



County of Fairfax, Virginia

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

July 18, 2011

Lynne J. Strobel
Walsh Colucci Lubeley Emrich & Walsh PC
2200 Clarendon Blvd., 13th Floor
Arlington, VA 22201-3359

Re: Interpretation for SEA 2004-DR-031; Tax Map 7-2 ((1)) 21A; 8-1 ((1)) 22, 23, 41 and 8-3 ((1)) 4; River Bend Golf and Country Club: Tennis Court Enclosure Expansion

Dear Ms. Strobel:

This is in response to your letter of April 12, 2011, requesting an interpretation of the Special Exception Amendment (SEA) Plat and development conditions approved by the Board of Supervisors in conjunction with the approval of SEA 2004-DR-031. As I understand it, the question is whether a proposed addition to an existing tennis court enclosure would be in substantial conformance with the Plat and development conditions. This determination is based on the plan consisting of two sheets, titled "Exhibit, Tennis Enclosure Expansion" and "Overall Plan, Tennis Enclosure Exhibit," prepared by Tri-Tek Engineering and dated March 31, 2011. Copies of your letter and relevant documents are attached.

SEA 2004-DR-031 was approved by the Board of Supervisors on June 18, 2007, subject to development conditions, to permit site modifications to the existing golf course and country club. The amendment included the addition of a new maintenance facility, removal of existing maintenance facilities, golf course site modifications and fill in the floodplain for stream restoration and stabilization. A maximum of 121,090 gross square feet was approved for all structures combined, existing and future, as shown on the Plat. The approved site plan shows a total of 97,828 gross square feet constructed on the site, leaving a remainder of 23,262 square feet of the total approved gross floor area (GFA) yet unbuilt.

On September 3, 2010, a prior determination was made that a 9,200 square foot addition to the existing tennis court enclosure (Parcel 23, Building G) was in substantial conformance with the SEA Plat and development conditions. The addition was proposed on the southeast side of the building and depicted a curved footprint extending the building 36 feet on the east side and 119 feet on the west side. The addition expanded south into the adjacent parking area and necessitated the deletion of 22 existing parking spaces and reconfiguration of the remaining parking spaces. No construction has occurred for the site modifications approved with the interpretation.

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According to your letter, the applicant has modified the size and design of the previously approved expansion of the tennis court enclosure to propose a larger addition to accommodate two tennis courts, rather than one, to meet the demand for indoor tennis play. The applicant now proposes an addition of 12,480 square feet. As with the previous interpretation, your letter requests that the square footage of the addition be reallocated from the approved yet unconstructed square footage on the SEA Plat, which is 23,262 square feet of GFA. You state that the applicant has no plans to enlarge the existing pool/bath house or to construct a future grill/pool house. You are requesting 12,480 square feet of the available GFA be reallocated to the proposed tennis enclosure addition, reducing the balance of unconstructed square footage to 10,782 square feet.

According to the interpretation exhibit, the footprint of the addition has changed from the previously approved curved building footprint to propose a typical rectangular footprint, 120 feet by 104 feet, on the southeast side of the building. The building addition will be an extension of the existing enclosure with the same height and shape and be constructed with similar materials.

The proposed modified footprint of the building results in a shift in location of an adjacent outdoor tennis court and golf cart path southward approximately 20 feet into the adjacent parking area between the tennis courts and the clubhouse/pro shop. The shift in the location of the outdoor tennis court necessitates deletion of parking spaces and reconfiguration of the parking area. You are proposing to delete 28 parking spaces from a total of 298. The remainder of the existing parking spaces will be re-aligned within the parking area.

Development Condition 7 states: *The country club membership shall be limited to 900 persons with a corresponding minimum of 257 parking spaces. All parking shall occur on-site as shown on the SE Plat. A strict no parking restriction along the existing ingress-egress easement that provides access to Beach Mill Road shall be enforced. Note 6 on page 2 of the SEA Plat states: Parking shall be provided pursuant to Zoning Ordinance section 11-106 (7). The applicant reserves the right to modify the layout and increase or reduce the quantities shown at the time of site plan submission provided the minimum setbacks to the property line are not reduced and the minimum number of parking spaces required remain.*

The SEA Plat shows the minimum required parking for the site is 225 parking spaces. You state that 298 spaces are provided on the property and that the deletion of 28 parking spaces would reduce the number of provided parking spaces to 270, which exceeds the number of minimum required parking spaces (257) based on the maximum membership.

