

**PROPOSED DEVELOPMENT CONDITIONS
SE 2006-LE-012**

November 20, 2006

If it is the intent of the Board of Supervisors to approve SE 2006-LE-012 located at Tax Map 80-4 ((1)) 9 (6315 & 6319 Amherst Ave. & 6320 Backlick Road) for a drive-in bank in accordance with Sect. 4-604 and Sect. 9-505 of the Fairfax County Zoning Ordinance, staff recommends that the approval be subject to the following 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. Development of the subject property shall be in substantial conformance with the Special Exception (SE) plat entitled "PNC Bank Special Exception Plat, Amherst Avenue, Backlick Road and Bland Street," prepared by Bohler Engineering, P.C., consisting of seven (7) sheets, with sheets one through five, dated March 13, 2006 as revised through October 4, 2006 and sheets six and seven dated October 3, 2006. Minor modifications to the approved SE may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
5. Architectural elevations shall be in substantial conformance with those shown on the Special Exception Plat as determined by DPWES.
6. The drive-in bank building shall incorporate environmentally sustainable attributes into its building program, that may include, but not necessarily be limited to, such elements as high-efficiency mechanical systems, use of materials with recycled content, a high performance and insulated building envelope, water efficient fixtures, CO2 sensors and air filters, low volatile organic compounds in paints, sealants and finish materials, construction waste management, and storage and collection of recyclables.
7. The brick sidewalk along all street frontages of the application property and the brick crosswalks at the entrances to the application property shall be maintained by the applicant.

8. A maximum of two (2) drive-thru lanes shall be allowed. Both drive-thru windows shall be open whenever the drive-thru facility is operational.
9. There shall be no pole mounted signage. Signs shall be lighted only during the hours of operation. All signs shall be in conformance with the provisions of Article 12 of the Zoning Ordinance.
10. 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.
11. Temporary promotional banners, balloons, flags shall be in conformance with Par. G of Sect. 12-103 of the Zoning Ordinance. No rooftop displays shall be permitted on site.
12. The right-of-way to 59 feet from the centerline along the site's Bland Street frontage shall be dedicated to the Board of Supervisors in fee simple at no cost as shown on the SE plat, at the time of site plan approval or upon demand, which ever first occurs.
13. A public amenity in the form of public art or a water feature shall be provided in the proposed pocket park depicted on the special exception plat, prior to the issuance of a Non-Residential Use Permit (Non-RUP). However, upon demonstration by the applicant that, despite diligent efforts, the installation of the public amenity has been delayed, the Zoning Administrator may agree to a later date for the installation of the public amenity. The public amenity shall be provided and maintained by the applicant. The public amenity shall be selected in consultation with, and approved by representatives of the Central Springfield Area Revitalization Council and the Lee District Supervisor. The cost of the public amenity shall not be required to exceed \$10,000.00, exclusive of construction costs.
14. A contribution of \$20,000 shall be contributed by the applicant to the Springfield Transportation Fund for providing offsite transportation improvements in the Springfield CRD, at the time of site plan approval.
15. A public access easement shall be provided 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 north [Tax Map 80-4((1))9A] similar to that shown on the SE plat, at the time of site plan approval.
16. A license agreement shall be executed with the County to permit landscaping to be provided and maintained in the area to be dedicated along the Bland Street frontage of the site, as shown on the SE plat (Sheet 4), prior to site plan approval.

17. 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.
18. Interior parking lot landscaping shall be provided in conformance with Article 13 of the Zoning Ordinance.
19. A Filterra vegetated box shall be provided for Best Management Practices (BMPs) measures on the subject site as shown on the SE Plat, subject to the approval of DPWES.
20. Fluorescent light bulbs used on the property shall be recycled.

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.