ATTACHMENT 1

PROPOSED DEVELOPMENT CONDITIONS

SEA 2004-DR-031

~~April 12~~ May 30, 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) previously approved for country club and golf course ~~to permit certain building additions and site modifications~~ to permit the addition of a new maintenance facility; site modifications to remove the existing maintenance facilities; and fill in the floodplain to permit stream restoration and stabilization 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~~ May 16, 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. A strict no parking restriction along the existing ingress-egress easement that provides access to Beach Mill Road shall be enforced.*

8. There shall be no construction or paving in the area south of the Resource Protection Area (RPA), beyond that shown on the SEA Plat. Vegetation as depicted on the SE plat 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~~.~~; subject to UFM approval. ~~S~~ supplemental landscaping, as shown on the Landscape Plan shall be ~~maintained~~ provided 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~~ final site plan approval for the disturbances within the RPA, a Water Quality Impact Assessment shall be submitted to and approved by DPWES. A Water Quality Conservation Plan shall also be approved by the Northern Virginia Soils and Water Conservation District, that addresses 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 a vegetative buffer with the RPA, and, an (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 subject to ~~monitored~~ monitoring by the Northern Virginia Soil and Water Conservation District.

12. All new and replacement lighting shall be in conformance with Part 9 of Article 14 of the Zoning Ordinance. ~~Any~~ All outdoor lighting of the site shall be in accordance with the following:
~~Lighting shall be provided in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance. There shall be no uplighting on site, including any sign or building.~~

- The height of any light fixtures shall be measured from grade to the top of the fixture. ~~structure for~~ For the tennis courts, height shall not exceed twenty (20) feet~~.~~; for the swimming pool and parking lot, height shall not exceed fourteen (14) feet.

- ~~The height of any light fixture shall be measured from grade to the top of the structure for the swimming pool and swimming pool parking shall not exceed fourteen (14) feet in height.~~

- The lights, including any associated with an air enclosed bubble, shall be controlled by an automatic shut-off device which turns off the lights thirty (30) minutes following the commencement of activities.

- 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.*~~

13. Prior to issuance of the Non-RUP for the proposed use, the applicant shall ~~construct~~ complete 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).

14. 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~~ each edition of the Applicant's monthly newsletter. ~~following approval of this Special Exception Amendment, and published in the newsletter periodically thereafter.~~

15. Prior to site plan approval, the proposed revision to the RPA boundary shall be submitted to DPWES following the final delineation of on-site wetlands by the Army Corps of Engineers (ACOE). If not approved, by ACOE, this SEA shall be null and void.

~~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).~~

16. ~~The applicant shall submit a~~ A final planting schedule and list of proposed plant materials shall be submitted for review and approval by the Urban Forest Management to assure that native plant materials are used whereever 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 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.~~

17. There shall be no storage of herbicides, pesticides, or toxic or hazardous substances as set forth in Title 40, Code of Federal Regulations, Parts 116.4 and 261.30 et seq., below the flood level.

18. No materials removed during pond dredging shall be placed within the floodplain or RPA.

19. Prior to final site plan approval for the disturbances within the RPA, a Water Quality Impact Assessment shall be submitted and approved by DPWES.

20. Prior to the issuance of the Non-RUP for the golf course improvements associated with the SEA, the applicant shall remove the existing 12-inch diameter corrugated metal primary outfall pipe for the westernmost pond, and replace it with a 24-inch diameter pipe to restore the outfall to its originally constructed size, to the satisfaction of DPWES.

21. The applicant shall identify and dedicate appropriate floodplain easements within the 100-yr floodplain to the satisfaction of DPWES.

22. No fill within the floodplain shall increase the water surface elevation above the 100-yr. flood level upstream and/or downstream of the proposed improvements, as determined by DPWES.

23. All uses and activities within the floodplain shall be subject to the provisions of the Chesapeake Bay Preservation Ordinance, as determined by DPWES.

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.