

PROPOSED DEVELOPMENT CONDITIONS

SE 00-D-029

November 20, 2000

If it is the intent of the Board of Supervisors to approve SE 00-D-029 located at 332 Springvale Road (Tax Map 3-4 ((1)) 30) for parking in a residential district pursuant to Sect. 9-609 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 "L'Auberge Chez François", consisting of two sheets prepared by Runyon, Dudley, Associates, Inc. and dated May 15, 2000, as revised through June 8, 2000; 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. A Type II Equestrian Trail shall be constructed along Springvale and Beach Mill Roads in accordance with the Comprehensive Trail Plan and Public Facilities Manual (PFM). The trail location shall be determined by DPWES and the trail shall be constructed prior to the issuance of a non-residential use permit (Non-RUP) for the parking lot. The trail width may be modified by the Director of DPWES in order to preserve existing trees.
5. Right-of-way along the Springvale and Beach Mill Roads frontages of the site shall be dedicated and conveyed in fee simple to the Board of Supervisors as shown on the SE plat. Such dedication shall occur at site plan approval for the property or upon demand by VDOT or Fairfax County, whichever occurs first.
6. All parking shall meet the provisions of Article 11 of the Zoning Ordinance and the geometric design standards in the Public Facilities Manual
7. There shall be no charge for the use of the parking spaces on the subject parcel.

8. All off-street parking facilities shall be used solely for the parking of vehicles in operating condition. No motor vehicle repair work except emergency service shall be permitted.
9. The existing gravel located on the R-E portion of the lot not utilized as parking area shall be removed and replanted with grass prior to the issuance of a non-residential use permit (Non-RUP) for the parking lot.
10. The existing landscaping along Beach Mill Road shall be supplemented with evergreen shrubs (18"-24" minimum at the time of planting) along the northern and western property boundaries adjacent to the parking lot within the trail easement. The evergreen shrubs shall form a hedge adjacent to the parking area and screen the headlights of onsite vehicles. In addition, evergreen trees a minimum height of 5-6 feet at the time of planting shall be installed at a distance as determined by the Urban Forester along the northern property line within the trail easement and along the western edge of the parking lot to screen the parking lot from the adjacent lots. The landscaping shall be subject to approval by the Urban Forester and shall be installed within one year of the approval of the special exception. This planting requirement may be modified if upon the opinion of the Urban Forester the additional vegetation is unwarranted or may jeopardize the health of the existing vegetation. If the Urban Forester determines that the hedges can not be installed without jeopardizing the health of the existing or proposed trees the hedges may be deleted. Plantings located within VDOT right of way shall be subject to VDOT approval.
11. The trash dumpster shall be relocated and placed on the C-5 portion of the property as shown on the SE Plat. The dumpster shall be enclosed by a solid, opaque barrier with a gate, as determined by DPWES. Evergreen trees a minimum height of 5-6 feet at the time of planting shall be installed to soften the visual impact of the dumpster pad from the adjacent property to the west. The existing concrete pad located on the R-E portion of the lot shall be removed and replanted with grass prior to the approval of a Non-RUP for the parking lot.
12. Prior to issuance of a Non-RUP for the parking lot the applicant shall relocate all woodpiles on the property to the C-5 portion of the site. Any covering for the woodpile shall be earth tone or clear to minimize the visual impact.
13. In accordance with the special exception plat, a four foot tall wood rail fence shall be located along the northern and eastern boundaries.
14. Parking lot lights shall comply with the performance standards for glare for the R-E District, as determined by DPWES. The lights shall be full cut-off of low intensity design and focus directly on the subject property to prevent glare from the light or light bulb from the adjacent properties. The parking lot shall not be lighted during non-business hours, except for the minimum required for security purposes.

15. The above conditions notwithstanding, the applicant shall be permitted to reestablish the existing by-right restaurant use and receive a non-residential use permit for the kitchen addition prior to implementation of these conditions.
16. If the development conditions have not been satisfied within one year of the approval of the special exception the applicant shall place barriers to prevent parking on the residential portion of the lot. The barriers shall remain until the development conditions have been satisfied.

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 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.