

PROPOSED DEVELOPMENT CONDITIONS

SEA 86-V-072-4

June 13, 2002

If it is the intent of the Board of Supervisors to approve SEA 86-V-072-4 in the name of United Community Ministries/Bryant Early Learning Center, located at Tax Map 93-3 ((1)) 3 (2709 Popkins Lane) for an alternate use of a public facility for a child care center and nursery school pursuant to Sect. 3-204 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These development conditions incorporate and supersede all previous development conditions. Previously approved conditions or those with minor revisions 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. Other by-right, Special Permit and Special Exception uses may be permitted on the lot without a Special Exception Amendment, if such uses do not affect this Special Exception Amendment use.
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 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 Special Exception Amendment (SEA) Plat and prepared by Kenneth W. White, which is dated July 29, 1997, and revised through October 27, 1997, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.*
4. Upon issuance of the Non-Residential Use Permit (Non-RUP), the maximum daily enrollment shall not exceed 205 children.*
5. Existing vegetation on-site shall be retained.*
6. Adequate fencing in accordance with the Health Department shall be provided to screen the play area as determined by DPWES.*
7. Outdoor recreation period for the child care center and nursery school shall be staggered in order to provide the required usable outdoor recreation area for each child per Par. 1 of Sect. 9-309.*
8. The maximum hours of operation shall be limited to 7:00 AM until 9:00 PM, Monday through Saturday.

9. Ages of the children attending the day care facilities shall be limited to those between the ages of 6 weeks and 12 years.
10. The kitchen facilities to prepare food shall remain operational, as determined by DPWES.*
11. Prior to issuance of the Non-RUP, verification of compliance with all requirements of Chapter 30 of the Fairfax County Code shall be provided subject to DPWES approval.*
12. The number of parking spaces provided on the subject property shall be sufficient to accommodate all persons who may be at the Bryant School at any one time during normal operating conditions, as determined by DPWES.*
13. The number of parking spaces at the subject property may be expanded without an amendment to this Special Exception Amendment.*
14. Fairfax County Public School (FCPS) uses may be permitted at the subject property without an amendment to the Special Exception Amendment.*

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 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.