

PROPOSED DEVELOPMENT CONDITIONS**SE 2004-SU-012****September 22, 2004**

If it is the intent of the Board of Supervisors to approve SE 2004-SU-012 located at 4101 Elmwood Street and 13910 Westmore Street (Tax Map 34-4 ((6)) 46 and 34-4 ((1)) 54A) to permit a place of worship, child care center/nursery school, and public uses pursuant to Section 3-1204 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These development conditions shall supercede previous development conditions for the area subject to this application. Conditions previously approved by the BZA, or those with minor modifications are marked with an asterisk (*).

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 Generalized Development Plan/Special Exception Plat (GDP/SE Plat) approved with this application, as qualified by these development conditions.*
3. A copy of this Special Exception and 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 the hours of operation of the permitted use.*
4. This Special Exception is 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 submitted pursuant to this Special Exception shall be in substantial conformance with the approved GDP/SE Plat entitled "Generalized Development Plan, Special Exception Plat, Ox Hill Baptist Church, Sully District, Fairfax County, Virginia," prepared by Rinker Design Associates, P.C., consisting of 3 sheets, dated March 4, 2004, with revisions through August 25, 2004. Minor modifications to the approved Special Exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.*
5. The maximum number of seats in the principal place of worship shall be 600.
6. The hours of operation for the child care center/nursery school shall be limited to 9:30 a.m. to 1:30 p.m. Monday through Friday.
7. The maximum daily enrollment of the child care center/nursery school shall be limited to a combined total of 120 students.
8. The number of children using the 5,378 square foot outdoor play area as shown on the GDP/SE Plat at any one time shall not exceed that required by the standards set forth in Section 9-309 (Additional Standards for Child Care Centers and

Nursery Schools) of the Zoning Ordinance, which currently require the following: 100 square feet of play area per child using the space at any one time for the child care center/nursery school.

9. The child care center/nursery school shall be subject to the regulations of Chapter 30 of The Code or Title 63.1, Chapter 10 of the Code of Virginia.
10. The hours of operation for the Computer Learning Center (CLC) shall be limited to 2:00 p.m. to 7:00 p.m. Monday through Friday and 11:00 a.m. to 3:00 p.m. Saturday.*
11. The maximum number of students present on site for the Computer Learning Center (CLC) shall not exceed 40 children at any one time.*
12. The hours of operation for the After-School Teen Center shall be limited to 2:00 p.m. to 6:00 p.m. Monday through Friday.
13. The maximum number of patrons present on site for the After School Teen Center shall not exceed 40 children at any one time.
14. The hours of operation for the Senior Center shall be limited to 8:00 a.m. to 4:00 p.m. Monday through Friday.
15. The maximum number of patrons present on site for the Senior Center shall not exceed 60 persons at any one time.
16. Irespective of that shown on the GDP/SE Plat, only one (1) feestanding sign shall be permitted on the site. Any sign on the property shall be in accordance with the provisions of Article 12 of the Zoning Ordinance.
17. Parking shall be provided as shown on the GDP/SE Plat. Accessible parking shall be provided in accordance with Article 11 of the Zoning Ordinance, as determined by DPWES. All parking for the proposed uses shall be on-site.*
18. Interior and peripheral parking lot landscaping shall be installed and maintained in accordance with Article 13 of the Zoning Ordinance, as depicted on the GDP/SE Plat.
19. All new or replacement outdoor lighting shall comply with Part 9 of Article 14 of the Zoning Ordinance.
20. Prior to issuance of the Non-RUP for each phase of the proposed construction, the Urban Forest Management Branch shall conduct a field assessment to determine the impact of vehicle headlights and other outside lights resulting from that phase of construction may have on the residential properties adjoining the property at the eastern and southern property boundaries. To the satisfaction of the Urban Forest Management Branch, buffer areas found insufficient for blocking headlights and other intrusive impacts on residential properties shall be supplemented with planted evergreen shrubs and/or other vegetation to create an effective year-round visual screen to mitigate light intrusion onto adjoining residential properties.

21. Foundation plantings shall be installed and maintained around all additions to the existing church to soften and screen the visual impact of the building from surrounding streets. Dead and/or dying vegetation shall be replaced as determined by the Urban Forest Management Branch.
22. No dumping of garbage or any other type of debris shall be permitted within the intermittent stream located on-site. All such debris that may be currently within the stream shall be removed to the satisfaction of DPWES prior to the issuance of the Non-RUP for the proposed uses.
23. Irrespective of that shown on the GDP/SE Plat, all new sidewalk construction shall be located approximately 2 feet behind the face of the curb in order to enhance the safety of pedestrians.

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, thirty (30) months after the date of approval unless, at a minimum, Phase I has been established or construction has commenced and been diligently prosecuted. Establishment of Phase I shall establish the uses approved pursuant to SE 2004-SU-012. 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.