

DEVELOPMENT CONDITIONS

SE 00-Y-001

March 8, 2000

If it is the intent of the Board of Supervisors to approve SE 00-Y-001 located at Tax Map 54-4 ((5)) 2 through 4, 4A, 5 through 9 (5930, 5912, 5906 Centreville Rd.; 4001, 14017 Westview Dr.; 5907 Fort Dr.) for a fast food restaurant with a drive-through pursuant to 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 amendment shall be in substantial conformance with the approved Special Exception Plat "Tower Foods Special Exception Plat & Coordinated Development Plan" (2 Sheets), prepared by The Plan Source dated January, 2000 revised through March 1, 2000 (Sheet 1) and March 9, 2000 (Sheet 2) and these conditions. Minor modifications to the approved special exception amendment may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance. Amendments to the Special Exception may be requested for each of the individual areas identified on the Special Exception Plat as "drive-through restaurant area" and "future development area" without the necessity for amendment to the special exception for the other remaining area.
4. No pole-mounted signs shall be permitted on the subject property. One ground-mounted monument sign, with a maximum height of eight feet and a maximum area of 40 square feet shall be provided on the 2.95 acre subject site. No freestanding sign shall be located along the eastern frontage of Old Centreville Road.

5. The hours of operation for the fast food restaurant and drive through window shall be limited as follows: 5:00 a.m. to 1:00 am, Sunday through Thursday; 5:00 am to 2:00 am, Friday and Saturday.
6. All parking lot and building security lights shall be full cut-off shielded, directed downward and maintained at a maximum height of 20 feet. All proposed lighting shall adhere to the Zoning Ordinance glare standards.
7. Building mounted signage along the east façade of the fast food restaurant and the proposed future building shall not be internally illuminated. Building-mounted "tenant name" signage for the fast food restaurant to be located along the west and south sides of the building shall be white or neutral in color, as determined by DPWES. This requirement shall not include the tenant logo.
8. The fast food restaurant shall be similar in mass, color, materials, etc. with the architectural rendering included as Attachment A, as determined by DPWES. Additionally, the future building depicted on the SE Plat shall be similar in color, texture and materials to the fast food restaurant structure, as determined by DPWES, and shall include architectural treatment on all four sides.
9. Landscaping shall be provided as shown on the SE Plat, subject to review and approval by the Urban Forester with the following additions:
 - ◆ Evergreen shrubs, a minimum of 24 to 36 inches in height, shall be provided along the entire portion of the western boundary that abuts the parking lot to soften the view of the parking from the roadway.
 - ◆ A minimum screening yard, twenty-five (25) feet in width, containing 50% of the plantings required in Transitional Screening 3 or screening equivalent to Transitional Screening 1 shall be provided along the Old Centreville Road frontage of the site. If the provision of the 25 foot screening yard causes a reduction in parking, the number of seats within the restaurant shall be reduced to meet the parking requirements of the Zoning Ordinance as determined by DPWES..
10. Roadway improvements (on- and off-site) as depicted on the SE Plat shall be constructed prior to granting a Non-RUP for any use on the subject site. These improvements shall be completed to VDOT standards, as determined by VDOT and DPWES.
11. VDOT approval of the proposed retaining wall along the Route 28 frontage of the site shall be obtained prior to site plan approval.

12. A contribution to the Centreville Road Fund shall be provided pursuant to the fund guidelines.
13. The following uses shall be excluded from development on the portion of the subject property identified on the Special Exception Plat as "future development area": billiard and pool hall; massage parlor; pawn shop; fast food restaurants with a drive window; public uses; convents, monasteries, seminaries and nunneries; bowling alleys; commercial swimming pools, tennis courts and similar courts; indoor firing ranges, archery ranges, fencing and other similar indoor recreational uses; miniature golf courses; baseball hitting and archery ranges, outdoor; golf courses, commercial; golf driving ranges; dormitories, fraternity/sorority houses, rooming/boarding houses or other residence halls; quasi-public parks, playgrounds, athletic fields and related facilities; bus or railroad stations; helistops; WMATA facilities; hotels, motels; and parking, commercial off-street, as a principal use. The aforementioned exclusions shall not apply should the applicant acquire the adjacent property located to the north and consolidate the subject parcels with said properties.
14. The dumpster doors shall remain closed, except when in use.
15. Minor adjustments to the number of parking spaces and the parking layout, in accordance with Zoning Ordinance requirements, shall be permitted at the time the future building and use are established.
16. Entrances into the subject property shall be as depicted on the Special Exception Plat, subject to approval by VDOT and DPWES at the time of site plan review. The foregoing condition shall not apply to the entrance along West View Drive if existing West View Drive is vacated/eliminated or relocated.

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 Amendment shall not be valid until this has been accomplished.

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