



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

October 21, 2015

Keith C. Martin
Tramonte, Yeonas, Roberts and Martin
8245 Boone Boulevard, Suite 400
Vienna, VA 22182

Re: Special Exception Application SE 2015-SU-018

Dear Mr. Martin:

At a regular meeting of the Board of Supervisors held on October 20, 2015, the Board approved Special Exception Application SE 2015-SU-018 in the name of Chantilly Auto Care Center, LLC. The subject property is located at 13704 Lee Jackson Memorial Highway, on approximately of 1.06 acres land, zoned C-8, WS, and HC in the Sully District [Tax Map 34-4 ((5)) A]. The Board's action permits a service station/mini-mart in a highway corridor overlay district and waiver of the minimum lot width requirements for the C-8 zoning district, pursuant to Sections 4-804 and 7-607 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. These Special Exceptions are granted for and run with the land indicated in this application and are not transferable to other land.
2. These Special Exceptions are granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with these applications, as qualified by these development conditions.
3. These Special Exceptions are 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 (which may include a minor site plan) submitted pursuant to these special exceptions shall be in substantial conformance with the approved Special Exception Plat entitled "Chantilly Service Station," prepared by Walter Philips Inc. consisting of eight sheets and dated September 9, 2015 and these conditions. Minor modifications to the approved special exceptions may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.

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4. The stormwater management facilities shown on the SE Plat shall be in conformance with the County Stormwater Management Ordinance and shall be reviewed for adequacy by DPWES at the time of site plan review; if any inadequacies are identified, appropriate corrective measures shall be employed to the satisfaction of DPWES, prior to final site plan approval; provided those measures are in substantial conformance with the SE Plat, no SEA shall be required.
5. 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 shall be submitted to DPWES prior to issuance of a Non-Residential Use Permit (Non-RUP). Vehicle storage spaces shall not be subject to these standards.
6. Right-of-way shown on the SE Plat along Route 50 (Lee Jackson Memorial Highway) shall be dedicated to the Board of Supervisors. All dedications shall be in fee simple for public street purposes, for no consideration, monetary or otherwise, and shall occur at the time of site plan approval.
7. The hours of operation for the service station fuel sales and mini-mart may be 24 hours a day; however, the service station service bays shall be limited to 7:30 A.M. to 5:00 PM Monday through Friday and 8 A.M. to 2 P.M. on Saturday.
8. No major mechanical or body work; repair of transmissions or differentials; straightening of body parts; painting, welding, or other work involving noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in service stations, or to an extent that the use would be considered a Vehicle Major Service Establishment by the County of Fairfax, shall be permitted.
9. In no event shall any one abandoned, wrecked or inoperable vehicle be stored outdoors for a period exceeding 72 hours.
10. All servicing of vehicles shall be performed within an enclosed service bay and shall not be performed elsewhere on the Property, except for limited procedures such as changing windshield wipers or filling tires with air. Doors to the service bays shall be closed when performing any service that generates excessive noise.
11. There shall be no outside storage of materials except for the outdoor storage or display of goods permitted at a service station by the Zoning Ordinance, which is a maximum of fifty (50) square feet of accessory outdoor storage and display area for goods offered for sale

12. Prior to the issuance of a Non-Rup, a building permit for the existing service station building expansion shown on the SE Plat shall be obtained.
13. Landscaping shall be provided in general as shown on the SE Plat. The exact number, size and spacing of trees and other plant materials shall be submitted at the time of final site plan review and shall be subject to the review and approval UFM.
14. The Applicant shall conform strictly to the limits of clearing and grading as shown on the SE Plat, subject to allowances specified in these conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and trails in areas protected by the limits of clearing and grading as shown on the SE Plat, they shall be located in the least disruptive manner necessary, as determined by the UFMD, DPWES. A replanting Plan shall be developed and implemented, subject to approval by UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.

All trees shown to be preserved on the SE plat shall be protected by tree protection fencing and shall be erected at the limits of clearing and grading as shown on the SE plat prior to any demolition or land-disturbing activity on the site. Tree protection fencing in the form of four foot high, 14 gauge welded wire attached to six foot steel posts driven 18 inches into the ground and placed no further than ten feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees,. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFM, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFM, DPWES. If it is determined to be necessary by UFMD, DPWES at the time of the inspection, the Applicant shall retain the services of a certified arborist or registered consulting arborist to monitor all construction and demolition work and tree preservation efforts in order to ensure that the existing vegetation on site is adequately protected, as determined by UFMD, DPWES.

15. All signage on the subject property shall comply with Article 12 of the Zoning Ordinance.
16. All lighting on the subject property shall comply with the performance standards set forth in Article 14 of the Zoning Ordinance.

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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 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 twenty four (24) 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 of 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.

The Board also modified:

- Modified the transitional screening and barrier requirements to the north, west and east, in favor of the landscaping treatments depicted on the SE plat and as conditioned
- The peripheral parking lot landscaping in favor of the landscaping treatments depicted on the SE plat and as conditioned
- The trail requirements on Route 50 (Lee Jackson Memorial Highway) in favor of the existing 8 foot wide trail and the proposed 10 foot wide trail shown on the SE Plat

Sincerely,



Catherine A. Chianese
Clerk to the Board of Supervisors

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cc: Chairman Sharon Bulova
Supervisor Michael Frey, Sully District
Tim Shirocky, Acting Director, Real Estate Division, Dept. of Tax Administration
Barbara C. Berlin, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Thomas Conry, Dept. Manager, GIS, Mapping/Overlay
Michael Davis, Section Chief, Transportation Planning Division
Donald Stephens, Transportation Planning Division
Ken Williams, Plans & Document Control, ESRD, DPWES
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
Jill Cooper, Executive Director, Planning Commission
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation