

DEVELOPMENT CONDITIONS

SE 2011-MA-013

March 17, 2012

The Board of Supervisors approved SE 2011-MA-013, located at Tax Map 72-1 ((1)) 23A (6500 Little River Turnpike) for a special exception to permit a vehicle sale, rental, and ancillary service establishment pursuant to Sect. 9-518 of the Fairfax County Zoning Ordinance. The Board conditioned 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 "6500 Little River Turnpike," prepared by Walter L. Phillips, Inc., dated October 3, 2011, as revised through January 30, 2012, consisting of five sheets, 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.
4. 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 the County of Fairfax during the hours of operation of the permitted use.
5. Prior to the issuance of a Non-RUP, a dedication plat conveying the existing service drive (including the sidewalk), to the Board of Supervisors in fee simple, shall be prepared and recorded, in conformance with the SE Plat. A maintenance agreement shall be executed with Fairfax County, to ensure that the service drive/sidewalk is properly maintained by the applicant until such time as VDOT accepts the service drive into the State system for public maintenance.
6. The existing widths and radii of the entrances on the service drive shall be increased to meet VDOT standards prior to VDOT's acceptance of the service drive into the State system for public maintenance.

7. Any tree or shrub determined to impact the sight distance shall be replaced with an appropriate size/species or relocated elsewhere on the site, as determined by UFM.
8. All loading and off-loading of vehicles shall be conducted on-site. The service drive shall not be used for loading or off-loading of vehicles.
9. All employee-parking shall be on-site, as required by Article 11 of the Zoning Ordinance. At least 40 parking spaces shall be designated for employee use.
10. On-site landscape material shall be consistent with that shown on the Special Exception Plat. Prior to any landscaping activity including planting, tree removal, invasive species suppression, or brush removal, a meeting shall be arranged with the landscape contractor performing the work and the Urban Forest Management Division (UFMD) to review all landscape related activities shown on the SE Plat. Prior to the issuance of the non-residential use permit (Non-RUP), on-site landscaping shall be verified and accepted through field inspection by a representative of UFMD.
11. The existing block/brick architectural wall shall be painted and repaired, as necessary, to insure its continued stability and function.
12. Hours of operation shall be limited to the following:

For Sales Department:
Monday-Friday: 9:00 am to 9:00 pm
Saturday: 9:00 am to 8:00 pm
Sunday: 11:00 am to 6:00 pm.

For Service Department:
Monday-Friday: 7:30 am to 7:00 pm
Saturday: 8:00 am to 6:00 pm
Sunday: 11:00 am to 6:00 pm.
13. No external loud speakers shall be used on site.
14. Outdoor Storage. There shall be no outdoor storage, with the exception of vehicles for sale (which may only be parked in the areas designated on the SE as "Vehicle Display" or "Vehicle Storage"). There shall be no outdoor storage overnight of wrecked or inoperable vehicles on the property. Wrecked or inoperable vehicles left on the Property after hours by customers or towing services shall be moved indoors when the Car Dealership reopens for business.
15. All signage on the property shall conform to Article 12 of the Zoning Ordinance. Moreover, the use of any inflatable type of sign, including balloons; pennants; or signs powered by any mechanical means is prohibited.

16. Lighting. Parking lot and exterior lighting located on the Property shall be consistent with that shown on the submitted lighting/photometric plan (Sheet 5) and in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance.

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. If the project is phased, development of the initial phase shall be considered to establish the use for the entire development as shown herein. 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.