

EASTWOOD PROPERTIES, INC., SP 2007-MA-159

1. This approval is granted to the applicant only, Eastwood Properties, Inc., with the exception of a possible transfer of ownership to the entity required in Development Condition 9, is not transferable without further action of this Board, and is for the location indicated on the application, 6271 Lincoln Road, (1.14 acres), and is not transferable to other land.
2. This special permit is granted only for the purpose(s), structure(s), and/or use(s) indicated on the special permit plat prepared by CPJ Associates, dated December 14, 2007, with revisions through February 22, 2008, and approved with this application, as qualified by these development conditions.
3. This special permit 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 permit shall be in substantial conformance with these conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.
4. A landscape plan shall be submitted concurrent with site plan review and shall be subject to the review and approval of the Urban Forest Management Department (UFM). Any dead or dying plantings may be removed as approved by UFM.
5. The applicant shall conform strictly to the limits of clearing and grading as shown on the SP Plat, subject to the installation of utilities and/or trails as determined necessary by the Director of DPWES. If it is determined necessary to install utilities within of the limits of clearing and grading as shown on the SP Plat, they shall be located in the least disruptive manner necessary as determined by UFM.
6. Notwithstanding what is shown on the SP Plat, minimum tree cover requirements shall be met unless modified by the Director of DPWES. The small shrubs depicted along the southern and western property lines may be replaced with evergreen trees a minimum of 6 feet in height at the time of planting and/or shade trees with a minimum 2 inch caliper at the time of planting to help meet the tree cover requirement as determined by UFM. Additional evergreen trees with a minimum of 6 feet in height and/or shade trees with a minimum of 2 inch caliper may be planted throughout the site to meet the tree cover requirement as determined by UFM.
7. All signs shall be in conformance with the provisions of Article 12 of the Zoning Ordinance.
8. Additional improvements within the limits of the existing cemetery shall include, but not be limited to, straightening existing headstones; replacing/repairing broken pathways; and providing supplemental landscaping as determined by UFM.
9. The applicant shall conform to the provisions in Chapter 3 of Title 57 of the Code of Virginia. To provide for ongoing maintenance and management of the cemetery use, the Applicant shall facilitate the establishment of a not-for-profit or a private cemetery company organized under the relevant provisions of the Code of Virginia to operate the cemetery. Written evidence documenting the formation of this company shall be provided to Fairfax County prior to the issuance of a Non-Residential Use Permit (Non-RUP).
10. Coordination with the History Commission shall be performed to determine if a historic marker is merited on the cemetery site. If a historic marker is merited, the marker shall be provided and funded by the applicant or the entity established in Development Condition 9 according to the specifications of the History Commission.
11. Storm water Management and Best Management Practices shall be provided, as approved by DPWES, in the areas shown on the SP Plat. If the proposed facilities are not in substantial conformance with the SP Plat, then a SPA application may be required.
12. The 4 foot high sign and the metal fence located to the south of the entrance as depicted on the SP Plat shall be placed in the least damaging way and location to the existing trees as determined by UFM.

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 responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished.

Pursuant to Sect.8 015 of the Zoning Ordinance, this special permit 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 Zoning Appeals 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 permit. 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.