



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

March 25, 2009

Lynne J. Strobel
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

RE: Special Exception Amendment Application SEA 2005-LE-027
(Concurrent with Rezoning Application RZ 2008-LE-001)

Dear Ms. Strobel:

At a regular meeting of the Board of Supervisors held on March 9, 2009, the Board approved Special Exception Amendment Application SEA 2005-LE-027 in the name of Hilltop Sand and Gravel Company, Inc. The subject property is located at 7836, 7928, and 7950 Telegraph Road on approximately 82.87 acres of land zoned R-1 and NR in the Lee District [Tax Map 100-1 ((1)) 9 pt. 17 and 23A pt.]. The Board's action amends Special Exception Application SE 2005-LE-027, previously approved for a golf course to permit an increase in land area and modifications to site design and development conditions pursuant to Section 3-104 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

- 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 plat approved with the application, as qualified by these development conditions.
- 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 amendment shall be in substantial conformance with the approved Special Exception Plat, which is a combined Generalized Development Plan/Special Exception Amendment Plat, entitled Hilltop Golf Course, prepared by Dewberry & Davis and dated February 12, 2008 as revised through January 16, 2009, 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.

Office of the Clerk to the Board of Supervisors

12000 Government Center Parkway, Suite 533

Fairfax, Virginia 22035

Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903

Email: clerktothebos@fairfaxcounty.gov

<http://www.fairfaxcounty.gov/bosclerk>

4) Transportation/Parking

- a. A continuous pedestrian travel-way shall be provided from Telegraph Road to the proposed clubhouse as shown on the GDP/SEA Plat.*
- b. The proposed parking surfaces shall be maintained and landscaped in accordance with PFM standards and the GDP/SEA Plat as determined by the Director, DPWES. Interior and peripheral parking lot landscaping shall be installed prior to the issuance of the non-RUP for the clubhouse and maintained as determine by UFM, DPWES.*

5) Environment

- a. A water quality impact assessment for the proposed new SWM/BMP facility which demonstrates that the proposed uses will not exceed runoff and nutrient loading requirements for the Chesapeake Bay Preservation Ordinance shall be provided to the Director, DPWES, prior to site plan approval.*
- b. An integrated fertilizer, herbicide and pesticide management program and turf maintenance plan for limiting excessive chemicals and protecting water quality shall continue to be implemented for this use. This program and plan shall include maintenance of the lawn areas on the site and shall provide for periodic monitoring and adjustment that demonstrates an intent to reduce amounts of fertilizers, herbicides and pesticides applied to the property over time. The design of this program and all monitoring parameters shall be consistent with the most current Virginia Cooperative Extension Test Management Guide and reviewed by the Virginia Cooperative Extension, Fairfax County Office, as determined by DPWES prior to site plan approval. Following site plan review, a copy of the approved management program shall be kept on site at all times. Records of all applications of pesticides and herbicides shall be kept and made available to County staff on demand.
- c. The Resource Protection Area (RPA) associated with Piney Run shall remain undisturbed. The Applicant shall conform strictly to the limits of clearing and grading as shown on the GDP/SEA Plat, subject to the installation of fences, utilities and/or trails as determined necessary by the Director of

DPWES. If it is determined necessary to install fences, utilities and/or trails in areas protected by the limits of clearing and grading as shown on the CDP/FDP, they shall be located in the least disruptive manner necessary as determined by UFM. A replanting plan shall be developed and implemented, subject to approval by UFM for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities. The RPA area shall be protected by tree protection fence. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees, shall be erected at the limits of clearing and grading adjacent to the tree preservation areas as shown on the phase I & II erosion and sediment control sheets. All tree protection fencing shall be installed prior to any clearing and grading activities. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist and UFM, and accomplished in a manner that does not harm existing vegetation that is to be preserved. At least ten (10) days prior to the commencement of any clearing or grading activities adjacent to the tree preservation areas, but subsequent to the installation of the tree protection devices, the UFM, DPWES shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by UFM.*

6) Lights

- a. All lighting on the application site shall conform to Group I standards as defined in Sect. 14-900 of the Fairfax County Zoning Ordinance.*
- b. A maximum of thirty-one (31), twelve (12)-foot high lights, as measured from the ground to the top of the fixture, shall be permitted within the parking areas. Each pole shall contain no more than two (2) lumieres with a maximum of one-hundred-seventy-five 175 watts each.*

- c. A maximum of eighteen (18), twelve (12)-foot high lights shall line the travel lanes. Each pole shall contain no more than one (1) luminaire with a maximum of one-hundred-seventy-five (175) watts.*
- d. All lights on the application property, with the exception of necessary security lighting, shall be extinguished at closing of the facility.*
- e. No lighting of these facilities shall be permitted in the morning. There shall be no lighting associated with the golf course portion.*

7) Design/Style

- a. The proposed club house shall be constructed as illustrated in the combined GDP/SE Plat.
- b. All signs shall be designed and installed in accordance with Article 12 of the Fairfax County Zoning Ordinance.*

8) Additional Landscaping

In addition to the landscaping shown on the GDP/SEA Plat, the following landscaping shall be added to the golf course facilities:

- a. The amount of setback between the proposed golf course and Telegraph Road shall be a minimum of fifty (50) feet in depth. However, the amount of landscaping within the fifty foot deep transitional screening yard shall be the equivalent of the amount of plantings required for Transitional Screening Yard 1 and shall be subject to the approval of Urban Forest Management.
- b. A continuous row of large deciduous and/or evergreen trees shall be planted along the western boundary with the exception of those areas where the landfill closure plan precludes such plantings.
- c. The location, types and species of all landscaping material shall be subject to the approval of Urban Forestry Management.
- d. All deciduous trees required by this condition shall be a minimum size of 3-3.5 inch caliper at the time of planting.

All evergreen trees will be a minimum of six feet in height at the time of planting.

- 9) Hours of Operation, etc.
- a. The hours of operation of the nine-hole golf course, the short game practice area and the pitching and putting green shall be limited to a maximum from 6:00 a.m. until dusk, seven (7) days a week.*
 - b. The mechanical equipment used for maintenance of the golfing facilities shall not be operated outside of normal operating hours of the facilities, except, however maintenance equipment may operate for one (1) hour before operating hours, but no earlier than 6:00 a.m. Operation of mechanical equipment shall be in compliance with the noise standards established in Article 14-700 of the Fairfax County Zoning Ordinance.*
 - c. No loud speakers or amplification devices shall be permitted with the exception of announcements by the starter for golf course tee times. No amplified announcement shall be loud enough to be heard off-site.*
 - d. Vending machines shall not be visible from Telegraph Road.*
- 10) General
- a. Two (2) foul weather shelters, not to exceed two-hundred (200) square feet each, may be provided in the vicinity of the commercial golf course. These shelters shall provide adequate ventilation in order to prevent the collection of methane gases and shall not be constructed on top of the area formerly used as a landfill.*
 - b. Sufficient green or black safety netting (containment structures) shall be provided in order to protect Parcels 19 and 20 from errant golf balls. Netting poles shall be of a natural wood color.*

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. The approval of this special exception does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception amendment shall automatically expire, without notice, thirty (30) months after the date of approval unless construction upon the proposed improvements 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.

The Board also:

- Modified the transitional screen yard requirement along all boundaries of the property and waiver of the barrier requirement along all boundaries, in favor of that shown on the Generalized Development Plan/Special Exception Amendment Plat, and referenced in the development conditions.
- Modified the requirement for golf course parking areas to allow the parking area to be set back 50 feet from the property line of residentially zoned property and allow the parking area across from Fort Belvoir to be set back 25 feet from the right-of-way for Telegraph Road.

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors
NV/dms

SEA 2005-LE-027
March 25, 2009

-7-

Cc: Chairman Sharon Bulova
Supervisor Jeffrey McKay, Lee District
Janet Coldsmith, Director, Real Estate Division. Dept. of Tax Administration
Regina Coyle, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Angela K. Rodeheaver, Section Chief, Transportation. Planning Division
Ellen Gallagher, Capital Projects and Operations Div., Dept. of Transportation
Ken Williams, Plans & Document Control, ESRD, DPWES
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
District Planning Commissioner
Barbara J. Lippa, Executive Director, Planning Commission
Karyn Mooreland, Chief Capital Projects Sections, Dept. of Transportation



COUNTY OF FAIRFAX
 Department of Planning and Zoning
 Zoning Evaluation Division
 12055 Government Center Parkway, Suite 801
 Fairfax, VA 22035 (703) 324-1290, TTY 711
www.fairfaxcounty.gov/dpz/zoning/applications

APPLICATION No: SEA 2005-LE-027
 (Staff will assign)
RECEIVED
 Department of Planning & Zoning

MAR 18 2008

Zoning Evaluation Division

APPLICATION FOR A SPECIAL EXCEPTION
 (PLEASE TYPE or PRINT IN BLACK INK)

APPLICANT	NAME Hilltop Sand and Gravel Company, Inc.
	MAILING ADDRESS 7950 Telegraph Road Alexandria, Virginia 22315
	PHONE HOME () WORK ()
	PHONE MOBILE ()
PROPERTY INFORMATION	PROPERTY ADDRESS Parcel 9 - 7950 Telegraph Road; Parcel 17 - 7928 Telegraph Road; Parcel 23A - 7836 Telegraph Road
	TAX MAP NO. 100-1 ((1)) 9 pt., 17, 23A, pt. SIZE (ACRES/SQ FT) Approximately 82.14 acres
	ZONING DISTRICT I-3 and R-1 MAGISTERIAL DISTRICT Lee
	PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION: R-1
SPECIAL EXCEPTION REQUEST INFORMATION	ZONING ORDINANCE SECTION 9-502
	PROPOSED USE Amendment to SE 2005-LE-027 to permit an increase in land area for an existing golf course and related facilities and site modifications.
AGENT/CONTACT INFORMATION	NAME Lynne J. Strobel, Agent
	MAILING ADDRESS Walsh, Colucci, Lubeley, Errich & Walsh, P.C. 2200 Clarendon Boulevard, 13th Floor Arlington, Virginia 22201
	PHONE HOME () WORK (703) 528-4700
	PHONE MOBILE ()
MAILING	Send all correspondence to (check one): <input type="checkbox"/> Applicant -or- <input checked="" type="checkbox"/> Agent/Contact 3/28/08 JD
<p>The name(s) and addresses of owner(s) of record shall be provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter the subject property as necessary to process the application.</p> <p>Lynne J. Strobel, Agent</p> <p><u>Lynne J. Strobel</u> SIGNATURE OF APPLICANT/AGENT</p> <p>SEA 2008-0052</p>	
<p>TYPE/PRINT NAME OF APPLICANT/AGENT</p>	

DO NOT WRITE IN THIS SPACE

Date Application accepted: 3/25/08

Application Fee Paid: \$ 5,295.00