With the reorientation of the outdoor tennis court and golf cart path and the reconfiguration of the parking area, the interior landscaping is also proposed to be modified. According to your letter and the interpretation plan, the owner proposes to re-locate existing landscaping within the parking area and provide new landscaping, including deciduous shade trees, evergreen columnar trees and a landscape berm with ornamental plantings. The proposed interior landscaping is acceptable, subject to review and approval by Urban Forest Management Division, Department of Public Works and Environmental Services (UFMD, DPWES).

It is my determination that the addition of a 12,480 square foot tennis court enclosure addition, in lieu of 9,200 square feet previously approved, the deletion of 28 parking spaces and the shift southward of the outdoor tennis court and golf path would be in substantial conformance with the SEA Plat and development conditions, subject to approval of landscaping by UFMD, DPWES. This determination has been made in my capacity as the duly authorized agent of the Zoning Administrator and only addresses the issues discussed herein. If you have any questions regarding this interpretation, please contact Carrie Lee at (703) 324-1290.

Sincerely,



Barbara C. Berlin, AICP, Director
Zoning Evaluation Division, DPZ

BCB/CDL/N:\Interpretations\SE\Riverbend_tennis enclosure addn.doc

Attachments: A/S

cc: John W. Foust, Supervisor, Dranesville District
Jay Donahue, Planning Commissioner, Dranesville District
Diane Johnson-Quinn, Deputy Zoning Administrator, Permit Review Branch, ZAD, DPZ
Ken Williams, Plan Control, Land Development Services, DPWES
Jack Weyant, Director, Environmental and Facilities Inspection Division, DPWES
Kevin Guinaw, Chief, Special Projects/Applications Management Branch, ZED, DPZ
File: SEA 2004-DR-031, SEI 1104 017, Imaging, Reading File



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Department of Planning & Zoning

APR 13 2011

Zoning Evaluation Division

April 12, 2011

Via Overnight Delivery

Barbara C. Berlin, Director
Fairfax County Department of Planning & Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

Re: SEA 2004-DR-031
Fairfax County Tax Map Reference: 7-2 ((1)) 21A; 8-1 ((1)) 22, 23 and 41;
and 8-3 ((1)) 4
Applicant: River Bend Golf and Country Club, Inc.

Dear Ms. Berlin:

Please accept this letter as a request for a determination that proposed minor modifications are in substantial conformance with a previously approved special exception in accordance with Paragraph 4A of Section 9-004 of the Fairfax County Zoning Ordinance (the "Zoning Ordinance").

The Applicant is the owner and operator of River Bend Golf and Country Club that is located on approximately 175.8 acres identified among the Fairfax County tax assessment records as 7-2 ((1)) 21A; 8-1 ((1)) 22, 23 and 41; and 8-3 ((1)) 4 (the "Subject Property"). River Bend Golf and Country Club is comprised of a number of existing facilities including a golf course, indoor and outdoor tennis courts, a swimming pool and club house. These improvements have been constructed in accordance with various approvals granted over a number of years. Most recently, on June 18, 2007, the Board of Supervisors (the "Board") approved SEA 2004-DR-031 to permit building additions and site modifications to the existing facilities. The approval was granted subject to twenty-two (22) development conditions that are listed in a letter issued by Nancy Vehrs, Clerk to the Board, dated June 18, 2007. The development conditions require development of the Subject Property in substantial conformance with the approved plat entitled "River Bend Country Club" prepared by William H. Gordon & Associates, Inc. consisting of fourteen (14) sheets, dated September 21, 2006 with revisions through May 16, 2007 (the "SE Plat"). The conditions further allow minor modifications to the approval as permitted by the Zoning Ordinance.

In addition, the Applicant has received administrative approval of minor modifications to the indoor tennis courts. By letter dated September 3, 2010, Regina C. Coyle, Director of the Zoning Evaluation Division, determined that a 9,200 square foot expansion of the tennis court enclosure would be in substantial conformance with the SE Plat and the development conditions,

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ATTORNEYS AT LAW

provided that the maximum approved gross floor area shown on the SE Plat (121,090 square feet) is not exceeded. The square footage of the expansion resulted from a redistribution of gross floor area from other buildings that were approved on the Subject Property but not constructed. In conjunction with an expansion of the tennis court, the determination permits the removal of twenty-two (22) parking spaces, or a reduction from 298 parking spaces as shown on the SE Plat to 276 parking spaces. A note on the SE Plat allows the Applicant to modify parking, provided the minimum setbacks to the property line are not reduced and the minimum number of required parking spaces is provided.

With this letter, the Applicant proposes to further modify the tennis court enclosure. I have enclosed an exhibit consisting of two (2) sheets and entitled "Tennis Enclosure Exhibit" prepared by Tri-Tek Engineering, Inc. dated March 31, 2011 (the "Exhibit"). Previously, the Applicant proposed an expansion of the tennis court enclosure resulting in 9,200 square feet of gross floor area. The expansion permits an additional tennis court and a viewing area. Due to an increased demand for indoor tennis play, the Applicant proposes to further modify the enclosure to permit an area of 12,480 gross square feet. The proposed enclosure will permit the installation of two (2) tennis courts with a more limited viewing area. Similar to the recently issued determination, the Applicant proposes that the square footage of the expansion be reallocated from the approved square footage that has not been constructed. Subsequent to the initial reallocation of 9,200 square feet of unconstructed square footage to the tennis court expansion, the remaining balance of unconstructed square footage is 14,062 square feet. The Applicant proposes that an additional 3,280 square feet be allocated to the tennis court expansion, thereby reducing the balance of unconstructed square footage to 10,782 gross square feet. The square footage of existing structures is provided on Sheet 1 of the Exhibit.

The Applicant's proposal will necessitate some adjustments to existing improvements as shown on Sheet 2 of the Exhibit. Specifically, the location of one of the outdoor tennis courts will be shifted and parking will be reconfigured. The cart path that connects the pro shop and clubhouse to the golf practice facility will also be relocated. The prior determination issued for the tennis enclosure expansion resulted in the removal of twenty-two (22) existing parking spaces and the relocation of other parking. The new design, as graphically shown on Sheet 2 of the Exhibit, results in a further reduction of six (6) parking spaces. The existing number of parking spaces located on the Subject Property is 298, whereas the most recent special exception approval requires a minimum of 257 parking spaces. The total number of parking spaces proposed on the Subject Property is 270, which continues to exceed the approved requirement. The proposed construction will result in the relocation of five (5) small deciduous trees and the removal of perennials, annuals and ground cover. The Applicant proposes to re-landscape the area after construction as shown on the attached Exhibit.

As the Applicant's proposal does not increase the previously approved square footage nor decrease open space, I am asking for your confirmation that the proposed tennis enclosure expansion is in substantial conformance with the approved SE Plat. In accordance with Zoning Ordinance requirements, this proposal does not include any of the following:

- *A change in the amount of land area or more intensive use.*

The land area associated with the special exception approval remains the same and the amount of approved square footage is not increased. The Applicant will simply reallocate unconstructed square footage to the proposed enclosed tennis courts. The Applicant does not propose to expand the hours of operation, increase membership, or any other modifications that will result in a more intensive use.

- *An increase parking requirement.*

The Applicant's proposal removes six (6) parking spaces from the design that has been administratively approved. This results in a total of twenty-eight (28) fewer spaces than shown on the SE Plat. The total number of parking spaces required by the most recent special exception approval continues to be provided.

- *Permit uses other than those approved pursuant to the special exception.*

The approved special exception allows both outdoor tennis courts and a tennis court enclosure as shown on the SE Plat. Neither the SE Plat nor the approval conditions specify a number of tennis courts. Therefore, the Applicant is not proposing any uses other than those previously approved.

