

## DEVELOPMENT CONDITIONS

SE 2004-SU-039

March 15, 2005

If it is the intent of the Board of Supervisors to approve SE 2004-SU-039 located at 6309 Bull Run Post Office Road [Tax Map 52-2 ((1)) 11C pt. formerly 11A pt.] for an electric substation pursuant to Sect. 3-C04 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 "Northern Virginia Electric Cooperative Distribution Substation Exhibit", prepared by Dewberry and Davis, LLC, dated March 25, 2003, as revised through August 30, 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 lighting shall be in conformance with Part 9, Article 14 of the Zoning Ordinance.
5. There shall be no outdoor storage of materials or equipment, or the repair of vehicles on-site.
6. Prior to the approval of a site plan, it shall be demonstrated to DPWES that the Local Emergency Planning Committee (LEPC) of Fairfax County has been notified about the potential use or storage of hazardous materials at the proposed substation.
7. Prior to site plan approval, it shall be demonstrated to the satisfaction of DPWES, that the existing pond is sized adequately to accommodate the additional run-off from the substation, or the pond must be expanded within its current location.

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 Phase I of 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.