

DEVELOPMENT CONDITIONS

SE 2007-DR-003

May 15, 2007

If it is the intent of the Board of Supervisors to approve SE 2007-DR-003 located at Tax Map 21-3 ((1)) 50, 50A, 51, 53 & Tax Map 21-3 ((15)) A1 (1020 Balls Hill Road) for use as a college/university within the existing church building pursuant to Sect. 3-104 & 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:

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 Permit Amendment Plat prepared by Frederick D. Neal, dated December 18, 2006, revised through April 11, 2007, consisting of 2 sheets 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. Amendments to the Special Permit may be made without amending this Special Exception provided the amendment is in substantial conformance with this Special Exception as determined by the Director of the Zoning Evaluation Division of the Department of Planning & Zoning.
5. Church services and college/university classes shall not be held at the same time.
6. There shall be no dormitories or accessory eating facilities in association with the college/university use.
7. No more than 33 full-time equivalent (minimum of 12 credit hours/semester) students shall be enrolled in the college/university during any semester.
8. The maximum number of classes per day for the college/university shall be limited to two (2); and the maximum number of classes per week for the college/university use shall be limited to five (5).
9. Classes for the college/university shall not begin prior to 9:00 a.m. and shall end prior to 10:00 p.m. Monday through Friday. Classes shall end prior to 4:00 p.m. on Saturday. No classes for the college/university shall take place on Sunday.

10. The average class size per semester for the college/university shall not exceed fifteen (15) students, and the average number of college/university students on site per day shall not exceed thirty (30).
11. All student and employee parking for the college/university use shall be at the rear of the church.
12. The name and telephone number of a contact person shall be provided to the Dranesville District Supervisor's office to receive notification of neighborhood concerns regarding the operation of the college/university.

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 as evidenced by the issuance of a Non-RUP for the college/university use. 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.