



# FAIRFAX COUNTY

**APPLICATION FILED:** June 2, 2005  
**APPLICATION AMENDED:** June 3, 2005  
**PLANNING COMMISSION:** September 29, 2005  
**BOARD OF SUPERVISORS:** Not yet scheduled

V I R G I N I A

**September 15, 2005**

## **STAFF REPORT**

**APPLICATION SEA 93-H-060**

**HUNTER MILL DISTRICT**

**APPLICANT:** Commerce Bank, N. A.

**ZONING:** PRC (Planned Residential Community)

**PARCEL:** 17-1 ((7)) 4D2

**ACREAGE:** 1.50 acres

**FAR:** 0.06

**OPEN SPACE:** 35%

**PLAN MAP:** Residential Planned Community, Town Center

**SE CATEGORY:** Category 5; Drive in Bank

**PROPOSAL:** To amend SE 93-H-060 previously approved for a service station and quick service food store to permit deletion of the previously approved uses and to allow a 4,100 square foot drive-in bank.

**WAIVERS:** Waiver of off-street loading space requirement  
Modification of transitional screening requirement  
Waiver of the barrier requirement

### **STAFF RECOMMENDATIONS:**

Staff recommends approval of SEA 93-H-060, subject to the development conditions contained in Appendix 1.

Staff recommends approval of the modification of transitional screening requirements

Staff recommends approval the waiver of the barrier requirement

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).



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

**A GLOSSARY OF TERMS FREQUENTLY  
USED IN STAFF REPORTS WILL BE  
FOUND AT THE BACK OF THIS REPORT**

**DESCRIPTION OF THE APPLICATION**

**SEA Proposal:** To amend SE 93-H-060 previously approved for a service station and quick service food store to permit deletion of the previously approved uses and to allow a 4,100 square foot drive-in bank, on 1.5 acres. The proposed FAR for the subject property is 0.06, with 35% open space.

**Proposed Hours:**

	<b>Lobby</b>	<b>Drive-in</b>
<b>Mon – Wed</b>	8:30 am – 5:00 pm	7:30 am – 8:00 pm
<b>Thu - Fri</b>	8:30 am – 8:00 pm	7:30 am – 8:00 pm
<b>Saturday</b>	8:30 am – 3:00 pm	7:30 am – 6:00 pm
<b>Sunday</b>	11:00 am – 4:00 pm	11:00 am – 4:00 pm

**Employees:** The number of employees is not to exceed 12 at any one time.

**Waivers:** Waiver of minimum off-street loading space requirement

**LOCATION AND CHARACTER**

**Location:** Northeastern quadrant of the intersection of Baron Cameron Avenue (Route 606) and Bennington Woods Road (Route 6390), in Reston.

**Site Description:** Vacant, wooded site containing a mix of Virginia pine, red maple, cottonwood, and oak trees.

<b>SURROUNDING AREA DESCRIPTION</b>			
<b>Direction</b>	<b>Use</b>	<b>Zoning</b>	<b>Plan</b>
<b>North</b>	Supermarket	PRC	Residential Planned Community (RPC), Town Center, Commercial
<b>South</b>	North County Government Center	PRC	RPC, Town Center, Commercial
<b>East</b>	Eating Establishment	PRC	RPC, Town Center, Commercial
<b>West</b>	Residential (Crystal Cove at Reston)	PRC	RPC, Town Center, Commercial

## **BACKGROUND**

### **Site History:**

The subject property is a portion of the 72.9 acres rezoned pursuant to RZ 74-2-113. A number of amendments to this original approval have been approved by the Board of Supervisors in the form of Development Plan Amendments and Proffered Condition Amendments. The following is a summary of only those actions directly affecting the 1.5 acre parcel which is the subject of the current SEA application.

