

PROPOSED DEVELOPMENT CONDITIONS

SEA 99-MV-020-02

November 29, 2006

If it is the intent of the Board of Supervisors to approve SEA 99-V-020-02 located at 9405 Lorton Market Street (Tax Map 107-4((23)) pt. E4) to amend SE 99-V-020 previously approved for a combined service station/mini-mart and fast food restaurant, a fast food restaurant with drive-in facilities, a drive-through pharmacy, and an increase in building height for construction of a clock tower, to permit a drive-in bank pursuant to Sect. 9-501 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions; these condition supersede all previous conditions for Pad C; tax Map 107-4((23)) pt. E4. The conditions associated with SE 99-V-020 and SEA 99-V-020 remain in effect for those portions of those applications not included in this special exception amendment.

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 Generalized Development Plan/Special Exception Plat entitled Bank of America, Lorton Station South Commercial Center, Addition of Drive-in Bank use to previously proffered plan, prepared by Bowman Consulting, consisting of four (4) sheets and dated June 2006 as revised through October 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. All modifications shown on the GDP/SE Plat, including parking lot modifications and landscaping improvements within the SE area, shall be completed prior to the issuance of a Non-Residential Use Permit. Landscaping shall be consistent with that shown on the GDP/SE Plat and shall be subject to the review and approval of Urban Forest Management, DPWES.

5. 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.
6. A maximum of (three) drive through window lanes shall be allowed.
7. All signs shall use similar colors that are consistent with the existing signs in the shopping center as approved by DPZ. Such consistency shall be demonstrated to DPZ at the time of sign permit application. 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.
8. There shall be no outdoor storage or display of goods offered for sale
9. The exterior design, building materials and colors used for the drive-in bank shall be consistent with the exterior building materials used in the Lorton South Commercial Center as approved by the Department of Public Works and Environmental Services (DPWES). Similar architectural detail shall be used on all four sides of the building. Photographic documentation and any additional materials which DPWES requires to make such a determination shall be provided by the applicant with submittal of a building permit. The determination shall be made by DPWES prior to the issuance of a Non-RUP for the use.

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 a Non-RUP for the use has been issued. The Board of Supervisors may grant additional time for issuance of a Non-RUP for the use 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.