APPLICATION ACCEPTED: April 19, 2006
PLANNING COMMISSION: October 25, 2006
BOARD OF SUPERVISORS: not scheduled

County of Fairfax, Virginia

October 11, 2006

STAFF REPORT

APPLICATION SE 2006-SP-010

SPRINGFIELD DISTRICT

APPLICANT:	Chevy Chase Bank, FSB
ZONING:	C-8
PARCELS:	56-2 ((1)) 63, 63A
ACREAGE:	1.48 acres
FAR:	0.06 *before dedication* 0.07 *after dedication*
OPEN SPACE:	30%
PLAN MAP:	Fairfax Center Area; office at 0.25 at the overlay level
SE CATEGORY:	Category 5; Drive-in Bank Category 6: Waivers of Certain Sign Regulations
PROPOSAL:	Develop a freestanding drive in bank with two drive through lanes (one ATM only) Wavier of Certain Sign Regulations to permit three wall mounted signs of 35.08 square feet each (a total of 105.24 square feet where 60 square feet would be allowed by-right)

STAFF RECOMMENDATIONS:

Staff recommends approval of SE 2006-SP-010 subject to the proposed development conditions in Appendix 1.

O:\tswagl\chevy chase SE 2006-SP-010\SE 2006-SP-010.doc

Staff recommends approval of a modification to the transitional screening requirement to the south, to allow existing vegetation to be utilized.

Staff recommends approval of a modification to the transitional screening requirement and waiver of the barrier requirement to the north, in favor of that shown on the SE Plat.

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

Proposal: Approval of a Category 5 Special Exception for a freestanding Drive-in Bank with two drive-through lanes (one lane ATM only)

Approval of a Category 6 Special Exception for a Wavier of Certain Sign Regulations to allow three wall mounted signs of 35.08 square feet each, a total of 105.24 square feet, where 60 square feet would be allowed by-right.

Proposed Hours: 6 am to 10 pm, Monday through Saturday

Waivers and Modifications: Modification to the transitional screening requirement to the south, to allow existing vegetation to be utilized

Modification to the transitional screening requirement and waiver of the barrier requirement to the north, in favor of that shown on the SE Plat

LOCATION AND CHARACTER

The subject property is located in the southwest quadrant of the intersection of Route 29 and Village Drive. Parcel 63 is developed with an existing automobile transmission shop, with two points of access onto Village Drive and is served by a septic system. Parcel 63A is vacant aside from a shed, fencing and storage associated with the transmission shop. An existing service drive is located along the frontage of Route 29. Some existing vegetation screens the residential lots to the south, but this screen is not solid across the width of the site, but is interrupted by storage areas and a storm drainage easement.

SURROUNDING AREA DESCRIPTION			
Direction	**Use**	**Zoning**	**Plan**
North	Multi-family residential	PDH-12	Fairfax Center
South	Single family detached residential	R-1	Fairfax Center
East	Office (State Farm)	C-8	Fairfax Center
West	Vehicle Light Service (tire store)	C-8	Fairfax Center

BACKGROUND

The subject property is not encumbered by any proffers or Special Exceptions.

According to County records, the existing building was constructed in 1976. An As-Built Site Plan for Fairfax Transmission was approved on February 16, 1978, prior to the adoption of the current Zoning Ordinance. The current use, Vehicle Major Service, would be considered a legally non-conforming use, which may be maintained but not expanded without approval of a special exception.

COMPREHENSIVE PLAN PROVISIONS (Appendix 4)

Plan Area: III

Planning Sector: Fairfax Center Area; Sub-Unit U1

Plan Map: Fairfax Center Area

Plan Text:

In the Area III volume of the Comprehensive Plan, 2003 edition, Fairfax Center Area, as amended through June 26, 2006, Land Unit Recommendations, page 100-101, the Plan states:

"Sub-unit U1

This sub-unit contains retail, auto repair, and office uses in addition to vacant land and a cemetery. The retail uses should not be expanded or intensified. Redevelopment to office use at a maximum FAR of .25 is appropriate to be more compatible with the adjacent residentially planned areas. Any commercial development in this sub-unit should provide effective screening and buffering to adjacent residential uses through landscaping and other measures including architectural treatments on all sides of the structures. Adequate landscaping should also be provided along Route 29. The existing cemetery should be preserved and adequately buffered. Development of the area adjacent to Village Drive should be designed to allow for the development of the planned interchange of Monument Drive, Village Drive and Route 29."

