



**APPLICATION ACCEPTED:** March 12, 2007  
**PLANNING COMMISSION:** July 26, 2007  
**BOARD OF SUPERVISORS:** Not yet scheduled

# County of Fairfax, Virginia

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**July 11, 2007**

## **STAFF REPORT**

### **SPECIAL EXCEPTION APPLICATION SE 2007-SU-006**

#### **SULLY DISTRICT**

**APPLICANT:** Montessori School of Fairfax, Inc.

**ZONING:** R-1

**PARCEL(S):** 34-2 ((1)) 20

**ACREAGE:** 1.65 acres

**FAR:** 0.17

**OPEN SPACE:** 50%

**UNDISTURBED OPEN SPACE:** 25%

**PLAN MAP:** Residential, 2 – 4 du/ac

**SE CATEGORY:** Category 3,  
Use 10: Child Care Center and Nursery School  
Use 11: Private School of General Education

**PROPOSAL:** Request approval to increase building gross floor area (GFA); increase parking; increase student enrollment and staff; and to increase the hours of operation of an established private school of general education, nursery school, and child care center.

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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/](http://www.fairfaxcounty.gov/dpz/)

## **STAFF RECOMMENDATIONS:**

Staff recommends approval of SE 2007-SU-006 subject to the proposed development conditions in Appendix 1.

Staff recommends approval of a modification of transitional screening requirements on all sides to allow existing vegetation to be utilized with supplemental landscaping and trees proposed along the southern and western property boundaries as depicted on the General Development Plan (GDP).

Staff recommends approval of a modification of barrier requirements on the north, south and west in favor of existing 4 foot chain-link fence, and a waiver of the barrier requirement along the east property line.

It should be noted that it is not the intent of staff to recommend that the Board, 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.

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 special exception 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.



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 WILL BE  
FOUND AT THE BACK OF THIS REPORT**

**DESCRIPTION OF THE APPLICATION**

**SE 2007-SU-006:**

The applicant, the Montessori School of Fairfax, Inc. requests approval of a Category 3 (Quasi-Public Use) Special Exception to permit a private school of general education with a nursery school and child care center (previously established under Special Permit approval) to increase Gross Floor Area (GFA) from 4,313 square feet to 12,262 square feet by adding two one-story additions: one 3,462 square foot classroom addition to the northwest corner of the existing structure and one 4,487 square foot multi-purpose room addition to the southeast corner of the existing structure; increase student enrollment from 99 to 150 maximum total daily enrollment; increase the number of employees from 13 to 16 employees; and expand the hours of operation from 7:00 AM to 6:00 PM to 6:30 AM to 7:00PM. Other proposed physical alterations include construction of an additional parking lot area adjacent to the existing parking lot to increase parking from 21 to 22 parking spaces; installation of a flagstone walkway; removal and replacement of play area fencing; partial relocation of the outdoor play area; and replacement of the school entrance sign.

**Waivers and Modifications Requested:**

- Modification of the transitional screening requirements on all sides to allow the existing vegetation to be utilized, with supplemental landscaping proposed along the southern and western property boundaries as depicted on the Special Exception Plat.
- Waiver of barrier requirements on all sides in favor of the existing 4 foot chain-link fence along the northern, western, and southern property boundaries.

**LOCATION AND CHARACTER**

**Site Description:**

The subject property (Parcel 34-2 ((1)) 20) is located at 3411 Lees Corner Road, on the western side of Lees Corner Road (Route 645), just north of Thompson Road and south of Old Dairy Road. The site, operated as the Montessori School of Fairfax, is a 1.65 acre site that contains an existing one-story brick and siding structure, currently operating as a private school of general education, nursery school, and child care center, and is shown to be located approximately 195 feet from the street line. A covered concrete patio is located outside the walk-out basement door on the south end of the house and an outdoor play area is located behind the existing structure. A parking lot fronts the existing building. A large lawn area separates the existing structure from the road. Access to the site is gained by a 30 foot commercial grade driveway entrance from Lees Corner Road.