- *A reduction in the effectiveness of approved transitional screening, buffering, landscaping or open space.*

The location of the proposed tennis court expansion is interior to the Subject Property and will not be visible from any perimeter lot line. There are no impacts to approved transitional screening or buffering and the amount of open space as shown on the SE Plat is not decreased. Any landscaping that is relocated or removed as a result of the construction of the tennis court enclosure will be replaced.

- *Changes to the bulk, mass, orientation or location of buildings, which adversely impact the relationship of the development to adjacent properties.*

The proposed tennis enclosure expansion will not be visible from the perimeter of the Subject Property and will not adversely impact any adjacent properties.

- *An increase in the amount of clearing and/or grading for a stormwater management facility.*

The Applicant's proposal is not associated with stormwater management and will not increase the amount of impervious area on the Subject Property.

- *The addition of any building or additions to buildings.*

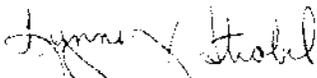
The Applicant proposes a larger structure on the Subject Property, however, the total amount of previously approved square footage is not increased.

The tennis court enclosure expansion as modified by the Applicant will better meet the needs of the current membership. An expanded tennis court enclosure has already been administratively approved on the Subject Property and, while the Applicant is changing the footprint of the enclosure, the overall approved square footage on the Subject Property has not been exceeded. Therefore, I would ask for your confirmation that the Applicant's proposal is in substantial conformance with the SE Plat. In accordance with the requirements of the Zoning Ordinance, I have enclosed a check in the amount of \$500.00 payable to Fairfax County that represents the filing fee required for interpretation requests. I have also enclosed two (2) copies of this request with the Exhibit pursuant to your policy, as well as a reduction of the Exhibit.

Should you have any questions regarding this request, or require additional information, please do not hesitate to contact me. As always, I appreciate your cooperation and assistance.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, P.C.


