



FAIRFAX COUNTY

APPLICATION FILED: January 9, 2001
PLANNING COMMISSION: September 14, 2005
BOARD OF SUPERVISORS: September 26, 2005
@ 3:30 pm

V I R G I N I A

August 31, 2005

CRD

STAFF REPORT ADDENDUM I

APPLICATION SEA 94-M-047

MASON DISTRICT

APPLICANT: Saul Subsidiary I Limited Partnership

ZONING: C-7, SC, HC, CRD

PARCELS: 51-3 ((1)) 29, 29A and 51-3 ((16)) (B) 1

ACREAGE: 31.56 acres

FAR: 0.37

OPEN SPACE: 16.3%

PLAN MAP: Retail

SE CATEGORY: *Category 5;* Drive-in bank and Fast Food restaurant with drive through in a Highway Corridor Overlay District (HC)
Category 6; Modifications/waivers/increases in a Commercial Revitalization District (CRD); and Waiver of certain sign regulations

PROPOSAL: Amend SE 94-M-047 (previously approved for a Drive-in Bank or a Fast Food Restaurant with a drive-through) and SE 056-78 (previously approved for a waiver of certain sign regulations) to allow building additions, site modifications, a reduction in land area, and an additional Fast Food Restaurant with a drive-through

STAFF RECOMMENDATIONS:

Staff recommends approval of SEA 94-M-047 subject to the proposed development conditions in Attachment 1.

Staff recommends approval of a reaffirmation of a Modification of Transitional Screening and Barrier on the northern property boundary of Parcel 29A.

Staff recommends approval of a Wavier of Transitional Screening and Barrier on the eastern and northern property boundaries of Parcel 29.

Staff recommends approval of a Modification of the Peripheral Parking Lot Landscaping along all street frontages.

Staff recommends approval of a Modification of the Trail requirement along Rt. 50 in favor of existing 4 foot wide sidewalk.

Staff recommends approval of a reaffirmation of a Wavier of the Service Drive requirement on Rt. 7.

Staff recommends approval of a Waiver of frontage improvements along the Rt. 7 frontage, subject to the provision of all necessary ancillary, maintenance and construction easements.

Staff recommends approval of parking reduction of 20% in accordance with Sect. A7-209 of the Zoning Ordinance.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290 TTY 711 (Virginia Relay Center).



BACKGROUND

SEA 94-M-047 is a proposal to add two additional freestanding Fast Food Restaurants, one with a drive-through and one without, to the existing Seven Corners Shopping Center. The application also proposes a reduction in land area to 31.56 acres (due to right-of-way dedication), and the option to relocate (but not otherwise modify) the existing signs along Route 50, should sight lines be blocked by the planned pedestrian overpass bridge. Finally, the application includes waivers and modifications in the CRD, which include a modification to the minimum required open space and a 20% parking reduction.

The SEA application was initially filed on January 9, 2001, and at that time showed a new retail building on the Rt. 7 site of the site, with structured parking. The applicant subsequently redesigned the site to maximize retail square footage utilizing the existing surface parking. Eventually, the applicant deferred the application to allow time for a Comprehensive Plan amendment to be processed. This amendment, approved on March 24, 2003, added language to permit a third drive-through use on the site, so long as such a use would not interfere with the transit center (bus transfer) site planned for the shopping center, or with the bus circulation associated with that transfer center.

The application as laid out in the staff report dated May 7, 2003, showed (in addition to the existing uses on the site) a new free-standing eating establishment on the Route 7 side of the center and a new free-standing fast food restaurant with a drive-through on the Route 50 side of the site. The layout also accommodated a proposed pedestrian bridge across Route 50 and a proposed transit center along Route 50 (to relocate an existing, under-developed, bus transfer center on the shopping center property). The proposal also included a number of waivers and modifications to the site, all of which had been previously approved with the early Special Exceptions and Variances on the property.

Staff recommended approval of the application, but was in discussion with the applicant as to the most appropriate way for routine maintenance of the transit center to be handled, including trash removal, cleaning, and landscape maintenance of the bus shelters and surrounding area. The application was deferred several times by the applicant to continue working on the conditions, and was eventually deferred indefinitely.

