

APPROVED DEVELOPMENT CONDITIONS

SEA 98-Y-011

April 20, 2016

If it is the intent of the Board of Supervisors to approve Special Exception Amendment SEA 98-Y-011, located at 14709 Lee Highway, Tax Map 54-3 ((3)) 5A, previously approved for a service station, quick-service food store, and car wash, to permit modification of the development conditions, staff recommends that the Board of Supervisors condition the approval by requiring conformance with the following development conditions. (Those conditions that are identical to conditions that were included in the previous approval or that contain only minor editorial changes are marked with an asterisk*).

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.*
2. This Special Exception Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Amendment Plat approved with the application, as qualified by these development conditions.*
3. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans, as may be determined by DPWES. Any plan submitted pursuant to this Special Exception Amendment shall be in substantial conformance with the approved Special Exception Amendment Plat entitled: Generalized Developmet [sic] Plan/Special Exception Plat, Mobil Service Station #16-N8Q, prepared by Walter L. Phillips, Inc., which is dated October 27, 1998 [sic] as revised through October 29, 1998 (Sheet 1); & As-Built, Grading Plan, Mobil Service Station #16-N8Q, prepared by Tri-Tek Engineering, which is dated May 20, 1999 as revised through April 12, 2001 (Sheet 2) and these conditions. Minor modification to the approved Special Exception Amendment may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance.
4. Pole-mounted lighting shall not exceed 16 feet in height, shall be equipped with box-type light fixtures which focus light downward and inward to minimize light spillover onto adjacent properties.*
5. The quick-service food store structure shall not exceed 2,908 square feet in gross floor area.*
6. The subject structures shall be architecturally compatible with the proposed mini-warehousing establishment located to the south. As such, all exposed facades of the buildings shall be constructed of brick, which is similar in color and texture to the proposed office/residence of the manager of the mini-warehousing establishment as depicted on Exhibit B of the proffers associated with application RZ 1998-SU-014. All rooftop mechanical equipment shall be fully enclosed with solid screening walls to the

maximum extent feasible from an engineering standpoint. The southern, northern, and western faces of the canopy shall be painted with a non-reflective paint in a muted color with a matte finish to minimize the visual impact of the canopy from the residentially-zoned properties to the south, north, and west. Further, there shall be no lighted panels on the faces of the canopy.*

7. The hours of operation for the service station and quick-service food store shall be limited to 5:00 a.m. to 1:00 a.m. The hours of operation for the car wash and associated vacuum facility shall be limited to 7:00 a.m. to 9:00 p.m.*

8. Understory plantings shall be provided along the Stone Road frontage of the site in conjunction with the trees shown along the western periphery to further soften the visual effects of the structures on the surrounding residential uses. A combination of evergreen and deciduous trees and understory plantings shall be provided along the Lee Highway frontage to soften the view of the subject uses from the development located to the north.*

9. Evergreen shrubs shall be planted along the outside edge of the car wash stacking lanes to supplement the proposed screening of the vehicles from adjacent residential uses.*

10. The car wash shall employ a system that recycles a minimum of 80% of the wash water used.*

11. A crosswalk shall be completed across the parking lot from the sidewalk located along the western driveway entrance to the quick-service food store, as generally shown on Sheet 2 of the SEA plat, prior to the issuance of a Non-RUP for this SEA.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by the Board of Supervisors.

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 Amendment shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception Amendment shall automatically expire, without notice, 30 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 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 Amendment. 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.