**Surrounding Area Description:**

Direction	Use	Zoning	Plan
North	Open Space for Franklin Intermediate School	PDH-2	Public Facilities
South	Single Family Detached	R-5	1 – 2 du/ac
East	Open Space and Single Family Detached	PDH-2	2 – 3 du/ac
West	Single Family Detached	R-5	3 – 4 du/ac (Armfield Farms Subdivision)

**BACKGROUND**

The Montessori School of Fairfax, Inc. was established on the subject property in 2001 by Special Permit, SP 98-Y-025, as approved by the Fairfax County Board of Zoning Appeals on August 18, 1998. No other zoning applications have been filed on the site since the establishment of the school. Copies of the existing Special Permit (SP) Plat and development conditions are located in Appendix 7.

**COMPREHENSIVE PLAN PROVISIONS**

**Plan Area:** Upper Potomac Planning District, Area III  
**Planning Sector:** Lee Jackson Community (UP-8) Planning Sector  
**Plan Map:** Residential, 2–4 du/ac  
**Plan Text:**

Beginning on page 154 of the Fairfax County Comprehensive Plan, Area III, 2007 Edition as amended through July 10, 2006, Upper Potomac Planning District, Lee Jackson Community Planning Sector (UP-8), the Plan states:

“The Concept for Future Development recommends that the entire sector be developed as Suburban Neighborhoods.

4. The area between Armfield Farms and Chantilly Green, Tax Map; 34-4 ((1)) 4, 5, 6; 34-4 ((2)) 1-12; 34-4 ((3)) 1-12, is planned for residential use at 3-4 dwelling units per acre. As an option, residential use at 4-5 dwelling units per acre may be considered under the following conditions:

- At a minimum, the land area found for Tax Map 34-2((1)) 18, 34-4((1)) 4, 5, 6, and 85% of the land area of the Ox Hill subdivision, Tax Map 34-4((2)) 1-12 and ((3)) 1-12) should be consolidated. Consolidation should occur in a manner that provides for the future development of any unconsolidated parcels, either to remain at 1 dwelling unit per acre as zoned, or up to the base level density of 3 dwelling units per acre;
- Single family detached and/or other types of single-family units, such as patio or zero-lot-line, are appropriate. It should be demonstrated that units types other than single family detached can be effectively integrated into the community;
- High quality design is a priority in order to foster compatibility with existing adjacent residential communities; and
- Consider removing the restrictions that allow only emergency vehicle access at the eastern end of Lowe Street, in order to improve traffic circulation. There should be no connection to Springhaven Drive.”

## ANALYSIS

### Special Exception Plat (Copy at front of staff report)

Title of SE Plat: Special Exception Plat, Montessori School of Fairfax

Prepared By: Bury Partners (Thomas C. Pickering)

Original and Revision Dates: March 2007, as revised through June 19, 2007

<b>SE PLAT SHEET INDEX</b>	
<b>Sheet #</b>	<b>Contents</b>
1	Cover Sheet
2	Existing Condition and Demolition Plan
3	Site Layout
4	Site Tabulations & Bulk Plane
5	Landscape Plan
6	Pre- & Post-Development Plan
7-8	SWM/BMP Outfall and Cross Sections

## **Plat Description**

The Special Exception Plat (SE Plat) consists of eight sheets. Sheet 1 is a cover sheet. Sheet 2 depicts the existing conditions of the site which includes the existing building which is to be retained; an existing outdoor play area; an asphalt-paved parking lot; and general notes. Sheet 3 depicts the proposed layout, which is discussed in detail in the following section. Sheet 4 includes site tabulations: Zoning Ordinance tabulations; parking tabulations; landscaping requirements; proposed outdoor play area; proposed parking area; and proposed building additions. Sheet 5 contains the proposed landscaping plan. Sheets 6 through 8, show SWM/BMP outfall tabulations; and general notes.

## **Description of Proposal**

The SE Plat depicts physical improvements to the site, including: the removal of the covered patio area along the southern property boundary; removal and relocation of a chain link fence along the southern property boundary to relocate the designated outdoor play area; and construction of a 3,462 square foot classroom addition to the northwest side of the existing structure and a 4,487 square foot multi-purpose room addition to the southeast side of the existing structure where the walk-out basement door and covered concrete patio are currently located. The multi-purpose addition whose foundation is located below grade, will have a very tall ceiling, but will also be a one-story structure. Total GFA will increase by 7,749 square feet from 4,313 square feet to 12,262 square feet.

The proposed use will be a private school of general education, nursery school, and child care center. The school of general education consists of 126 children between the ages of 3 and 9 years that are classified as:

- Primary School ages 3 to 6 years, and
- Elementary School ages 6 to 9 years

The nursery school of 24 children is for those children between the ages of 2 to 3 years. Before and after-school child care is limited to children enrolled in the school and nursery school. The applicant would like the flexibility to shift the enrollment numbers between the three groups (primary school, elementary school, and nursery school) as the enrollment needs change from school year to school year. The current application would limit the combined number of children enrolled in the private school of general education, nursery school and child care center to a maximum daily student enrollment not to exceed 150 children.

## **Land Use Analysis**

There is no specific Comprehensive Plan text for this site. In general, this sector is largely developed with stable residential neighborhoods. Infill development in these neighborhoods should be of a compatible use, type and intensity in accordance with the guidance provided by the Policy Plan under Land Use Objectives 8 and 14.

**Issue:**

There is an unscreened commercial dumpster occupying a parking space at the front of the school building in the northeast section of the existing parking lot. While the SE Plat depicts 21 parking spaces in the existing parking lot, the parking lot contains 22 parking spaces, one of which is occupied by the dumpster. The trash dumpster however, is not shown on the SE Plat and was not depicted on the existing SP Plat.

**Resolution:**

The applicant must remove the trash dumpster from the parking space and relocate it to a suitable location, subject to site plan approval by DPWES. Staff has proposed a development condition that requires the applicant to screen the dumpster from view, as well as limit the hours of trash pickup once the dumpster is relocated.

It is Staff's opinion that, with the adoption of this development condition, the existing private school of general education, nursery school, and child care center, are in harmony with the Comprehensive Plan for use and intensity.

**Transportation Analysis (Appendix 4)**

Comments provided by the Department of Transportation relate to the SE Plat dated March 2007, and revised through May 30, 2007. The applicant has submitted a subsequent SE Plat, revised through June 19, 2007 with no substantive changes to the proposed parking area from the previously submitted May 30<sup>th</sup> SE Plat. Therefore, the Department of Transportation comments are still applicable.

The applicant proposes to add four parking spaces to an asphalt parking lot adjacent to the existing parking lot.

**Issue: Parking**

Staff was concerned that circulation within the newly proposed parking area was inadequate. Staff recommends that the applicant commit to either signing the additional parking spaces as "Employees Only", or to connect the two parking lots so that there is a continuous flow from one lot to the other. There was an additional concern that the site did not provide a sufficient amount of parking spaces according to the proposed use. The applicant was requested to provide a detailed breakdown of the maximum number of students and employees on site so that Staff could adequately analyze whether the site is parked in accordance with Article 11 of the Zoning Ordinance.

**Resolution:**

The applicant has committed to signing the new parking area as "Employee Only". Staff has included a development condition that requires the Applicant to erect a sign, in accordance with Article 12 of the Zoning Ordinance. Only with adoption of this development condition does Staff support the construction of the newly proposed parking area as depicted on the SE Plat.

In the revised Statement of Justification dated June 18, 2007, the applicant states that there will be a maximum of 24 children in the nursery school and a maximum of 126 students enrolled in the private school of general education. A maximum of 16 employees, of which 13 employees are designated to the school of general education, will be at the site at any one time. The Zoning Ordinance requires 0.16 parking spaces per child in a nursery school and child care center, and the private school requires a minimum of 1 parking space per faculty and staff member and other full-time employee, plus 4 parking spaces for visitors. Based upon the information provided by the applicant, the required number of parking spaces would be 21; the SE Plat depicts 22 parking spaces on the site. Therefore, this issue has been resolved.

**Environmental Analysis** (Appendix 5)

There is a sliver of a Resource Protection Area (RPA) located on the extreme northeast corner of the applicant property and the site is located in a Water Supply Overlay District. No disturbance is proposed in the RPA which lies outside the applicant's projected limits of clearing and grading (LOC).