ANALYSIS

Special Exception Plat (Copy at front of staff report)

Title of SE Plat:	Chevy Chase Bank; 11611 Lee Highway
Prepared By:	Walter L. Phillips, Inc.
Original and Revision Dates:	March 21, 2006 as revised through August 23, 2006

The SE Plat consists of eight sheets. **Sheet 1** is a title sheet, and includes a sheet index, vicinity map, angle of bulk plane illustrations, and notes and tabulations. **Sheet 2** shows the existing conditions. **Sheet 3** shows the layout of the SE site (described below). **Sheet 4** is a landscape plan for the site. **Sheet 5** is the existing vegetation map. **Sheet 6** is the stormwater management plan for the site, including narrative and outfall details. **Sheet 7** shows elevations for the bank, including wall mounted signage. **Sheet 8** shows a proposed free standing sign.

The following features are depicted on the SE Plat:

- *Building:* The SE Plat shows a one-story, 25 foot tall brick building with a maximum of 3,560 square feet of floor area. The building is 92 by 40 feet in dimension, with the long side of the building parallel to Route 29 (facing north). Canopies are shown over the entrances at either end (east and west).
- *Right-of-way dedication:* The SE Plat shows dedication which will accommodate the future planned interchange at Village Drive/Monument Drive and Route 29, a dedication area of 11,346 square feet along both the Route 29 and Village Drive frontages.
- *Intensity:* The SE Plat indicates an FAR of 0.06 prior to dedication, and 0.07 after dedication of right-of-way. The applicant has indicated their intent to request credit towards the Fairfax Center Road Fund for the dedication of land relating to Route 29 and the proposed interchange. If the applicant elects to take credit against the Road Fund for the dedication, density credit may *not* be retained for the land, and the FAR of the site would be calculated on the post-dedication area.
- *Drive through windows:* A canopy is shown extending over the two proposed drive through lanes on the south side of the building. One lane is proposed as an Automatic Teller (ATM) only; the other is proposed to have an ATM as well as a tube system and TV screen "teller window." A by-pass lane is also provided.
- *Architecture*: Sheet 7 of the SE Plat shows a building with similar architectural details on all four sides. A gabled rood is provided, with a columned pediment at either entrance (on the east and west ends of the building). The applicant has indicated that the building materials will be red brick with white painted trim. The pillars are the outside edge of the drive-through canopy are shown to be brick, like the main building.
- *Wall-mounted Signage*: Sheet 7 shows wall mounted signage on all four sides of the building, although the applicant has not requested signage on the southern side, facing the residential. The same sign is proposed on the east, west and north faces of the building, consisting of individual letters of internally illuminated red plastic. Each sign would measure 35.08 square feet, for a total or 105.24 square feet of wall-mounted signage.
- *Free-standing Signage*: Sheet 8 of the SE Plat shows a free-standing monument sign to be located as shown on the SE Plat (on the Route 29 frontage). The details shows a sign with a brick face to match the proposed building, surrounded by pre-cast concrete architectural details. Individual metal letters would be up-lit, according to the SE Plat. As shown, the sign would be 5.5 feet tall and 20 feet in

width, with a total area of 110 feet, which exceeds the sign area allowed by Par. 2 of Sect. 12-205. *NOTE: staff does not support a free-standing sign on this site in conjunction with the request for additional wall mounted sign area.*