On May 10, 1976, the Board of Supervisors approved RZ 74-2-113 with proffers to rezone 72.9 acres of land to the PRC District. The fifty (50) acres south of Baron Cameron Avenue were shown on the approved Development Plan as the North County Governmental Complex and the remaining 22.9 acres north as Baron Cameron Avenue (which includes the application property) were designated for commercial uses. The permitted uses on the 22.9 acres were limited to those contained in Proffer #1 of the approved proffers. The Development Plan approved with RZ 74-2-113 is a general plan, or a "blob" plan, that sets forth land use but does not show details such as building type and location, circulation, open space and landscaping. An Illustrative Development Plan that was not proffered shows a commercial center with free-standing pad sites on the property designated for commercial use and a government complex with multiple buildings on the property designated for the North County Governmental Complex. The approved proffers, approved development plan and the un-proffered illustrative development plan are included in Appendix 8.

On July 22, 1985, the Board of Supervisors approved DPA 74-2-113-3 to permit a change to the allowable uses on a 6.17 acre portion of the 22.9 acres that were designated for commercial uses. The current application property was included in the site area of the DPA application. It was pursuant to the approval of this DPA application that the drive-in bank use was added to the list of permitted uses. A copy of the approval letter, the revised list of permitted uses as it appeared in the staff report and the site locator map are contained in Appendix 8A.

On January 22, 1996, the Board of Supervisors approved PCA 74-2-113-3 with proffers to amend RZ 74-2-113 to add quick service food store to the list of allowable uses on the application property. Concurrently, the Board of Supervisors also approved SE 93-H-060 with development conditions for a service station and quick service food store on the subject property. The uses approved with SE 93-H-060 were not established and the Special Exception has expired. The approved proffers and development conditions are contained in Appendix 8B.

## **COMPREHENSIVE PLAN PROVISIONS**

**Plan Area:** Area III

**Planning District:** Upper Potomac Planning District

**Planning Sector:** Reston Community Planning Sector (UP5) as amended through July 11, 2005, page 118 states:

**Plan Text:**

### **Land within the Planned Community of Reston**

1. Incorporate the Reston Master Plans (Land Use Plan, Community Facilities Plan and Transportation Plan)\*, adopted on July 18, 1962, and as subsequently amended, by reference in the Area Plan and on the composite map. (See Figures 38, 39 and 40). On the periphery where development is not committed by zoning, land should be developed at a density no greater than one dwelling unit per acre. Density should be tiered so that it decreases from the center toward the boundary (within Reston). [Not shown]

\*NOTE: The Reston Master Plan has its own program of time-phased development, which shall be the guide for development in Reston.

## ANALYSIS

### Special Exception Plat (Copy at front of staff report)

**Title of SE PLAT:** Commerce Bank – Reston Special Exception Plat

**Prepared By:** Bohler Engineering, PC.

**Original and Revision Dates:** March 25, 2005 as revised through September 9, 2005

The SE PLAT consists of eight sheets. **Sheet 1** is a title sheet, and includes a sheet index, and vicinity map. **Sheet 2** shows the existing site conditions/vegetation map. **Sheet 3** shows the proposed development of the subject site. **Sheet 4** is the landscape and planting plan for the site. **Sheet 5** shows elevations for the bank, and sign detail. **Sheet 6** is the preliminary stormwater management plan for the site and contains the stormwater management, BMP, and adequate outfall narratives. **Sheet 7** is the Sight distance plan, showing the sight distance info for Killingsworth Avenue. **Sheet 8** is the lighting plan for the subject site.

The following features are depicted on the SE Plat:

- *Building:* A one-story red brick bank, approximately 28 feet in height, with a total gross floor area (GFA) of 4,100 square feet is proposed. The front door faces south, towards Baron Cameron Avenue. A canopy of white cast stone, approximately 15 feet in height is shown over four drive through lanes on the north side of the building.
- *External Access:* The site has frontage along Killingsworth Avenue along the northern border of the property, North Hampton Avenue to the east, Baron Cameron Avenue to the south and Bennington Woods Road to the west. The SE Plat shows two points of access to the site; One at the southeast portion of the site along North Hampton Avenue and one at the northern portion of the property along Killingsworth Avenue, both points of access are along private roadways.
- *Pedestrian Access:* The SE Plat shows 5-foot sidewalks to be provided along the site's Killingsworth Avenue frontage, to the north and along the North Hampton Avenue frontage to the east. An 8-foot asphalt trail exists along the site's Baron Cameron Avenue frontage, to the south 4-foot concrete sidewalk exists along the Bennington Woods Avenue frontage, to the west.