Lynne J. Strobel

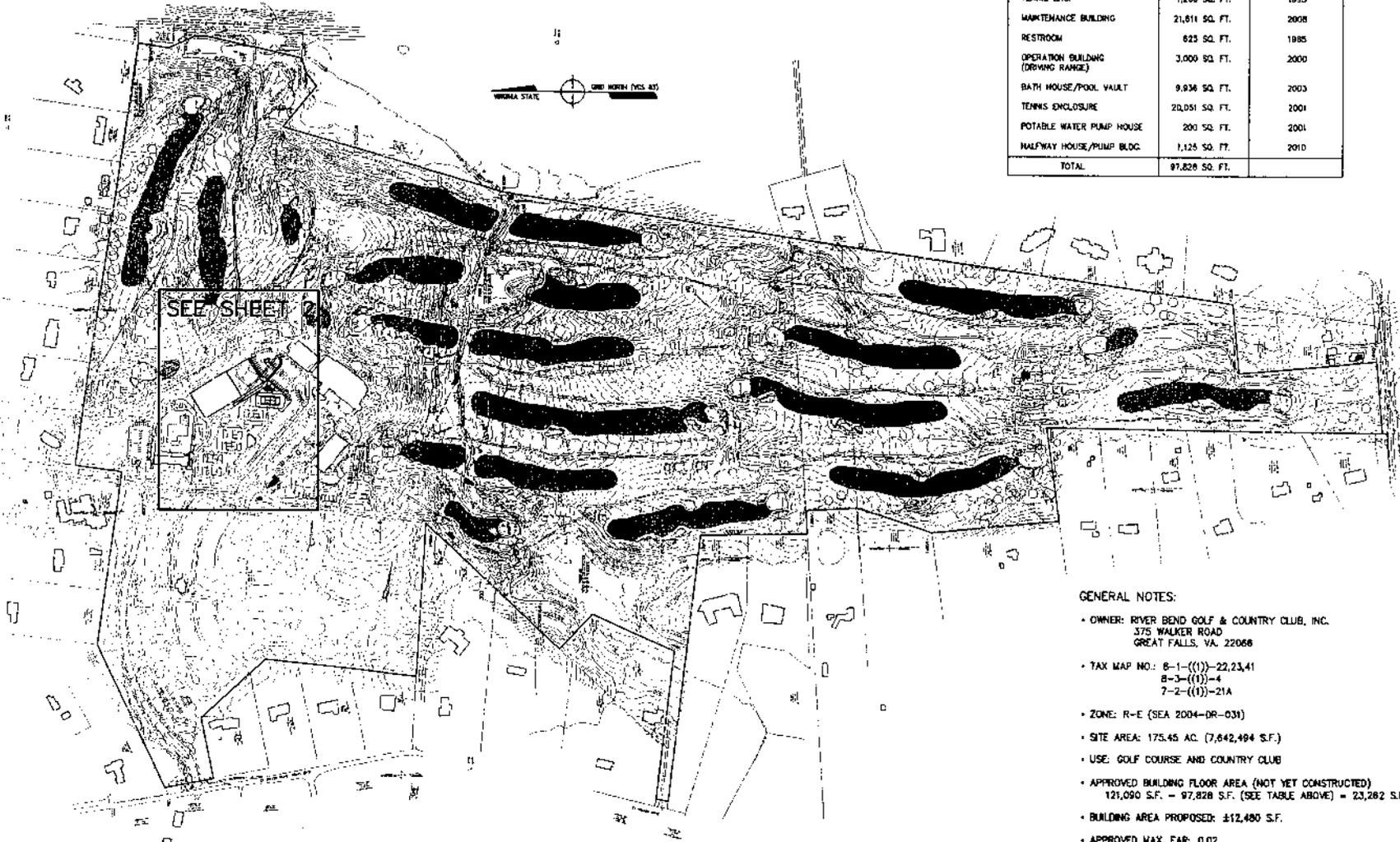
LJS/kae

Enclosures

cc: Sam Atari
Ted Britt
Robert Zeiller
Martin D. Walsh

EXISTING STRUCTURES

EXISTING BUILDINGS	AREA (SQ. FT.)	APPROX. DATE CONSTRUCTED
CLUBHOUSE/PRO SHOP	40,000 SQ. FT.	REV. 1993
TENNIS SHOP	1,200 SQ. FT.	1993
MAINTENANCE BUILDING	21,611 SQ. FT.	2008
RESTROOM	623 SQ. FT.	1985
OPERATION BUILDING (DROWING RANGE)	3,000 SQ. FT.	2000
BATH HOUSE/POOL VAULT	9,936 SQ. FT.	2003
TENNIS ENCLOSURE	20,051 SQ. FT.	2001
POTABLE WATER PUMP HOUSE	200 SQ. FT.	2001
HALFWAY HOUSE/PUMP BLDG.	1,125 SQ. FT.	2010
TOTAL	97,828 SQ. FT.	



GENERAL NOTES:

- OWNER: RIVER BEND GOLF & COUNTRY CLUB, INC.
375 WALKER ROAD
GREAT FALLS, VA. 22068
- TAX MAP NO.: 8-1-((1))-22,23,41
8-3-((1))-4
7-2-((1))-21A
- ZONE: R-E (SEA 2004-DR-031)
- SITE AREA: 175.45 AC. (7,642,494 S.F.)
- USE: GOLF COURSE AND COUNTRY CLUB
- APPROVED BUILDING FLOOR AREA (NOT YET CONSTRUCTED)
121,090 S.F. - 97,828 S.F. (SEE TABLE ABOVE) = 23,262 S.F.
- BUILDING AREA PROPOSED: ±12,480 S.F.
- APPROVED MAX. FAR: 0.02
- PARKING:
MINIMUM 257 SPACES REQUIRED TO BE PROVIDED PER SEA
EXISTING: 298 SPACES
PROPOSED: 270 SPACES
- THIS PROPOSED CHANGE DOES NOT INCREASE THE SITE IMPERVIOUS AREA.



TRI-TEK ENGINEERING

CIVIL ENVIRONMENTAL LAND PLANNING SURVEYOR

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RIVER BEND GOLF & COUNTRY CLUB
FAIRFAX COUNTY, VIRGINIA
SPRINGDALE DISTRICT

OVERALL PLAN
TENNIS ENCLOSURE
EXHIBIT

NO.	REVISION	DATE

SCALE: 1"=200'
DATE: 10/20/11
SHEET: 1 OF 2

