

## **DEVELOPMENT CONDITIONS**

**SE 2006-LE-026**

**August 13, 2007**

If it is the intent of the Board of Supervisors to approve SE 2006-LE-026 located at Tax Map 82-3 ((1)) 3 at 4913 Franconia Road for a private school of general education with a maximum enrollment of 48 students, pursuant to Sect. 9-304 of the Fairfax County Zoning Ordinance, 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. The use of the property is limited to the use authorized by this Special Exception and no other use may be made of the subject property.
3. A copy of this Special Exception and the Non-Residential Use Permit 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 Special Exception plat entitled, The Howard Gardner School (4913 Franconia Road), prepared by Alexandria Surveys International LLC, consisting of nine (9) sheets and dated August 2006, and as revised through June 18, 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.
5. The limits of clearing and grading shown on the Special Exception plat shall be strictly conformed to during all phases of site plan approval and construction on the site. There shall be no clearing or grading within the Resource Protection Area (RPA), which shall remain as undisturbed area, except in those specific areas identified on the SE plat.
6. The maximum daily enrollment of the private school of general education shall be limited to 48 students. The course of instruction shall be limited to grades 9-12.
7. Normal hours of operation for the School shall be limited to 8:00 a.m. until 5:00 p.m., Monday through Friday. Class hours shall be limited to approximately 9:00 a.m. until 3:00 p.m., Monday through Friday. Evening hours of operation for parent/teacher conferences and similar activities shall be limited to until 10:00 p.m. Monday through Friday. Normal extracurricular activities and other school

activities shall end by 6:00 p.m., daily. Fundraising events, school plays, musicals, and concerts shall end by 11:00 p.m.

8. All vehicle parking shall be provided on-site as shown on the SE plat. Additional parking for use during special events shall be subject to DPWES approval of a shared parking agreement.
9. Parking spaces shall not be used for any purpose which interferes with their parking use by faculty, staff, students, and visitors to the school. No equipment or vehicles shall be stored in designated parking spaces unless and until a Parking Utilization Study has been reviewed and approved by the Code Analysis section of DPWES which confirms that excess parking exists on the site. In that instance, only those spaces deemed to be excess spaces may be utilized for such storage purposes, and only for as long as excess parking exists.
10. The two temporary classroom trailers shall be removed from the site prior to issuance of a Non-Residential Use Permit (Non-RUP) for the school building.
11. Any new outdoor lighting shall be in conformance with the Performance Standards for Outdoor Lighting contained in Part 9 of Article 14 of the Zoning Ordinance. The maximum height of the light standards and fixtures shall not exceed twelve (12) feet. The height of the light standards and fixtures shall be measured from grade to the top of the structure. Parking lot lighting shall be extinguished no later than 10:00 p.m. daily, with the exception of special events subject to Development Condition 7 above.
12. Except for emergencies, the use of outdoor loudspeakers shall be prohibited. There shall be no exterior bells or buzzers.
13. 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.
14. Prior to site plan approval, stormwater management (SWM) and best management practice (BMP) facilities shall be provided in accordance with the Public Facilities Manual (PFM) as determined by DPWES. If the SWM/BMP facilities approved by DPWES are not in substantial conformance with those shown on the SE plat, a Special Exception Amendment shall be required.
15. Prior to site plan approval, it shall be demonstrated to the satisfaction of DPWES that adequate outfall can and shall be provided in accordance with the PFM.
16. Prior to the first day of school each year, the School administration shall establish a neighborhood liaison committee to meet with interested neighbors on a quarterly basis to discuss and address neighborhood concerns regarding the operation of the School as it relates to impacts on the surrounding neighborhood. The School shall provide contact information for a representative of the

neighborhood liaison committee to the Lee District Supervisor's office prior to the first day of school each year.

17. All vehicle stacking shall occur on-site.
18. A Phase I Archaeology Survey of the Application Property, using a scope of work provided by the Cultural Resource Management and Protection Section of the Park Authority shall be provided to the Park Authority Resource Management Division prior to site plan approval. If potentially significant archaeological resources are discovered, Phase II testing and Phase III data recovery shall be performed by the Applicant as may be recommended by the Park Authority Resource Management Division. Copies of subsequent studies shall also be forwarded to the Park Authority Resource Management Division within thirty (30) days of the study or survey completion.
19. Prior to site plan approval, the Applicant shall dedicate and convey in fee simple to the Board of Supervisors a 6-foot wide strip of land along the site's Franconia Road frontage (approximately 930 SF) as shown on the SE plat, for an on-site bike trail.
20. Environmentally sustainable elements shall be incorporated into the proposed structures. These elements may include, but are not necessarily limited to, high-efficiency mechanical systems, use of materials with recycled content, a high performance and insulated building envelope, water efficient fixtures, low volatile organic compounds in paints, sealants and finish materials, construction waste management and storage and collection of recyclables.

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 Sect. 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.