

APPROVED DEVELOPMENT CONDITIONS

SE 2004-LE-008

January 21, 2005

If it is the intent of the Board of Supervisors to approve SE 2004-LE-008, located at Tax Map 81-3 ((4)) 4A, to allow a service station pursuant to Sect. 7-607 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s), and/or use(s) indicated on the Special Exception Plat approved with this application, as qualified by these development conditions.
3. A copy of this Special Exception and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This Special Exception is subject to the provisions of Article 17 of the Zoning Ordinance, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any site plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception plat **entitled Special Exception Plat, Shell Oil Company and prepared by Bazikian Consultants, Ltd., containing five (5) sheets revised through October 18, 2004** and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
5. Sales of food and other items indoors shall be limited to those permitted by the definition of a "Service Station" in Article 20 of the Zoning Ordinance and shall be limited to 250 square feet of gross floor area. There may be fifty (50) square feet of accessory outdoor storage and display areas for goods offered for sale, but outdoor display and storage of items for sale, other than automobile fuel and oil, shall be prohibited.
6. The maximum number of service bays on site shall be limited to five as depicted on the SE Plat. Vehicle repairs shall be performed within interior service bays only. No outdoor vehicle repair lifts shall be permitted. No Virginia State emissions testing shall be conducted in either of the two rear service bays.
7. The proposed canopy, the proposed additional multi-product dispenser fuel pump, and the proposed office space as depicted on the SE Plat may be constructed and installed at the Applicant's option. If the office space is not constructed, the existing cinder block wall shall be removed prior to the issuance

- all tree protection fences, except super silt fence, shall be performed under the supervision of a certified arborist. Three days prior to the commencement of any clearing, grading, or demolition activities, the Urban Forest Management Branch shall be notified and given the opportunity to inspect the site to assure that all tree protection devices have been correctly installed.
14. A landscape plan shall be submitted concurrent with submission of the site plan for review and approval by the Fairfax County Urban Forest Management Branch. The plan shall provide landscaping in substantial conformance with the quality and quantity of landscaping shown on the SE Plat. Irrespective of that shown on the SE Plat, all proposed landscaping shall be native or other proven desirable species per Table 12.7 of the P.F.M. or as approved by the Urban Forest Management Branch. All existing and proposed vegetation located in the transitional screening yard along the northern property boundary (between the new wooded board-on-board fence shown on the SE Plat and the northern property boundary) shall be of quantity and quality to provide viable screening and buffering to the abutting residential lot, as determined by the Urban Forest Management Branch.
 15. All existing and proposed landscaping shall be maintained in an attractive and healthy manner. This shall include regular mowing of grass and the proper watering, mulching, pruning and weeding of planted beds, grass, shrubs and trees throughout the site. All plant material that is dead, dying, or damaged beyond repair shall be replaced. Any trees that are staked or guyed at the time of planting shall have the stakes and guy wires removed within one year.
 16. To ensure the health and survival of both existing and proposed plantings in the transitional screening yard along the northern property boundary, any debris and dumped trash shall be removed by hand without the use of heavy equipment, prior to the proposed additional planting. Furthermore, all English Ivy shall be removed from this area prior to planting.
 17. The proposed canopy shall be constructed with materials and colors that match the Service Station, and shall be in conformance with Sheet 3 of the SE Plat.
 18. Two temporary trailers approximately eight (8) feet in height shall be permitted on site as shown on the SE plat. The trailers shall be screened by a wooden board-on-board fence seven (7) feet in height. The trailers shall remain gray in color and be maintained in good condition at all times.
 19. Unless the stormwater/best management practices facility is waived by DPWES, the applicant shall provide the stormwater/best management practices facility underground as depicted on the special exception plat, as determined by DPWES.
 20. At the time of site plan approval, 211.08 square feet of right-of-way at the northeast corner of the site as shown on the SE Plat shall be dedicated to the Board of Supervisors in fee simple.

21. A five (5) foot wide concrete sidewalk and frontage improvements shall be provided along the site's frontage on Valley View Drive in the location as shown on the SE Plat. The frontage improvements and five (5) foot wide concrete sidewalk along the site's frontage on Franconia Road which are shown on the SE Plat shall be maintained. Single plane handicap accessible ramps shall be provided at all points along the public street frontages of the property where public sidewalks meet entrance aprons.
22. Parked vehicles on-site shall be parked only in designated parking spaces at all times.
23. The maximum number of employees assigned to staff the site at any one time shall be limited to six.
24. The site shall be patrolled daily by the service station employees to pick up any trash on the site.
25. The selling, renting or leasing of trucks, trailers or automobiles on-site shall be prohibited.
26. If a waiver of the design standard for the site's eastern most access point on Franconia Road is not granted at the time of site plan, the applicant shall construct the entrance as directed by VDOT.
27. Interior parking lot landscaping shall be provided in accordance with the Zoning Ordinance.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Sect. 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, eighteen (18) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.