

BOARD OF SUPERVISORS APPROVED DEVELOPMENT CONDITIONS

SE 2003-LE-037

March 15, 2004

If it is the intent of the Board of Supervisors to approve SE 2003-LE-037 located at Tax Map 101-2 ((1)) 12A part and 12D part (southwest quadrant of Richmond Highway and Fordson Road), for a drive-through bank in a Highway Corridor Overlay District and waivers and modifications in the Commercial Revitalization District, pursuant to Sect. 7-607 and 9-622 of the Fairfax County Zoning Ordinance, the 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 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 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 Plat **entitled "Federal Realty Investment Trust" prepared by Bohler Engineering, P.C., consisting of four sheets dated September 10, 2003, as revised through February 6, 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.
4. All four sides of the proposed bank shall substantially conform to the attached elevations. Elevations of the proposed bank shall be submitted to DPWES at the time of building permit to ensure compliance with this condition.
5. Painted pedestrian crossings shall be maintained across the bank travel aisles as shown on the SE Plat.
6. The existing bus shelter located along Richmond Highway, immediately to the east of the subject site, shall be relocated only as determined by and with the permission of the Fairfax County Department of Transportation (FCDOT).
7. There shall be no outdoor storage or display of goods offered for sale.
8. Concurrent with the submission of the site plan, a landscape plan which meets the landscaping requirements of Article 13 of the Zoning Ordinance shall be submitted for the review and approval of the Urban Forestry Division, DPWES. The landscape plan shall also provide streetscape in substantial conformance with the Comprehensive Plan streetscape recommendations for the Richmond Highway Corridor. Prior to site plan approval, it shall be demonstrated in writing to DPWES that the applicant has obtained permission from the Virginia Department of Transportation (VDOT) to plant streetscape within the right-of-way. Should VDOT

not grant permission for this streetscape within the right-of-way or should future widening of Richmond Highway preclude this streetscape from being located within the right-of-way, then the full streetscape as specified in the Comprehensive Plan shall be provided on the application property as stated on the SE Plat (Note 25).

9. All new signage shall meet the requirements of Article 12. No freestanding sign shall be permitted for the drive-in bank.
10. All lighting, including security, pedestrian and/or other incidental lighting, shall be in accordance with the Performance Standards for outdoor lighting contained in Part 9 of Article 14 of the Zoning Ordinance. Pedestrian lighting shall be provided in substantial conformance to the detail provided on the SE Plat.
11. The existing right-in/right-out entrance at Richmond Highway, which is located immediately south of the Fordson Road/Richmond Highway intersection, shall be right-out only as shown on the SE Plat.
12. Construction of the proposed drive-in bank shall not occur until the abutting fast food restaurant to the west (Roy Rogers) is demolished.
13. Parking and loading shall be provided in accordance with Article 11 of the Zoning Ordinance. The applicant shall demonstrate to DPWES that parking requirement for the Mount Vernon shopping center is satisfied.
14. The applicant shall continue to coordinate with the Fairfax County Department of Transportation and VDOT on developing design alternatives for the Route One Location Study (Project #001-96-A-103PE-100). At the time of site plan approval, the applicant shall reserve for future dedication right-of-way along Richmond Highway and Fordson Road in conformance with the Steering Committee's recommendations for the Route One Location Study. At such time as previously reserved right-of-way is needed for improvements to Richmond Highway, that portion shall be dedicated to the Board of Supervisors in fee simple.

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 Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, 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.