- *Access:* Access will be provided from an entrance onto the existing service drive along Route 29 and a new entrance onto Village Drive, located further to the south than either existing driveway. Drive aisles circle the building, with two-way access allowed along the east and north sides and one way access (through the drive through lanes and by pass lane) along the west and south sides. A future interparcel access is shown on the western property line (giving future access to Tax Map Parcel 56-2 ((1)) 63B), aligned with the travel aisle along the north side of the building. This interparcel is necessary because the ultimate design of Route 29 may remove the existing service drive which gives access to Parcel 63B.
- *Parking:* The SE plat shows 26 parking spaces, primarily located on the north side of the proposed building, between the building and Route 29.
- *Sidewalks & Pedestrian Access:* The SE Plat shows a 10 foot wide trail along the Route 29 frontage, transitioning to an existing four foot wide sidewalk along Village Drive (to remain). Crosswalks are shown across the parking areas on both frontages, giving access to the building from the sidewalks.
- *Transitional Screening & Barrier:* A transitional screening strip 70 feet in width is shown along the southern boundary (50 feet in width adjacent to the entrance on Village Drive). A new, board on board wood fence is proposed along the length of the site, 50 feet from the southern boundary. Existing mature vegetation is proposed to be retained in the area between the property line and the fence, with additional plantings proposed on the bank side of the fence.
- *Landscaping*: Some ornamental landscaping and ground cover is shown around the proposed building. Additional landscaping is shown along the street frontages, including some trees proposed to be in the dedication area, subject to the approval of a license agreement with the County. The landscaping shown along Route 29 is relatively sparse; a rain-garden is included as part of the landscape design. As noted, dense plantings are shown along the new fence proposed on the southern side of the site. The landscape plan indicates that deciduous trees will be a minimum of 2-2.5 inches in caliper (staff has proposed a development condition requiring 3-3.5 inches, consistent with the design guidelines for the Fairfax Center Area) and evergreen trees will be a minimum of 6 to 8 feet in height. Additionally, the applicant has proposed to provide a shrub hedge, approximately 24" to 30" high, approximately 2 to 3 feet in front of the 12 parking spaces facing Route 29; staff has included a condition to this effect.
- *Stormwater Management*: Stormwater management and water quality controls are proposed to be handled in a regional pond; adequate capacity exists to serve this site. In addition to the regional pond, the applicant proposes to provide a bio-retention area in the open space along Route 29.

Land Use Analysis (Appendix 4)

The Comprehensive Plan guidance for this sub-unit recognizes the existing retail uses, and recommends that such retail uses not be expanded. Specific language also calls for commercial development to provide "effective screening and buffering to adjacent residential uses through landscaping and other measures including architectural treatments on all sides of the structures". Additionally, the Plan states that "[a]dequate landscaping should also be provided along Route 29" and that development should be "designed to allow for the development of the planned interchange of Monument Drive, Village Drive and Route 29."

No expansion of retail uses: The site is currently developed with a use that would require a special exception to be approved today (Vehicle Major Service). A bank is a by-right use in the C-8 District; the Special Exception is required only for the drive-through windows. (The SE request for additional wall-mounted sign area does not add an additional use to the site.) Because the proposed bank would replace an existing use that is more intensive and potentially more environmentally damaging, staff believes that the proposal is in harmony with the Comprehensive Plan language.

Adequate landscaping along Route 29: The applicant has provided some landscaping along Route 29 and along the building foundation fronting on Route 29, and has agreed to install a hedge screening the parking as well as the landscaping shown on the SE Plat. Staff believes, however, that the proposed tree size for deciduous trees (2-2.5 inches caliper) could be increased to address this Comprehensive Plan recommendation, as well as the design guidelines of the Fairfax Center Area. As such, staff has proposed a development condition requiring that all large deciduous trees be 3-3.5 inches in caliper at the time of planting. Additionally, staff believes that the landscaping shown on the SE Plat is insufficient to address the Comprehensive Plan recommendations for the site, which include both the Fairfax Center design guidelines and the site specific language. Therefore, staff has proposed additional landscaping along Route 29 as a development condition.

