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PROPOSED DEVELOPMENT CONDITIONS

SE 01-M-037

April 4, 2002

If it is the intent of the Board of Supervisors to approve SE 01-M-037 located at 5919 Columbia Pike, Tax Map 61-2 ((1)) 120, for a service station/mini mart pursuant to Sect. 4-504 and Sect. 7-607 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 "Discount Tire and Gas Special Exception Plat" prepared by Metropolitan Consulting Engineers, consisting of one sheet dated February 4, 2002, 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, including security, pedestrian and/or other incidental lighting, shall feature full cut-off fixtures and be directed downward to prevent off-site glare. Outdoor lighting fixtures used to illuminate the parking area shall not exceed 14 feet in height. Lights located in the service station canopy shall be recessed in design. Illumination of the area beneath the service station shall not exceed an average of 30 foot candles.
5. The proposed entrance onto Columbia Pike shall meet VDOT standards and shall not exceed the maximum width as approved by VDOT.
6. The streetscape design and materials on Columbia Pike and Lacy Boulevard shall meet the standards and specifications of the streetscape as outlined in the Comprehensive Plan for the Baileys Crossroads CBC, as determined by DPWES, including the provision of a bus shelter, to be located as approved by DPWES and VDOT (regardless of the location shown on the SE Plat).
 - (a) If the application development is completed after the County's Baileys Crossroads Streetscape Plan (County Project #8911), the applicant shall reimburse the County for the cost of streetscape materials used on the property frontage.
 - (b) If the application development is completed prior to County Project #8911, the Office of Capital Facilities, Planning and Design Division, of DPWES shall review and approve

all streetscape plans to ensure the design and materials used are in accordance with County Project #8911. This shall include items such as lights, brick paver sidewalk, and landscaping (including tree species).

7. At the time of site plan approval, or upon demand (whichever occurs first) the applicant shall dedicate to the Board of Supervisors and convey in fee simple, rights-of-way for public streets in conformance with the Baileys Crossroads Streetscape Plan (County Project #8911) along the Columbia Pike and Lacy Boulevard frontages as approved by the Land Acquisition Division of DPWES and the Fairfax County Department of Transportation (DOT). Dedicated right-of-way shall include, in both cases, all existing and proposed public sidewalks.
8. Upon request, the applicant shall provide any necessary temporary easements for construction and/or grading, in accordance with County Project #8911.
9. The area between the sidewalk and the curb in the vicinity of the proposed bus shelter shall be concrete or brick paver (not grass).
10. The applicant shall provide for day to day maintenance of the bus shelter including cleaning and trash removal, but shall not be responsible for major maintenance or replacement of the shelter.
11. No major vehicular repairs shall occur on the property.
12. No abandoned, wrecked, or inoperable vehicles shall be stored outdoors on the property.
13. No overnight parking shall be allowed except in designated spaces as approved on the site plan.
14. No outdoor storage or display of goods for sale, other than that permitted at a service station or service station/mini-mart, shall be allowed.
15. Hours of operation shall not exceed 5:00 am to 10:00 pm, Monday through Saturday and 7:00 am to 8:00 pm Sunday.
16. The architectural treatment on all sides of the building shall be the same.
17. The height of the service station canopy over the gas pumps shall not exceed twenty (20) feet.
18. Prior to site plan approval, a Phase I Environmental investigation of the property shall be submitted to DPWES for review. DPWES may request other Fairfax County or State agencies to evaluate the report findings. The investigation shall be generally consistent with the procedures described by the American Society of Testing and Materials (ASTM). If warranted by the results of the Phase I investigation, and if determined appropriate by DPWES and the State Water Control Board, a Phase II investigation program shall be pursued. Subject to the findings of a Phase II evaluation program, if soil contaminants are found in sufficient quantities and at such levels to require a longer term monitoring program, a remedial action program and corrective action plan shall be instituted to the satisfaction of the State Water Control Board prior to site plan approval.

19. There shall be no loitering on site.
20. No food shall be sold outside of the mini-mart by vendors of any kind.
21. A "Do Not Block Entrance" sign shall be posted on northbound Lacy Boulevard, south of the site entrance, in order to prevent vehicles from blocking the Lacy Boulevard entrance.
22. Food served in the mini mart shall be in accordance with the Zoning Ordinance definition for "Service Station/Mini Mart," specifically, sales of alcoholic beverages, and the preparation of food shall not be permitted; provided, however, that the use of microwave ovens by customers for purchased food items may be allowed.
23. The office space on-site shall be limited to administrative use for the service station and mini-mart.
24. Only items sold in the mini-mart shall be stored in the storage area.
25. The proposed mini-mart/service station shall be one story, with a gable roof and shall not exceed a maximum height of 20 feet.
26. No outdoor telephones shall be permitted on site.
27. All freestanding signs shall be of the monument style.
28. No freestanding temporary signs shall be permitted.
29. A copy of these conditions, the Non-Residential Use Permit, and the phone number of the Zoning Enforcement Branch of the Department of Planning and Zoning, shall be posted in a conspicuous place on the property.

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.