**Issue:** Stormwater Management

The applicant proposes to add 10,556 square feet of impervious surface to the site, consisting of the expansion of the existing Montessori School by 7,749 square feet and 2,807 square feet for the expanded parking lot. Increase in run-off projected for the development is 1.00 cfs for the two- and ten-year storm. Although the existing stormwater channel is adequate to accommodate the increase, the site may offer opportunities to implement Low Impact Development (LID) techniques to accommodate runoff from the site. Staff suggested that techniques such as rain gardens and green roofs be incorporated into the proposed development. In addition, permeable pavers or permeable concrete could be utilized for the proposed path to be constructed between the southern multi-purpose room addition and the new parking lot area. Additional trees on the edge of both the existing and proposed parking areas would help provide shade, reduce evaporation and contribute to enhanced air quality.

**Resolution:**

Staff’s review found that the subject Stormwater Management Plan (SWM/BMP) generally meets the County’s Stormwater Management requirements. In response to Staff’s suggestion for the possible use of permeable pavers, the applicant proposes to utilize flagstone set in a pervious bed for the proposed 5 foot walkway from the parking area to the multi-purpose room addition as depicted on the SE Plat. The applicant also proposes to install additional deciduous shade trees along the eastern property boundary fronting Lees Corner Road.

**Issue:** Tree Preservation

The site plan shows the building restriction limit (BRL) of the proposed additions is approximately 25 feet from the property line and the limits of disturbance come as close as 5 feet of the property line in areas with trees on site or just off site. Staff is concerned that the limits of disturbance between the property line and proposed additions are not sufficient to maximize tree save areas on site and off site. Staff has suggested that the applicant should consider relocating or reducing the footprints of the proposed additions to achieve the goal of maximizing tree save. Where trees cannot be saved, a replanting plan with native trees for this area behind the new construction would provide shade as well as reduce edge effects on the forested area off site. Care should be taken during the removal of the fence around the existing play area so as not to damage roots of trees that are to be preserved. Clearing and grading activities on the south side of the site should take care to avoid damage to mature trees off-site in the buffer area between the school and the neighboring residential development. Tree save and replanting plans should be coordinated with staff in Urban Forestry Management (UFM).

**Resolution:**

The applicant is not in favor of reducing the building foot print of the proposed additions, nor have the limits of disturbance been changed. Staff has proposed development conditions that require the applicant to replant any proposed tree save areas, both on site and off site that are damaged by disturbance and construction activities. Only with adoption of these development conditions does Staff support the construction of the proposed additions as depicted on the SE Plat.

**ZONING ORDINANCE PROVISIONS**

<b>Bulk Standards ( R-1 Zoning)</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Lot Size	36,000 square feet	72,056.95 square feet (1.6542 acres)
Lot Width	150 feet	300 ± feet
Building Height	60 feet	21 feet max

<b>Bulk Standards ( R-1 Zoning)</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Front Yard	50 degree ABP, 40 feet	116 ± feet
Side Yard	45 degree ABP, 20 feet	23 ± feet
Rear Yard	45 degree 25 feet	25 ± feet
FAR	0.20 (max)	0.17
Open Space	N/A	50% (0.83 acres)
Outdoor Recreation Area (School of General Education grades K-3)	200 sq ft /child (25,200 sq ft)	6,537 sq ft
Outdoor Recreation Area (Nursery School and Child Care)	100 sq ft / child (2,400 sq ft)	
Parking Spaces	21 spaces (based on maximum daily enrollment of 150 and staff of 16)	22 spaces
<b>Transitional Screening</b>		
North (R-1)	TS 1 – 25 feet	TS 1 modification in favor of existing vegetation
East (R-1)	TS 1 – 25 feet	Waiver of screening in favor of supplemental tree planting
South (R-1)	TS 1 – 25 feet	TS 1 modification in favor of existing vegetation and supplemental planting
West ( R-1)	TS 1 – 25 feet	TS 1 modification in favor of existing vegetation and supplemental planting
<b>Barrier</b>		
North (R-1)	D, E or F	D*; modification in favor of existing 4' high chain link fence
East (R-1)	D, E or F	Waiver of barrier
South (R-1)	D, E or F	D*; modification in favor of existing 4' high chain link fence
West ( R-1 w/church)	D, E or F	D*; modification in favor of existing 4' high chain link fence

- ★ 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.

### **Waivers and Modifications Requested**

- Modification of transitional screening on all sides to allow existing vegetation to be utilized with supplemental landscaping proposed along the southern and western property boundaries.

