

## APPROVED DEVELOPMENT CONDITIONS

### SEA 83-D-095-3

October 17, 2005

If it is the intent of the Board of Supervisors to approve SEA 83-D-095-3, located at 790 Walker Road (Tax Map 13-1 ((3)) A) for use as a nursery school and childcare center pursuant to Section 3-204 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 supersede all previous conditions. Previously approved conditions being carried forward 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 plan approved with the application, as qualified by these development conditions.\*
3. This Special Exception Amendment is subject to provisions of Article 17, Site Plans, as may be determined by DPWES. Any plans submitted pursuant to this special exception shall be in conformance with the approved Special Exception Amendment Plat entitled Special Exception Plat, Addition to Village Green Day School, and prepared by Runyon, Dudley, Associates, Inc., which is dated February 22, 1999, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance.\*
4. All transitional screening and barrier requirements shall be modified in favor of that depicted on the Special Exception Plat, with the following exceptions: the existing vegetation located along the western boundary shall be supplemented with evergreen trees within the area adjacent to the existing drainfield (as shown on the Landscape Plan); and the deceased trees in the row of Kousa Dogwood along the eastern boundary of the subject property shall be replaced with new trees. Should the existing vegetation located along Walker Road be removed for roadway improvements, the applicant shall provide a staggered row of evergreen trees along the property boundary to provide a screening yard to soften the view of the building from adjacent properties located to the east, as determined by Urban Forestry.\*

5. All fencing located over the drainfield lines shall be removed; and the septic system distribution box shall be completely buried. All trees in the vicinity of the drainfield shall be evaluated by Urban Forest management and shall be removed if in conflict with the drainage system.
6. Upon issuance of any non-residential use permit for this special exception amendment, the combined maximum daily enrollment for the nursery school and childcare center shall be 250 students, with the maximum number on site at any one time being 150. The maximum number of staff on site at any one time shall be 35.
7. A staggered arrival and dismissal schedule shall be utilized, which, at minimum, shall include ten (10)-minute intervals and encourage carpooling to minimize the amount of vehicular traffic. Parents shall be informed of the established drop-off and pick-up procedures. All drop offs and pick ups shall be on-site. Additionally, parents shall be informed that utilizing Thunderhill Court for parking and turn-around purposes is prohibited.
8. Subject to VDOT approval, a "School Zone" sign shall be erected on both the northbound and southbound sides of Walker Road to alert drivers to the presence of schoolchildren.
9. The hours of operation of the nursery school and child care center shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday.\*
10. Enrollment in the nursery school and child care center shall be limited to children two (2) to twelve (12) years of age.\*
11. The playground shall not be used before 8:30 a.m. The play area shall be entirely fenced.\*
12. A copy of these Special Exception Amendment conditions shall be posted in a conspicuous place on the subject property and be made available to the public and all departments of the County of Fairfax during the hours of permitted use.\*
13. Prior to the issuance of a non-residential use permit for this special exception, the septic system shall be evaluated and necessary maintenance performed to the satisfaction of the Health Department. In addition, the applicant will be responsible for maintaining an Operation and Maintenance (O&M) schedule and logbook, which will be developed and implemented in consultation with the Health Department to ensure that the septic system functions properly and meets the demands of the School. A copy of this maintenance program, which may be updated as

determined necessary by the Health Department, shall be filed by the applicant with the Health Department and the Zoning Administrator.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by the 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 as 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 times required.