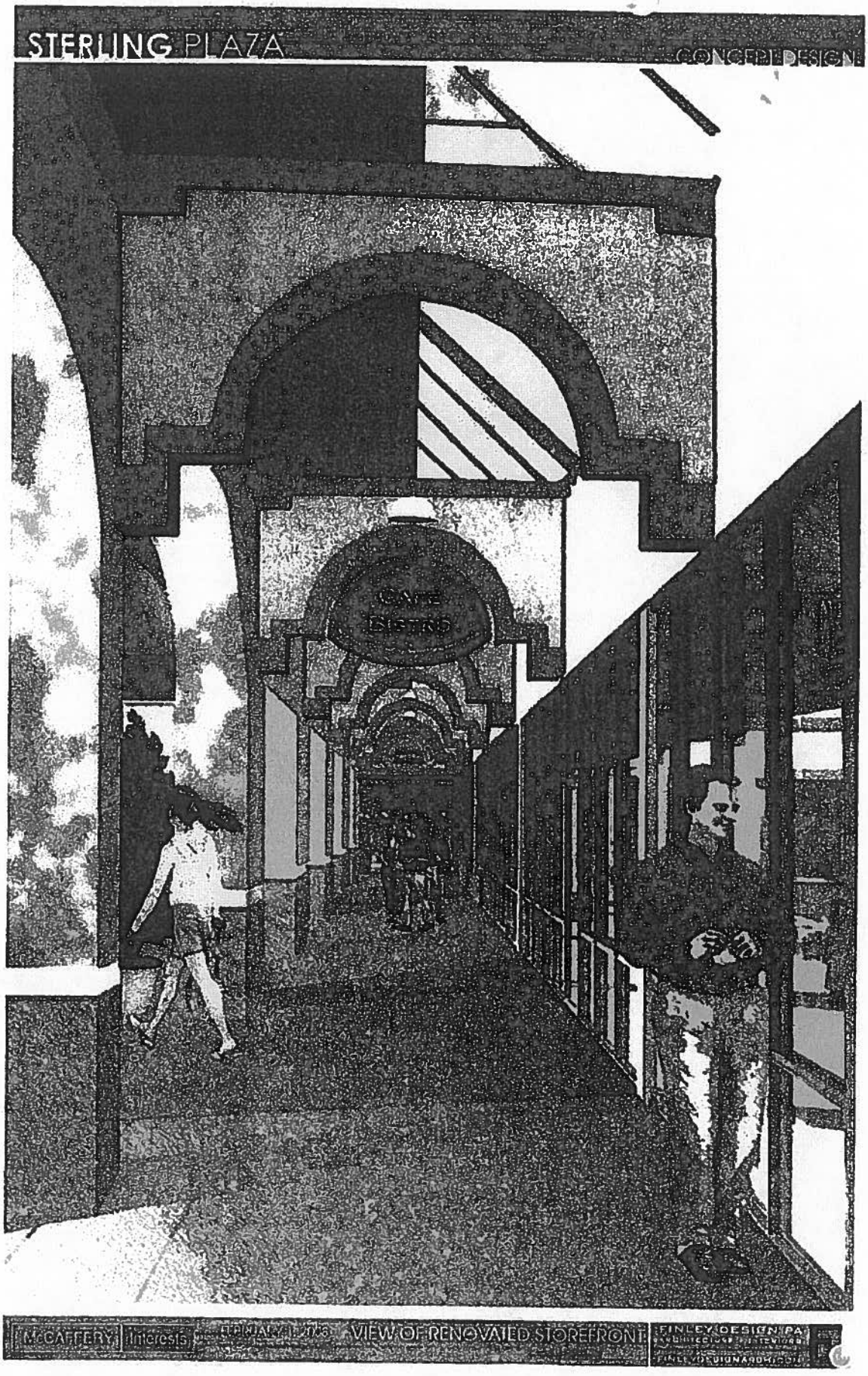
STERLING PLAZA
CONCEPT DESIGN
CAFE
BISTRO
McCAFFERY Interests
VIEW OF RENOVATED STOREFRONT
FINLEY DESIGN PA

A-34

Important! The adopted Affidavit and Reaffirmation of Affidavit forms shall not be altered or modified in any way. Any form that is altered or modified in any way will not be accepted.

