

DEVELOPMENT CONDITIONS

SEA 98-M-009-2

January 3, 2005

If it is the intent of the Board of Supervisors to approve SEA 99-M-009-2 located at 4329 Sano Street (Tax Map 72-2 ((1)) 21) previously approved for a church and related facilities, private school of general education and college to permit a building addition and site modifications pursuant to Section 3-304 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions which supersede all previous development conditions; conditions carried forward from previous approvals or those with minor modifications 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 (SEA Plat) approved with this 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 the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception Amendment shall be in conformance with the approved Special Exception Amendment Plat entitled "Queen of Apostles Church Gathering Space Addition" prepared by Christopher Consultants, Ltd., and dated June 30, 2004 as revised through October 26, 2004, and these conditions. Minor modifications to the approved Special Exception Amendment may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance.*
4. The maximum number of seats within the main worship area of the church shall be 843.*
5. The maximum daily enrollment of students for the private school of general education shall be 300, kindergarten through 8th grade.*
6. The maximum enrollment of students in attendance at the college shall be 145; however, the maximum number of students on the site at any one time shall be 35. The maximum number of faculty and employees for the college on-site at any one time shall be 5 during office administration hours (9 a.m. to 4:30 p.m., Monday through Friday), and 4 during evening and Saturday classes.*
7. The primary hours of operation for the private school of general education shall be 7:30 a.m. to 5:00 p.m., Monday through Friday. School sponsored evening and weekend activities shall be permitted, provided that all scheduled activities end by 10:00 p.m.*

8. The hours of operation for the college shall be limited to 9:00 a.m. to 4:30 p.m., Monday through Friday for office administration, and 7:00 p.m. to 10:00 p.m., Monday through Thursday, and 9:00 a.m. to Noon Saturdays for classes.*
9. All new and replacement signage shall be in accordance with Article 12 of the Zoning Ordinance.*
10. Approval of the Special Exception Amendment does not constitute approval of any reduction in the number of required parking spaces. The number of parking spaces provided shall satisfy the minimum requirement set forth in Article 11 of the Zoning Ordinance as determined by DPWES unless a shared parking arrangement between the Queen of Apostles Church and the Queen of Apostles School is approved by the Director, DPWES which reduces the total number of required on-site parking spaces.

All parking shall be on-site. If approval of the shared parking agreement is not obtained and the required parking cannot be provided on-site in a manner that is in conformance with the Special Exception Amendment Plat, the applicant shall reduce the number of students, or employ other such measures as necessary to reduce parking requirements on-site.*

11. The after school program shall only be available to those students who are enrolled at the Queen of Apostles Catholic School, and shall operate only between the hours of 7:00 a.m. and 8:25 a.m. and between the hours of 3:15 p.m. and 6:00 p.m., Monday through Friday. No additional staff beyond those employed in the school of general education shall be utilized for the after school program.*
12. The number of children using the outdoor play area at any one time shall not exceed that required by the standards set forth in Section 9-310 (the Additional Standards for Private schools of General Education and Private Schools of Special Education) of the Zoning Ordinance as determined by DPWES.*
13. Landscaping, to consist of evergreen trees and understory plantings, to provide year-round screening shall be provided and maintained for the benefit of the adjacent residential property located at Tax Map 72-2 ((12)) 5, as approved by the Urban Forest Management Branch. This landscaping shall be maintained along the gymnasium/multipurpose room's western border, extending north and inclusive of the southwestern border of the playground area. Dead or dying plant material shall be replaced to maintain the transitional screening.*
14. Prior to site plan approval, the applicant shall grant an emergency access easement on the private drive that provides linkage between Kling Drive and Sano Street for emergency vehicle usage. In connection with the granting of the emergency access easement, the applicant shall maintain a twenty-five (25) foot wide transitional screening yard in accordance with the Zoning Ordinance, between the subject property and the adjacent properties to the south (Tax Map 72-2 ((6)) 176) and west (Tax Map 72-2 (12) 5, 6, 7).*
15. The applicant shall maintain a wood, board-on-board barrier fence with a height of 6 feet on the property line adjacent to Tax Map 72-2 ((1)) 15, to be installed at the

southwest corner of the adjacent property, extending north for a distance of 250 feet, and shall install a pedestrian gate to be located on Kling Drive.*

16. A turn-around area as indicated on the Special Exception Amendment Plat adjacent to the proposed gymnasium shall be maintained for the use of emergency vehicles.*
17. The gymnasium/multi-purpose room shall have no roof ornaments and shall not exceed twenty-six feet (26') in height. The building exterior shall be finished primarily with an exterior insulation and finish system (E.I.F.S.) or brick, or a combination of E.I.F.S. and brick and glass.*
18. The gymnasium/multi-purpose facility shall not be used for or converted to classroom facilities.*
19. Prior to site plan approval, a landscaping plan shall be approved by the Urban Forest Management Branch. At a minimum, landscaping shall be provided that is consistent with that depicted on Sheet 3 of the SEA Plat.
20. Architecture and architectural materials shall be as shown on Sheet 5 of the SEA Plat.
21. All new or replacement lighting, including security, pedestrian and/or other incidental lighting, shall meet the standards of Article 14 of the Zoning Ordinance.
22. Unless the stormwater management/best management practices (SWM/BMP) requirements are waived, the applicant shall provide water quantity and quality control facilities as depicted on the SEA Plat (underground SWM facility and BMP bioretention filter), subject to the approval by DPWES.
23. The resource protection area (RPA) located in the northeast portion of the property shall remain as undisturbed open space.

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, 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. 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.