



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

August 8, 2008

Jane Kelsey
Jane Kelsey & Associates
4041 Autumn Court
Fairfax, Virginia 22030

Re: Special Exception Application SE 2008-MA-008

Dear Ms. Kelsey:

At a regular meeting of the Board of Supervisors held on August 4, 2008, the Board approved Special Exception Application SE 2008-MA-008 in the name of Radley Automobiles, Incorporated. The subject property is located at 5900 Seminary Road on approximately 41,968 square feet of land zoned C-8, CRD, HC, and SC in the Mason District [Tax Map 61-2 ((20)) 3A, 4 and 15]. The Board's action permits a vehicle major service establishment and modifications and waivers in a Commercial Revitalization District pursuant to Sections 4-804 and 9-622 of the Fairfax County Zoning Ordinance, 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.

Office of the Clerk to the Board of Supervisors
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035

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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.

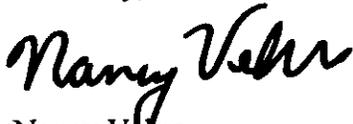
This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established 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.

The Board also:

- Modified the trail and streetscape requirements along Seminary Road and Center Lane, in favor of that shown on the SE Plat.

Sincerely,



Nancy V. Mrs
Clerk to the Board of Supervisors
NV/dms

Cc: Chairman Gerald E. Connolly
Supervisor Penelope Gross, Mason District
Janet Coldsmith, Director, Real Estate Division, Dept. of Tax Administration
Regina Coyle, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Thomas Conry, Dept. Manager. – GIS - Mapping/Overlay
Angela K. Rodeheaver, Section Chief, Transportation, Planning Division
Ellen Gallagher, Capital Projects and Operations Div., Dept. of Transportation
Audrey Clark, Director – Building Plan Review, DPWES
Ken Williams, Plans & Document Control, ESRD, DPWES
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
District Planning Commissioner
Barbara J. Lippa, Executive Director, Planning Commission
José Comayagua, Director, Facilities Management
Denise James, Office of Capital Facilities/Fairfax County Public Schools
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation

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Department of Planning & Zoning

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Zoning Evaluation Division