Staff believes the request for a modification to utilize existing vegetation is appropriate. The subject property is heavily screened with a mixture of vegetation and understory along the northern boundary which abuts the open-space area of Franklin Intermediate School. The western and southern property boundaries also contain significant vegetation, and will be supplemented with additional landscaping in substantial conformance with landscape plan depicted on the SE Plat. A proposed development condition requires additional screening to be provided as recommended by UFM.

- A modification of barrier requirements is requested in favor of an existing 4 foot chain-link fence located along the northern, western, and southern property boundaries. A waiver of the barrier is requested along the eastern property boundary, in favor of additional plantings which have been proposed to retain the residential character of the site.

Staff supports the requested waivers and modifications.

### **Other Zoning Ordinance Requirements:**

#### **Special Exception Requirements**

General Special Exception Standards (Sect. 9-006)

Category 3 Standards (Sect. 9-304)

Additional Standards for:

- Child Care Centers and Nursery Schools (Sect. 9-309)
- Private School of General Education (Sect. 9-310 )

#### **General Special Exception Standards (Sect. 9-006)**

The General Exception Standards require that the proposal be in harmony with the Comprehensive Plan; that there be a finding of no significant negative impacts on surrounding properties; and that safe and adequate vehicular and pedestrian access be provided. The applicant has proposed two one-story additions and the addition of a parking lot area to an existing child care center. Staff believes that, as previously discussed, with the imposition of the proposed development conditions, the use proposed in SE 2007-SU-006 satisfies all of the General Special Exception Standards.

**Category 3 Standards (Sect. 9-304)**

The Category 3 Standards require that the proposed development meet lot size and bulk requirements for the Zoning District, comply with performance standards, and be subject to Site Plan Review. As previously discussed, the proposed use meets these standards.

**Additional Standards for Child Care Centers and Nursery Schools (Sect. 9-309)**  
(Appendix 6)

Additional Standard 1 requires that, in addition to complying with the minimum lot size requirements of the R-1 District, the minimum lot area shall be of such size that 100 square feet of usable outdoor recreation area be provided for each child that may use the space at any one time. The SE Plat indicates that part of the existing playground in the northwest portion of the property will be removed to accommodate the classroom addition. The southwest portion of the playground will be extended to the building line of the proposed multi-purpose room addition and the reconfigured play area will contain 6,537 square feet of useable outdoor recreation area in the southwest portion of the property. The child care center is limited to a maximum of 150 children, which requires 15,000 square feet of useable outdoor recreation area. Because the outdoor recreation area is to be used by both the child care center and private school of general education, a development condition has been included that limits the number of children using the outdoor play area at any one time so as to not exceed the required standards of the Zoning Ordinance. With adoption of this development condition, it is Staff's opinion that this Standard has been satisfied.

Additional Standard 2 states that the use shall be located so as to have direct access to an existing or programmed public street of sufficient right-of-way and cross-section width to accommodate pedestrian and vehicular traffic. The site has access to Lees Corner Road; this Standard has been met.

Additional Standard 3 states that the use shall be configured to permit the pick-up and delivery of all persons on the site. The site currently provides for adequate circulation and drop-off areas. It is Staff's opinion that this Standard has been met.

Additional Standard 4 states that the use shall be subject to the regulations of Chapter 30 of The Code and Title 63.1, Chapter 10 of the Code of Virginia. Staff has included a development condition to address this Standard. In Staff's opinion, this Standard has been met.

**Additional Standards for Private Schools of General Education and Private Schools of Special Education (Sect. 9-310)**

Additional Standard 1 requires that, in addition to complying with the minimum lot size requirements of the R-1 District, the minimum lot area for a private school of general education shall be of such size that 200 square feet of usable outdoor recreation area shall be provided for each child in grades K-3 that may use the

space at any one time. The private school of general education will have a maximum of 150 children in the school. The SE Plat indicates an outdoor recreational area of 6,537 square feet, which will also be used by the child care center. A development condition has been included that limits the number of children using the outdoor play area at any time to not exceed the required standards of the Zoning Ordinance. With adoption of this development condition, it is Staff's opinion that this Standard has been satisfied.

Additional Standard 2 pertains to private schools of special education, which does not apply to this application.

