DEVELOPMENT CONDITIONS

SE 2009-MA-004

July 15, 2009

If it is the intent of the Board of Supervisors to approve SE 2009-MA-004, located at 6540 Edsall Road (Tax Map 80-2 ((1)) 58) to permit a service station with quick service food store pursuant to Sect. 4-804 of the Fairfax County Zoning Ordinance, 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 "Vernon M. Lynch, Parcel A2 1, 6540 Edsall Road", prepared by AMA Engineers, LLC and dated December 23, 2008, with engineer's seal date of May 14, 2009. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.

4. Architecture for the building and canopy shall be in substantial conformance with that shown on sheets A-1, A-3 and A-4 of the SE Plat.

5. A copy of these special exception conditions and the Non-Residential Use Permit shall be posted in a conspicuous place and made available to all departments of the County of Fairfax during hours of operation.

6. All signage shall meet the requirements of Article 12 of the Zoning Ordinance.

7. No major vehicular repairs shall occur on the property.

8. Abandoned, wrecked, or inoperable vehicles shall not be stored outdoors for a period exceeding seventy-two (72) hours.

9. No outdoor storage or display of goods other than those permitted for sale at the service station/quick service food store shall be allowed.

10. To ensure protection of groundwater quality, all existing and future underground storage tanks on the site shall be maintained or installed in accordance with current

federal, state, and local regulations as may be determined by the State Water Quality Control Board, DPWES, and the Fire and Rescue Department.

11. Trash dumpsters shall be screened with wood or masonry enclosures.

12. All litter and debris shall be removed from the application property on a daily basis.

13. Irrespective of that shown on the plat, the applicant shall submit revised ten-year tree canopy calculations and tree preservation target calculations, including a landscape plan with plant schedule, at the time of site plan, subject to verification and approval by UFM.

14. The applicant shall provide supplemental ornamental landscaping, including trees, shrubs, and ground cover, in the planting islands along Edsall Road and Cherokee Avenue to enhance the appearance of the property. Plantings shall be kept out of sight distance lines and are subject to approval by UFMD.

15. Prior to the issuance of a Non-RUP for the building addition and subject to approval by Fairfax County Department of Transportation (FCDOT) and VDOT, for the bus stop location identified as stop number 93266 on the Fairfax County Bus Stop Inventory Program, the applicant shall install a concrete loading pad (between curb and sidewalk), a bus shelter pad, and any necessary pedestrian connections and curb cuts along the Edsall Road site frontage. Final locations shall be determined in consultation with FCDOT and VDOT. The applicant shall also provide an easement for the shelter, with notice that advertising may be displayed on bus shelters to be constructed by others at the subject location.

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 as evidenced by the issuance of a Non-Residential Use Permit 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.