

DEVELOPMENT CONDITIONS
As Approved by the Board of Supervisors

SE 2008-SP-025

August 3, 2009

If it is the intent of the Board of Supervisors to approve SE 2008-SP-025, located at 11101, 11115, 11121, 11123 Popes Head Road, Tax Map 68-3 ((1)) 61-64, for a private school of general education, pursuant to Sect. 3-C04 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 "Islamic Saudi Academy" (Sheets 1-14 prepared by Vika, Inc., and dated December 21, 2007, as revised through April 22, 2009, Sheet 15 prepared by BeeryRio and dated November 3, 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. A copy of these special exception conditions shall be posted in a conspicuous place on the property, and made available to the public and all departments of the County of Fairfax during hours of operation.
5. Architecture shall be in general conformance with that shown on Sheet 15 of the SE Plat.
6. Any retaining walls provided which are not shown on the SE Plat shall not exceed four feet in height.
7. Development of the site improvements and buildings (or portions thereof) may be phased.

Operational

8. The maximum daily enrollment shall be limited to 500 students, Kindergarten through 12th grade. Prior to the issuance of a Non-residential Use Permit, the

applicant shall demonstrate Health Department approval for a septic system for the site that supports the requested number of students, staff and other visitors.

9. The maximum number of staff, exclusive of bus drivers, on-site at any one time shall be 80.
10. The primary hours of operation shall be limited to 7 am to 6 pm, Monday – Friday, year-round. No before or after school child care shall be permitted; however, before and after school enrichment activities shall be permitted, provided that such is provided within the hours of operation. School related evening activities shall be permitted from 6 pm to 8 pm Monday –Friday, and shall be limited to no more than eight per month. Student activities sponsored by the school shall be limited to two weekends per month between the hours of 9 am to 5 pm on Saturday and 9 am to 1 pm on Sunday. In addition, an annual graduation ceremony may be permitted on a weekend. Evening and weekend outdoor activities shall not extend beyond 7:30 pm. The school buildings and outdoor playing fields shall not be leased, rented, or otherwise made available to groups not affiliated with the school. Tournaments for sporting events with multiple school participants shall not be held at the school.
11. A prayer room may be located within the school, but its use shall be limited to faculty and students only. The prayer room shall not be open to the public.
12. No lighting shall be provided for the outdoor playing fields, and the use of outdoor public address speaker systems or bull horns shall be prohibited. However, this shall not preclude the use of a temporary public address speaker system to be used for outdoor ceremonies (such as graduation/baccalaureate).
13. All lighting, including security lighting, shall be in conformance with Part 9 of Article 14 of the Zoning Ordinance.
14. Exclusive of the areas shown on the SE Plat as undisturbed open space, grass shall be cut at least three times a month from April 1 through September 30.
15. A community liaison shall be designated as a contact point for community operational and maintenance concerns. The name and phone number of the liaison shall be provided to the presidents of surrounding civic associations and the office of the Springfield District Supervisor. The community liaison shall extend a written invitation for a meeting on an annual basis to the presidents of surrounding civic associations to discuss topics of mutual interest and foster improved communications.
16. Prior to the commencement of each school year, a publication of anticipated events and activities shall be provided to the presidents of surrounding civic associations and the office of the Springfield District Supervisor. Updates to events and activities shall be provided on a quarterly basis during the school year.

17. The applicant shall permit the Cultural Resources Management and Protection Section of the Fairfax County Park Authority (CRMPS) to perform a disturbance assessment on the application property to determine if additional archaeological survey work is warranted.. In areas where additional work is warranted, as determined by CRMPS, a tight interval (30 foot interval) Phase I archaeological survey shall be conducted on any areas to be disturbed (areas protected by the limits of clearing and grading shall be exempt from the survey), using a scope of work provided by CRMPS. If determined to be warranted by CRMPS from the Phase I survey, Phase II assessment and, if appropriate, Phase III data recovery shall be performed in accordance with scopes provided by CRMPS. Any Phase III scopes shall provide for public interpretation of the results. Draft and final reports (including any cultural resource studies, field notes, photographs and artifacts) produced as a result of the disturbance assessment, and Phase I, II and/or III studies shall be submitted to CRMPS for review and approval within 30 days of completion. No ground disturbing activities shall occur until such studies have been completed and approved. If CRMPS is unable or does not choose to perform the initial disturbance assessment, such disturbance assessment shall be done as approved by CRMPS, or the applicant may elect to move directly to a Phase 1 survey, as laid out above.

