

Proposed Development Conditions

SE 2012-HM-006

September 6, 2012

If it is the intent of the Board of Supervisors to approve SE 2012-HM-006 for a waiver of certain sign regulations located at Tax Map 29-3 ((1)) 1B; 29-3 ((20)) C1 pursuant to Section 9-620 of the Fairfax County Zoning Ordinance, the staff recommends that the Board of Supervisors condition 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 issuance of a Sign Permit(s). Any permit submitted pursuant to this special exception shall be in substantial conformance with the Special Exception Plat titled "Tysons West Promenade" prepared by MV+A Architects consisting of eight pages as revised through July 23, 2012 and the supplement to the special exception application dated July 19, 2012, consisting of 29 sheets. 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 the Special Exception plat, supplement and conditions shall be made available to all departments of the County of Fairfax during normal business hours.
5. A matrix shall be provided to the Zoning Administrator prior to the issuance of the first sign permit and all subsequent sign permits which includes tenant name, address, sign type, sign height, sign area and Non-Residential Use Permit number and/or any other pertinent information deemed necessary by the Zoning Administrator in order to allow efficient tracking of all signage to be provided on site. Each sign permit shall be accompanied by a letter from the property owner, manager and/or agent of the property stating that the requested sign has been reviewed for compliance with this approval.
6. This approval shall not preclude the installation of additional signs on future buildings A, B or C that comply with the provisions of Article 12 of the Zoning Ordinance.
7. Lighting associated with all signs shall conform to the requirement of Part 9, Outdoor Lighting Standards, of Article 14, Performance Standards, of the Fairfax County Zoning Ordinance.
8. All free standing signs shall be located to avoid obstructing the sight distance for drivers entering or exiting travel intersections, aisles or driveways.

9. The overall dimensions and design of the signage, including the number, size and orientation of the signs and materials shall be generally consistent with the monument sign elevation detail shown on the SE Plat and supplemental. (Specific logos, lettering styles and/or colors of the tenant panels and project banners may be modified without a Special Exception Amendment, provided the proposed changes remain consistent with the character of the sign depicted on the SE plat and supplemental.)
10. The monument sign (Type H-3) shall not include a LED screen, changeable type or screen.
11. No unpermitted temporary advertising signs, including but not limited to banners and "popsicle" signs, shall be placed on the building or along the street frontages of the subject property. Any such signs placed by tenants shall be promptly removed by the management of the site. This shall not preclude temporary signs allowed by Article 12 that do not require permits. No signs permits shall be issued for the site if there are existing signs in violation with the Zoning Ordinance or the Special Exception conditions.

This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinance, regulations, or adopted standards. Sign Permits must be obtained from Fairfax County for each and every sign erected pursuant to this Special Exception. The applicant shall be responsible for obtaining the required Sign Permits through established procedures, and sign plan 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, at a minimum, the use has been established or construction has commenced and been diligently prosecuted as evidence by issuance of a sign permit in accordance with this special exception. 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.