Accommodation of the planned interchange: As noted, the applicant has committed to dedicate land area as shown on the SE Plat, which will accommodate the future interchange. This issue is addressed.

Only with the imposition of the proposed development conditions, staff believes that the application meets the recommendations of the Comprehensive Plan.

Fairfax Center Checklist Analysis (Appendix 7)

The Fairfax Center Checklist is a tool utilized by staff in evaluating a zoning application for conformance with the Comprehensive Plan for the Fairfax Center Area. The Checklist contains transportation, environmental, site design, land use, and public facilities elements.

In order to justify development at the Intermediate Level, this application must satisfy all applicable basic elements; all major transportation elements; all essential elements;

and *either* three-fourths of the applicable minor elements *or* one-half of the applicable minor elements and one-quarter of the applicable major elements. Based on staff's analysis as found in Appendix 7, the application, as conditioned, satisfies all applicable basic elements; all major transportation elements; all essential elements; 63% of the applicable minor elements; and all applicable major elements, justifying development at the Intermediate Level.

Transportation Analysis (Appendix 5)

The applicant has revised the SE Plat to provide interparcel access to the unconsolidated parcel to the west, and to provided sufficient dedication to accommodate the future interchange at Village Drive/Monument Drive and Route 29. Staff has additionally proposed a development condition which would allow the proposed interparcel access point to "float" to allow for minor modifications in the future.

Staff has proposed a development condition requiring the applicant to contribute to the Fairfax Center Road Fund in accordance with Board policy. The applicant has agreed to this condition, and, as noted, intends to request credit for the dedication of right-of-way for the interchange against the Road Fund contribution. This is a creditable expense, however, if credit against the Road Fund is taken, the applicant may not retain density credit for the land. Therefore, the applicant has provided Floor Area Ratio calculations both before (0.06 FAR) and after (0.07 FAR) dedication. The post-dedication FAR will be applicable. There are no outstanding transportation issues.

Environmental Analysis (Appendix 6)

The application property is currently developed with a transmission repair shop dating to the mid-1970s which is not connected to public sewer (a septic field is located along Route 29). The proposed bank would be connected to public sewer, abandoning the existing septic field. The applicant's proposal would increase the on-site open space, meet today's stormwater management and water quality requirements, and additionally provide for on-site LID techniques. With the imposition of staff's proposed conditions, all environmental concerns are addressed.

Stormwater Management Analysis (Appendix 8)

The application proposes to utilize an existing regional pond (D-77) for both detention and best management practices. As noted, the applicant also proposes a rain garden facility on-site, in the open space along Route 29, to provide additional water quality controls. At staff's request, the applicant has provided additional information to allay concerns about downstream water velocity between the site and the regional pond. There are no outstanding stormwater management issues associated with the application.

Sanitary Sewer Analysis (Appendix 9)

The property is located in the Accotink Creek Watershed and would be sewered into the Norman J. Cole Pollution Prevention Plant. The sewer systems surrounding the application property have sufficient capacity to accommodate the proposal.

ZONING ORDINANCE PROVISIONS (Appendix 10)

Bulk Standards (C-8)		
Standard	**Required**	**Provided**
Lot Size	40,000 square feet	29,160 square feet
Lot Width	200 feet	165 feet
Building Height	40 feet	25 feet
Front Yard	45° ABP, not less than 40 feet (40 feet)	64 feet
Rear Yard	20 feet	107 feet (to building) 84 feet (to canopy)
FAR	0.50	0.06 (before dedication) 0.07 (after dedication)
Open Space	15%	30% (after dedication)
Parking Spaces	13 spaces	26 spaces
Transitional Screening & Barrier		
South (R-1)	50 feet, Barrier E, F, G	70 feet, 6 foot high wood fence
North (PDH-12)	50 feet, Barrier E, F, G	Minimum of 15 feet (after dedication); no barrier

Waivers/Modifications:

- *Modification to the transitional screening requirement to the south, to allow the use of existing vegetation*

The applicant has provided a screening area 70 feet in width, which is in excess of the requirement of 50 feet. The site has existing mature vegetation which would be beneficial to save, if possible, to provide immediate screening for the single family homes to the south. While some existing fencing should be removed from this area, staff supports the applicant's intent to utilize existing vegetation. Staff has proposed a development condition requiring the applicant to work with Urban Forest Management to supplement the existing vegetation in this area, as appropriate.

