

DEVELOPMENT CONDITIONS

SE 2007-SU-010

September 21, 2007

If it is the intent of the Board of Supervisors to approve SE 2007-SU-010 located at 14370-B Sullyfield Circle (Tax Map 34-3 ((5)) C4, C5) for use as retail sales (furniture store) in the I-5 District pursuant to Sect. 5-504 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These conditions are in addition to all previous development conditions which apply to all or a part of the subject property, and apply only to the 11,943 sf which are the subject of this Special Exception:

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. Other by-right special permit and/or special exception uses may be permitted on the Application Property without the approval of a Special Exception Amendment if such uses do not affect this Special Exception.
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 "Special Exception Plat, CORT Furniture – Chantilly, prepared by Burgess & Niple, consisting of five sheets, dated April, 2007, with revisions through August 28, 2007. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. As specified on the SE Plat and as generally shown on Attachment 1, the gross floor area of the furniture store devoted to retail sales, display area and associated office shall not exceed 60% of the total gross floor area, with not less than 40% of the gross floor area devoted to warehouse use. The warehouse areas shall be separated from the retail/display areas by solid partition walls, not less than 8 feet in height.
5. Parking shall be provided in accordance with the parking requirement for a furniture or carpet store for the retail/display/office areas and in accordance with the warehouse rate for the warehouse areas as determined by DPWES. Prior to the issuance of a Non-Residential Use Permit (Non-RUP), the applicant shall demonstrate to the satisfaction of DPWES that adequate parking is available for all uses located within the buildings on the subject property. If adequate parking cannot be provided, the amount of retail/display area shall be reduced until parking requirements can be met, to the satisfaction of DPWES.
6. There shall be no outside display or storage of goods on the premises.

7. Irrespective of that depicted on the SE Plat, all signs shall be in accordance with the provisions of Article 12 of the Zoning Ordinance.
8. Prior to the issuance of a Non-RUP, the applicant shall contribute to DPWES for the Sully District Walkway Fund an amount of \$7,500 in lieu of constructing a paved trail along its Sully Road frontage.

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 a Non-RUP for the furniture store has been issued. The Board of Supervisors may grant additional time to establish the use or to issue a Non-RUP 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.