

APPROVED DEVELOPMENT CONDITIONS

SEA 99-S-012-2

May 23, 2007

If it is the intent of the Board of Supervisors to approve SEA 99-S-012-2 located at 5110 Ox Road and 11001 Braddock Road (Tax Map 68-1 ((I)) 17, 18 and 20) previously approved for uses in a floodplain, a country club, a golf course, and site modifications, to permit building additions and related site modifications, pursuant to Sect. 2-904 and 3-C04 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 for the application property. Conditions previously approved by the BOS or those with minor modifications 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 Amendment Plat approved with the application, as qualified by these development conditions *
3. A copy of this Special Exception Amendment 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 Amendment 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 Amendment shall be in substantial conformance with the approved Special Exception Amendment Plat entitled "The Country Club of Fairfax", prepared by William H. Gordon Associates, Inc. consisting of 8 sheets dated April 25, 2007, and these conditions. Minor modifications to the approved Special Exception Amendment may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.

Operations

5. The hours of operation shall be limited to the following:
 - Use of the clubhouse shall be limited to 7:00 a.m. to 10:30 p.m. on Sundays through Thursdays, and 7:00 a.m. to 1:00 a.m. on Fridays and Saturdays; occasional exceptions to these hours of operation shall be allowed to accommodate special functions. These functions

shall not include the use of the lighted tennis courts, and the special functions shall conclude by 1:30 a.m.

- Use of the enclosed tennis courts shall be limited to 7:00 a.m. to midnight, seven days a week.
 - Use of the lighted outdoor tennis courts shall be limited to 7:00 a.m. to 10:00p.m., seven days a week, and the lights shall be shut-off within 15 minutes after the closing time.
 - Use of the swimming pool and all golf course facilities shall be limited to hours between sunrise and sunset, seven days a week, with exceptions for the swimming pool to accommodate special functions, not to exceed 10 times per year.*
6. The total membership shall not exceed 900.*
 7. Parking shall be provided as shown on the SEA Plat. Accessible parking shall be provided in accordance with Article 11 of the Zoning Ordinance, as determined by DPWES. All parking shall be on-site.*
 8. All new or replacement outdoor lighting shall comply with Part 9 of Article 14 of the Zoning Ordinance. With the exception of the tennis court lighting subject to Development Condition 9 below, the combined height of any new or replacement outdoor lighting as measured from grade to the top of the fixture shall not exceed fourteen (14) feet. All such lighting shall be in conformance with the Photometric Plan prepared by Girard Engineering and dated September 11, 2003, on file with Department of Planning and Zoning, which plan shall be submitted as part of any site plans for the site.*
 9. The existing tennis courts depicted on Sheet 3 of the SEA Plat may continue to be lighted as described below; however, when such lighting is replaced, the height of any light fixture shall not exceed twenty-two (22) feet in height from grade to the top of the fixture. These lights shall be controlled with an automatic shut-off device that turns off when the courts are not in use.
 10. Outdoor storage of sand, gravel and mulch shall be permitted on-site if such are located in enclosed storage bins or on concrete pads, as depicted on the SEA Plat.*

Floodplain, Water Quality and Stormwater Management

11. All permitted land disturbing activities within the floodplain/RPA shall be consistent with the SEA Plat and completed in the least disruptive manner practicable, as reviewed and determined by DPWES and the Urban Forester.*

