



APPLICATION ACCEPTED: October 16, 2006
PLANNING COMMISSION: April 18, 2007
BOARD OF SUPERVISORS: Not yet scheduled

County of Fairfax, Virginia

April 12, 2007

STAFF REPORT

APPLICATION SEA 2004-DR-031

DRANESVILLE DISTRICT

APPLICANT: River Bend Golf and Country Club, Inc.

ZONING: R-E

LOCATION: 9901 Beach Mill Road

PARCEL(S): 7-2 ((1)) 21A; 8-1 ((1)) 22, 23, 41; 8-3 ((1)) 4

ACREAGE: 175.8 acres

PROPOSED FAR: 0.015

OPEN SPACE: 95%

PLAN MAP: Private Recreation & .2-.5 du/ac

SEA CATEGORY: Category 5; Golf courses, country clubs

PROPOSAL: To amend SE 2004-DR-031 previously approved for a golf course and country club to permit certain building additions and site modifications to improve the existing facilities. There is no increase in membership or change in operations proposed.

STAFF RECOMMENDATIONS:

Staff recommends approval of SEA 2004-DR-031, subject to the proposed development conditions contained in Appendix 1.

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Department of Planning and Zoning

Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703 324-1290
FAX 703 324-3924
www.fairfaxcounty.gov/dpz/

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Staff recommends approval of a modification of the transitional screening requirements along all property boundaries.

Staff recommends approval of a waiver of the barrier requirements along all property boundaries.

It should be noted that it is not the intent of the staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

The approval of this rezoning does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290 or TTY 711 (Virginia Relay Center).



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

**A GLOSSARY OF TERMS FREQUENTLY
USED IN STAFF REPORTS MAY BE
FOUND AT THE BACK OF THIS REPORT**

DESCRIPTION OF THE APPLICATION

Proposal:

The applicant is requesting to amend SE 2004-DR-031 previously approved for a golf course and country club to permit certain building additions and site modifications to improve the existing facilities. There is no increase in membership or change in operations proposed.

	Existing	Proposed*
Size	175.8 acres	175.8 acres
Parking	274 spaces	301 spaces
FAR	.018	.015
Open Space	95%	95%
Employees	95	95
Hours of Operation		
Clubhouse	7 am – 1 am	7 am – 1 am
Swimming Pool	7:30 am – 10 pm	7:30 am – 10 pm
Golf Course	7:30 am – dusk	7:30 am – dusk
Outdoor Tennis Courts	7:30 am – 11 pm	7:30 am – 11 pm
Indoor Tennis Courts	6 am – 11 pm	6 am – 11 pm
Indoor Exercise Courts	6 am – 11 pm	6 am – 11 pm
Membership	900	900

Requested

Waivers/Modifications:

- Modification of the transitional screening requirements along all property boundaries
- Modification of the barrier requirements along all property boundaries

LOCATION AND CHARACTER

The 175.8 acre subject property, River Bend Country Club, is located at 9901 Beach Mill Road and 9900 Arnon Chapel Road. The property has two access points, one on Walker Road and one on Beach Mill Road; there is no access to the property from Arnon Chapel Road. The country club consists of an 18-hole golf course and practice facility (driving range and putting green), outdoor tennis courts, pool, clubhouse (40,080 s.f.), tennis shop (1,200 s.f.), maintenance buildings (9,375 s.f.), restroom (625 s.f.), bathhouse (23,000 s.f.), pool house and grill (8,800 s.f.), indoor tennis building (21,600

s.f.), indoor tennis/exercise building (21,600 s.f.), indoor driving range building (3,000 s.f.). The existing floor area ratio of the site is 0.018 with 95% of the site as open space. The current operations of the country club are accommodated by 274 surface parking spaces.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Single Family Detached Dwellings	R-E	.2-.5 du/ac
South	Single Family Detached Dwellings & Agricultural and Forest District (AR 83-D-006-2)	R-E	.2-.5 du/ac
East	Single Family Detached Dwellings	R-E	.2-.5 du/ac
West	Single Family Detached Dwellings	R-E	.2-.5 du/ac

BACKGROUND

- On February 9, 1960, the Board of Zoning Appeals (BZA) approved a Special Permit in the name of Forest Lake Country Club on the subject property to permit a golf course and recreational facility.
- On February 13, 1983, the BZA approved Special Permit S 82-D-101 to permit existing additions to the country club to remain and permit proposed building additions.
- On June 14, 1984, the BZA approved Special Permit Amendment SPA 82-D-101 to allow seasonal use of the tennis court bubble and a change in the hours of operation for the tennis courts.
- On March 17, 1987, the BZA approved SPA 82-D-101-2 to allow a restroom on the golf course, two storage buildings, additional office space and an entrance canopy.
- On April 24, 1990, the BZA approved SPA 82-D-101-3 to allow the relocation of the tennis courts, additional parking and modifications to the clubhouse.
- On December 17, 1991, the BZA approved SPA 82-D-101-4 to permit the reconfiguration of the parking lot; building additions to the clubhouse; locker room; maintenance building and pro shop.
- On October 19, 1993, the BZA approved SPA 82-D-101-5 to permit the addition of land, relocation of the driving range, building additions and a change in the hours of operation. This Special Permit expired on March 19, 1996.
- On May 6, 1998, the BZA approved SPA 82-D-101-6 to permit building additions, site modifications, a change in the hours of operation and an increase in land area.

- On October 22, 2001, the Board of Supervisors adopted Zoning Ordinance Amendment ZOA 01-338, which brought country clubs and golf courses under Special Exception.
- On April 25, 2005, the Board of Supervisors approved SE 2004-DR-031, which permitted a change in the maximum membership of the country club, and brought the former Special Permit uses into a Special Exception as required by the adopted Zoning Ordinance Amendment. The approved development conditions and SE plat are included in Appendix 4.

COMPREHENSIVE PLAN PROVISIONS

Plan Area:	Area III
Planning District:	Upper Potomac Planning District
Planning Sector:	Springvale Community Planning Sector (UP2)
Plan Map:	Private Recreation and .2 - .5 du/ac
Plan Text:	

On page 81 of the Fairfax County Comprehensive Plan, Area III, 2003 Edition, Upper Potomac Planning District, Springvale Community Planning Sector (UP2), the Plan states:

- “6. In this planning sector, uses requiring special permits and special exception approval should be rigorously reviewed and permitted only when the use is of a size and scale that will not adversely impact adjacent land uses and the overall low density residential character of the area.”

ANALYSIS

Special Exception (SE) Plat (copy at front of staff report)

Title of SEA Plat:	River Bend Golf & Country Club
Prepared By:	William H. Gordon Associates, Inc.
Date:	September 21, 2006, with revisions through March 21, 2007

Plat Description

The SE Plat consists of 14 sheets.

Sheet 1 is the cover sheet and project team, aerial map, vicinity map and sheet index.

Sheet 2 provides general notes, list of previously approved buildings not yet constructed, overall site tabulations, and details of angle of bulk plane.

Sheet 3 depicts the existing conditions on the site.

Sheet 4 shows the northern portion of the site with an enlargement of the proposed maintenance building.

Sheet 5 shows the middle section of the site and improvements to the existing stream channel, cart paths, relocated third tee, fairway, and green, and three existing maintenance buildings to be removed.

Sheet 6 shows southern portion of the site with cart path improvements and floodplain cut and fill section.

Sheet 7 contains the stormwater management and BMP narratives.

Sheet 8 contains the drainage outfall map.

Sheet 9 contains the outfall narrative.

Sheets 10-14 contain the stream stabilization plans.

The proposal includes a building addition and site modifications throughout the site. The proposed building addition consists of a new maintenance facility located to the west of the existing club house. This structure will be a two story building which will appear to be a single story structure from the main member parking area due to a drop in grade from the east to the west. Along with the new maintenance building there will also be storage bins, a washdown area and employee parking. All of this is screened from the membership parking area. Under the proposed parking area are underground stormwater detention vaults for the new maintenance building.

Once the new maintenance facility is complete, the existing facility located just to the south and consisting of three buildings will be removed. These buildings are currently located with the Resource Protection Area (RPA). The tee, fairway and green for the new Hole 3 will be located in place of the existing maintenance facility. This will require some fill within the RPA. The current Hole 3 will be displaced by the new maintenance facility.

The RPA that bisects the middle of the golf course is in fairly good condition, but is proposed to have several improvements done to it, including cut and fill in the floodplain, channel and stream bank restoration. The applicant is proposing to fill $\pm 5,300$ cubic yards, and cut $\pm 10,500$ cubic yards within the floodplain. This is to

incorporate the relocation of Hole 3, and even out the elevation changes along the stream banks to improve the overall outfall of the channels. The proposed channel and stream bank restoration includes the planting of 0.45 acres of wetland plantings and 2.49 acres of upland plantings along the banks. The applicant initially submitted a RPA exception, but this exception request was deemed not to be needed since the improvements being proposed are considered redevelopment. Redevelopment in an RPA does not require a RPA exception. This is addressed further in the Environmental Analysis of this staff report.

Land Use Analysis (Appendix 5)

The Comprehensive Plan recommends the subject property for private recreation and low density residential development usage at a density of .2 - .5 dwelling units per acre (du/ac). The property is currently used for and predominately planned for private recreation uses. The proposal does not raise any land use issues.

Environmental Analysis (Appendix 5)

Issue: Quantity of plantings along stream channel

The applicant is proposing several improvements to the stream channel which include the planting of both wetland and upland plant materials. Staff feels that there are opportunities to further enhance the buffering of the stream areas outside of the areas of play for the golf course beyond that proposed with the current restoration plan. Staff strongly encourages the applicants to expand these areas to the greatest extent possible in order to enhance the buffering on these stream segments.

Resolution: A development condition has been proposed which would require the planting schedule and proposed plant materials be reviewed by the Urban Forestry Management to assure that native plant materials are used wherever possible and that sufficient amounts of plants are provided within the proposed restoration areas.

Issue: Western pond

The western pond on the subject property is an impoundment created specifically for use as a storage facility for the irrigation water used on the golf course. The pond extends onto at least one adjacent property and has flooded portions of this property during some storm events.

Resolution: In order to help to address the flooding on the neighboring property, Staff suggested that the applicant lower the existing spillway of the pond. The applicant has stated that this is not a viable option for them, as they would need to make alterations to the banks and downstream channel in addition to lowering the actual spillway. There is an easement on the portion of the pond that encroaches on the adjacent property which was established on April 5, 1978. The applicant feels that since they have not physically changed the pond since this easement was established, and that adjacent property has always been located in the floodplain it is not their responsibility to make changes to the pond. It is also noted that there has been additional upstream development that has impacted both the floodplain and the amount of runoff entering the pond. This pond has never been used for stormwater management purposes, nor is it proposed to serve as such in the future. By altering the pond the applicant feels that they may be forced to upgrade the pond to the higher PFM standards which govern stormwater management facilities. A development condition has been included would require the applicant to work with DPWES and the neighboring property owner to develop a mutually agreeable solution to the flooding problem.

Soil and Water Analysis (Appendix 6)

Issue:

The applicant is proposing to make site changes within an RPA. The changes within the RPA include the removal of three existing maintenance structures, cut and fill and channel stabilization. These types of improvements are considered “redevelopment” and do not require an RPA exception. However, the Northern Virginia Soil and Water Conservation District requires a golf course to obtain a District approved Soil and Water Quality Conservation Plan.

Resolution: A condition has been added to address this issue by requiring the applicant to obtain a District approved Soil and Water Quality Conservation Plan prior to any land disturbance.

Transportation Analysis (Appendix 7)

No transportation issues were identified with this application.

ZONING ORDINANCE PROVISIONS

BULK REGULATIONS (R-E District)		
Standard	Required	Provided
Lot Size	N/A	
Lot Width	200 feet	
Max. Building Height	60 feet	40 feet
Front Yard	57 feet	780 feet
Side Yard	25 feet	28 feet

Rear Yard	40 feet	
FAR	0.15	0.018
Open Space	N/A	95%
Parking ¹	274	274
Transitional Screening		
North	TS 1 ²	Modification to permit existing vegetation to satisfy requirement.
South	TS 1	
East	TS 1	
West	TS 1	

Standard	Required	Provided
Barrier		
North	D, E or F ³	Waiver of barrier.
South	D, E or F	
East	D, E or F	
West	D, E or F	

