

## APPROVED DEVELOPMENT CONDITIONS

### SEA 97-V-061

February 16, 2016

On April 5, 2016, the Board of Supervisors approved SEA 97-V-061, located at 9801 Richmond Highway, Tax Map 113-2 ((1)) 24, previously approved for use as a service station pursuant to Sect. 4-604 of the Fairfax County Zoning Ordinance, conditioned upon conformance with the following development conditions, which supersede all previously approved conditions.

1. This Special Exception Amendment (SEA) is granted for and runs with the land indicated in this application and is not transferable to other land.
2. A copy of these SEA conditions, along with 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 hours of operation for the permitted use.
3. This SEA 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.
4. This SEA is subject to the provisions of Article 17, Site Plans as may be determined by the Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved SEA Plat entitled "Gunston Hall Service Station | 9801 Richmond Highway, Lorton" prepared by Craig McBride, which is dated April 8, 2015 and revised through November 13, 2015 and these conditions. Minor modifications to the approved Special Exception Amendment may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
5. All parking for this use shall be on-site. Within 120 days of the approval of this SEA, required parking spaces shall be striped and located as shown on the SEA Plat. Parking shall occur only within designated spaces as shown on the SEA Plat with the exception of vehicles fueling at fuel pumps. Employee vehicles, vehicles waiting to be serviced, or vehicles waiting to be picked up shall not be parked within public right-of-way.
6. Within 120 days of the approval of this SEA, the applicant shall grant an interparcel access easement to the owner of Tax Map 113-2 ((1)) 23, otherwise known as 9809 Richmond Highway, in the general location of the existing driveway connection between the two properties as shown on the SEA Plat.
7. Within 120 days of the approval of this SEA, the applicant shall implement the landscaping as generally shown on the SEA Plat and Attachment A to these conditions. This vegetation shall be maintained year round by the applicant to

enhance the visual appearance of the site. The applicant shall remove and replace on-site vegetation damaged by winter weather, snow removal, and vehicular movements. The location, type, and species of the landscaping may be modified to accommodate utilities, property lines, and nursery stock availability. The on-site landscaping, and modifications referenced in this condition, shall retain a generally equivalent number of plantings as shown on the SEA Plat and Attachment A and shall be subject to the review and approval of the Urban Forest Management Division (UFMD).

8. The hours of operation shall be limited to 5:00am – 11:00pm, seven days per week. Self-service fuel operations may be permitted 24 hours a day, 7 days a week.
9. The maximum number of employees during a shift on site at any one time shall not exceed five.
10. The fuel canopy shall not exceed 18.5 feet in height.
11. Within 120 days of the approval of this SEA, the applicant shall complete the building façade modifications and install the planters as depicted in Attachment A to these conditions. The modifications shall include both the original service station building and the fourth service bay. The façade modifications and planter placement shall be in substantial conformance with the improvements shown in Attachment A.
12. All underside canopy lighting shall consist of full cut-off lighting fixtures, which direct light glare downward and shield light glare in such a manner as to prevent the light from projecting beyond the site onto adjacent residential properties. In accordance with Section 14-903 of the Zoning Ordinance, the fuel canopy lighting shall not exceed a maintained lighting level of 30 footcandles under the canopy as measured horizontally at grade.
13. Approval of this Special Exception Amendment shall not constitute approval of existing signs. Within 30 days of the approval of this Special Exception Amendment, any nonconforming signs shall be removed. No flags or banners shall be displayed on the building, except that an American flag mounted on a flag pole may be permitted. All signs, existing or proposed, shall conform to the regulations of Article 12 of the Zoning Ordinance.
14. The applicant shall operate the service station as defined in Article 20 of the Zoning Ordinance. The service station shall not be used for the performance of major repairs, and shall not include the outdoor storage of abandoned, wrecked, or inoperable vehicles on the site for more than 72 hours as outlined in Section 9-505, Paragraph 3(B) of the Zoning Ordinance. Furthermore, there shall be no outdoor dismantling, wrecking or sale of said vehicles or parts thereof.
15. The service station operation shall not include vehicle or tool rental or similar uses.
16. All vehicle service shall be performed within the service bays shown on the Special Exception Plat. No outdoor lifts shall be permitted.

17. Within 120 days of the approval of this SEA, the applicant shall modify the six-foot tall chain link fence which restricts access to the accessory storage structure with a semi-opaque screen treatment as identified on the SEA Plat.
18. Within 30 days of the approval of this SEA, the applicant shall submit a retroactive building permit application for the unpermitted service bay shown on the SEA Plat. The applicant shall also submit all applicable trade permit applications, which may include but shall not be limited to mechanical, plumbing, and electrical permits. The permit applications shall be subject to the review and approval of DPWES.
19. Within six months of the approval of this SEA, the applicant shall obtain final approved inspections for the unpermitted service bay in addition to all applicable trade permits. The inspections and approvals shall be subject to the review and approval of DPWES.
20. Upon demonstration by the applicant that, despite diligent efforts or due to factors beyond the applicant's control, the applicant will be or has been delayed in the completion of one or more of the obligations or improvements required by these conditions beyond the timeframes set forth in these conditions, the Zoning Administrator may agree to a later date for the fulfillment/completion of such obligations or improvements, provided the applicant otherwise is in substantial conformance with these conditions.
21. The applicant shall replace the door of the southernmost service bay with a door that looks similar to the other three bays, for example, with three panel windows.

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, eighteen (18) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted as evidenced by the issuance of a Non-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.



These images are for Illustrative Purposes Only. Final plant locations and quantities are subject to Final Engineering / Design as well as Fairfax County and VDOT approvals.



These images are for Illustrative Purposes Only. Final plant locations and quantities are subject to Final Engineering / Design as well as Fairfax County and VDOT approvals.



These images are for Illustrative Purposes Only. Final plant locations and quantities are subject to Final Engineering / Design as well as Fairfax County and VDOT approvals.