

DEVELOPMENT CONDITIONS

SE 2008-MA-005

June 27, 2008

If it is the intent of the Board of Supervisors to approve SE 2008-MA-005, located at 3431-A Carlin Springs Road, Tax Map 62-1 ((1)) 16F, for a private school of general education, nursery school and child care center, pursuant to Sect. 5-304 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 (Private School of General Education, Nursery School and Child Care Center). Other by-right, special exception and special permit uses may be established on this property, subject to the necessary approvals, without amending this special exception, so long as those uses do not impact this SE.
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 "El-Iman Learning Center" prepared by EMSI Engineering, and dated January 2006 as revised to June 6, 2008, 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. Maximum daily enrollment (inclusive of the child care center and the nursery school/private school of general education) shall be limited to 90 children. The children enrolled at the facility shall be limited to those aged two years through 6th grade.
5. Before and after school care shall be limited to students enrolled in the school and children of staff members. Any children of staff members enrolled in before or after school care but not enrolled in the school shall count towards the maximum daily enrollment.
6. Regular hours of operation, including before and after school care, shall be limited to 7 am to 6 pm, year-round. Weekend and weeknight events associated with the school use are permitted.

7. The maximum number of children in either of the outdoor play areas at any one time shall be limited by the provisions of Paragraph 1 of Section 9-309 and Paragraph 1 of Section 9-310 of the Zoning Ordinance, which provide for at least 100 square feet for each child of nursery school age, 200 square feet for each child in grades kindergarten through 3rd, and 430 square feet for each child in grades 4th through 6th.
8. Prior to issuance of a Non-RUP for any use on the site, it shall be demonstrated that adequate parking is provided in accordance with these conditions and to serve all uses on the site. Should adequate parking not be available, the proposed use shall be reduced in size, uses shall be eliminated, or a parking reduction as permitted in the Commercial Revitalization District shall be obtained to meet the minimum parking requirements.
9. All lighting, including streetlights, security lighting, signage lighting and pedestrian or other incidental lighting, shall be in conformance with Part 9 of Article 14 of the Zoning Ordinance.

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 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.