Transportation

18. Prior to the issuance of a Non-RUP, the applicant shall contribute to the Springfield District Walkway Fund an amount equal to the cost of constructing a paved trail along its Popes Head Road frontage, as determined by DPWES, in lieu of construction of such a trail.
19. That area shown on the SE Plat as "future R/W dedication" shall be dedicated to the Board of Supervisors, in fee simple, at the time of site plan approval or upon demand, whichever occurs first.
20. Subject to approval of VDOT, the applicant shall install two standard, time activated, flashing school zone speed limit signs on Popes Head Road.
21. In January of the first school year in which enrollment reaches or exceeds 425 students, a determination shall be requested from the Fairfax County Department of Transportation (FCDOT) as to whether the right turn lane on east bound Popes Head Road at the intersection of Popes Head Road and Ox Road needs to be lengthened to accommodate potential vehicle queues. The applicant shall provide the necessary data, as requested by FCDOT, to allow appropriate analysis. If the determination is made that such lengthening is warranted, the applicant shall extend the right turn lane by up to 150 feet, as determined necessary by FCDOT in coordination with the Northern Virginia Regional Park Authority, subject to VDOT approval.
22. In January of the first school year in which enrollment reaches or exceeds 425 students, a determination shall be requested from FCDOT as to whether the left turn lane on north bound Ox Road at the intersection of Popes Head Road and

Ox Road needs to be lengthened to accommodate potential vehicle queues. The applicant shall provide the necessary data, as requested by FCDOT, to allow appropriate analysis. If the determination is made that such lengthening is warranted, the applicant shall extend the left turn lane as determined appropriate by FCDOT, subject to VDOT approval.

23. At time of site plan submission, a sight distance evaluation shall be prepared for the intersection sight distance for the driveway on Tax Map Parcel 68-3 ((1)) 60, in accordance with VDOT standards. Should the fence or vegetation on the application property interfere with adequate sight distance for the driveway in accordance with VDOT requirements, the fence shall be relocated and trees trimmed to mitigate the conflict.

Transportation Management

24. A Transportation Management Plan (TMP) shall be developed and implemented in order to minimize the number of vehicular trips generated by the private school during the weekday morning and afternoon peak hours. For the purposes of this condition, morning and afternoon peak hours are considered the peak hours of the use, not the peak hours of traffic on the surrounding street network. The TMP shall include the following components:
- a) **Procedure Manual:** All parents shall receive written information prior to the commencement of each school year that clearly establishes operational procedures, which shall be implemented, as well as restrictions on vehicle maneuvers when driving to or from the school. A copy of the Procedural Manual shall be provided to FCDOT and the Springfield District Supervisor's Office. The Procedural Manual must include, but shall not be limited to, the following transportation procedures:
 - i) ***Student Driving Restrictions:*** Students shall not be permitted to drive to school during normal school hours (7:00 a.m. to 6:00 p.m., Monday through Friday). The school's administration may authorize a limited number of students per day to drive to school for certain prearranged, non-recurring events such as a doctor's appointment, job interview, etc. Any such authorization shall be in writing and kept on file by the school.
 - ii) ***Busing:*** The Procedure Manual shall strongly encourage all families to utilize the school's bus service. Use of the bus service shall be incentivized through the use of such techniques as a sliding scale based on multiple children or financial need.
 - iii) ***Drop-off and Pick-up Procedures:*** During regularly scheduled arrival and dismissal periods, vehicles shall queue on-site in order to avoid vehicular queuing on Pope's Head Road. If vehicle queuing on-site cause a backup that prohibits other vehicles from entering, the security gate shall be moved further into the site (which shall not

require an amendment to this special exception) or other operational changes shall be implemented to alleviate the queuing issue. Staff and/or volunteers shall supervise unloading and loading of children. All drop-off and pick-up of children shall be done on-site, and not on adjacent neighborhood streets. This condition shall not preclude alternative transportation management measures such as shuttling students to the school by van or bus from an off-site location(s).