REAFFIRMATION OF AFFIDAVIT

In reference to the Affidavit dated November 16, 2009
(enter date of affidavit)

For the Application Safeway at Sterling, with Number(s) ZMOD-2008-0013
[enter Application name(s)] [enter Application number(s)]

I, Frank W. Stearns, do hereby state that I am an

(check one) _____ Applicant (must be listed in Paragraph C of the above-described affidavit)
X_____ Applicant's Authorized Agent (must be listed in Paragraph C of the above-described affidavit)

And that to the best of my knowledge and belief, the following information is true:

(check one) X_____I have reviewed the above-described affidavit, and the information contained therein is true and complete as of December 8, 2009, or;
(today's date)

_____ I have reviewed the above-described affidavit, and I am submitting a new affidavit which includes changes, deletions or supplemental information to those paragraphs of the above-described affidavit indicated below:

(Check if applicable)
_____Paragraph C-1
_____Paragraph C-2
_____Paragraph C-3
_____Paragraph C-4(a)
_____Paragraph C-4(b)
_____Paragraph C-4(c)

RECEIVED
DEC 08 2009
PLANNING DEPARTMENT

WITNESS the following signature:

Frank W. Stearns
check one: [ ] Applicant or [X] Applicant's Authorized Agent

Frank W. Stearns
(Type or print first name, middle initial and last name and title of signee)

Subscribed and sworn before me this 8th day of DECEMBER, 2009, in the State/Commonwealth of VIRGINIA, in the County/City of FAIRFAX.

Lynne A Rhoades
Notary Public

My Commission Expires: 6/30/10

Notary Registration Number: 106381

LYNNE A. RHOADES
Notary Public
Commonwealth of Virginia
106381
My Commission Expires Jun 30, 2010

Rev

ATTACHMENT 5

I, Frank W. Stearns, do hereby state that I am an

___ Applicant

__X__ Applicant's Authorized Agent listed in Section C.1. below

in Application Number(s): ZMOD-2008-0013

and that to the best of my knowledge and belief, the following information is true:

C. DISCLOSURES: REAL PARTIES IN INTEREST AND LAND USE PROCEEDINGS

1. *REAL PARTIES IN INTEREST*

The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS** and **LESSEES** of the land described in the application* and if any of the forgoing is a **TRUSTEE**** each **BENEFICIARY** of such trust, and all **ATTORNEYS,** and **REAL ESTATE BROKERS, and all AGENTS of any of the foregoing.**

All relationships to the persons or entities listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together (ex. Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc.) For a multiple parcel application, list the Parcel Identification Number (PIN) of the parcel(s) for each owner(s).

PIN	*NAME (First, M.I., Last)*	*ADDRESS (Street, City, State, Zip Code)*	*RELATIONSHIP (Listed in bold above)*
022-15-4155	Sterling Plaza Shopping Center LLC Joseph Reger Morgan Ziegenhein	737 N. Michigan Ave., Suite 2050 Chicago, IL 60611	Title Owner of Parcel /81F10/////2A Agent for Title Owner Agent for Title Owner
	Safeway, Inc. Joseph Sullivan	5918 Stoneridge Mall Road Pleasanton, CA 94588	Applicant/Lessee Agent for Applicant
	Venable LLP Frank W. Stearns David R. Lasso Kwasi X. Bosompem	8010 Towers Crescent Drive Suite 300 Vienna, VA 22182	Attorneys/Agents Attorney/Agent Attorney/Agent Urban Planner/Agent
	Kerley Signs, Inc. Michael Gardner	7650 Preston Drive Landover, MD 20785	Designers/Agents Designer/Agent

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** In the case of a TRUSTEE, list Name of Trustee, name of Trust, if applicable, and name of each beneficiary.

Check if applicable:

___ There are additional Real Parties in Interest. *See* Attachment to Paragraph C-1.

2. *CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)*

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, **and if such corporation is an owner of the subject land**, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)
Sterling Plaza Shopping Center LLC, 875 N. Michigan Ave., Suite 1800, Chicago, IL 60611

Description of Corporation:

___ *There are 100 or fewer shareholders and all shareholders are listed below.*

___ *There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.*

___ *There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

__X__ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of Shareholders:

SHAREHOLDER NAME (First, M.I., Last)	***SHAREHOLDER NAME (First, M.I., Last)***
N/A	

Names of Officers and Directors:

NAME (First, M.I., Last)	***Title (e.g. President, Treasurer)***
Daniel T. McCaffery	President

Check if applicable:

_X_ There is additional Corporation Information. *See* Attachment to Paragraph C-2.

2. *CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)*

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, **and if such corporation is an owner of the subject land**, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)
Safeway Inc., 5918 Stoneridge Mall Road, Pleasanton, CA 94588

Description of Corporation:

___ *There are 100 or fewer shareholders and all shareholders are listed below.*

___ *There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.*

___ *There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

__X__ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of Shareholders:

SHAREHOLDER NAME (First, M.I., Last)	***SHAREHOLDER NAME (First, M.I., Last)***
N/A	

Names of Officers and Directors:

NAME (First, M.I., Last)	***Title (e.g. President, Treasurer)***
Steve A. Burd	President
Robert L. Edwards	Vice-President/Treasurer
Bruce L. Everette	Executive Vice-President

Check if applicable:
__X__ There is additional Corporation Information. *See* Attachment to Paragraph C-2.

2. *CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)*

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, **and if such corporation is an owner of the subject land**, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)
Kerley Signs, Inc., 7650 Preston Drive, Landover, MD 20785

Description of Corporation:

_X_ *There are 100 or fewer shareholders and all shareholders are listed below.*

___ *There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.*

___ *There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

____*There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of Shareholders:

SHAREHOLDER NAME (First, M.I., Last)	*SHAREHOLDER NAME (First, M.I., Last)*
Thomas P. Kerley	
Susan K. Kerley	

Names of Officers and Directors:

NAME (First, M.I., Last)	*Title (e.g. President, Treasurer)*
Thomas P. Kerley	President
Susan K. Kerley	Secretary/Treasurer

Check if applicable:

___ There is additional Corporation Information. *See* Attachment to Paragraph C-2.

3. *PARTNERSHIP INFORMATION*

The following constitutes a listing of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in the affidavit.

Partnership name and address: (complete name, street address, city, state, zip)
Venable LLP, 8010 Towers Crescent Drive, Suite 300, Vienna, VA 22182

✓ (check if applicable) The above-listed partnership has no limited partners.

Names and titles of the Partners:

NAME (First, M.I., Last)	*Title (e.g. General Partner, Limited Partner, etc)*
	All Venable Partners are General Partners

Partners

Adams , David G.
Adducci , Steven A.
Albrecht , Ralph P.
Ames , Robert G.
Anderson , Lars E.
Aragon, Rebecca M.
Atlas , Harry I.
Auberger , Marcia A.
Ayres , Jeffrey P.
Baader , Michael J.
Babayi, Robert
Bailey , Claude E.
Baker , Constance N.
Baldridge , J. Douglas
Barnes, Jeffrey A.
Baskin , Maurice
Bayh , Birch E. Jr.
Beaty , John B.
Beeman , E. Ray
Bechamps, Anne-Therese
Blinken, Sally G.
Block , Joseph G.
Bolger , Robert J.
Borkowski, George M.
Boyle , Edward Patrick
Braker , Gregory S.
Brandenstein , Henry F. Jr.
Bronstein , John D.
Bruton , Jennifer
Bryan , Sally R.
Buckley , Richard D.
Burdett , James R.
Burnley , James H. IV
Burton, Robert A.
Bushnaq , Darek S.
Callari, Carollynn H.G.
Calvert , Walter R.
Capute , Courtney G.
Chammas, Daniel B.
Christner , Wallace E.
Ciatto , Frank A.
Cirulnick , Arthur E.
Cividanes , Emilio W.
Civiletti , Benjamin R.
Clancy , Patrick L.
Cohen, Bradford
Cohen, Rory M.
Colaizzi , Roger A.
Constantine, George E.
Cook , Bryson L.
Cooke , Lawrence H. II
Cooney , John F.
Coston , William D.
Craig, Ashley
Cross , Gregory A.
Cumbie , James E.
Currie, Andrew J.
Curtin , Peter J.
Daley , Henry J.
Davis , Michael C.
Deal , Jill B.
Debolt , Paul A.
Deeley , C. Carey Jr.
DeLong , Stephanie L.
Devaney , William H.
Dolan , William D. III
Donovan , William J.
Dunbar , James A.
Dunn , Jeffrey A.
Dvorak , James P. Jr.
Edlavitch , Susan T.
Elling , Terry L.
Emhoff , Douglas C.
Esty , JoAnna M.
Evans , Edward S. III
Fales , Lisa Jose
Farnum, David
Ferrell , Michael J.
Flyer , Michael R.
Foley, Danielle R.
Foster, Michael D.
France , Thomas W.
Frerichs, Herbert D. Jr.