- *Modification to the transitional screening requirement and waiver of the barrier requirement to the north, in favor of that shown on the SE Plat*

The northern boundary of the site is Route 29. Additionally, the topography is such that transitional screening and barrier provided along Route 29 would not serve as a benefit (in terms of screening) for the multi-family residences on the north side of Route 29. The SE Plat shows an open space area ranging in width from 15 feet to 52 feet. This area is proposed to be landscaped with a mix of deciduous trees and shrubs. Additionally, the applicant has (via a development condition) agreed to provide a hedge to screen the parking area. Staff has further proposed a development condition requiring additional landscaping, beyond that shown on the SE Plat, along Route 29. While these improvements will not screen the use to the north, they should improve the look of the site from both Route 29 and the residential land to the north, as well as reduce glare from vehicles parking in the lot. Therefore, staff does not object to the requested modification and waiver.

Other Zoning Ordinance Requirements:

Special Exception Requirements (Appendix 10)

General Special Exception Standards (Sect. 9-006)
Category 5 Standards (Sect. 9-503)
Additional Standards for … Drive-in Banks … (Sect. 9-505)
Waiver of Certain Sign Regulations (Sect. 9-620)

General Special Exception Standards (Sect. 9-006)

The General Special Exception Standards require that the proposal be in harmony with the Comprehensive Plan, that there be a finding of no significant negative impacts on surrounding properties, and that safe and adequate vehicular and pedestrian access be provided. The applicant has proposed a development that has been determined to fit in the transportation network and will increase open space on-site. Buffers in excess of that required by ordinance are provided to the abutting single family detached development. The applicant has deleted a request for any building mounted signage on the residential site (south) of the building. As noted previously, staff believes that the landscaping shown on the SE Plat, specifically along Route 29, is not sufficient to address the Comprehensive Plan recommendation and the Fairfax Center Area design standards. Staff has, therefore, proposed additional conditions relating to the provision of a hedge to screen the parking and additional landscaping to be provided. With the imposition of the proposed development conditions, staff believes that the use will be in harmony with the Comprehensive Plan.

Paragraph 8 of the General Standards requires that all signage be in conformance with Article 12, but also allows the Board to impose stricter standards where appropriate. The applicant's request for additional wall mounted signage is discussed below as a waiver of certain sign regulations; however, staff remains concerned that the applicant is requesting a free-standing sign in addition to the excess wall-mounted signage. Because of the "corporate architecture" of the building, including the

additional signage, the entire building will in effect act as a sign. For these reasons, staff does not believe a free-standing sign (especially one which is larger than allowed by Article 12, as is shown) is either necessary or appropriate in this location, and has proposed a development condition prohibiting such a sign.

Staff believes that, with the imposition of the proposed conditions, the use and development proposed satisfy all of the General Special Exception Standards.

Category 5 Standards (Sect. 9-503)

The Category 5 Standards require that the proposed development meet lot size and bulk requirements for the Zoning District, comply with performance standards, and be subject to site plan review. The proposed use meets these standards.

Additional Standards for … Drive in Banks… (Sect. 9-505)

For districts where these uses are permitted by special exception, Paragraph 1A states that the use must have the same architectural features on all sides. The applicant has provided elevations illustrating that the proposed bank will be constructed primarily of red brick, and will have the same architectural features on all sides. Staff has proposed conditions requiring substantial conformance with these elevations. With these conditions, staff believes that this standard has been addressed.

Paragraph 1B requires the use to be designed so that pedestrian and vehicular circulation is coordinated with adjacent properties; Paragraph 1C requires the site be designed to minimize the potential for turning movement conflicts, and to facilitate safe and efficient on-site circulation. As noted in the transportation analysis, the applicant has revised the SE Plat to provide a requested (future) interparcel access, as well as pedestrian crosswalks into the site. Additionally, the proposal fully accommodates the future interchange proposed for this site with dedication of over a quarter acre of land. Staff believes that these standards have been addressed.

Paragraph 1D states that a lot must be of sufficient area and width to accommodate the use, and that the proposed use not adversely affect any nearby existing or planned residential areas. The application provides in excess of the required amount of open space and in excess of the required amount of screening to residential property to the south. It is replacing an existing major vehicle service establishment and will connect to public sewer (the existing site is on septic). Staff does not believe that approval of this use will adversely affect the surrounding area. This standard has been addressed.

Additional Standards for a Waiver of Certain Sign Regulations (Sect. 9-620)

Paragraph 1 states that a waiver may be for an increase in sign area, but may not allow the erection of a freestanding sign not otherwise permitted. The request, for an increase in wall mounted sign area from 60 square feet to 105.24 square feet satisfies this standard.

Paragraph 2 requires that the applicant demonstrate that there are unusual circumstances or conditions, which may include unusual size or orientation of the structure on the lot; that impact the ability to provide for reasonable identification of the use. Par. 8 of Sect. 12-203 allows for one and one-half (1 ½) square feet of sign area for each of the first 100 linear feet of building frontage. The additional signage is only necessary on this site because of the orientation and design of the building. The building frontage is defined by the front door, which on the proposed building is located on the narrow end of the building. Therefore, only 60 square feet of signage is allowed by the ordinance (40 feet of building frontage x 1.5 square feet). If the front door was located on the long side of the building, 138 square feet of signage would be allowed. The applicant is requesting three signs of 35.7 square feet each, or a total of 105.24 square feet, which is less than would be allowed if the building doorway was located on the long side of the building. In staff's opinion, the design and orientation of the building qualify as an "unusual circumstance" under this standard, and the requested wall-mounted signage is not excessive for the site.

As noted previously, the proposed free-standing sign is in excess of the allowable sign area, as shown. The applicant did not, however, include an increase in sign area for a free-standing sign as part of the request for a waiver of sign regulations. As also noted previously, staff does not support a free standing sign on this site (given the prominence of the building signage) and has proposed a development condition deleting the sign; however, if it is the intent of the Board to allow a free-standing sign, a condition clarifying that such sign must conform to the standards in the Zoning Ordinance should be provided.

Paragraph 3 requires that a waiver be in harmony with the policies of the Comprehensive Plan. As noted, staff believes that the proposed use (drive-in bank) is in harmony with the Comprehensive Plan.

Paragraph 4 requires that the not have any deleterious effect on the existing or planned development of adjacent properties and that it is consistent with the purpose and intent of Article 12. The applicant has dropped the request for signage on the south side of the building, facing the adjacent single family residential development. The proposed signage would be divided between three signs and as such would have less effect that a single large sign. Staff believes that the wall-mounted signage meets these standards. The applicant continues to request, however, a free standing sign. As discussed above, staff does not support a free standing sign in this location, given the request for additional wall mounted signage (which will be internally illuminated). Staff believes that the purpose and intent of Article 12 are clearly met on this site without the need for a free-standing sign. Therefore, staff has proposed a development condition prohibiting a free-standing sign. With the imposition of staff's proposed development conditions, this standard will be met.

Summary of Zoning Ordinance Provisions

All applicable standards have been satisfied with the imposition of staff's proposed development conditions.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

With the imposition of the proposed development conditions, Staff finds that the proposed drive in bank is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions.

Recommendations

Staff recommends approval of SE 2006-SP-010 subject to the proposed development conditions in Appendix 1.

Staff recommends approval of a modification to the transitional screening requirement to the south, to allow existing vegetation to be utilized.

Staff recommends approval of a modification to the transitional screening requirement and waiver of the barrier requirement to the north, in favor of that shown on the SE Plat.

