

DEVELOPMENT CONDITIONS

SE 2008-SU-032

April 10, 2009

If it is the intent of the Board of Supervisors to approve SE 2008-SU-032 located at Tax Map 35-1 ((4)) (22) 2B, (13354 Franklin Farm Road) to replace a previously approved but never established drive-in bank use with a fast food restaurant use in the Franklin Farms Village Center pursuant to Sect. 6-105 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

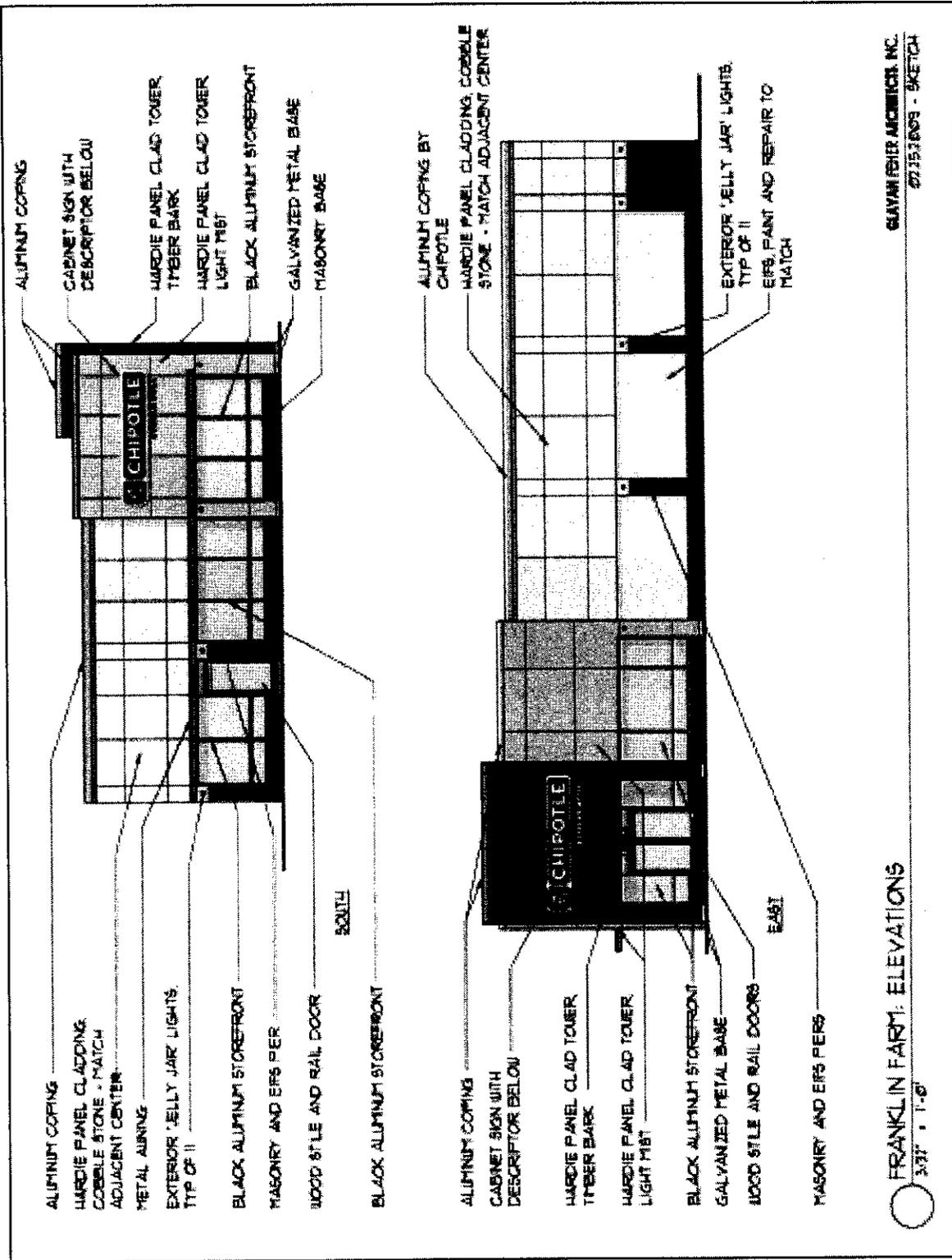
1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.*
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.*
3. 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 "Franklin Farm Village Center – Pad 3", prepared by Bohler Engineering, P.C., consisting of five (5) sheets, dated June 24, 2008, as revised through January 7, 2009. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. The fast food restaurant shall be permitted as shown on the SE Plat provided that the total floor area of the building does not exceed a maximum area of 2,900 square feet of gross floor area as indicated on the SE Plat.
5. Outside seating for any fast food restaurant shall not block pedestrian access to the building.
6. The hours of operation shall be limited to 11:00 am to 10:00 pm daily.
7. All four sides of the fast food restaurant building shall be consistent with the elevations provided in Exhibit A. The base color of the Hardie Panel Cladding if used as shown in Exhibit A shall match the base color of the existing main line buildings in the Franklin Farms Village Center. The Hardie Panel Clad Tower may be accented with the colors shown on Exhibit A.

