

PROPOSED DEVELOPMENT CONDITIONS

SEA 87-V-106-2

March 17, 2005

If it is the intent of the Board of Supervisors to approve SEA 87-V-106-2 located at Tax Map 83-2 ((1)) 2C (5900 Richmond Highway) to amend a special exception for a vehicle sales, rental and ancillary service establishments pursuant to Sect. 4-804, 7-600 and 9-501 of the Fairfax County Zoning Ordinance in order to delete land area, add a parking structure, and make other site modifications and to allow uses in a floodplain pursuant to Sect. 9-606 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These development conditions incorporate and supersede all previous development conditions. Previously approved conditions are marked with an asterisk (*).

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.*
2. This Special Exception Amendment 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. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services ("DPWES"). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Amendment Plat ("SEA Plat") entitled Ourisman Special Exception Plat, prepared by Christopher Consultants, which is dated September 23, 2004, as revised through March 7, 2005, 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.

Parking

4. A minimum of six (6) handicap parking spaces shall be provided.*
5. No vehicles shall be parked, stored or displayed on any off-site property not owned or leased by Ourisman Dodge Company or its affiliates. No vehicles shall be parked, stored or displayed on any portion of the site that is shown as open space on the Special Exception Amendment Plat, as revised through March 7, 2005. No vehicles shall be parked, stored or displayed in a manner that will impede the flow of traffic. Display of vehicles shall only be permitted in those spaces depicted for the display of vehicles on the SEA Plat. The use of lifts to store or display vehicles shall be strictly prohibited.

Loading/Unloading

6. All loading and unloading of vehicles on transport carriers shall be conducted on-site and provisions shall be made so that the queuing of vehicles waiting for

service will occur totally on site. No loading or unloading of vehicles shall occur in the service drive. Signs shall be posted at all entrances to the site and along the service drive and Richmond Highway which state that no loading or unloading is permitted within the service drive or on Richmond Highway. A designee of the vehicle sales establishment shall be available at all times to direct trucks seeking to load or unload vehicles to the loading area. Loading/unloading areas shall be designated on the site plan in conformance with Sect. 11-202 of the Zoning Ordinance.

Operation

7. Hours of operation shall be limited to 7:00 a.m. until 11:00 p.m. Monday through Friday; from 7:00 a.m. until 11:00 p.m. on Saturday; and from 11:00 a.m. until 6:00 p.m. on Sunday. Only vehicle sales shall be permitted on Sunday.*
8. The total number of employees working on site at any one time shall not exceed 120.*

Signs

9. Approval of the Special Exception Amendment does not constitute approval of any proposed signs shown on the Special Exception Amendment Plat. All signs, existing and proposed, shall conform with the regulations of Article 12 of the Fairfax County Zoning Ordinance. No buntings, flags, balloons, or other types of decorative materials used for promotional purposes shall be located in such a manner as to be visible from off-site, except as otherwise allowed by the provisions of Article 12 of the Zoning Ordinance.

Tree Cover/Landscaping

10. A minimum amount of fifteen percent (15%) open space shall be provided. This area shall not include that portion of the site encumbered by the Virginia Department of Transportation (VDOT) aerial easement.
11. Tree cover to conform with the provisions of Section 13-401 of the Zoning Ordinance shall be provided as determined by Urban Forest Management Branch, Department of Public Works and Environmental Services (DPWES).*

12. A landscaping strip measuring a minimum of four (4) feet in width shall be provided and maintained along the western property boundaries and peripheral parking lot landscaping shall be provided in that area, **as depicted on the SEA Plat.***
13. Prior to the issuance of the **building permit Non-Residential Use Permit (Non-RUP)**, all proposed on-site landscaping, as shown on the Special Exception Amendment Plat, as revised through March 7, 2005, and all Zoning Ordinance-required landscaping and tree cover shall be installed subject to the approval of Urban Forest Management, DPWES.
14. All plantings, as approved on any and all landscaping plans, shall be maintained and replaced as necessary, subject to the review and approval of Urban Forest Management, DPWES. At the time of site plan approval, it shall be demonstrated that maintenance of the landscaping on the perimeter of the garage shall occur on the subject site. *
15. A continuous row of shrubs shall be planted between the six parking spaces along the site's southern property line and Richmond Highway, as shown on the SEA Plat, subject to the review and approval of Urban Forest Management, DPWES.

Fences

16. **A fence shall be provided along the western lot line, as shown on the SEA Plat.** Any and all fences installed on the periphery of the site or in the interior of the site shall meet Fairfax County Zoning Ordinance requirements and shall be maintained in good condition.*

Lighting

17. All 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 an average maintained lighting level of 30 footcandles as depicted in the photometric plan included in the SEA Plat as revised through March 7, 2005.
18. All mobile floodlights shall be removed from the site no later than 30 days after SEA approval except for those needed by VDOT during construction.
19. Lighting of the parking structure shall conform with the Glare Standards contained in Sect. 14-900 of the Zoning Ordinance so that no glare is produced which results in illumination in excess of 0.5 foot candles in adjacent residential properties, or whatever standard is applicable at the time of site plan approval. All outdoor lighting fixtures associated with the parking structure shall be of low intensity design and shall utilize full cut off fixtures which shall focus directly on the garage. Lighting within the parking structure shall be of a low intensity and recessed design in order to mitigate the impact on adjacent residences. Lighting

within the stair towers shall be fully shielded with full cut-off fixtures in order to mitigate the impact on adjacent residences. Parapet walls on each level of the parking garage shall be a minimum of 42 inches in height to provide adequate shielding of vehicle headlights.