Frey, Richard J.
Gaarder , Christina L.
Gallagher , Stephen K.
Garfinkel, Michael
Garinther , Geoffrey R.
Garrote , Nora E.
Gately , Caroline Petro
Geis , Robert H. Jr.
Gendron , Andrew
Gesner , Lawrence H.
Gilden, Robin C.
Gill, Gregory M.
Glancz , Ronald R.
Glasgow , Paul T.
Glynn , Edward F. Jr.
Goewey , David W.
Gollin , Michael A.
Gonya , Jeffrey K.
Goodman , Leonard S.
Gottlieb , Robert G.
Gray , James E.
Green, Douglas H.
Grunberg , Nancy R.
Guben , Jan K.
Haddaway , Keith G.
Hailey , Gary D.
Hamel , W. Warren
Hanks , James J. Jr.
Hardway, Kathleen S.
Harrison , Mark B.
Harrison , Todd A.
Harting, Marta D.
Hauptman , Gregory B.
Heard , C. Stephen Jr.
Heubeck , David J.
Heyward , Peter E.
Hill , Jon-Jamison
Hill , M. King III
Hinckley, Elias B.
Hobbs , Ann S.
Hoffman , Kenneth R.
Hoffman , Robert A.
Hommer , J. Scott III
Horn , Todd J.
Horowitz , Philip M.
Howard , John B.
Hughes , Elizabeth R.
Ingis , Stuart P.
Jackson , Linda M.
Jacoby , Aaron
Johnson , Thora A.
Johnson , Treazure R.
Johnston , George W.
Joyce , Frederick M.
Kaminski , Jeffri A.
Kaplun , Paul T.
Karceski, David
Katz , Lawrence A.
Kaufman , Joshua J.
Kelly , Thomas J. Jr.
Kemp , Paul F.
Kettel, David
Killefer , Campbell
Kinberg , Robert
Kirchanski , Stefan J.
Knowles , Jeffrey D.
Kolkin , Mitchell
Kroupa , Sharon A.
Kurzweil , Jeffrey
Lalle , A. Wayne Jr.
Landry , Brock R.
Larkin, Edwin M.
Leber , Michael A.
Lee, Tony S.
LeMoult , Brendan J.
Lencz , Norman
Levy, David M.
Lewis-Eng , Claudia A.
Lingan , Thomas M.
Lombard , Rebecca Goldsmith
Luftman, Michael B.
Lynyak, Joseph T. III
MacWilliams , Michael B.
Madden , Michael K.
Madden , Thomas J.
Mallon, Colleen M.
Marshall , Stephen E.
McCann , Clifton E.
McCauley , John
McDonald , Douglas B.
McGowan , Patricia
McLaughlin , Matthew T.
Mellott , Christopher R.
Meyer , David C.
Meyer , Lindsay B.
Milliken , John G.
Mirviss , Mitchell Y.
Moore , Jerry A. III
Morton , Charles J. Jr.
Moylan , Daniel P.
Murnane , Matthew T.
Newlon , Jeanne L.
Nifosi , Dana C.
Nordwind , William R.
O'Brien , Andrea I.
O'Connor , Brian J.
O'Neill, John J. Jr.
Olchyk , Samuel
Ossi , Gregory J.
O'Toole , Edmund M.
Parker , Bruce R.
Parvis , Peter P.
Pass , Caryn G.
Pate, Christopher
Pearson , Rebecca E.
Petruzzelli , Julie A.
Powers , Richard E. Jr.
Price , Andrew D.
Prisbe , John T.
Quinn , Thomas H.
Racine , Karl A.
Radowich , Jeffrey J.
Ramirez , Ted L.
Reno , Russell R. Jr.
Rice , David E.
Richard, Julie
Ritchie, George F.
Roberts , Theodore F.
Robinson , Michael W.
Rodriguez , Maria E.
Rose, Jason
Rose, Jorian L.
Rosenthal , Seth A.
Rothschild , Lowell M.
Rudd , Christopher L.
Sangiamo , Dino S.
Sartori , Michael A.
Satterthwaite , Janet F.
Schatzow , Michael
Schlaff , Barbara E.