- Article 11 of the Zoning Ordinance requires country clubs to provide 1 parking space per 4 members based on maximum anticipated membership. The site currently contains 274 parking spaces which exceeds the minimum required parking of 257 spaces, which was imposed by the original SE.
- Transitional Screening 1 shall consist of an unbroken strip of open space a minimum of 25 feet wide and planted with: One large evergreen tree with an ultimate height of 40 feet or greater for every 10 linear feet, plus one medium evergreen tree with an ultimate height of 20 to 40 feet for every 5 linear feet, OR, With approval of the Director, one large deciduous tree with an ultimate height of 50 feet or greater for every 15 linear feet, plus one medium evergreen tree with an ultimate height of 20 to 40 feet for every 5 linear feet.
- Barrier D shall consist of a 42-48 inch chain link fence and may be required by the Director to have inserts in the fence fabric, to be coated, or to be supplemented by trees and/or shrubs. Barrier E shall consist of a 6 foot wall, brick or architectural block faced on the side facing the existing use and may be required to be so faced on both sides as determined by the Director. Barrier F shall consist of a 6 foot high solid wood or otherwise architecturally solid fence.

Waivers and Modifications:

The applicant is requesting a modification of the transitional screening requirements along all property boundaries in favor of the existing vegetation, as previously approved. Since all of the proposed development is taking place internal to the site and not near any of the property boundaries, Staff feels that this request is justified, and supports the modification request.

The applicants request a approval of waiver of the barrier requirements along all property boundaries, also as previously approved since all the proposed development is taking place internal to the site and not near any of the property boundaries, this request is justified, and supports the modification request.

The applicant has also requested a modification of the tree cover requirements under Section 13-404 (1B) of the Zoning Ordinance. This request will be considered at the time of site plan approval.

Special Exception Requirements (Appendix 7)

General Special Exception Standards (Sect. 9-006)

General Standards 1 and 2 require that the proposed use be in harmony with the adopted Comprehensive Plan and be harmonious with the general purpose and intent of the applicable zoning district regulations. The Comprehensive Plan recommends the property for private recreation and low density residential uses (.2 - .5 du/ac). The property currently operates as a country club and golf course, which will continue with this application with the addition of a new maintenance facility and other course improvements which is permitted with the applicant's Special Exception under the current Zoning Ordinance requirements within the R-E district. Therefore, staff believes that the proposal is in harmony with the Comprehensive Plan for use and intensity.

General Standards 3 and 4 require that the proposed use be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted Comprehensive Plan and that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood. Since there is no increase in membership and the improvements proposed are internal to the site and do not impact either vehicular or pedestrian traffic, Staff feels that the country club and golf course will no adverse impact upon adjacent residential properties.

General Standard 5 requires that landscaping and screening be in accordance with the provisions of Article 13. The applicant requests a modification of the transitional screening and a waiver of the barrier requirements along all property boundaries. The development conditions of SE 2004-DR-031 required the applicant to maintain the existing vegetation as shown on the SE Plat, and that supplemental landscaping shown on the Landscape Plan shall be maintained as described in development condition nine (9). This condition has been implemented and the property continues to be well screened from the adjacent residential properties. Therefore, staff supports the requested to reaffirm the waiver and modification with this application.

General Standards 6, 7 and 8 require that open space, adequate utility, drainage, signage, parking and loading spaces are to be regulated in accordance with the Zoning Ordinance; however, the Board of Supervisors may impose more strict requirements for a given use than those set forth in this Ordinance. Though there is no open space requirement in the R-E District, 95% of the site will remain as open space that is primarily composed of an 18-hole golf course that includes a floodplain that traverses the middle of the property. Stormwater management and best management practices (SWM/BMPs) for both the existing and proposed

development are adequately provided for in on-site by existing and proposed underground detention facilities. Sufficient parking is provided on-site to accommodate the current maximum membership (900).

Category 5 Standards (Sect. 9-503)

Category 5 standards provide that all uses shall comply with lot size, bulk regulations and performance standards of the applicable zoning district. Staff believes that the subject application complies with the lot size and bulk regulations of the R-E District and the performance standards that permit non-residential uses compatible with the low density residential character of the R-E District. The applicant did not submit a sports illumination plan with the application because the areas approved to be lit are not impacted by the SEA. All previous development conditions pertaining to lighting have been carried forward and any additional lighting will comply with Part 9 of Article 14 of the Zoning Ordinance.