- iv) *Carpooling*: For families who are unable to utilize the bus service, carpooling shall be encouraged as an alternative mechanism to minimize daily vehicular trips to the site. Zip code rosters shall be available to all families to facilitate carpool arrangements.
- v) All parents and staff shall be directed to use Route 123 to access the school to the extent practical. The Procedure Manual shall further emphasize the need to obey posted speed limits on Popes Head Road.
- b) Bus Service: Bus service shall be provided for all students. A minimum of ten buses with a seating capacity of at least 41 students shall be operated to serve the school. The minimum number of buses may be proportionately reduced based on student enrollment or if the school utilizes buses with a greater seating capacity. School bus drivers shall be primarily directed to arrive and depart from the school from Route 123. Buses shall be kept on-site during the day, except for when the buses are used for special events, such as field trips and sports activities.
- c) On-site Parking: Signs shall be posted in the parking lot to identify "bus, faculty and visitor parking only" during normal school hours (7:00 a.m. to 6:00 p.m.) Monday through Friday. There shall be no areas reserved for student parking. No parking shall be permitted on grass areas during normal school hours.
- d) Trip Reduction:
 - i) *Objectives*: The Trip Reduction Goal is to limit vehicular trips associated with the private school to no more than 355 total trips (inbound and outbound) in the school morning peak hour and 247 total trips (inbound and outbound) in the school afternoon peak hour.
 - ii) *Monitoring*: Beginning the first school year after enrollment reaches a minimum of 425 students, analysis of traffic generated by the site shall be conducted. The scope and timing of this analysis, which shall be conducted between January and March and shall be limited to intersections in proximity to the school, shall be coordinated with and approved by FCDOT, and shall include provisions that staff, other than security personnel, and parents **are not** notified of days on which counts will be taken. Copies of the analysis shall be submitted

to FCDOT and the Springfield District Supervisor's office within 30 days of completion of traffic counts.

- iii) **Implementation:** The trip reduction goal is met if the observed average trip generation in the morning peak hour is less than or equal to 355 total trips (inbound and outbound). Testing shall occur annually until the data shows conformance with the goal (as determined by FCDOT) for two consecutive years, at which time retesting shall not be required for a five year period, unless specifically requested by FCDOT.
- iv) **Corrective Measures:** If the trip reduction goal is not met for any study period, the applicant shall identify additional measures to reduce peak hour traffic and shall implement those measures within 90 days, although additional time for implementation may be permitted by FCDOT. Retesting shall be required within two months of implementation, or in the next school year, as determined appropriate by FCDOT. If the re-testing indicates the goal is met, as determined by FCDOT, the testing schedule shall revert to the schedule in subparagraph iii above.
- v) **Penalties:** If the retesting (required in subparagraph iv above) indicates that the goal is still not met, the school shall reduce student enrollment the following school year or institute mandatory busing of all students. These additional measures may be discontinued only if the trip reduction goal is met in a follow-up study, as determined by FCDOT, and additional measures are in place to ensure the goal continues to be met, at which time the testing schedule shall revert to the schedule in subparagraph iii above.
- e) **Left Turn Limitation:** In January of the first school year in which enrollment reaches or exceeds 425 students, the Applicant shall conduct an evaluation of operations at the site access to Popes Head Road. The volume of left and right turns into and out of the access, vehicle queues and delays shall be field counted/measured and this information provided to FCDOT within 30 days of compilation with a break down of the data. Parents, staff, other than security personnel, and students shall not be notified as to the day and time that counts and data will be collected. If FCDOT, in consultation with the Applicant, determines the left turns out of the site onto westbound Popes Head Road are problematic, then the Applicant shall post signs prohibiting left turns exiting the site between the hours of 7:00 a.m. and 9:00 a.m. and 2:00 p.m. and 4:00 p.m., or a similar two hour period as deemed appropriate based on the evaluation of operations and school operating hours.

Septic System

25. The primary septic fields to be utilized shall be those designated on the SE Plat as "active," subject to review and approval of the Health Department.
26. Those septic fields designated on the SE Plat as "reserve" fields shall not be cleared or graded unless and until they are required for use as determined by the Health Department.
27. If use of a "reserve" septic field is deemed necessary by the Health Department, the corresponding "active" field which has been abandoned shall be re-vegetated in coordination with UFM, so long as such re-vegetation is in conformance with Health Department standards.
28. Kitchen facilities and showers shall not be provided on-site unless a determination has been made by the Health Department that adequate septic capacity is provided for such facilities.

Environmental

29. The applicant shall conform strictly to the limits of clearing and grading as shown on the SE Plat, subject to the installation of utilities and/or trails as determined necessary by the Director of DPWES. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the SE Plat, 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.
30. A minimum of 50% of the site shall be maintained as undisturbed open space.
31. Understory and ground cover plantings shall be restored in those areas designated as undisturbed open space on the SE Plat where no vegetation currently exists, including in the buffer areas along the two streams. Such restoration areas shall be coordinated with the Urban Forestry Management Division (UFM) of the Department of Public Works and Environmental Services, in order to ensure that an appropriate mix of native species is provided and plantings are done in a manner which ensures the greatest survivability for existing trees and plants on-site.
32. Dead, dying, or invasive vegetation may be removed from the undisturbed open space area if approved by UFM.
33. A solid board-on-board fence, six feet in height, shall be provided around the southern and western perimeters of the soccer field and the playfields as shown on the SE Plat. The fence shall be constructed of wood, synthetic wood, or comparable material. The material used for the fence shall be a subdued color, and not white. The fence shall be located in coordination with a representative

of UFM to ensure that existing vegetation is not impacted by installation. The fence shall be screened by evergreen trees, approximately four to six feet in height at time of planting, located between the fence and the property line as shown on the SE Plat.

34. A staggered row of evergreen trees shall be provided along the eastern side of the bus parking lot to provide additional screening, so long as such plantings meet the distance requirements from the septic fields as established by the Health Department.
35. A landscape plan shall be submitted concurrent with site plan review and shall provide for the number, sizes and locations of trees and plantings consistent with that shown on the SE plat and the additional requirements of these conditions. The landscape plan shall be subject to the review and approval of Urban Forest Management (UFM). Minor modifications may be permitted by UFM to the extent that these do not change the designations of individual trees, or result in significant physical impacts to the areas designated to be left undisturbed.
36. At the time of site plan submission, a tree survey shall be submitted that identifies the trunk location, species, size, crown spread and condition analysis rating for all individual and groups of trees shown on the Special Exception Plat to be preserved, as well as all on and off-site trees, living or dead with trunks 6 inches in diameter and greater (measured at 4 ½ feet from the base of the trunk or as otherwise allowed in the 9th or latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) located within 25 feet of the approved limits of clearing and grading for review by the Urban Forest Management Division. This tree survey shall be prepared by a Certified Arborist with experience in the preparation of tree preservation plans.
37. The applicant shall take necessary steps and actions to ensure the long-term survival, and continuing structural integrity and health of trees designated on the SE Plat to be preserved. If any of these trees is found to be dead, dying, diseased, or hazardous (as determined by UFM) at or prior to, the final release of the project bond, and that such was not the result of unapproved construction practices, the applicant shall provide for restoration and remuneration by:
 - a) providing for the removal of the above ground portions of trees
 - b) restoring understory plants and/or soil conditions damaged during tree removal activities (as determined by UFM)
 - c) provide for the restoration of the associated loss in canopy coverage in accordance with the tree cover guidance found in the Public Facilities Manual
38. The applicant shall: a) root prune the roots of trees to be preserved that may be damaged during clearing, demolition, grade changes, utility installation

and/or the installation of retaining walls; b) mulch to a minimum depth of 3 inches within the areas to be left undisturbed where soil conditions are poor, lacking leaf litter or prone to soil erosion; and c) then provide tree protection fencing approved by the Urban Forest Management Division (UFM), Fairfax County Department of Public Works and Environmental Services ("DPWES"), where deemed necessary by UFM. The areas that will be root pruned and mulched shall be clearly identified on the Tree Designation Plan. All treatments for such trees and vegetation shall be clearly specified, labeled, and detailed on the erosion and sediment control sheets and demolition plan (if provided) sheets of the site plan submission. The details for these treatments shall be included in the Tree Designation Plan and shall be subject to the review and approved of UFM.

All root pruning and mulching work shall be performed in a manner that protects adjacent trees and vegetation that are required to be preserved and may include, but not be limited to, the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
 - Root pruning shall take place prior to any clearing and grading and/or demolition of structures.
 - Root pruning shall not sever or significantly damage structural or compression roots in a manner that may compromise the structural integrity of trees or the ability of the root system to provide anchorage for the above ground portions of the trees.
 - Root pruning shall be conducted with the on-site supervision of a certified arborist.
 - 14 gauge welded wire tree protection fencing shall be installed immediately after root pruning, and shall be positioned directly in the root pruning trench and backfilled for stability, or just outside the trench within the disturbed area.
 - Immediately after the phase II E&S activities are complete, mulch shall be applied at a depth of 3 inches within designated areas without the use of motorized equipment
 - Mulch shall consist of wood chips, shredded hardwood and/or pine bark mulch. Hay or straw mulch shall not be used within tree preservation areas.
 - UFM, DPWES shall be informed in writing when all root pruning and tree protection fence installation is complete.
39. The applicant shall retain a professional with experience in plant appraisal, such as a certified arborist or landscape architect, to determine the replacement value of those trees, 8 inches in diameter and greater (measured at 4 ½ feet from the base of the trunk or as otherwise allowed in the 9th or latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) located within 15 feet of the approved limits of clearing and grading identified on the tree survey plan as trees to be preserved. These trees

and their value shall be identified on the landscape plan at the time of the first submission of the site plan. The replacement value shall take into consideration the age and size of the trees and shall be determined according to the methods contained in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture, subject to review and approval by Urban Forest Management, DPWES.

At the time of site plan approval, the Applicant shall post a cash bond or letter of credit payable to the County of Fairfax to ensure replacement of the designated trees that die or are dying due to normal construction activities permitted on the approved plan. Replacement shall not include trees that die by natural causes unrelated to construction activity. Any trees shown to be preserved on the Tree Preservation Plan that die or are dying due to construction activities NOT permitted on the approved plan shall be replaced with trees of equivalent species and size and the bond monies for said trees shall not be refunded. The terms of the letter of credit shall be subject to approval by the County Attorney. The total amount of the cash bond or letter of credit shall be in the amount of the sum of the assigned replacement values of the designated trees, but shall not exceed \$100,000.00.

If, at the time of final bond release, trees are found to be dead or dying despite adherence to approved construction activities by Urban Forest Management, DPWES, the cash bond or letter of credit shall be used as necessary to plant similar size and species, or species appropriate to the site, in consultation with Urban Forest Management, DPWES, and the developer's certified arborist. The cash bond or letter of credit shall not be used for the removal of the dead/dying trees normally required by the PFM and the Conservation Agreement.

Any funds remaining in the letter of credit or cash bond will be released two years from the date of release of the project's conservation escrow, or sooner, if approved by Urban Forest Management, DPWES.

40. Irrespective of the notes on the SE Plat, alternative methods of stormwater management / best management practices (other than that shown on the SE Plat) may only be utilized if the design parameters of the PFM (for example; percolation rates or water table elevations) cannot be satisfied. In such cases, the applicant may propose an alternative stormwater management/best management practices facility in accordance with those provided in the PFM. Any such alternative facility(ies) shall be located in areas substantially in conformance with those areas shown on the SE Plat for "infiltration trenches," and shall further be subject to the review by the Urban Forest Management Division. Any such alternative facilities shall not extend beyond nor increase the limits of clearing and grading as depicted on the SE Plat.
41. An Integrated Pest Management Plan (IPM) designed to protect water quality and reduce nutrient loading by managing and limiting the application of

fertilizers, herbicides and other chemicals, shall be developed using the guidelines established by the Virginia Cooperative Extension Service Pest Management Guide. The IPM shall be reviewed by the Fairfax County Office of the Virginia Cooperative Extension Service and approved by the Northern Virginia Soil and Water Conservation District. A copy of the pesticide management program and records of all chemical applications shall be kept on site at all times, and shall be made available to county staff upon request.

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 this issuance of a Non-Residential Use Permit, 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.