On May 10, 2005, the applicant reactivated the application by submitting a revised SE Plat showing a fast food restaurant, with no drive through, on the Route 50 side of the center, and moving the fast food restaurant with a drive through to the Route 7 side of the center. This new plat is discussed below.

DISCUSSION

Special Exception Plat (Copy at front of staff report)

Title of SE Plat: Seven Corners Shopping Center
 Prepared By: Walter L. Phillips Incorporated
 Original and Revision Dates: October 18, 2002 as revised through August 30, 2005

This chart shows the changes from the SE Plat included in the previous staff report and the current proposal. A full description of the SE Plat follows.

	Previous Plat	Current Proposal
Route 50	Fast food restaurant (4,300 sq ft) with drive through window	Fast food restaurant (3,000 sq ft) <u>no</u> drive through
Route 7	Eating establishment (6,500 sq ft)	Fast food restaurant (4,600 sq ft) with drive through window
Transit Center	Dedication area, to be utilized for parking in the interim	Dedication area slightly increased, to be utilized for parking in the interim
Pedestrian Bridge	No change	
FAR	0.39 *	0.37 *
Required Parking (utilizing 20% reduction)	2,256 spaces	2,207 spaces
Provided Parking **	2,262 spaces	2,216 spaces

* This SEA retains the right to provide for additional by-right uses, which could result in additional floor area and a higher FAR, up to the maximum allowed in the C-7 District (0.8), so long as such uses do not interfere with the SE uses on the site (three drive through windows) or with the transit center or its associated travel ways, and adequate parking is available.

** Including 171 parking spaces on Parcel 29A on the north side of Route 50

The SE Plat consists of three sheets.

Sheet 1, "Layout and Landscape Plan – Interim Phase," shows the following features:

- **Existing Buildings:** Existing buildings to remain consist of the main center (including stores fronting on both Rt. 7 and Rt. 50, cellar retail space, Shoppers Food Warehouse, and Home Depot with outside storage area on the eastern end); a retail/eating establishment strip in the southeast (Route 7) corner of the site (including a drive-in bank), two free-standing eating establishments (Uno's on Rt. 7 and Fortune on Rt. 50), and a free-standing fast food restaurant with a drive-through (Wendy's, on Rt. 7). These buildings are not proposed to be changed; square footage is shown in the

following chart. *Note: "Existing Buildings" refers to structures as they exist today, not as shown on the approved SE Plat.*

Building / Group of Buildings	Existing Floor Area
Main Center Strip	434,231 square feet
Southeast Retail/restaurant strip	27,745 square feet
Eating Establishment (<i>Pizzaria Uno, Rt. 7</i>)	6,357 square feet
Eating Establishment (<i>Fortune, Rt. 50</i>)	8,412 square feet
Fast Food (<i>Wendy's, Rt. 7</i>)	3,223 square feet
Total Gross Floor Area	479,968 square feet
<i>Not Included in GFA</i>	
<i>Main Center Cellar</i>	<i>50,000 square feet</i>
<i>Outdoor Display: Home Depot</i>	<i>19,032 square feet</i>

- Proposed Buildings:** Two additional buildings are proposed. A 4,600 square foot free-standing fast food restaurant with a drive-through window is shown in the western end of the site on the Rt. 7 side, adjacent to Broadway Shoes. A 3,000 square foot free-standing fast food restaurant (no drive through) is proposed in the western end of the site on the Rt. 50 side, adjacent to Ross. Both additions are proposed in areas currently utilized for parking. With these additions, the proposed GFA would be 487,568 square feet.
- Changes from approved SE Plat (SE 94-M-047):** The SE Plat approved with SE 94-M-047 showed a hotel site on the far western end of the site (on the south side of the entrance drive from Thorne Road) with a parking deck and eating establishment pad on the north side of the entrance drive, an additional eating establishment pad adjacent to Rt. 7, and a furniture store in the northeast corner of the site. These uses have been deleted from the SE Plat. In addition, various by-right modifications have been made to the site since, without an amendment of the Special Exception, as permitted by the development conditions. These include the expansion of the Home Depot (including the parking deck) on the Rt. 50 side and the expansion of the Shoppers Food Warehouse on the Rt. 7 side.
- Dedication:** Areas to be dedicated are shown as follows: approximately 10,000 sq ft for a transit center (bus transfer center) along the Rt. 50 right-of-way in the northwest corner of the site, and approximately 300 sq ft for the touchdown of a pedestrian overpass in the center of the Rt. 50 frontage.
- Proposed Fast Food; no drive through (Rt. 50):** The layout for the proposed fast food restaurant on Rt. 50 is shown in an interim phase on Sheet 1, prior to construction of the transit center (see Sheet 3 for final phase). This layout includes an entrance from the service drive on Rt. 50, a two-way entrance/exit and a one-way exit into the surrounding parking lot travel aisle, and a "painted island" to help delineate parking spaces and

travel aisles during the interim phase. The fast food restaurant is shown to have 3,000 square feet of floor area; the number of seats is not included on the SE Plat.

- **Proposed Fast Food with drive through (Rt. 7):** The SE Plat shows a 4,600 square foot free-standing fast food restaurant with a drive through window in the western end of the site on the Rt. 7 side (on the south side of the entrance drive from Thorne Road). The drive through lane wraps around the north side of the building, which also provides a sidewalk along the access drive. Parking fills the remainder of the area.
- **Access:** Existing access to the Rt. 7 side of the site is shown at two points (to remain unchanged); existing access to the service drive along Rt. 50 is shown at five points (to remain unchanged during the interim phase, prior to the construction of the transit center); and existing access to Thorne Road (to remain unchanged) is also shown on the northwestern side of the site. (The relocation of one entrance on the Rt. 50 service drive is shown on Sheet 3.)
- **Parking:** Parking is shown to be provided primarily in surface parking, as well as a two story parking deck on the north side of the Home Depot (adjacent to Rt. 50) and roof parking on the Home Depot, accessed from the upper deck of the parking structure. The site is currently operating under a parking reduction agreement with the Board of Supervisors; a development condition on the existing SE currently requires that the site be parked in conformance with that agreement. The applicant is (under separate action) requesting that the parking agreement with the Board be vacated and the site be parked in conformance with the Commercial Revitalization District parking regulations, which allow up to a 20% reduction.

In two areas, the SE Plat shows parking spaces located closer than 10 feet to a front lot line; existing parking spaces along Rt. 50 and proposed parking spaces along Rt. 7 adjacent to the proposed eating establishment pad (with future dedication). Par. 3C of Sect. A7-209 of the Zoning Ordinance states that the 10 foot required minimum distance between parking spaces and front lot lines shall not apply in the CRD District; therefore, this is permitted.

- **Landscaping:** Landscaping is shown in the islands within the parking lot, and along the periphery of the site. Little landscaping is shown along Rt. 50 due to the existing conditions, which leave limited area for planting.
- Sheet 1 also includes all notes, tabulations, parking tabulations, and requested waivers.

Sheet 2 shows the utilities and topography of the site, again at the interim phase. The same buildings, access points, parking areas, and dedication areas as shown on Sheet 1 are also shown here.

Sheet 3 includes two detail drawings, showing the final development layout adjacent to the proposed transit center and the proposed pedestrian overpass.

- **Transit Center and Fast Food Pad Site:** The final layout for the bus transit center shows an area to be dedicated along Rt. 50. Within this area, improvements include bus shelters (two shown), loading and unloading bays, and a dedicated bus lane (all improvements to be constructed by others). Sidewalks are shown along Thorne Road and along the transit center, as are crosswalks across the interior travelways connecting the fast food pad site and transit center to the main retail center. Notes on the detail indicate that design, permitting, and construction of the transit facilities will be the responsibility of others (public funds).
- **Pedestrian Overpass:** A pedestrian overpass bridge across Rt. 50 for the Seven Corners area was proposed in response to the safety issue of pedestrians crossing Rt. 50 between the bridges and the signalized intersection at Patrick Henry Drive. This bridge (and the concurrent barrier along Rt. 50) is in the design phase, and will be constructed by VDOT. The bridge as designed requires only 300 square feet of land area to be dedicated in fee simple from the Seven Corners shopping center (for the landing on the shopping center side). Additionally, temporary construction and permanent utility and maintenance easements will be necessary.

The detail on Sheet 3 shows how the planned pedestrian overpass will be accommodated on the Seven Corners site. The bridge will be approximately aligned with Peyton Randolph Drive on the north side of Rt. 50, with the northern ramp touching down between the service drive and Rt. 50. Ramps on the shopping center side will touch down near an existing entrance, which will be relocated as shown on Sheet 3. The ramps would direct pedestrians towards the transit center; steps will give more direct access to the shopping center. Notes indicate that all design and construction will be by others (public funds).

Transportation Analysis (Attachment 2)

The approval of this application will result in the dedication of approximately 10,000 square feet of land for a transit center and approximately 300 square feet of land for a pedestrian bridge footing. The dedication of land would be a significant public benefit. Conversely, the use of public funds for the improved transit center and the pedestrian bridge will be a significant benefit for the shopping center.

The revised Transportation Analysis, based on the current proposal, indicates several issues not directly addressed on the SE Plat, which are further addressed below. All of the issues here noted will be resolved with the imposition of staff's proposed development conditions.

- *Dedication of land and construction easements for the construction of the proposed transit center.* The SE Plat shows appropriate land dedication,

but because to this point detailed plans have not been developed for the transit center, it is unknown at this time where temporary construction and permanent utility easements may become necessary. Staff has proposed a condition requiring such easements to be dedicated upon request by the County.

- *Public access easement for transit buses:* The SE Plat shows bus circulation on-site, but does not commit to an easement for such circulation. Staff has proposed a condition requiring appropriate easements.
- *Dedication of land and construction easements for the construction of the proposed pedestrian bridge.* It is staff's understanding the applicant has committed to provide the necessary easements for construction of the proposed pedestrian bridge across Route 50 (VDOT Project # 0050-029-139). Because this bridge, in addition to addressing a critical safety need, will provide a significant benefit to the center (by allowing employees and customers of the Seven Corners Center to realistically utilize the 171 parking spaces included on the north side of Route 50, and by replacing the shuttle service currently required during the holiday season), it is appropriate to tie the actual provision of these easements to this Special Exception, and staff has proposed such a condition.
- *Sidewalk along Parcel 29A (north side of Route 50):* As noted, with the construction (with public funds) of the pedestrian bridge, the shopping center will be able to realistically utilize the parking spaces on the north side of Route 50, which are part of the required parking for the center. Therefore, it is appropriate for the applicant to provide a sidewalk along the Route 50 frontage of this parking area to bring employees and patrons safely to the pedestrian bridge. Staff has proposed such a condition.
- *Routine maintenance of the transit center:* Public funding has been identified for the construction of a transit facility at this site. The SE Plat shows appropriate dedication of the land, and as noted earlier, development conditions proposed by staff require the provision of all necessary easements. Because this transit center serves to justify, in part, the 20% parking reduction requested by the applicant, and because this new transit center will replace an existing commitment for a transit center on the shopping center (removing the maintenance concern of the on-site bus stop), it is appropriate for the applicant to commit to routine daily maintenance of the transit center (watering plants, light cleaning, trash removal, etc.). Because of the unique relationship of the site and its ownership, the applicant has expressed legitimate concerns about the ability to provide insurance for this off-site responsibility. Therefore, staff is amenable to a monetary contribution for the maintenance, and has proposed a condition requiring such a contribution.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Staff continues to believe that the proposal to amend the mix of uses in the Seven Corners Shopping Center by deleting a hotel and several pad sites in favor of one pad site each on the Rt. 7 and Rt. 50 frontages has merit. Flipping the drive-through from Rt. 50 to Rt. 7 does appear to provide improved on-site circulation. The proposal, with staff's proposed development conditions, accommodates two programmed public improvements, the transit center and the pedestrian bridge across Rt. 50, which will benefit both the applicant and the public. Staff has carried forward conditions allowing by-right uses to be permitted without a Special Exception Amendment, so long as the SE uses on the site and the transit center are not affected. Staff finds that the proposed amendments to the Seven Corners shopping center Special Exception are in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions, but only if the proposed development conditions are imposed.

Recommendations

Staff recommends approval of SEA 94-M-047 subject to the proposed development conditions in Appendix 1.

Staff recommends approval of a reaffirmation of a Modification of Transitional Screening and Barrier on the northern property boundary of Parcel 29A.

Staff recommends approval of a reaffirmation of a Waiver of Transitional Screening and Barrier on the northern and eastern property boundaries of Parcel 29.

Staff recommends approval of a reaffirmation of a Modification of the Peripheral Parking Lot Landscaping along all street frontages.

Staff recommends approval of a reaffirmation of a Modification of the Trail requirement along Rt. 50 in favor of existing 4 foot wide sidewalk.

Staff recommends approval of a reaffirmation of a Waiver of the Service Drive requirement on Rt. 7.

Staff recommends approval of a waiver of frontage improvements along the Rt. 7 frontage, subject to the provision of all necessary ancillary and construction easements.

Staff recommends approval of parking reduction of 20% in accordance with Sect. A7-209 of the Zoning Ordinance.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

ATTACHMENTS

1. Proposed Development Conditions
2. Affidavit
3. Transportation Analysis

PROPOSED DEVELOPMENT CONDITIONS

SEA 94-M-047

August 31, 2005

If it is the intent of the Board of Supervisors to approve SEA 94-M-047 located at the Seven Corners Shopping Center, Tax Map 51-3 ((1)) 29 and 29A, and 51-3 ((16)) (B) 1, previously approved for a fast food restaurant or drive-in bank in a highway corridor overlay district, to permit building additions (including an additional fast food restaurant and an additional fast food restaurant with a drive through window), site modifications, a reduction in land area to 31.56 acres, a waiver of certain sign regulations, and CRD modifications (open space and parking reduction) pursuant to Sect. 7-607, 9-620 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, which supersede all previous conditions: (conditions carried forward unchanged from the previous approval are marked with an asterix *)

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. Where there is a conflict between the SE Plat (including the notes thereon) and these conditions, these conditions shall govern the development.
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 "Seven Corners Shopping Center" prepared by Walter L. Phillips Incorporated, and dated October 18, 2002 as revised through August 30, 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.
4. The only changes to the uses in and/or the buildings and layout of the shopping center (from that reflected on the SE Plat), which may be permitted without an amendment to this special exception are those which (a) do not require approval of a special exception; (b) do not involve the circulation, parking, layout or landscaping of any freestanding fast food restaurant or the drive-through bank; and (c) do not involve the bus transit center or any on-site bus circulation associated with the transit center.
5. Prior to each site plan approval, an on-site directional sign plan shall be developed and implemented that facilitates the movement of pedestrians, buses, automobiles and delivery vehicles through the site, subject to approval by DPWES and the Fairfax County Department of Transportation (DOT). *

6. All signage shall be in conformance with Article 12 of the Zoning Ordinance, except as follows. Two free-standing signs may be allowed as shown on the SE Plat, one on the Route 50 frontage and one on the Route 7 frontage. Each sign shall have a maximum height of 25 feet and a maximum sign area of 171 square feet. The sign along the Route 50 frontage may be relocated to another location along Route 50 during or after construction of the proposed pedestrian bridge across Route 50 in order to make the signs more visible, but such relocation shall not allow an increase in height or sign area.
7. All new or replacement lighting, including security, pedestrian and/or other incidental lighting, shall be in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance. This shall not preclude the installation of new bulbs in existing fixtures that do not meet current standards.
8. Prior to the each site plan approval, a landscaping plan for the portion of the shopping center under said site plan shall be approved by Urban Forest Management (UFM). At a minimum, landscaping shall be provided that is consistent in quantity and quality with that depicted on the SE Plat. The landscaping improvements shown at the Thorne Drive entrance on Sheet 3 of the SE Plat may be installed after the completion of the proposed transit center, but no later than 6 months after the transit center becomes operational.
9. Within 60 days of written notice from the County that funding for preliminary engineering is available for the construction of the portion of the adopted Route 7 Improvement Plan (VDOT Project 0007-029-117, PE 101, approved by the Virginia Commonwealth Transportation Board after a public hearing on October 23, 1990) located along the site's frontage, right-of-way as shown on the SE Plat along Route 7 shall be dedicated in fee simple to the Board of Supervisors (at no cost) in accordance with the adopted plan, along with all necessary ancillary easements (including temporary construction easements and permanent maintenance and utility easements), as determined by Fairfax County DOT. *
10. The design of, receipt of approvals for, funding of and construction of the transit center facilities located in the right of way and the pedestrian bridge shall not be the responsibility of the applicant. Should the Pad 4 fast food restaurant site be developed prior to the transit center, the interim layout shown on Sheet 1 may be constructed; however, funds shall be escrowed for the final site layout (not including improvements in the right-of-way) as shown on Sheet 3, including landscaping, in an amount determined by DPWES and Fairfax County DOT.
11. Upon the earlier of (a) the next site plan approval following approval of this Special Exception Amendment or (b) 60 days written notice from the County, dedication required for the pedestrian bridge in accordance with the plans for VDOT project # 0050-029-139 shall be dedicated, in fee simple and at no cost, to the Board of Supervisors.
12. Upon the earlier of (a) the next site plan approval following approval of this Special Exception Amendment or (b) 60 days written notice from the County, those areas

- designated on the SE Plat as reservation/dedication for the transit center shall be dedicated, in fee simple and at no cost, to the Board of Supervisors. Upon dedication, the applicant shall be permitted to utilize the dedication area for the transit center for parking and/or construction staging subject to a license agreement approved by the County Attorney and executed concurrently with the dedication.
13. As determined by DPWES and the Fairfax County DOT, all required ancillary and/or construction easements (temporary and permanent) for the transit facility and the pedestrian overpass shall be granted to the Board of Supervisors at no cost, upon 60 days written notice from the County, or prior to any site plan approval following such written notice, whichever comes first. Such easements shall not result in a permanent change in the layout or design of parking spaces or drive aisles on the site.
 14. The applicant shall contribute \$7,200 per year (\$600 per month), to Fairfax County for routine maintenance of the transit facility, starting at the time of first site plan approval (which shall include any minor site plan approval or site plan amendment) following this approval, and continuing on an annual basis thereafter. The contribution amount shall be adjusted by increases to the *Marshall and Swift Building Cost Index* from the date of the Board of Supervisors' approval of this Special Exception application to the date of each contribution.
 15. At the time of site plan approval or within 60 days of written notice (whichever occurs first), the applicant shall dedicate an appropriate, non-exclusive, ingress-egress easement across the site as necessary to provide bus access (public or other transit agency) through the site and to the transit center, in the locations shown on Sheet 3 of the SE Plat and labeled thereon as "Metro Bus Circulation On-Site," or such other location(s) as deemed appropriate by the Fairfax County DOT in consultation with the applicant and WMATA (or other appropriate transit agencies).
 16. Parking shall be provided in accordance with Article 11 of the Zoning Ordinance; a 20% parking reduction may be permitted as provided in Sect. A7-209.
 17. Parking tabs demonstrating compliance with the parking requirements shall be provided at the time of each Non-Residential Use Permit (Non-RUP).
 18. To the extent that can be accommodated by the parking spaces available on Parcel 29A (on the north side of Route 50), employees of businesses located on the Route 50 side of the shopping center shall be required to park on Parcel 29A from the week prior to Thanksgiving through January 1st of each year. Such requirement shall be included in the Seven Corners Shopping Center's Rules and Regulations, and in specific lease language in future leases for tenant spaces on the Route 50 side of the center.
 19. Until such time as a pedestrian bridge is completed across Route 50, shuttle service shall be provided for employees parking in Parcel 29A on the north side of Route 50 as follows. Service shall be provided at a minimum from the week prior to Thanksgiving through January 1st of each year. Service shall be provided as needed during other times of the year. The shuttle service plan shall be submitted to the

Fairfax County DOT for review and approval, and shall include the procedure for disseminating information about the service to shopping center tenants and employees, and the procedure for determining when additional service is necessary.

20. No parking spaces shall be sold to or restricted for use only by specific shopping center tenants, other users, or uses.

Use Restrictions: Fast Food Pad Sites

21. The proposed fast food restaurants (Pads 3 & 4) shall utilize building materials and colors that are consistent or compatible with those used in the main shopping center. Architectural treatments shall be the same on all four sides of the fast food restaurant. Demonstration of existing and proposed building materials shall be submitted to DPWES with the building permit for each fast food restaurant.
22. Temporary promotional banners, balloons, flags, or rooftop displays shall not be permitted on the exterior of the fast food restaurant buildings. No promotional signage shall be permitted on any light poles; however, this shall not preclude the display of seasonal banners for the shopping center.
23. Outdoor seating may be provided for the proposed fast food restaurants (Pads 3 & 4), so long as such seating does not block any sidewalks or other pedestrian connections.

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.