- **Parking:** The SE Plat shows 32 parking spaces. There are 9 spaces shown along the south side of the proposed building, including 2 handicapped parking spaces. 14 spaces are shown along the southern portion of the site, south of a 28 foot wide two way vehicle travel way, and 9 spaces are shown at the southwestern portion of the site to the west of the travel way.
- **Landscaping:** Ornamental landscaping and ground cover is shown around the proposed building. Shade evergreen and ornamental landscaping is shown to be planted around the proposed parking lot. A landscaped island is shown north of the drive through access lanes. 6.4% interior parking lot landscaping is proposed. No tree preservation is proposed with this development.
- **Architecture:** Sheet 5 of the SE Plat shows a building with architectural details on all four sides. The notes indicate that the building materials will be red brick, exterior butt glass windows and doors, and white case stone canopy and trim. The pillars are the outside edge of the drive-through canopy and are shown to be brick, similar to the main building.
- **Stormwater Management:** The SE Plat indicates a yard inlet on the western portion of the property collects all of the water, which then flows in a westerly direction under Bennington Woods Road in a closed storm sewer system, eventually discharging into Cameron Pond. The SE Plat also shows a possible filterra facility in the southwestern corner of the site to address water quality control requirements.

### **Land Use Analysis**

The applicant proposes construction of a new 4,100 square foot bank with 4 drive-through lanes on Parcel 4D, which had been previously approved for a service station a quick service food store. The subject parcel is located in an area which is shown for commercial uses with the Town Center designation on the Development Plan.

There are no Comprehensive Plan or other land use issues with this application.

**Transportation Analysis (Appendix 4)**

The SE Plat shows four drive through lanes on the north side of the building, with a landscaped island adjacent to the fourth lane (the outermost lane). The fourth lane shown on the SE Plat should be used as a by-pass lane only to provide more efficient vehicle circulation at the Killingsworth Avenue access to the site and throughout the subject site. A development condition has been included to address this issue.

**Environmental Analysis (Appendix 5)****Issue: Lighting**

Conformance with the Comprehensive Plan guidance on lighting, which requires that care be taken to reduce unfocused emissions of light and that efforts be made to avoid creating sources of glare which may interfere with residents' and/or travelers' visual acuity, will be achieved if the applicant complies with Article 14 of the Zoning Ordinance. In addition, Proffer # 2 of the original rezoning contained language which states "Directed lighting fixtures will be used as much as possible to soften nighttime glare." The same measures should be taken with this application.

**Resolution:**

The applicant has submitted a revised SE plat which includes a light plan (Sheet 8). Additionally, staff has proposed a development condition to ensure that all lighting on the subject site shall be in conformance with Article 14 of the Zoning Ordinance. Therefore, this issue has been addressed.

**Issue: Tree Preservation**

The site is densely vegetated with a mix of oak, sweetgum, maple, Virginia cedar, and Virginia pine trees. None of these trees are proposed to be saved. The applicant is strongly encouraged to preserve some of the existing trees on the site. The applicant is encouraged to work with Urban Forest Management Branch of DPWES in identifying suitable tree preservation areas on the site.

**Resolution**

On August 16, 2005, an ISA Certified Arborist from the Care of Trees visited the subject site to assess the existing forest. Based on that field visit the applicant has provided a summary of the site observation, which indicates that, due to the tightly closed canopy and resulting lack of light on the forest floor, the understory

is mostly sparse. The understory trees are generally suppressed and have poor form, making them poor candidates for preservation. The summary determined that no feasible opportunities exist for tree preservation. Staff from the Forest Conservation Section of Urban Forest Management have also visited the site and reviewed the summary prepared by Care of Trees, and concur with the assessment. The Urban Forest Management evaluation of tree preservation potential, found that the existing trees are poor to fair in an urban setting. The potential for relocation is poor due to the density and resulting poor form of trees of appropriate size to be considered for this method of preservation. Therefore, this issue has been addressed.