Additional Standard 3 states that the use shall be subject to the provisions set forth in Par. 2 and 3 of Sect. 309 and Chapter 30 of The Code and Title 63.1, Chapter 10 of the Code of Virginia. Staff has included a development condition to address this Standard. In Staff's opinion, this Standard has been met.

### **Summary of Zoning Ordinance Provisions**

All applicable standards have been satisfied with the proposed development conditions.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Staff Conclusions**

Staff concludes that the subject application by the Montessori School of Fairfax, to permit a private school of general education, nursery school and child care center (previously under Special Permit approval), to permit two one-story additions, to increase maximum enrollment to 150 children, to increase the number of employees to 16, and to expand the hours of operation is in accordance with the Comprehensive Plan for use and intensity. Other changes proposed to the site, as shown on the SE Plat, include the addition of a parking lot area; the addition of a flagstone walkway; reconfiguration of the outdoor play area; replacement of the school entrance sign; and the removal and replacement of portions of the existing perimeter fencing. With approval of the proposed development conditions listed herein, Staff finds the proposed application in conformance with the Comprehensive Plan and applicable Zoning Ordinance provisions.

### **Recommendation**

Staff recommends approval of SE 2007-SU-006 subject to the proposed development conditions in Appendix 1.

Staff recommends the transitional screening yard requirements, along the northern, southern and western property boundaries be modified and that the barrier requirements along the north, south and west lot lines be modified; and along the east lot line be waived.

It should be noted that it is not the intent of staff to recommend that the Board, 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 special exception 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. Statement of Justification
4. Transportation Analysis
5. Environmental Analysis
6. Additional Special Exception Standards
7. Previous SP Plat and Conditions
8. Glossary

## PROPOSED DEVELOPMENT CONDITIONS

### SE 2007-SU-006

July 11, 2007

If it is the intent of the Board of Supervisors to approve SE 2007-SU-006 located at 3411 Lees Corner Road (Tax Map 34-2 ((1)) 20) to permit a private school of general education, nursery school and child care center pursuant to Sect. 3-104 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 development conditions for the area subject to this application. Conditions which are substantively the same and which have been carried forward from the previous application are indicated 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 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 Plat entitled "Special Exception Plat, Montessori School of Fairfax, Sully District, Fairfax County, Virginia", prepared by Bury Partners, consisting of eight sheets, dated March 2007 with revisions through June 19, 2007, 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. The number of children using the 6,537 square foot outdoor play area as shown on the SE Plat at any one time shall not exceed that required by the standards set forth in Section 9-309 (Additional Standards for Child Care Centers and Nursery Schools) and 9-310 (Additional Standards for Private Schools of General Education and Private Schools of Special Education) of the Zoning Ordinance, which currently require the following: 100 square feet of outdoor play area per child using the space at any one time for the child care center; 200 square feet per child in grades K-3.
5. Upon issuance of the Non-RUP for the proposed uses, the private school of general education and child care center enrollment shall be limited to children between the ages of 2 and 10 years.
6. The combined maximum daily enrollment of the private school of general education, nursery school, and child care center shall be limited to 150 children, provided that parking requirements are satisfied for the proposed use.

7. The maximum number of staff permitted on-site at any one time shall not exceed 16.
8. Upon issuance of the Non-RUP for the proposed uses, the normal hours of operation shall be limited to 6:30 AM to 7:00 PM, Monday through Friday.
9. The entrance sign shall be relocated per the SE Plat. All signs shall be in accordance with the provisions of Article 12 of the Zoning Ordinance.
10. Twenty two (22) parking spaces shall be provided as shown on the SE Plat. The four parking spaces located in the newly created parking lot area as shown on the SE Plat, shall be designated as "Employee Only".
11. The architectural details, building colors and materials used in the construction of the proposed additions shall be consistent with the existing building materials as approved by DPWES. Photographic documentation of any materials which DPWES requires to make such a determination shall be provided by the applicant with submittal of a building permit.
12. All fences shown on the SE Plat to be removed shall be done prior to issuance of the Non-RUP for the proposed uses.
13. The 4 foot chain link fence as shown on the SE Plat along the proposed outdoor play area shall be installed prior to issuance of the Non-RUP.
14. The limits of clearing and grading as shown on the SE Plat shall be strictly conformed to, subject to the installation of utilities and/or trails as determined necessary by the Director of DPWES. If it is determined necessary to install utilities and/or trails within of the limits of clearing and grading as shown on the SE Plat, they shall be located in the least disruptive manner necessary as determined by UFM. A replanting plan shall be developed and implemented, subject to approval by UFM, for any areas protected by the limits of clearing and grading that must be disturbed.
15. Tree protection fencing consisting of four foot high, 14 gauge welded wire attached to 6 foot steel posts driven 18 inches into the ground and placed no further than 10 feet apart, shall be erected at the limits of clearing and grading as shown on the SE Plat. All tree protection fencing shall be installed prior to any clearing and grading activities. Tree protection fencing shall be made clearly visible to all construction personnel. The installation of all tree protection fence types shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved.

