

## DEVELOPMENT CONDITIONS

SE 2009-LE-022

March 17, 2010

If it is the intent of the Board of Supervisors to approve SE 2009-LE-022 located at 6618 Richmond Highway [Tax Maps 93-1 ((27)) 1B and 3C] for a drive-in financial institution in a Commercial Revitalization District and Highway Corridor Overlay District, pursuant to Sect. 9-622 and Sect. 7-607 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 (Non-RUP) shall be posted in a conspicuous place on the property of the use and be made available to all departments of Fairfax County during the hours of operation on the permitted site.
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 "BB&T Bank at Beacon Hill", prepared by Walter L. Phillips, consisting of 9 sheets dated August 3, 2009, as revised through March 11, 2010, 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 conceptual elevations may be modified with respect to materials (such as brick, exterior insulation finishing system [EIFS], masonry/stone, glass, steel, split-face block and pre-cast panels, and other final architectural details and accents that may include other materials) and building articulation by the Applicant as part of final engineering and building design, provided that the modifications are in substantial conformance with the elevations shown on the SE Plat.
6. Right-of-way to 99 feet from the centerline along the site's Richmond Highway frontage and right-of-way to 36 feet from the centerline along the site's Southgate Drive frontage as shown on the SE Plat, shall be dedicated to the Board of Supervisors in fee simple at no cost, at the time of site plan approval or upon demand (whichever occurs first). Density credit, as approved with the dedication of the ROW, shall be calculated and granted upon conveyance or dedication to Fairfax County, pursuant to Par. 4 of Sect. 2-308 of the Zoning Ordinance.
7. A landscape plan shall be submitted concurrent with site plan review and shall provide for the number and sizes of trees and plantings consistent with that shown on the SE Plat

and shall be subject to the review and approval of Urban Forest Management Division (UFMD), DPWES.

8. Prior to the issuance of the Non-RUP, a license agreement, such as a covenant of perpetual maintenance, shall be entered into by the applicant with the Virginia Department of Transportation (VDOT) to permit landscaping to be provided and maintained by the applicant in the right-of-way along Richmond Highway, including the area to be dedicated on the roadway, as shown on the SE Plat.
9. A tree box filterra and detention facility shall be provided in substantial conformance to that shown on the SE Plat. Such facilities shall be constructed and maintained in accordance with the PFM Standards, as determined by DPWES.
10. All signs shall be in conformance with Article 12 of the Zoning Ordinance. Pole mounted and pylon signs shall be prohibited, with the exception of those signs permitted by Section 12-103 of the Zoning Ordinance.
11. All lighting, including streetlights, security lighting, signage lighting and pedestrian or other incidental lighting shall be in accordance with the Performance Standards contained in Part 9 of Article 14 of the Zoning Ordinance.
12. At such time that the service drive along Richmond Highway is closed, interparcel access shall be provided between Parcel 93-1 ((27)) 1B and Parcel 1. A public ingress-egress access easement shall cross Parcel 1B from Parcel 1 and provide two-way access, 23 feet in width, to all entrances on site subject to FCDOT's approval. The future ingress-egress access easement and interparcel access shall be shown on the initial and all subsequent site plans.
13. All necessary and ancillary easements, up to 17 feet of the property's frontage, shall be provided in conjunction with the expansion of Richmond Highway and upon demand by Fairfax County.

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.