**Issue: Water Quality Protection**

Development of the proposed site will result in a significant amount of impervious surface and a decrease in natural infiltration. Increased water pollution from stormwater runoff from this development may degrade water quality and impact aquatic habitats in the watershed.

**Resolution:**

The applicant proposes to use an offsite stormwater management pond to satisfy detention and water quality control requirements on the site. The applicant has provided staff with a storm water detention facility maintenance agreement and additional outfall analysis information, which has been forwarded to the Environmental and Site Review Division (ESRD) of DPWES for further review. The ESRD engineer has indicated that this issue can be addressed at the Site Plan review phase; staff has proposed a development condition to address this issue.

**Storm Water Management Analysis (Appendix 8)****Issue: Offsite stormwater management pond maintenance agreement**

The applicant is showing an offsite stormwater management pond for detention and water quality control requirements; a waiver and maintenance agreement between owners of the pond and the subject site owners will be required.

**Resolution**

The applicant has provided staff with a storm water detention facility maintenance agreement, which has been forwarded to the Environmental and Site Review Division (ESRD) of DPWES for further review. The ESRD engineer has indicated that this issue can be addressed at the Site Plan review phase. It should be

noted that in the event on-site stormwater management is required a special exception amendment may be required.

### **Issue: Outfall Analysis**

The applicant should provide a detailed outfall analysis extended downstream from the site to the offsite pond.

### **Resolution**

The applicant has provided staff with additional outfall analysis information, which has been forwarded to the Environmental and Site Review Division (ESRD) of DPWES for further review. DPWES will address this issue during Site Plan review.

## **ZONING ORDINANCE PROVISIONS (Appendix 8)**

There are no minimum lot area or lot width requirements for the PRC District; nor is there minimum building height or maximum floor area ratio regulations. Staff believes that the application provides appropriate minimum yards that will not be detrimental to existing or prospective development of the neighborhood. For the purpose of evaluation, the subject property most closely corresponds to the C-8, Highway Commercial Zoning District as indicated in the following table:

<b>Bulk Standards (C-8)</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Lot Size	40,000 square feet	65,263 square feet (1.5 acres)
Lot Width	200 feet	215 feet
Building Height	40 feet	28 feet
Front Yard (Baron Cameron)	45 degree angle of bulk plane, but not less than 40 feet	80 feet
Front Yard (Bennington Woods)	45 degree angle of bulk plane, but not less than 40 feet	78 feet
Front Yard (North Hampton)	45 degree angle of bulk plane, but not less than 40 feet	65 feet

<b>Bulk Standards (C-8)</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Front Yard (Killingsworth)	45 degree angle of bulk plane, but not less than 40 feet	70 feet
FAR	0.50	0.06
Open Space	15%	35%
Parking Spaces	17 spaces	32 spaces
Stacking Spaces	14 spaces	14 spaces

**Waivers:**

**Waiver of off-street loading space requirement:**

Per Article 11 of the Zoning Ordinance, two (2) off-street loading spaces are required based on the proposed use of a drive-in bank and gross floor area of 4,100 sq. ft. The applicant requests a waiver of this requirement, stating that the bank requires no loading spaces because there will be no deliveries made to the bank that would require loading areas. A modification (i.e. reduction) to the loading space requirements can be considered at the time of Site Plan review subject to the review and approval of the Director of DPWES. Staff has proposed a development condition to address this issue.

**Modification of the transitional screening and a waiver of the barrier requirements:**

The current proposal requires a modification of the transitional screening requirement and a waiver of the barrier requirement. Per Article 13 of the Zoning Ordinance, transitional screening 2 ( a 35-foot wide landscaped open space strip) and Barrier E, F, or G (six-foot high fence) is required between a drive in bank establishment and a multifamily residential use. There is a multifamily development (Crystal Cove at Reston) across Bennington Woods Road, to the west of the proposed drive in bank. The applicant has proposed to provide a 30-foot wide landscaped open space strip along the western border of the site, with no barrier. The only disturbance in the proposed landscaped area at that portion of the site will be for location of the proposed monument sign for the drive-in bank. Staff believes that with the proposed landscaping shown on the SE Plat, along with the natural barrier provided by Bennington Woods Road, the proposed use will not adversely impact the residential development to the west. Therefore,

staff supports a modification of the transitional screening and a waiver of the barrier requirements.

