

PROPOSED DEVELOPMENT CONDITIONS

SE 2009-MV-010

September 22, 2009

If it is the intent of the Board of Supervisors to approve SE 2009-MV-010 located at 8770 Richmond Highway [Tax Map 109-2 ((1)) 23] for a drive-in financial institution in a Highway Corridor Overlay District pursuant to 7-607 and 9-611 of the Fairfax County Zoning Ordinance, then 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 "Showing a Parcel of Land Identified as Tax Map # 109 2 ((01)) 0023 Containing 0.814 acre and Various Sidewalk Easements" consisting of two sheets, prepared by AES Consulting Engineers and dated May 13, 2008, as revised through September 3, 2009. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. A copy of this Special Exception and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
5. Prior to issuance of the Non-Residential Use Permit, all landscaping shall be installed in the existing landscape islands as depicted on the SE Plat. The Urban Forest Management Division of the Department of Public Works and Environmental Services (DPWES) shall be consulted prior to said installation to ensure that the appropriate size of trees and selection of species is made based on existing and proposed site conditions. All landscaping that is installed pursuant to this Special Exception shall be maintained in good health by the applicant or successors.
6. Landscaping along the Richmond Highway street frontage of the property shall be installed by the applicant in coordination with the Transportation Design Branch (TDB) of DPWES for the "Richmond Highway Public Transportation Initiative Phase 4D-Route 1-Engleside North Sidewalk Sacramento Drive to Woodlawn Court" Project # RS213. Trees planted in the area near the existing

overhead power lines, shall be chosen and planted so as not to interfere with the utility lines and sight distance, in consultation with Urban Forest Management, DPWES.

7. The two existing American Holly trees on site shall be preserved and protected by the applicant or successors as determined by Urban Forest Management Division of the Department of Public Works and Environmental Services (DPWES).
8. The site shall be kept free from litter, junk and debris by the applicant or successors.
9. Irrespective of what is shown on the SE Plat, all the necessary easements to facilitate the future implementation of the "Richmond Highway Public Transportation Initiative Phase 4D-Route 1-Engleside North Sidewalk Sacramento Drive to Woodlawn Court" project shall be provided by the applicant upon request by Fairfax County, in coordination with the implementation of said improvement project.
10. The hours of operation in the lobby shall not exceed 9:00 am to 5:00 pm Monday through Thursday; 9:00 am to 6:00pm on Friday; and 9:00am to noon on Saturdays. The hours of operation for the drive-through facility shall not exceed 9:00 am to 6:00 pm Monday to Friday and 9:00 am to noon Saturday. However, ATMs may operate 24 hours a day, seven days a week.
11. 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.
12. At such time as the freestanding pole mounted sign at the front of the site is replaced, a ground mounted sign shall be erected in its place.

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.

The approval of this special exception does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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