Schiffer, Michael D.
Schmelter , Joseph C.
Schwalb , Brian L.
Schwartz, David P.
Sega , A. Christopher
Sergent , Randolph S.
Shea , James L.
Sharpe , Ralph E.
Shelton , Robert A.
Shepherd , Kevin L.
Shepherd , Raymond V. III
Sherman , Davis V.R.
Sherman, Michael D.
Shull , Joe A.
Singh , Jagpreet
Slaughter , Kenneth S.
Smith , David S.
Smith , Edward A.
Smith , Herbert G. II
Smith , Robert G.
Starr , Judson W.
Stearns , Frank W.
Steinman , Melissa L.
Strachan , Nell B.
Strain , Paul F.
Strand , Margaret
Stierhoff, John R.
Sweeney, Mary Rosewin
Tavares , Lisa A.
Taylor , Ronald W.
Tenenbaum , Jeffrey S.
Thompson , Craig A.
Treanor , Gerard
Troup, James U.
Tucker , Stefan F.
Vecchio , Mark S.
Volner , Ian D.
Volpe , Michael J.
Wagner , Martha Jo
Waldman , Robert L.
Walsh , William L. Jr.
Warner , David R.
Washburne , Thomas D. Jr.
Wasserman , Richard L.
Webb , G. Stewart Jr.
Weissman, William R.
Wender , Edward L.
Whitwell , Ben D.
Wilhelm , John A.
Wilkins , Robert L.
Williams , Samantha M.
Wilson , D. Edward Jr.
Wright , Damon W.D.
Wright , James D.
Yurow , M. Jay
Zemil , Brian A.
Zink , John H. III
Zinkham , W. Robert
Zottola, A.J.

Check if applicable:
___ Additional Partnership information attached. *See* Attachment to Paragraph C-3.

4. *ADDITIONAL INFORMATION*

a. One of the following options **must** be checked:
___ In addition to the names listed in paragraphs C. 1, 2, and 3 above, the following is a listing of any and all other individuals who own in the aggregate (directly as a shareholder, partner, or beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

_X_ Other than the names listed in C. 1, 2 and 3 above, no individual owns in the aggregate (directly as a shareholder, partner, or beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

Check if applicable:
___ Additional information attached. *See* Attachment to Paragraph C-4(a).

b. That no member of the Loudoun County Board of Supervisors, Planning Commission, Board of Zoning Appeals or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or though an interest in a partnership owning such land, or as beneficiary of a trust owning such land.

EXCEPT AS FOLLOWS: (If none, so state). NONE

Check if applicable:
___ Additional information attached. *See* Attachment to Paragraph C-4(b).

c. That within the twelve-month period prior to the public hearing for this application, no member of the Loudoun County Board of Supervisors, Board of Zoning Appeals, or Planning Commission or any member of his immediate household, either individually, or by way of partnership in which any of them is a partner, employee, agent or attorney, or through a partner of any of them, or through a corporation (as defined in the Instructions at Paragraph B.3) in which any of them is an officer, director, employee, agent or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has or has had any business or financial relationship (other than any ordinary customer or depositor relationship with a retail establishment, public utility, or bank), including receipt of any gift or donation having a value of $100 or more, singularly or in the aggregate, with or from any of those persons or entities listed above.

EXCEPT AS FOLLOWS: (If none, so state). NONE

Check if applicable:
___ Additional information attached. *See* Attachment to Paragraph C-4(c).

D. COMPLETENESS

That the information contained in this affidavit is complete, that all partnerships, corporations (as defined in Instructions, Paragraph B.3), and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, OR LESSEE of the land have been listed and broken down, and that prior to each hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including any gifts or business or financial relationships of the type described in Section C above, that arise or occur on or after the date of this Application.

WITNESS the following signature:

Frank W. Stearns

check one: [ ] Applicant or [X] Applicant's Authorized Agent

Frank W. Stearns, Esq.
(Type or print first name, middle initial and last name and title of signee)

Subscribed and sworn before me this 16th day of November 2009, in the State/Commonwealth of Virginia, in the County/City of Fairfax.

Lynne A Rhoades
Notary Public

My Commission Expires: 6/30/10

LYNNE A. RHOADES
Notary Public
Commonwealth of Virginia
106381
My Commission Expires Jun 30, 2010