8. There shall be no freestanding signs on the subject property. Proposed locations and design/ composition of any building mounted signs shall be consistent with Exhibit B. All signs shall be in conformance with the provisions of Article 12 of the Zoning Ordinance and lighted only during the hours of operation.

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 or Residential Use Permits 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.



FRANKLIN FARM: ELEVATIONS
 2/21/2009 - SKETCH

FRANKLIN FARM: ELEVATIONS
 2/21/2009 - SKETCH

**DEVELOPMENT CONDITIONS
FDPA 78-C-118-17**

February 25, 2009

If it is the intent of the Planning Commission to approve FDPA 78-C-118-17 located at Tax Map 35-1 ((4)) (22) 2B, (13354 Franklin Farm Road) to replace a previously approved but never established drive-in bank use with a fast food restaurant use in the Franklin Farm Village Center, staff recommends that the approval be subject to the following development conditions. These conditions incorporate and supersede all previous development conditions as they pertain to the above listed Tax Map Number only. Previous conditions or those that have minor revisions are marked with an asterisk (*).

1. Development of the subject property shall be in substantial conformance with the FDPA plat entitled "Franklin Farm Village Center – Pad 3", prepared by Bohler Engineering, P.C., consisting of five (5) sheets, dated June 24, 2008 as revised through January 7, 2009. Minor modifications to the approved FDP may be permitted pursuant to Par.4 of Sect. 16-403 of the Zoning Ordinance.
2. The maximum floor area of the Franklin Farm Village Center shall not exceed 168,500 square feet and the maximum gross floor area ratio (FAR) of the Franklin Farm Village Center shall not exceed 0.25.*
3. The fast food restaurant building shall incorporate environmentally sustainable attributes into its building program, that may include, but not necessarily be limited to, such elements as high-efficiency mechanical systems, use of materials with recycled content, a high performance and insulated building envelope, water efficient fixtures, CO2 sensors and air filters, low volatile organic compounds in paints, sealants and finish materials, construction waste management, and storage and collection of recyclables.*
4. The applicant shall maintain existing vegetation located on the western and northern boundaries of the site and supplement this vegetation with new plantings of trees and shrubs as depicted on the FDPA/ SE plat; the applicant shall also maintain any vegetation installed in conjunction with this application.*
5. All lighting, including streetlights, security lighting, signage lighting and pedestrian or other incidental lighting shall be in conformance with Part 9 of Article 14 of the Zoning Ordinance.*

6. Parking spaces shall meet the provisions of Article 11 of the Zoning Ordinance and the geometric design standards in the Public Facilities Manual, as determined by DPWES; a parking tabulation which demonstrates that parking requirements are met for all uses in the Shopping Center shall be submitted to DPWES prior to issuance of a Non-RUP for the fast food restaurant.*

The proposed conditions are staff recommendations and do not reflect the position of the Planning Commission unless and until adopted by that Commission.