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. Plan Citations and Land Use Analysis
5. Transportation Analysis
6. Environmental Analysis
7. Fairfax Center Checklist
8. Stormwater Management Analysis
9. Sanitary Sewer Analysis
10. Applicable Zoning Ordinance Provisions
11. Glossary

APPENDIX 1

PROPOSED DEVELOPMENT CONDITIONS

SE 2006-SP-010

October 11, 2006

If it is the intent of the Board of Supervisors to approve SE 2006-SP-010, located at 11611 and 11617 Lee Highway, Tax Map 56-2 ((1)) 63 and 63A, for a drive in bank and waiver and of certain sign regulations, pursuant to Sect. 4-804 and 9-620 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 (Drive In Bank), 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 “Chevy Chase Bank; 11611 Lee Highway” prepared by Walter L. Phillips, Inc., and dated March 21, 2006, as revised through August 23, 2006, 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. Architectural elevations shall be in substantial conformance with those shown on the SE Plat; however, no wall-mounted signage shall be permitted on the south face of the building. Materials shall be brick with painted trim, as shown on the elevations in the SE Plat.

5. One of the two drive through lanes shown on the SE Plat shall have ATM facilities only, no “window” or tube facilities.

6. Wall mounted signage shall be in substantial conformance with that shown on the elevations, excepting no signage shall be provided on the south side of the building and that the exact lettering of the signs may be modified. Each of the three signs shall have a maximum size of 18 inches in height and 23 feet 4 5/8 inches in length (35.08 square feet). The total sign area provided shall not exceed 105.24 square feet. If lit, the signs will be internally illuminated.

7. Irrespective of that shown on the SE Plat, no free-standing sign (other than directional signage) shall be permitted.

8. 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 the additional requirements of these conditions. The landscape plan shall be subject to the review and approval of Urban Forest Management.

9. In addition to the landscaping shown on the SE Plat, the landscape plan shall provide the following:
(a) Additional vegetation, to consist of a mixture of deciduous, flowering, and evergreen trees and understory vegetation along the Route 29 frontage, as recommended by UFM;
(b) A shrub hedge, approximately 24" to 30" high, to be planted between the parking lot and Route 29, approximately 2 to 3 feet in front of the parking spaces (as approved by Urban Forest Management) to screen the parking area;
(c) Additional understory vegetation to be provided within the transitional screening area along the southern boundary to supplement the existing vegetation, if and as recommended by Urban Forest Management.

10. All “proposed deciduous trees” shall have a minimum caliper of 3 to 3.5 inches at the time of planting (not 2 to 2.5 inches as shown on the SE Plat). This condition shall not apply to “proposed flowering trees.”

11. Prior to site plan approval the applicant shall enter into a license agreement with the County to permit landscaping to be provided and maintained in the area to be dedicated along the Route 29 frontage of the site, as shown on the SE Plat.

12. A bio-retention facility shall be provided to enhance water quality in the location shown on the SE Plat. Such facility shall be constructed and maintained in accordance with DPWES recommendations.

13. The existing septic tank/field shall be abandoned in accordance with Health Department regulations.

14. 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.

15. At the time of site plan approval, or on demand (whichever occurs first) right-of-way as shown on the SE Plat shall be dedicated to the Board of Supervisors in fee simple at no cost as shown on the SE Plat.

16. At the time of site plan approval, a contribution shall be made to the Fairfax Center Area Road Fund in accordance with the Procedural Guidelines adopted by the Board of Supervisors on November 22, 1982, as amended, subject to credit for all creditable expenses as determined by the Fairfax County Department of Transportation and/or DPWES.

17. If credit is taken against the Fairfax Center Area Road Fund for right-of-way dedication, no density credit for the dedicated area shall be retained for the site.

18. At the time of site plan approval, the applicant shall provide for a public access easement in a form approved by the County Attorney, to be recorded over the entire northern boundary of the application property for the purpose of providing an interparcel access to the west [Tax Map 56-2 ((1)) 63B], in the approximate location shown on the SE plat.

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.