12. Prior to issuance of any permits or initiation of any activities which are subject to this SEA, the applicant shall demonstrate compliance with the Chesapeake Bay Preservation Ordinance (CBPO) to the satisfaction of DPWES, subject to any approved exceptions or modifications. In conjunction with any application for activities within the RPA/floodplain deemed other than routine maintenance activities, per the CBPO, as defined by the DPWES, a Water Quality Impact Assessment (WQIA) shall be submitted and approved by DPWES. Any and all conditions pertaining to approval of the CBPO exceptions, the floodplain study and the WQIA shall be included in these conditions by reference.*
13. All plans or permits for any area(s) affected by this Special Exception Amendment shall be consistent with the floodplain study titled "Country Club of Fairfax Minor Flood Plain Study prepared by William H. Gordon Associates, Inc., and dated April 1999 as approved by DPWES.*
14. No site plan shall be approved unless adequate outfall is provided to meet PFM requirements (unless waived and/or modified) to the satisfaction of DPWES.*
15. Stream restoration measures shall be implemented and maintained along the East Fork Branch of Popes Head Creek in the locations identified on and consistent with the SEA Plat and the "Soil and Water Quality Conservation Plan and Stream Restoration Management Plan for the Country Club of Fairfax" prepared by William H. Gordon Associates, Inc. and dated April 26, 2000. These restoration measures shall maintain and further the rehabilitation of the existing stream banks to a more natural condition; and maintain the riparian buffer zones and/or aquatic benches to improve water quality and to continue to stabilize existing eroded areas of the site.
16. In order to address the objectives of the Water Supply Protection Overlay District (WS) and to protect the water quality of the East Fork Branch of the Popes Head Creek, a Golf Course Water Quality Management Plan for the 18-hole golf course consisting of the following elements shall be implemented to the satisfaction of DPWES:
 - A. An Integrated Pest Management Plan (IPM) dated April 26, 2000, has been developed using the guidelines established by the Virginia Cooperative Extension Service Pest Management Guide and has been designed to manage and limit the excessive applications of fertilizers, herbicides and other chemicals to protect water quality. The IPM provides for periodic monitoring and adjustments in order to achieve the objective of reducing the overall amounts of nutrients and pesticides applied to the property over time. The IPM and all parameters to be monitored shall be reviewed by Fairfax County Office of the Virginia Cooperative Service and approved by the

Northern Virginia Soil and Water Conservation District Office as determined by DPWES. A copy of the pesticide management program and records of all chemical applications shall be kept on site at all times, and shall be made available to county staff upon request.

- B. A long term Stream Restoration Management Plan (SRMP) has been provided titled "Soil and Water Quality Conservation Plan and Stream Restoration Management Plan for the Country Club of Fairfax" prepared by William H. Gordon Associates, Inc. and dated April 26, 2000, which is designed to provide for erosion control for those areas of the proposed construction improvements noted in the Stream Restoration Plan. The SRMP includes the establishment and maintenance of the riparian buffers and guidelines for stream bank stabilization, and has been reviewed and approved by the Northern Virginia Soil and Water Conservation District Office.*
17. Stormwater management and BMP facilities shall be configured and constructed to the satisfaction of DPWES in a location(s) that is in substantial conformance with the SEA Plat.*
18. Erosion and sediment control measures shall be installed at all stages of construction. "Super silt fence" shall be installed along the limits of clearing and grading for any new areas of land disturbance, as well as along all RPA boundaries, and shall remain for the duration of all land disturbing activity or until it is determined by DPWES that the area is stabilized. If deemed necessary by DPWES, controls shall be designed to achieve greater erosion and sediment control than that achieved by the minimum design standards set forth in the Public Facilities Manual and the Virginia Erosion and Sediment Control Handbook.*
19. Maintenance materials, fuels, herbicides, pesticides, fertilizers and/or toxic or hazardous substances as set forth in Title 40, Code of Federal Regulations. Parts 115.4 and 261.30 et. seq. shall be stored outside of the 100 year floodplain zone, as approved by DPWES. These measures, as detailed in the "Soil and Water Quality Conservation Plan and Stream Restoration Management Plan for the Country Club of Fairfax prepared by William H. Gordon Associates, Inc. and dated April 26, 2000, and approved by the Northern Virginia Soil and Water Conservation District and DPWES, shall be implemented for the storage and use of potentially hazardous materials associated with the golf course operation.*
20. Any areas of the stream bank previously restored that may be damaged or eroded due to stormwater runoff, stormwater event or golf course use shall be stabilized within 30 days following such damage or erosion. Any required restoration of stream riparian buffer areas, stream banks or stream beds shall be performed at the earliest time that is conducive due to weather or soil conditions, as determined by DPWES.*

