

## PROPOSED DEVELOPMENT CONDITIONS

SEA 94-Y-038-03

June 7, 2004

If it is the intent of the Board of Supervisors to approve SEA 94-Y-038-03, located at Tax Map 33-2 ((5)) B, to amend SE 94-Y-038 previously approved for vehicle sale, rental and ancillary service establishments, service station, car wash and waiver of certain sign regulations, to permit modification of development conditions pursuant to Sect. 4-804, 9-620, and 14-903 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These development conditions shall be in addition to all previous development conditions for the area subject to this application.

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 the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by DPWES. Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Amendment Plat entitled "Dulles International Auto Park" consisting of 13 Sheets and prepared by Greenhome & O'Mara, Inc. which is dated June, 1999, the lighting plan entitled "Rosenthal Jaguar Site Lighting – Point to Point & Details" consisting of one sheet and prepared by SAI Engineering Incorporated, dated August 25, 2003, and these conditions. Minor modifications may be permitted in accordance with Sect. 9-004 of the Zoning Ordinance.
4. All new and replacement outdoor lighting fixtures shall be in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance and shall not exceed a maintained lighting level of 30 footcandles. A photometric plan shall be submitted as part of the site plan approval. Outdoor display area lighting on Tax Map 33-2 ((5)) B shall not exceed a maintained lighting level of 50 footcandles as measured horizontally at grade.

5. Irrespective of that shown on the plat, no freestanding signs shall be permitted.

The above conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by the 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 Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) 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