Site Plan

20. If problem soils are found on the site, a geotechnical engineering study that meets Public Facilities Manual requirements shall be conducted and the recommendations implemented as determined by DPWES.
21. Site plan approval shall not be granted until it is demonstrated that those temporary construction easements, in which the SEA Plat depicts construction, have been terminated, or permission from VDOT has been obtained to work within the easement area.
22. In addition to Virginia Department of Transportation (VDOT) review of the site plan, all submissions (including inserts and revisions) of site plans and building permits shall be sent directly to the Woodrow Wilson Bridge Project, VDOT, (or the Northern Virginia Structures/Bridges Office, VDOT, should the WWB Project be complete), for review at the same time that they are submitted to the County.
23. There shall be no land-disturbing activities on-site until DPWES is satisfied that all SWM/BMP requirements are satisfied.

Use in the Floodplain

24. The lowest exterior elevations of the lowest elevated floor of the proposed parking structure shall be not less than 18 inches above the base flood elevation.
25. At the time of site plan review, it shall be demonstrated to the satisfaction of DPWES that the proposed parking structure will not increase the water surface elevation of Cameron Run.
26. As-built floor elevations for the parking structure shall be submitted to DPWES prior to the framing inspection issuance of the Non-RUP.
27. At the time of site plan submissions, a water quality impact assessment shall be submitted to DPWES for review and approval prior to final plan approval.
28. Erosion and sediment control measures shall be installed at all stages of construction. A "super silt fence" shall be installed along the lower clearing and grading limits for the site. If deemed necessary by DPWES, ~~controls shall be designed to achieve greater erosion and sediment control than that achieved by the minimum design standards set forth in the Public Facilities Manual and the Virginia Erosion and Sediment Control Handbook.~~
29. The US Army Corps of Engineers shall be consulted in writing prior to the final site plan approval to determine whether or not any action is required to ensure

- compliance with Sect. 404 of the Clean Water Act. Any required actions shall be completed prior to grading the site. If any necessary permissions are not granted or the required actions are not completed, the Special Exception Amendment shall be null and void.
30. There shall be no storage of herbicides, pesticides, or toxic or hazardous substances as set forth in Title 40, Code of Federal Regulations, Parts 116.4 and 261.30 et seq., in the floodplain.
31. A Hold Harmless Agreement shall be executed with the County for all adverse effects which may arise as a result of the location of the parking structure within a floodplain area.
32. All construction shall be in conformance with Section 3107.0 Flood-Resistant Construction of the Virginia Uniform Statewide Building Code (VUSBC 1977). A statement certifying all floodproofing proposed, and indicating its compliance with all County, State, and Federal requirements shall be provided with the Building Permit application. This certification shall be signed, sealed, and indicate the address of the certifying protections and it shall cover all structural, electrical, mechanical, plumbing, water and sanitary facilities connected with the use.

Architecture

33. Planter boxes containing vines and/or low-growing shrubs shall be provided along the top level of the ~~northern, eastern western~~ and southern elevations of parking structure as shown on the SEA Plat, as revised through March 7, 2005, subject to the review and approval of Urban Forest Management, DPWES. **An automatic irrigation system shall be used for the planters on the top level of the garage.**
34. The architecture of the proposed parking garage shall be similar to that depicted on the SEA Plat. The materials for the garage shall be a concrete mix which will include a blend of sand, cement and aggregates to provide a color that complements the EIFS finishes on the front of the existing dealership building. Maintenance for the garage shall occur on the subject site.

Shuttle Service

35. Shuttle service for employees and customers shall be provided to and from the Huntington Metro during all hours of operation on at least an hourly basis.

Trail

36. The eight-foot asphalt trail along the eastern property line (as shown on the SEA Plat) shall be constructed **and maintained** by the applicant. The final location of this trail shall be determined at the time of site plan review. Any change in the location of the trail from that depicted on the SEA Plat shall be forwarded to the Mount Vernon District Supervisor for review and comment prior to site plan approval.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any otherwise applicable ordinances, regulations, or adopted standards. The applicant shall be itself responsible for obtaining the required Non-Residential Use Permits through established procedures, and this Special Exception Amendment shall not be valid until all such required Non-RUPs have been obtained.

Pursuant to Sect. 9-015 of the Zoning Ordinance, this Special Exception Amendment shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and has been duly prosecuted. The Board of Supervisors may grant additional time to establish the uses 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 Amendment. 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.