21. To minimize disturbances in the RPA and to restore the existing eroded stream channel, dam reconstruction measures on Fairway #14 shall be maintained as shown on the Stream Restoration Plan (Attachment 1), and as approved by DPWES. Other appropriate environmentally sensitive solutions and engineered solutions, which are mutually acceptable to the Country Club of Fairfax and DPWES may be employed. It shall be understood that the resulting solution may require modifications and/or waivers to the Public Facilities Manual (PFM) and/or State standards.*

Landscaping and Tree Save

22. All proposed evergreen trees shall measure a minimum of six (6) feet in height at the time of planting. All other proposed landscaping species and methods of installation shall be to the satisfaction of UFM. All plantings shall be maintained in good health and replaced with like-kind plantings when necessary, as determined by UFM. Prior to the issuance of a Non-Residential Use Permit for the tennis courts and maintenance building, an effective vegetative screening and buffer area shall be provided consistent with the SEA Plat, as determined by UFM.*
23. Plantings proposed to be installed along the stream shall include native riparian species and those species that tolerate extreme hydrologic conditions, to the satisfaction of UFM. Common ornamental plants and hybridized landscaping species shall not be included in the stream bank preservation and restoration areas. Boundary limits shall be delineated by UFM to mark the vegetated riparian areas, and signs shall be posted to discourage encroachment by foot or by golf cart into the vegetated riparian areas.*
24. The proposed relocated 7th tee and the proposed cart path for the 15th green and fairway shall be constructed outside of the protected and preserved vegetated areas within the RPA boundary, to the satisfaction of DPWES in accordance with the CBPO. No construction of the relocated 7th tee shall commence until the removal of the culverts on the 15th fairway is completed, in accordance with the design details contained in Attachment 1 of these development conditions, to the satisfaction of DPWES.*
25. All trees shown to be preserved shall be protected by a tree protection fence. Tree protection fencing to consist of four foot high, orange plastic fence attached to 6 foot steel posts driven 18" inches into the ground and placed no further than twelve (12) feet apart shall be erected at the limits of clearing and grading as shown on the SEA Plat. All tree protection fencing shall be installed, as approved by UFM, prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fence, except super silt fence, shall be performed under the supervision of a certified arborist. Three days prior to the commencement of any clearing, grading, or demolition activities, the

UFM shall be notified and given the opportunity to inspect the site to assure that all tree protection devices have been correctly installed.*

Miscellaneous

26. Unless already dedicated, right-of-way along the site's frontage on Route 123 shall be dedicated in accordance with the adopted Comprehensive Plan in order to provide a six-lane divided roadway, sixty-five (65) feet from centerline, with the additional eleven (11) feet for a right-turn lane, 250 feet in length, to the site entrance, and all ancillary easements for construction; ancillary construction easements shall not to exceed fifteen (15) feet in width. Unless already relocated, fencing within the dedication area shall be relocated within the property limits, to a location determined by DPWES for the length of the right turn lane. The right-of-way shall be dedicated to the Board of Supervisors and conveyed in fee simple at the time of site plan approval or upon demand by Fairfax County, whichever happens first. All intensity of use attributable to land areas dedicated and conveyed to the Board of Supervisors pursuant to these conditions shall be subject to the provisions of Par. 4, of Sect. 2-308 of the Zoning Ordinance and is hereby reserved to the residue of the subject property.*
27. The exterior elevations of the proposed maintenance building in the northeastern corner of the site shall be consistent with the conceptual elevations shown on Sheet 7 of the SEA Plat, as determined by DPWES. All sides of the maintenance building shall be similar in regard to design, colors and materials.*

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 permits through established procedures, and this Special Exception Amendment shall not be valid until this has been accomplished.

Pursuant to Sect. 9-015 of the Zoning Ordinance, this special exception amendment shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced. 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 Amendment. 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.