



County of Fairfax, Virginia

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

May 20, 2008

Bayan F. Abu-Jamous
5646 Tower Hill Circle
Alexandria, Virginia 22315

Re: Special Exception Amendment Application SEA 01-M-010

Dear Mr. Abu-Jamous:

At a regular meeting of the Board of Supervisors held on April 28, 2008, the Board approved Special Exception Amendment Application SEA 01-M-010 in the name of Skyline Amoco, LLC Trading as Discount Gas. The subject property is located at 5842 Columbia Pike on approximately 29,070 square feet of land zoned C-5, CRD, HC, and SC in the Mason District [Tax Map 61-2 ((17)) (A) 17A]. The Board's action amends Special Exception Application SE 01-M-010, previously approved for a service station, mini mart, and car wash in a Highway Corridor Overlay District to permit addition of a fast food restaurant, waivers and modifications in a CRD; and associated modifications to site design and development conditions pursuant to Sections 4-504, 7-607, and 9-622 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions, which supersede all previously approved conditions. Those conditions carried forward from the previous approval are marked with an asterisk (*):

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land. *
2. This Special Exception Amendment 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 Amendment 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 "Skyline Amoco" prepared by David B. Friend consisting of one sheet dated December 12, 2000 revised through June 4, 2001, and stamped "for parking tab only" by John F. Souser on October 25, 2007, 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.

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4. Architecture and architectural materials shall be generally as shown on Attachment 1 of these conditions, as determined by DPWES. *
5. Irrespective of that shown on the SE Plat, no less than two (2) seats and no more than five (5) seats shall be provided for the fast food use, including both counter and table seats.
6. Prior to issuance of a Non-Residential Use Permit, all dead or dying landscaping on-site, as determined by Urban Forest Management and including along the Columbia Pike frontage, shall be replaced to the satisfaction of UFM.
7. Prior to issuance of a Non-Residential Use Permit, additional shrubs and ground level plantings shall be provided in the landscape strip along the Columbia Pike frontage, as determined appropriate by UFM.
8. Prior to issuance of a Non-Residential Use Permit, a solid fence shall be provided in place of the chain link fence shown on the SE Plat along the northern property boundary.
9. All lighting, including canopy, security, pedestrian and/or other incidental lighting, shall be in conformance with Part 9 of Article 14 of the Zoning Ordinance. Outdoor lighting fixtures used to illuminate the parking area shall not exceed 14 feet in height. Lights located in the service station canopy shall be recessed in design. Illumination of the area beneath the service station shall not exceed an average of 30 foot candles. *
10. The streetscape design and materials on Columbia Pike shall meet the standards and specifications of the streetscape as outlined in the Comprehensive Plan for the Baileys Crossroads CBC, as determined by DPWES. *
11. No major vehicular repairs shall occur on the property. *
12. No abandoned, wrecked, or inoperable vehicles shall be stored outdoors on the property. *
13. All parking shall be on-site. No vehicles shall be stored on the site overnight.*
14. Prior to 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. *

15. The car wash shall be equipped to capture at least 80% of the waste water associated with a single cycle of the car wash operation. All waste water discharged from the car wash shall be discharged to the sanitary sewer system. *

16. Public access easements shall be provided for the interparcel access points to the east and west, and across the travel aisle connecting the two. *

17. A copy of the Special Exception conditions and the Non-Residential Use Permit shall be posted in a conspicuous place on the property, and shall be made available to all departments of the County of Fairfax during the hours of operation. *

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, eighteen (18) months after the date of approval unless, at a minimum, the use has been established by issuance of a new Non-Residential Use Permit. 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 transitional screening requirement on the northern boundary in favor of that shown on the SE Plat and as conditioned.
- Waived the service drive requirement on Columbia Pike.

Sincerely,



Nancy Vehrs
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
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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
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Denise James, Office of Capital Facilities/Fairfax County Public Schools
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation

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Zoning Evaluation Division