### **Other Zoning Ordinance Requirements:**

#### **Special Exception Requirements (Appendix 8)**

##### *General Special Exception Standards (Sect. 9-006)*

General Standard 1 requires that the proposed use at the specified location be in harmony with the adopted Comprehensive Plan. The subject parcel is located in an area which allows for commercial use with the Town Center designation in the Reston Plan. The drive-in bank is a use that is consistent with a Town Center. Therefore, staff believes that this Standard has been met.

General Standard 2 requires that the proposed use be in harmony with the general purpose and intent of the applicable zoning district regulations. There are no minimum lot area or lot width requirements for the PRC District; nor is there minimum building height or maximum floor area ratio regulations. Staff believes that the application's minimum yards will not be detrimental to existing or prospective adjacent development of the neighborhood. For purpose of evaluation, the subject property most closely corresponds to the C-8, Highway Commercial Zoning District. The C-8 District was established to provide locations on heavily traveled collector and arterial highways for those commercial and service uses which are oriented to the automobile. The proposal to construct a drive-in bank is such a use. Therefore, this Standard has been met.

General Standard 3 requires that the proposed use be harmonious with and not adversely affect the use or development of neighboring properties in accordance with applicable zoning district regulations and the adopted Comprehensive Plan. It further states that the location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof. The proposed use, as shown on the SE Plat meets the requirements for open space and tree cover. Additionally, staff has proposed a development condition that a landscape plan shall be submitted concurrent with site plan review and shall provide for the number and sizes of trees and plantings consistent with that shown on the SE plat and shall be subject to review and approval of Urban Forest Management, DPWES. Therefore, this Standard has been met.

General Standard 4 requires that the proposed use be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood. The proposal provides for improved pedestrian access to the site in the form of five-foot sidewalks along the Killingsworth and North Hampton Avenue frontages of the site. There is an existing eight-foot asphalt trail along Baron Cameron Avenue and an existing four-foot sidewalk along Bennington Woods Road. The SE Plat shows four drive through lanes on the north side of the building, with a landscaped island adjacent to the fourth lane (the outermost lane). The fourth lane shown on the SE Plat should be used as a by-pass lane only to provide more efficient vehicle circulation at the Killingsworth Avenue access to the site and throughout the subject site. The landscaped island shown on the SE Plat along the drive-through lanes shall remain, along with the adoption of the proposed development conditions; this Standard will have been met.

General Standards 5, 6, 7, and 8 require that landscaping, screening, open space, adequate utility, drainage, signage, parking and loading spaces be regulated in accordance with the Zoning Ordinance; however, the Board of Supervisors may impose more strict requirements for a given use than those set forth in the Ordinance. Since the site is adjacent to multifamily dwellings to the west, transitional screening #2 (35 ft wide landscaped strip), and Barrier E, F, or G (six-foot high fence) is required along the border of the site. The SE Plat shows a 30-foot wide landscape strip along the western border of the site, which abuts a residential use (Crystal Cove at Reston). Therefore, the application requires a modification of the transitional screening requirement and a waiver of the barrier requirement. As noted earlier, staff believes that with the proposed landscaping shown on the SE Plat, the proposed use will not adversely impact the residential development to the west. The proposed monument sign for the drive-in bank is shown to be located at the southern portion of this landscape area, near the intersection of Bennington Woods Road and Baron Cameron Avenue. As discussed previously in this report, the applicant has requested a waiver of the offsite loading space requirement because they contend there will be no deliveries made to the proposed bank that would require loading areas. Decisions on modifications (i.e. reduction) of loading space requirements are made by the Director of DPWES. Staff has proposed a development condition to address this issue. Open space in the amount of 35% will be provided, which is in excess of the 15% minimum requirement of the Zoning Ordinance. The SE plat shows a monument sign in accordance with the Zoning Ordinance. Staff has proposed a development condition to ensure all signs on the site will be in accordance with Article 12 of the Zoning Ordinance. The proposed development meets the off-street parking requirement, showing 32 spaces when 17 spaces are required. Therefore, these standards have been met.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Staff Conclusions**

Staff finds that the proposed drive in bank is in conformance with the applicable provisions of the Zoning Ordinance and in harmony the recommendations of the Comprehensive Plan.

