

REVISED PROPOSED DEVELOPMENT CONDITIONS**SE 2007-SP-009****September 20, 2007**

If it is the intent of the Board of Supervisors to approve SE 2007-SP-009 located at Tax Map 96-2 ((1)) 2, 4A, 4B, 4C and 4D (7600 Ox Road) for use as a church with nursery school and private school of general education pursuant to Sect. 03-0C04 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 Exception Plat entitled Christ Church, Special Exception Plat prepared by Land Design Consultants, consisting of 9 sheets dated February 2007 as revised through September 17, 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. A tree preservation and landscaping plan shall be submitted to the UFM for review and approval at the time of site plan review. This plan shall designate, at a minimum, the limits of clearing and grading as delineated on the special exception plat in order to preserve to the greatest extent possible the individual trees or tree stands that may be impacted by construction.

All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fencing a minimum of four feet in height to be placed at the limits of clearing and grading shown on the Special Exception Plat. Tree protection fencing in the form of a four foot high 14 gauge welded wire fence attached to six foot steel posts driven 18 inches into the ground and placed no further than ten feet apart, shall be erected at the final limits of clearing and grading and shown on the erosion and sediment control sheets. Tree protection fencing shall only be required for tree save areas adjacent to clearing and grading activities. The tree protection fencing shall be made clearly visible to all construction personnel. The fencing shall be installed prior to any construction work being conducted on the Application Property. A certified arborist shall monitor the installation of the tree protection fencing and verify in writing that the tree protection fence has been properly installed. Three days prior to commencement of any clearing and grading, UFM shall be notified and given the opportunity to inspect the site to assure that all tree protection devices have been correctly installed.

5. Foundation plantings shall be provided around the church building to soften the visual impact of the structures. The species, size and location shall be determined in consultation with UFM.
6. Interior and peripheral parking lot landscaping shall be provided, at a minimum, in conformance with the requirements of Article 13 of the Zoning Ordinance. Size, species and number of all plantings shall be determined in consultation with UFM.
7. Outdoor recreation areas shall be provided in accordance with Sect. 9-309 of the Zoning Ordinance, as depicted on the SE plat.
8. 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. Additional measures such as Low Impact Development (LIDS) methods may be provided as determined by DPWES provided such methods are in substantial conformance with the SE Plat.
9. 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.
10. The stilling basin shall not be located in the RPA unless approved in conjunction with a Water Quality Impact Assessment (WQIA) and/or a Resource Protection Area (RPA) Exception deemed necessary by DPWES. If a WQIA and/or an RPA Exception is not approved to permit the location of the stilling basin within the RPA, then the stilling basin shall be sited outside of the RPA in a location in substantial conformance with the SE Plat. If a WQIA or an RPA Exception is not approved to permit the location of the stilling basin within the RPA, then it shall be relocated immediately outside of the RPA provided the encroachment into the limits of clearing and grading essentially equates to that area of disturbance proposed for the stilling basin location shown on the SE Plat, and that location shown on the SE Plat shall be left undisturbed.
11. All lighting shall be provided in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance.
12. Use of outside speakers or public address systems shall be limited to emergency use only.
13. The total amount of undisturbed open space shall not be less than 50% of the total site area at final build out.
14. The limits of clearing and grading shall be as depicted on the Special Exception Plat. Any areas of disturbance within the EQC that occur as a result of the construction of the stream crossing associated with the proposed athletic field as depicted on the SE Plat shall be restored with supplemental landscaping in the form of native plantings, as determined appropriate by UFM.
15. At the time of site plan approval for Phase 1 of development, the applicant shall submit a traffic signal warrant analysis to VDOT, which includes Phase 1 and 2 of the development, for review and approval to determine whether a traffic signal at the site entrance is warranted. If the warrant study determines that the signal is warranted,

then the Applicant shall install the traffic signal subject to VDOT approval. If the warrant study determines that the traffic signal is not warranted, then the Applicant shall provide a letter of credit, in an amount to be determined by DPWES, for the cost of installing said traffic signal.

If it is determined by VDOT at any time within ten years after the date of the Board of Supervisor's approval of this special exception that the traffic signal is warranted, then the signal shall be installed by the Applicant at the site entrance, utilizing the letter of credit, to the satisfaction of VDOT. If the signal is not determined to be warranted prior to the close of this ten year period, then the letter of credit shall be released to the Applicant, and the Applicant shall have no further obligation in this regard.

16. A clearly defined internal pedestrian plan and facilities which connects all elements of the site and parking facilities shall be included on the site plan.
17. Until such time as a traffic signal has or has not been warranted and installed a plan for traffic control during the time of Sunday church services to control the flow of traffic into and out of the site shall be submitted to DPWES at the time of site plan review.
18. During the first phase of construction, the sanctuary seating will be limited to 500 seats. The seating may increase to 1000 only provided that the total parking of 307 spaces has been constructed.
19. The enrollment of the private school of general education shall be limited to students in Kindergarten through eighth grade. The maximum daily enrollment of the private school of general education shall be limited to 250 students.
20. The maximum enrollment of the nursery school shall not exceed 150 children at any one time.
21. The four temporary trailers located to the northwest and the one southeast of the proposed Phase 1 portion of the building shall be removed prior to the issuance of a Non-RUP for the completion of Phase II of the development.
22. The hours of operation shall be limited to as follows; regular Church services and associated Sunday school programs - 8:00 a.m. through 2:00 p.m. Sunday and 5:00 p.m. - 8:00 p.m. Saturday; Special services and congregational activities as appropriate; ministry and administration ongoing, Private School of General Education- 6:00 a.m. through 6:00 p.m. Monday through Friday, and Nursery School - 9:00 a.m. through 3:30 p.m. Monday through Friday.
23. Prior to any land disturbing activities on the site, a Phase I archaeology study shall be conducted on those areas identified on the Special Exception Plat for disturbance, and the results of the study shall be provided to the Cultural Resource Management Protection Section (CRMPS) of the Fairfax County Park Authority. If the Phase I Study concludes that additional study is warranted, a Phase II and Phase III Study, as determined necessary by CRMPS, shall be conducted and the results submitted to CRMPS. All evaluation and recovery work shall be completed in consultation and coordination with CRMPS.

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. This development may be phased; for the purpose of this Special Exception; the term "established" shall be interpreted to mean the obtaining of a valid Non-RUP for the first phase. 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.