Three days prior to the commencement of any clearing, grading, or demolition activities, but subsequent to the installation of the tree protection devices, UFM shall be notified and given the opportunity to inspect the site to assure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by UFM.

16. A Landscape Plan, in substantial conformance with that shown on the SE Plat and the Tree Preservation Plan shall be filed with the site plan for review and approval by UFM.
17. Dead, dying, or invasive vegetation may be removed from the open space areas if approved by UFM.
18. As part of the site plan, the applicant shall submit a Tree Preservation Plan, which has been prepared by a certified arborist, for the review and approval of UFM. The tree preservation plan shall consist of a tree survey which includes the location, species, size, crown spread and condition rating percentage of all trees 12 inches or greater in diameter within the area which is 20 feet on either side of the proposed limits of clearing and grading. The condition analysis shall be prepared using methods outlined in the latest edition of the Guide for Plant Appraisal. Specific tree preservation activities designed to maximize the survivability of trees designated for preservation on site and off site shall be provided and implemented. Activities may include, but are not limited to, crown pruning, root pruning, mulching, and fertilization. With the permission of the affected homeowner, the applicant shall be required to prune, as necessary, all damaged off-site trees 12 inches or greater in diameter within the area which is 20 feet of the proposed limits of clearing and grading for a period of 2-3 years.

After the first submission review of the approved Tree Preservation Plan, a replacement value shall be assigned to all trees, on-site and the off-site trees adjacent to the northern, western and southern property boundaries, to be preserved, 12 inches or greater in diameter, within 20 feet of the limits of disturbance shown on the SE Plat. Trees recommended for removal on the tree preservation plan shall not be assigned a value. The calculated replacement values for these designated trees shall be assigned by a certified arborist according to methods contained in the latest edition of the Guide for Plant Appraisal, subject to review and approval by UFM. At the time of site plan approval, the applicant will post a cash bond or letter of credit payable to the County of Fairfax to ensure preservation and/or replacement of the designated trees. The terms of the bond or letter of credit shall be subject to approval by the County Attorney. The total amount of the insurance bond, cash bond or letter of credit shall be in the amount of the sum of the assigned replacement values of the designated trees as determined by UFM.

The County may draw funds from the cash bond or letter of credit in order to remove and replace trees that are dead and/or dying due to construction, and are required to be removed and replaced by UFM, according to the value assigned for those designated trees, if this work is not completed in a timely manner by the applicant. Any funds received by Fairfax County pursuant to this development condition shall be used solely to remove and replace designated trees shown to be preserved on the approved tree preservation plan. The letter of credit or cash bond will be released two years from the date of the project's conservation escrow, or sooner if approved by UFM.

19. The 5 foot flagstone paved sidewalk depicted on the SE Plat shall be set in a pervious bed.
20. The trash dumpster shall be fully screened from view by a masonry wall which has been designed to be compatible with the building materials, as determined by DPWES. Trash removal shall not occur before 7:00 a.m. and no trash pick-up shall occur on weekends. To ensure that trash pick-up does not occur prior to 7:00 a.m. on weekdays and that there is no illegal dumping, the doors to the dumpster shall be locked between the hours of 7:00 p.m. and 7:00 a.m., Monday through Friday. The doors to the dumpster shall be locked during the weekends. On the days of trash pick-up, the subject site shall be patrolled by employees to pick up any trash on-site and to ensure that the doors to the dumpster enclosure are fully closed and in good working condition.

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.