Additional standards for golf courses and country clubs require that the minimum lot size be 15 acres, that no structures used in connection with the use shall be located closer than 50 feet to any lot line and that no off-street parking or loading space shall be located within 50 feet of any adjoining property which is in an R District. As shown on the SEA Plat, one of the maintenance buildings is located 28 feet from the western property boundary, adjacent to Tax Map 7-2 ((1)) 37 which is occupied by a single family dwelling and an accessory dwelling unit. This, and two other, maintenance buildings are to be removed with this application; therefore, the previous modification to this standard is no longer needed.

CONCLUSIONS AND RECOMMENDATIONS

Conclusions

The applicant requests approval of a special exception to permit certain building additions and site modifications to improve the existing facilities. The application is in harmony with the Comprehensive Plan and in accordance with the applicable provisions of the Zoning Ordinance with the implementation of the proposed development conditions.

Recommendations

Staff recommends approval of SEA 2004-DR-031 subject to the proposed development conditions contained in Appendix 1.

Staff recommends approval of a modification of the transitional screening requirements along all property boundaries.

Staff recommends approval of a waiver of the barrier requirements along all property boundaries.

It should be noted that it is not the intent of Staff to recommend that the Board of Supervisors, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

The approval of this rezoning does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

It should be further noted that the content of this report reflects the analysis and recommendations of Staff; it does not reflect the position of the Board of Supervisors.

APPENDICES

1. Proposed Development Conditions
2. Affidavit
3. Statements of Justification
4. Approved Development Conditions and SE Plat for SE 2004-DR-031
5. Land Use/Environmental Analysis
6. Northern Virginia Soil and Water Conservation District Analysis
7. Transportation Analysis
8. Applicable Zoning Ordinance Provisions
9. Glossary of Terms

PROPOSED DEVELOPMENT CONDITIONS**SEA 2004-DR-031****April 12, 2007**

If it is the intent of the Board of Supervisors to approve SEA 2004-DR-031 located at 9901 Beach Mill Road and 9900 Arnon Chapel Road (Tax Maps 7-2 ((1)) 21A; 8-1 ((1)) 22, 23, 41; 8-3 ((1)) 4) to permit certain building additions and site modifications pursuant to Sections 3-E04 and 2-904 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 BOS for the application property. Conditions previously approved by the BOS 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 14 sheets, dated September 21, 2006 with revisions through March 21, 2007 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. 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 south of the Resource Protection Area (RPA), as shown on the SEA Plat. 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, as determined by Urban Forest Management, 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. Prior to any land disturbance in the RPA, the applicant shall obtain a Northern Virginia Soils and Water Conservation District approved water quality conservation plan that shall address nutrient management, integrated pest management, and erosion control issues to protect water quality in the Pond Branch watershed. The Best Management Practices (BMPs) in the plan shall also include: (i) Preservation of vegetative buffer with the RPA, (ii) use of a volume-controlled irrigation system, or the capability to collect and reuse excess irrigation water, (iii) prescriptive use of nutrients and pesticides, (iv) educational program for employees, regarding the

impact on the environment. The plan shall be monitored by the Northern Virginia Soil and Water Conservation District.

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. If not already completed, the Applicant shall remove the 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.*
19. Prior to site plan approval the applicant shall provide documentation supporting the proposed work from both the Army Corps of Engineers (ACOE) and the Virginia Department of Environmental Quality (DEQ).
20. The applicant shall submit a final planting schedule and list of proposed plant materials for review and approval by the Urban Forestry Management to assure that native plant materials are use where ever possible and that a sufficient amount of plant materials are provided within the proposed restoration areas where they will not interfere with existing tees, greens and fairways.
21. Prior to site plan approval for the improvements associated with the SEA, the applicant will coordinate with DPWES and the owner of Tax Map Parcel 7-2 ((1)) 41 to attempt to find a mutually acceptable approach to lessening the ponds impact of the western pond's (lying on Tax Map Parcel 8-1((1)) 23) emergency spillway. The applicant shall implement the agreed upon improvements to the satisfaction of DPWES. If, after diligent pursuit, an agreement is not achieved that there are no reasonable means for the applicant to employ to remedy the flooding on Tax Map Parcel 7-2 ((1)) 41, the applicant will escrow an amount to be determined by DPWES to be equivalent to a proportional share of the amount needed to remedy any ponding which occurs above the normal pool elevation of the pond.

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.