



FAIRFAX COUNTY

OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

Tel: 703-324-3151 Fax: 703-324-3926

V I R G I N I A

February 22, 1995

Ahmad M. Mohamadi
8206 Leesburg Pike - Suite 302
Vienna, Virginia 22182

RE: Special Exception Amendment
Number SEA 93-Y-006

Dear Mr. Mohamadi:

At a regular meeting of the Board of Supervisors held on February 13, 1995, the Board approved Special Exception Number Amendment SEA 93-Y-006 in the name of Jan C. Lee, located at Tax Map 54-4 ((6)) 21A, 22A, 29, and 30, for a service station, quick service food store, and vehicle light service establishment to allow the addition of a canopy over gas pump islands, pursuant to Sections 4-804 and 9-601 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions which supersede all previous conditions for the property:

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. Principal office uses are **NOT** approved and shall not be constructed.
4. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans. Any plan, or other appropriate submission, submitted pursuant to this Special Exception Amendment shall be in conformance with the approved Special Exception Amendment Plat prepared by Design Management Group, dated March 29, 1994, and revised through December 13, 1994, except where qualified by these development conditions.

5. Right-of-way to facilitate the planned widening of Lee Highway shall be provided as shown on the Special Exception Amendment Plat and shall be dedicated to the Board of Supervisors in fee simple on demand or at the time of site plan review, whichever comes first. Along the site's frontage to Lee Highway, the service drive shall be constructed as generally shown on the Special Exception Amendment Plat, as may be acceptable to the Virginia Department of Transportation (VDOT) and the Department of Environmental Management (DEM). To ensure proper coordination with other planned improvements on adjoining properties in the Route 29 corridor, the timing of the construction of the service drive shall be as determined by DEM and the Virginia Department of Transportation.
6. Access to the property from Lee Highway shall be right-turn-in and right-turn-out only. The entrance shall be engineered and marked with the signage necessary to ensure compliance with this development condition.
7. Screening and landscaping shall be provided as shown on the Special Exception Amendment Plat as determined by the Urban Forestry Branch of DEM. All evergreen trees shall have a minimum planted height of six (6) feet. All deciduous trees shall have a minimum caliper of 2 1/2 inches as per Public Facilities Manual (PFM) requirements/standards.
8. The seven (7) foot high masonry wall shown along the western lot line shall be extended along the northern lot line in an area generally north of the parking spaces and south of the required plantings. To ensure compatibility with future residential development to the north and west, this wall shall be constructed of brick. To mitigate noise this wall shall be of solid construction and any windows or doors placed along the westernmost wall of the structure which houses the service station, quick service food store, and vehicle light service establishment shall remain closed except in times of emergency.
9. Stormwater management Best Management Practices (BMPs) shall be provided in accordance with the requirements of the Water Supply Protection Overlay District (WSPOD) as determined by DEM at the time of site plan review. If construction of regional stormwater management pond R-16 has not commenced, to ensure compliance with the provisions of WSPOD, adequate on-site measures shall be provided as determined necessary by DEM. The underground detention facility shown on the Special Exception Amendment Plat may be used to fulfill the applicable requirements as may be acceptable to DEM.
10. The size of the quick service food store shall be limited to a maximum of 850 square feet.

11. At the time of Final Site Plan approval, a contribution shall be provided to the Centreville Area Road fund in the amount of \$4.37 per square foot of gross floor area, as adjusted by any increase in the Virginia State Highway Construction Bid Index from the date of the Special Exception Amendment approval.
12. The types of items which may be sold in the retail store shall be limited to prepackaged items which are normally sold from vending machines, including coffee and similar hot beverages, cakes, pies, soft drinks, juices, dairy products, prepackaged sandwiches, snack food items (e.g. pretzels, potato chips, etc.), cookies, assorted gum, cigarettes and tobacco products, and similar items. No groceries other than as above shall be permitted. Food preparation and use of a microwave oven shall not be allowed. No alcoholic beverages shall be allowed to be sold. The marketing of videotapes or video machines shall not be allowed on the premises. These restrictions, however, shall not limit the sale of automobile related products as permitted under the definition of service station.
13. There shall be no outside storage or display of goods offered for sale.
14. Hours of operation for all uses on the site shall not exceed 7:00 a.m. to 11:00 p.m., seven days a week, except for the service station and quick service food store which may be operated 24 hours a day.
15. Prior to site plan approval, documentation shall be provided to the Department of Environmental Management that abandoned underground storage tanks have been removed from the site in accordance with all federal, state and local regulations in effect at the time of removal. If removal of the tanks has not occurred, the applicant shall remove the underground storage tanks according to the federal, state and local regulations.
16. Signs shall only be permitted in accordance with the provisions of Article 12, Signs, of the Fairfax County Zoning Ordinance.
17. A copy of the adopted conditions shall be posted in a conspicuous place at the main entrance to each building on the site.

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 himself be 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.

SEA 93-Y-006
February 22, 1995

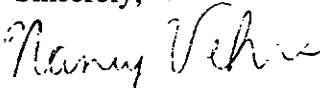
4.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception Amendment 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. 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.

The Board also modified the transitional screening requirements and waived the barrier requirements along the eastern lot line of the property in favor of those shown on the Special Exception Amendment Plat and as qualified by the development conditions.

If you have questions regarding the expiration of this Special Exception Amendment or filing a request for additional time they should be directed to the Zoning Evaluation Division of the Office of Comprehensive Planning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

cc: John M. Yeatman, Director, Real Estate Dvs., Assessments
Melinda M. Artman, Deputy Zoning Administrator
Frank Jones, Assistant Chief, PPRB, OCP
Audrey Clark, Chief, Inspection Svcs., BPRB, DEM
Barbara A. Byron, Director, Zoning Evaluation Dvsn., OCP
Robert Moore, Trnsprt'n. Planning Dvs., Office of Transportation
Paul Eno, Project Planning Section, Office of Transportation
Department of Environmental Management
Y. Ho Chang, Resident Engineer, VDOT
Land Acq. & Planning Dvs., Park Authority

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MAR 2 1995

ZONING EVALUATION DIVISION