



County of Fairfax, Virginia

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

June 9, 2010

Lynne J. Strobel
Walsh, Colucci, Lubeley, Emrich and Walsh, PC
2200 Clarendon Boulevard, 13th Floor
Arlington, VA 22201

Re: Special Exception Application SE 2009-LE-024

Dear Ms. Strobel:

At a regular meeting of the Board of Supervisors held on June 8, 2010, the Board approved Special Exception Application SE 2009-LE-024 in the name of Knowledge Learning Corporation D/B/A Kindercare Learning Centers. The subject property is located at 7136 Telegraph Road on approximately 28,828 square feet of land, zoned R-1 and R-5 in the Lee District [Tax Map 91-4 ((1)) 12 and 8A pt.]. The Board's action permits a change in permittee for an existing child care center and private school of general education pursuant to Section 3-304 of the Fairfax County Zoning Ordinance, 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. A copy of this Special Exception and the Non-Residential Use Permit 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.

Office of the Clerk to the Board of Supervisors
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035

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

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 Plans associated with this application as depicted in the attached exhibit. Minor modifications of the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
- *4. The maximum daily enrollment shall be limited to 105 children between the ages of 3 months to 7 years old.
- *5. The hours of operation shall be from 6:30 a.m. to 6:30 p.m., Monday through Friday.
6. Once this special exception is implemented via issuance of a Non-RUP, prior to the issuance of any new Non-RUP, the new operator shall demonstrate to the Zoning Administrator that it has met or made a good faith effort to meet with the Lee Land Use Committee and its Transportation Advisory Committee to discuss ways to further reduce any stormwater runoff from the subject site.

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 through the issuance of a new non-RUP. The Board of Supervisors may grant additional time to establish the use 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 screening requirements along all property lines and modified the barrier requirement along the eastern property line to that shown on the SE Plat.

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors
NV/ph

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
Eric Teitelman, 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
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation