

## APPROVED DEVELOPMENT CONDITIONS

SE 2008-MA-008

July 24, 2008

If it is the intent of the Board of Supervisors to approve SE 2008-MA-008 located at 5900 Seminary Road (Tax Map 61-2 ((20)) 3A, 4 and 15) to allow the establishment of a vehicle major service establishment and waivers and modifications in a Commercial Revitalization District pursuant to Sect. 4-804 and Sect. 9-622 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, as qualified by these development conditions.
3. A copy of this Special Exception and the Non-Residential Use Permit 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. 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 "Radley Management, LLC", prepared by DiGiulian Associates, PC which is dated December 22, 2006, and revised through July 10, 2008, 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.
5. The maximum number of service bays on site shall be limited to fifteen (15) as depicted on the SE Plat. Vehicle repairs shall be performed within interior service bays only. No outdoor vehicle lifts shall be permitted.
6. All sides of the proposed structure on site shall be improved in substantial conformance with the architectural elevations depicted on the SE Plat.
7. The maximum number of employees assigned to staff the site at any one time shall be limited to twenty (20).
8. All exterior lighting shall be in conformance with Part 9 of Article 14 of the Zoning Ordinance.

9. Irrespective of that shown on the SE Plat, all signage shall be in conformance with Article 12 of the Zoning Ordinance. The existing building mounted signs shall be removed. Pole mounted signs shall be prohibited.
10. A landscape plan shall be submitted concurrent with the first and all subsequent submissions of the site plan for review and approval of Urban Forest Management (UFM). This plan 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, subject to UFM approval.
11. Prior to the issuance of the Non-RUP, the Applicant shall scarify and remove the "EX. PAVEMENT TO BE REMOVED" areas as shown on the SE Plat in order to increase the survivability of planted and landscaped areas.
12. Any trees shown to be located within a public utility easement shall be coordinated with the holder of the easement and with UFM for viability. Any trees which are shown in the easement, but are not able to be located as shown, shall be relocated in as close proximity as possible to the locations shown, as approved by UFM.
13. Irrespective of that shown on the SE Plat, curbing shall be provided along the periphery of the parking lot area and around the proposed landscaped island located within the parking lot area to serve as a barrier between the parking lot pavement and the landscaping. The curbing shall not include the area shown in Exhibit A.
14. The streetscape elements and plantings along the Property's Seminary Road and Center Lane frontage as shown on the SE Plat shall be installed. Trees located within VDOT rights-of-way are subject to VDOT approval. If VDOT does not permit trees within the right-of-way, these failed attempts shall be demonstrated by the applicant to DPWES, and the same number of trees on-site shall be located adjacent to the right-of-way, and outside of any sight lines as approved by VDOT and outside of any necessary easements. All sidewalks shown on the SE Plat shall be maintained by the applicant.
15. At the time of site plan approval, a public access easement shall be provided in a form approved by the County Attorney, for the purpose of providing access to the sidewalks along the Seminary Road and Center Lane frontages, in the approximate location shown on the SE plat.
16. Any trash dumpsters shall be fully screened with a brick wall or board-on-board fence and a gate, as shown on the SE Plat.
17. There shall be no outdoor storage or display of goods offered for sale.

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 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.

Applicant shall have the option to paint or provide a raised concrete island in this area, consistent with Development Condition 13.

