

DEVELOPMENT CONDITIONS

SE 2004-DR-031

April 1, 2005

If it is the intent of the Board of Supervisors to approve SE 2004-DR-031 located at 9901 Beach Mill Road (Tax Maps 7-2 ((1)) 21A; 8-1 ((1)) 22, 23, 41; 8-3 ((1)) 4) to permit a country club and golf course pursuant to Sections 3-E04 and 9-528 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These conditions supersede all previous conditions approved by the BZA for the application property. 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 Special Exception Plat (SE Plat) approved with the application, as qualified by these 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 SE Plat entitled "River Bend Country Club," prepared by William H. Gordon Associates, Inc., consisting of 5 sheets, dated November 7, 1997 with revisions through March 18, 1998 and Landscape Plan entitled "River Bend Country Club," prepared by William H. Gordon Associates, Inc., consisting of 1 sheet, dated September, 1999 with revisions through July 11, 2002. Minor modifications to the approved Special Exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.*
5. The hours of operation shall be limited to the following:
 - Clubhouse- 7:00 a.m. to 1:00 a.m.
 - Swimming Pool- 7:30 a.m. to 10:00 p.m.
 - Golf Course- 7:30 a.m. to dusk
 - Outdoor Tennis Courts- 7:30 a.m. to 11:00 p.m.
 - Indoor Tennis Courts- 6:00 a.m. to 11:00 p.m.
 - Indoor Exercise Courts- 6:00 a.m. to 11:00 p.m.*
6. If the indoor tennis courts are enclosed in a bubble rather than within a building, the inflation of the air enclosed bubble shall be permitted only between October 1 and May 31.*

7. Upon issuance of the Non-RUP for this Special Exception, the country club membership shall be limited to 900 persons with a corresponding minimum of 257 parking spaces. All parking shall occur on-site as shown on the SE Plat.*
8. There shall be no further construction or paving in the area of the flood plain, beyond what existed prior to approval of SPA 82-D-101-6 (May 6, 1998), as shown on the SP Plat for that application. In addition, vegetation shall be maintained immediately to the southeast of the existing paved area to promote filtration of stormwater runoff prior to its entry into the swale.*
9. Existing vegetation shall be maintained as shown on the SE Plat. Supplemental landscaping, as shown on the Landscape Plan shall be maintained as follows:
 - Planting of the type and intensity of Transitional Screening Type II, along the northern property boundary opposite the access drive and operations building for the driving range, for a distance of 450 feet from the private drive extending from Beach Mill Road, and containing a minimum width of 50 feet, to provide additional screening of the 10 space parking lot and operations building from adjacent residences;
 - Existing vegetation along the southern and western property boundary for the driving range supplemented with evergreen plant materials to provide year round screening of the driving range where possible for existing and future residential lots.*
10. During discharge of swimming pool waters the following operation procedures shall be implemented:
 - Sufficient amounts of lime or soda ash shall be added to the acid cleaning solution in order to achieve a pH approximately equal to that of the receiving stream. The Virginia Water Control Board Standards for the class II and III waters found in Fairfax County range in pH from 6.0 to 9.0. In addition, the standard dissolved oxygen shall be attained prior to the release of pool waters and shall require a minimum concentration of 4.0 milligrams per liter.
 - If the water being discharged from the pool is discolored or contains a high level of suspended solids that could affect the clarity of the receiving stream, the water shall be allowed to stand so that most of the solids settle out prior to being discharged.*
11. The applicant shall maintain the implementation strategies of the Golf Course Water Quality Management Plan for the application of fertilizers, herbicides, pesticides, and turf maintenance. The plan shall be monitored by the Northern Virginia Soil and Water Conservation District. The plan shall be designed to control, manage the application of fertilizer, herbicides, and other chemicals to protect water quality in the Pond Branch watershed.*
12. All new and replacement lighting shall be in conformance with Article 14 of the Zoning Ordinance. Any outdoor lighting of the site shall be in accordance with the following:

- The combined height of the light standards and fixtures for the tennis courts shall not exceed twenty (20) feet.
 - The combined height of the light standards and fixtures for the swimming pool and swimming pool parking shall not exceed fourteen (14) feet in height.
 - The lights shall focus downward directly on the subject property.
 - Shields shall be installed, if necessary to prevent the light from projecting beyond the facility or off the property.
 - The lights, including any associated with an air enclosed bubble, shall be controlled by an automatic shut-off device.
 - There shall be no outdoor lighting for the golf driving range.*
13. Prior to issuance of the Non-RUP for the proposed use, the applicant shall demonstrate that all signage on site is in conformance with Article 12 of the Zoning Ordinance. Any signage deemed non-conforming shall be removed from the site prior to issuance of the Non-RUP for the proposed use.
14. Prior to issuance of the Non-RUP for the proposed use, the applicant shall construct a Stone Dust Trail, as recommended by the Comprehensive Plan Trails Map on the east side of Walker Road. The trail shall be constructed within the trail easement located on the property's Walker Road frontage according to the requirements of the Public Facilities Manual (PFM) to the satisfaction of the Department of Public Works and Environmental Services (DPWES).
15. The existing ingress-egress easement that provides access to Beech Mill Road shall only be used from dawn to dusk. A gate located on the application property and outside of the easement area shall be locked daily at 10:00 p.m. These restrictions shall be published in the next edition of the Applicant's monthly newsletter following approval of this Special Exception, and published in the newsletter periodically thereafter.
16. Subject to receipt of permission from the property owner of Tax Map 8-1 ((2)) 8, which permission shall be diligently pursued, the Applicant shall install a speed bump within the existing ingress-egress easement that provides access to Beach Mill Road as a traffic calming measure. The speed bump, if permitted by the property owner, shall be installed prior to the issuance of the Non-RUP for the proposed use. Should the property owner not grant permission for the installation of a speed bump within thirty (30) days of a written request, there shall be no further obligation under this condition. The Applicant shall demonstrate to DPWES in writing of any failed attempts to acquire the permission of the property owner of Tax Map 8-1 ((2)) 8 to install the speed bump.
17. The Applicant shall enforce a strict no parking restriction along the existing ingress-egress easement that provides access to Beach Mill Road.
18. Upon issuance of a Walker Road address for River Bend Golf and Country Club, the Applicant shall remove an existing plaque identifying the name and address of River

Bend Golf and Country Club and any associated illumination located in proximity to the existing ingress-egress easement that provides access to Beach Mill Road.

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 as evidenced by the issuance of a new Non-RUP. 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.