

DEVELOPMENT CONDITIONS

SEA 84-P-105-03

August 29, 2007

The Board of Supervisors approved SEA 84-P-105-03, located at 3012 Chain Bridge Road and 3044 Jermantown Road (Tax Map 47-2 ((1)) 36A, 37, 38, 52A), previously approved for a private school of general education, nursery school, and child care center, to allow an increase in land area, building additions, and site modifications pursuant to Sect. 3-304 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions. These development conditions supersede all previously approved development conditions. 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. 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.*
3. 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 shall be in substantial conformance with the approved Special Exception Amendment Plat entitled "*Flint Hill Lower School Generalized Developed Plan/Special Exception Plat RZ 20007-PR-002 SEA 84-P-105-03*", prepared by Dewberry & Davis and dated January 11, 2007, as revised through July 2, 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 combined maximum total daily enrollment of the private school of general education and the child care center/nursery school shall be limited to 700 students.*
5. Sufficient parking shall be provided in accordance with the Zoning Ordinance, as determined by DPWES, and as shown on the SEA Plat.*
6. The maximum hours of operation for the private school of general education and the child care center/nursery school shall be from 7:30 AM to 4:00 PM, Monday through Friday, with evening classes for the private school from 7:30 PM until 11:00 PM, Monday through Friday. Extracurricular activities shall be permitted from 7:30 AM to 11:00 PM, daily, including weekends.*

7. All exterior lighting shall be in conformance with Part 9 of Article 14 of the Zoning Ordinance and compliance shall be demonstrated at the time of site plan approval. There shall be no lighting of the athletic fields.
8. Landscaping and acoustical fencing shall be provided around the child care center/nursery school play area. *
9. Skirting shall be provided on the two (2) temporary trailers shown on the Special Exception Amendment Plat.*
10. Trailers: The applicant shall be required to meet all DPWES site plan requirements during the relocation and/or removal of existing educational trailers.
11. The Private School of General Education shall no longer include grades 9-12.*
12. Stormwater management facilities and BMPs shall be provided, as determined by DPWES, in accordance with the requirements of the Public Facilities Manual, Chapter 118 of the Fairfax County Code, and the Chesapeake Bay Preservation Ordinance, unless waived or modified by DPWES. No use or disturbance of the existing on-site 0.53-acre Conservation Easement/Water Quality Management Area, located at the northwestern corner of the site (south of Miller Road), shall be permitted without approval by the Director of the Department of Public Works and Environmental Services (DPWES). If the stormwater management facilities and BMPs designed to meet the Public Facilities Manual cannot be provided in substantial conformance with the GDP/SEA Plat, a PCA/SEA shall be required.
13. An athletic field maintenance plan, which incorporates erosion and sediment control as well as nutrient and chemical control measures intended to reduce pollutant loads entering the Difficult Run watershed, shall be developed and submitted for the review and approval of the DPWES. A copy of this management plan shall be made available to the Director of the Department of Planning and Zoning and/or the Director of DPWES upon request.
14. The location of all proposed off-site trails and sidewalks shall be field located in consultation with the Urban Forest Management (UFM) Division, at time of construction, to minimize disturbance of existing mature trees.
15. The applicant shall provide, at the time of site plan approval, a sidewalk or striped pedestrian walkway along the entire east side of the proposed parking lot, located adjacent to the proposed baseball field. Said sidewalk or walkway shall run north to the 'ring road' and connect to the adjoining sidewalk to its west, as reviewed and approved by DPWES.
16. The proposed emergency ingress/egress driveway (located along the north property line between the proposed parking lot and Miller Road), shall be used for emergency use only. Signage shall be provided which clarifies the limitations on the use of the driveway, and on-site "No Parking" signs shall be posted to prevent vehicles from parking on the emergency driveway.

17. Any necessary adjustments, as determined by Urban Forest Management (UFM) Division, DPWES, to adequately protect the existing 36-inch diameter white oak tree (located near Miller Road and northeast of the on-site 1-story dwelling) from construction activities, shall be made at the time of site plan review provided no SEA or PCA is required for said adjustments.
18. Irrespective of that shown on the GDP/SEA Plat, the applicant shall designate, at the time of site plan approval, a tree preservation area, to adequately protect the several existing holly, cedar, and spruce trees (located near Miller Road and north of the on-site 1-story dwelling), from construction activities, as determined by Urban Forest Management (UFM) Division, DPWES, provided no SEA or PCA is required.
19. Outdoor construction activity shall be limited to between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday and 8:00 a.m. and 5:00 p.m. on Saturdays. No outdoor construction activities will be permitted on Sundays or on federal holidays. The site superintendent shall notify all employees and subcontractors of these hours of operation and shall ensure that the hours of operation are respected by all employees and subcontractors. Construction hours and a designated school contact and phone number shall be posted on-site in both English and Spanish.
20. Prior to the first day of school each year, beginning with the Fall 2007 school term, the School administration shall designate a liaison, who shall be available to meet with the adjacent Oak Marr property owners on a quarterly basis until the development program approved herein is completed, and on a semi-annual basis thereafter, to discuss timing and progress of the development program, and the impacts, if there be any, of that development program on the adjacent Oak Marr community. The School shall identify a contact person and provide their name and telephone number to the Providence Supervisor's office prior to the first day of school each year.
21. The applicant shall maintain all on-site landscaping, to include monthly clean-up and removal of all surrounding trash and litter.
22. Supplemental landscaping shall be provided along the subject property's northern boundary line in order to provide the visual effect of Transitional Screening Type 1, as determined by Urban Forest Management (UFM).
23. No plan, plat, or permit shall be approved authorizing development activity within the existing Academic Drive right-of-way, depicted on the attached Exhibit A, until the vacation and/or abandonment of Academic Drive, in conformance with that depicted on the SEA Plat, is approved by the Board of Supervisors.

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 commencement of construction for Building #4, or installation of athletic fields, or construction of the proposed loop road. 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.