### **Recommendations**

Staff recommends approval of SEA 93-H-060, subject to the development conditions contained in Appendix 1.

Staff recommends approval of the modification of transitional screening requirement.

Staff recommends approval the waiver of the barrier requirement.

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.

## **APPENDICES**

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Transportation Analysis
5. Environmental Analysis
6. Urban Forest Management Evaluation of Tree Preservation Potential
7. Stormwater Management Analysis
8. Locator Map/Approval Letter/Proffers (RZ 74-2-113)
- 8A. Locator Map/Approval Letter/Statement of Justification (DPA 74-2-113-3)
- 8B. Locator Map/Approval Letter/Proffers/Conditions (PCA 74-2-113-2 & SE 93-H-060)
9. Applicable Zoning Ordinance Provisions
10. Glossary

## **PROPOSED DEVELOPMENT CONDITIONS**

### **SEA 93-H-060**

**September 15, 2005**

If it is the intent of the Board of Supervisors to approve SEA 93-H-060, currently located at Tax Map 17-1 ((7)) 4D2 for a drive in bank, pursuant to Sect. 6-304 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 supersede all previous development conditions.

1. This Special Exception is granted for, 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. A copy of this Special Exception and the Non-Residential Use Permit (Non-RUP) SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. 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 "Commerce Bank Special Exception Plan Baron Cameron Ave. & Bennington Woods Rd." prepared by Bohler Engineering, P.C., containing 8 sheets and dated March 25, 2005 as revised through September 9, 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.
5. The hours of operation for the lobby shall be limited to 8:30 am to 5:00 pm Monday through Wednesday, 8:30 am to 8:00 pm Thursday and Friday, 8:30 am to 3:00 pm Saturday, and 11:00 am to 4:00 pm on Sunday. The hours of operation for the drive-in service shall be limited to 7:30 am to 8:00 pm Monday through Friday, 7:30 am to 6:00 pm Saturday, and 11:00 am to 4:00 pm on Sunday.
6. Architectural elevations shall be in substantial conformance with those shown on the SE plat.

7. All lighting, including streetlights, security lighting, signage lighting and pedestrian or other incidental lighting shall be in conformance with Part 9 of Article 14 of the Zoning Ordinance. Directed lighting fixtures shall be used as much as possible on the site to soften nighttime glare.
8. Temporary promotional banners, balloons, flags, or rooftop displays shall not be permitted on site.
9. There shall be no outdoor storage or display of goods offered for sale on-site.
10. All freestanding and building-mounted signs shall comply with the provisions of Article 12 of the Zoning Ordinance. No pole-mounted signs shall be permitted. The architectural design and building materials of the monument sign shall be in substantial conformance with the illustrations on Sheet 4 of the SE Plat.
11. A stormwater management/best management practices facility, which may include a filterra, shall be provided in accordance with the Public Facilities Manual (PFM) as determined by DPWES, unless waived by DPWES. If a waiver of on-site stormwater management/best management practices is not granted by DPWES, then a Special Exception Amendment shall be necessary to provide water quantity and quality control measures on-site.
12. Loading spaces shall be provided in conformance with Article 11 of the Zoning Ordinance, as determined by DPWES.
13. A landscape plan shall be submitted concurrent with site plan review and shall provide for the number and sizes of trees and plantings consistent with that shown on the SE plat and shall be subject to the review and approval of Urban Forest Management, DPWES.
14. Interior parking lot landscaping shall be provided in conformance with Article 13 of the Zoning Ordinance.
15. Irrespective of that shown on the SE plat, a maximum of three (3) drive-through lanes shall be allowed. The fourth lane (the outermost lane) shown on the SE Plat shall be used as a by-pass lane only to provide efficient vehicle circulation at the Killingsworth Avenue access to the site and throughout the subject site. The landscaped island shown of the SE Plat north of the drive-through lanes shall remain.

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.