DEVELOPMENT CONDITIONS

SEA 01-M-006-2

December 17, 2007

If it is the intent of the Board of Supervisors to approve SEA 01-M-006-2 located at 6319 Arlington Boulevard, Tax Map 51-3 ((1)) 6A, previously approved for mini-warehousing and waivers and modifications in the CRD (increase in FAR), to permit the addition of a truck rental establishment, pursuant to Sections 4-804 and 9-622 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions, which supersede all previously approved conditions. Conditions carried forward from the previous approval are marked with an asterisk (*).

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 "Public Storage Facility" prepared by BL Companies and dated January 2, 2001 as revised through April 12, 2001, 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. Architecture and architectural materials shall be as shown on Sheets 6, 7, and 8 (A2.01, A2.02, and A2.03) of the SE Plat as referenced above. Materials shall be consistent in type and color on both proposed buildings. *

5. All lighting, including security, pedestrian and/or other incidental lighting, shall feature full cut-off fixtures and be directed downward to reduce off-site glare. *

6. The streetscape design and materials on Arlington Boulevard and Sleepy Hollow Road shall meet the standards and specifications of the streetscape as outlined in the Comprehensive Plan for the Seven Corners CBC, as determined by the Urban Forestry Management of DPWES. *

7. The applicant shall provide a bus shelter for Metro bus service in a location determined appropriate by the Fairfax County Department of Transportation (DOT) and the Virginia Department of Transportation (VDOT.). If DOT and VDOT determine that such a shelter on this site is inappropriate, the applicant shall escrow equivalent funds, as determined by DOT, for the purpose of pedestrian or transit improvements in the Seven Corners area. *

8. No more than six (6) rental trucks or trailers shall be stored on the site at any one time, and such trucks or trailers shall be parked only in the parking spaces designated as "truck rental parking spaces" as shown on the attached Exhibit 1.

9. The rental trucks shall be available for rental only to patrons of the associated mini-warehousing establishment.

10. There shall be no storage of trucks or trailers that are not in operating condition on the site.

11. Prior to initial site plan approval, a Phase I Environmental investigation of the property shall be submitted to DPWES for review. DPWES may request other Fairfax County or State agencies to evaluate the report findings. The investigation shall be generally consistent with the procedures described by the American Society of Testing and Materials (ASTM). If warranted by the results of the Phase I investigation, and if determined appropriate by DPWES and the State Water Control Board, a Phase II investigation program shall be pursued. Subject to the findings of a Phase II evaluation program, if soil contaminants are found in sufficient quantities and at such levels to require a longer term monitoring program, a remedial action program and corrective action plan shall be instituted to the satisfaction of the State Water Control Board prior to site plan approval. *

12. Access easements shall be provided for the corner plaza for the installation and maintenance of statuary or other art by others, with the approval of the property owner. *

13. Hours of operation for the mini-warehousing establishment and truck rental establishment shall be limited to 7 am to 9 pm daily. *

14. Access to Sleepy Hollow Road shall be provided generally as shown on the SE Plat. The access point may be redesigned to accommodate a joint access with the property to the south (Tax Map Parcel 51-3 ((1)) 9B) without requiring a Special Exception Amendment, provided that this does not reduce the amount of streetscaping or required parking, or reduce the amount of open space by more than 5%. *

15. Prior to the demolition of any structure on the property, evidence shall be provided that a professional exterminator has treated the structure for rats, and the site shall be inspected by the Fairfax County Health Department to ensure extermination of vermin. *

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 as evidenced by the issuance of a Non-residential Use Permit for the truck rental establishment. 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.
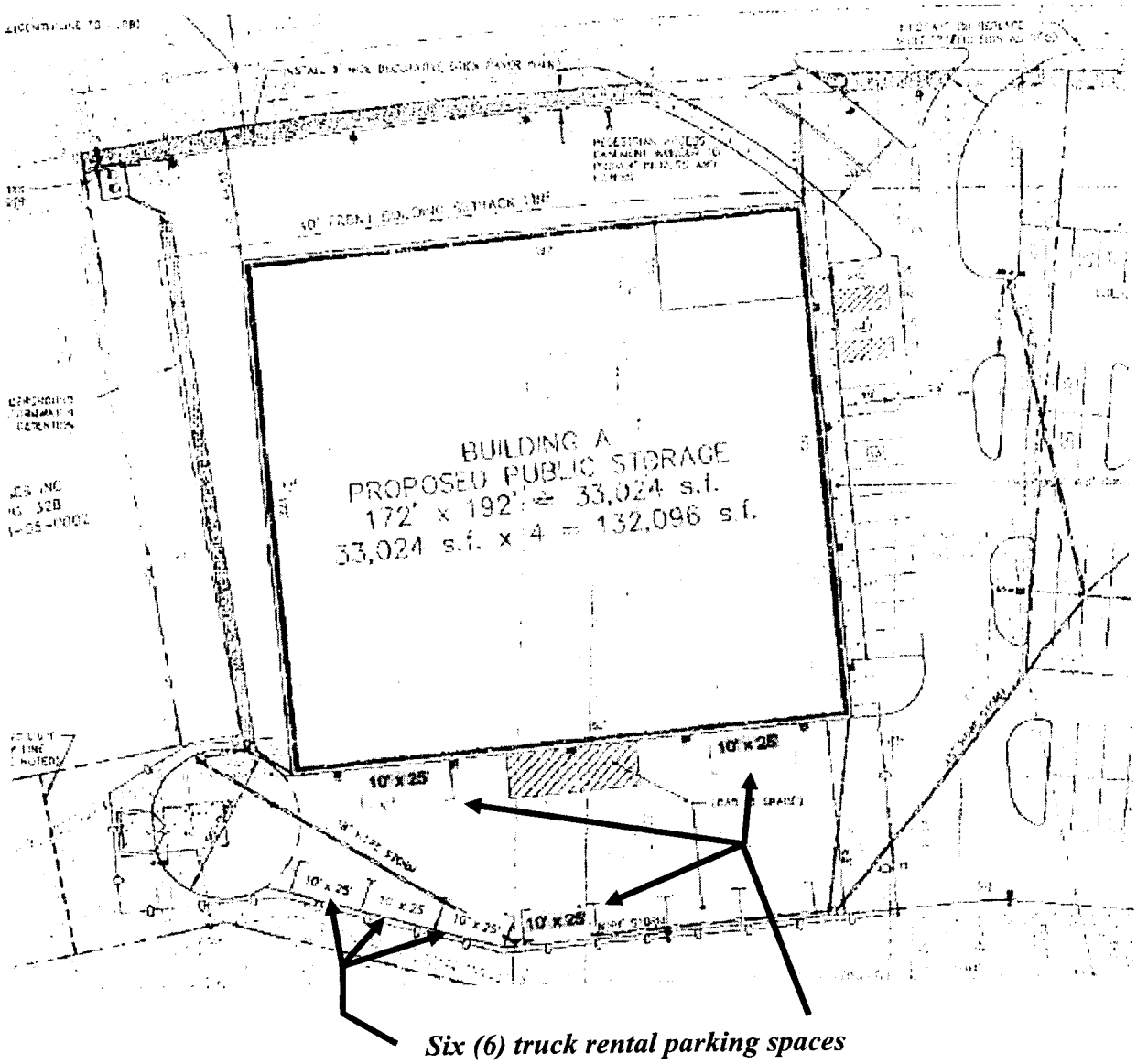
Exhibit 1: Rental Truck Parking Plan