APPROVED DEVELOPMENT CONDITIONS

SE 2010-DR-024

March 23, 2011

If it is the intent of the Board of Supervisors to approve SE 2010-DR-024, located at 9224 and 9232 Leesburg Pike, Tax Maps 19-4 ((1) 6 and 11, for a School of General Education and Child Care Center, pursuant to Sect. 3-104 of the Fairfax County Zoning Ordinance, 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 "Discovery Woods Learning Center" prepared by Walter L. Phillips, Inc., containing seven sheets, and dated April 2, 2010, as revised through December 29, 2010, 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. The maximum number of staff on site at any one time shall be limited to six.

6. The maximum daily enrollment for the School of General Education and the Child Care Center shall be limited to 26 students, grades pre-kindergarten through 6th. In order to reduce the trips during the peak hour s of the use, (not the peak hours of traffic on the surrounding street network), and to ensure cars do not stack or impede traffic on Vernon Drive or Towlston Road, the applicant shall abide by the following drop-off and pick-up window schedule:
    - Morning drop-off shall consist of four windows: 7:30 am-7:45 am, 7:45 am-8:00 am, 8:00 am-8:15 am, and 8:15 am-8:30 am. Each drop-off window shall have a maximum of eight cars per window. The combined maximum total number of cars for the morning drop-off windows shall not to exceed 26 cars.
    - Afternoon pick-up shall consist of two windows: 2:45 pm-3:00 pm and 3:00 pm-3:15 pm. Each drop-off window shall have a maximum of ten cars per window.

- Evening pick-up shall consist of three windows: 4:00 pm-4:15 pm, 5:00-5:15 pm, and 5:30-5:45 pm. Each pick-up window shall have a maximum of six cars per window.
- The combined maximum total number of cars during the 2:45 pm-5:45 pm pick-up windows shall not exceed 26.

7. Primary hours of operation shall be limited to 7:00 am to 6 pm. Monday through Friday. (School of General Education 8:30 am-3:00 pm and Child Care Center 7:00 am-8:30 am and 3:00 pm-6:00 pm.) Evening hours of operation for parent/teacher conferences and similar evening activities shall be permitted Monday through Friday, but shall end by 10:00 pm and shall be limited to a maximum of two occurrences per month. Weekend activities shall be limited to 9:00am to 10:00 pm on Saturday and 9:00 am to 9:00 pm on Sunday, and shall be limited to two events per month.

8. Indoor recreation space shall be provided for each student enrolled in accordance with the provisions of Chapter 30 of the Code.

9. All vehicular parking shall be provided on-site. If additional parking is required during any special event, off-site parking and shuttle service shall be provided.

10. Prior to the issuance of a Non-Residential Use Permit, the transportation improvement shown on the SE Plat (the relocated driveway entrance) shall be completed, as approved by the Virginia Department of Transportation (VDOT) and the Fairfax County Department of Transportation (DOT), and the existing entrance shall be removed and the area scarified and restored to a natural state (with grass and/or plantings).

11. The applicant shall file a Special Permit for the keeping of animals and a reduction in the minimum required yard, to allow the animals and accessory structures to remain on the property. This Special Permit application shall be filed and diligently prosecuted within 30 days following the Board of Supervisors decision on the Special Exception. If the Special Permit is not granted by the Board of Zoning Appeals, the animals and structures shall be immediately removed.

12. The applicant shall be required to have a Waste Management Plan on file with the Northern Virginia Soil and Water Conservation District to address animal waste.

13. Prior to or at the time of Site Plan review, the Health Department shall review the plan to determine if a connection to the public sewer system is required. If so, the existing septic field shall be properly abandoned at such time as the connection is made. As an option, the enrollment of the school of general education/child care center may be reduced to a number which can be accommodated by the existing 600 gpd septic system, as determined by the Health Department. All required improvements shall be completed prior to the issuance of the Non-RUP implementing this SE.

14. At this time no disturbance is planned along the property's Route 7 frontage; however, prior to any Site Plan approval that includes disturbance along the property's Route 7 (Leesburg Pike) frontage, a Phase I archeological survey shall be completed using a scope of work provided by the Fairfax County Park Authority's Cultural Resource Management and Protection section (CRMPS). If any potentially significant archaeological resources are found by the Phase I survey than a Phase II assessment shall be completed. If any sites are determined to be significant then they shall be avoided or a Phase III data recovery

shall be performed in accordance with a scope provided by the CRMPS. One copy of the draft and final archeological reports shall be provided to the Park Authority's Resource Management Division within 30 days of completion of the study or survey.

15. The right-of-way dedication along Towlston Road and Route 7 (Leesburg Pike) as shown on the Special Exception Plat shall be provided at such time as requested by the Fairfax County Department of Transportation (FCDOT) or the Virginia Department of Transportation (VDOT). The applicant shall not be required to provide this dedication at the time of Site Plan, unless requested by FCDOT or VDOT. In the event that the existing vegetation along Leesburg Pike is removed for frontage improvements, including but not limited to the future widening of Leesburg Pike, the applicant shall be required to replant this area to the Transitional Screening I standard, subject to review and approval by Urban Forest Management, DPWES.

16. Prior to the issuance of a Non-RUP for this Special Exception use, the applicant shall grant all trail easements along Route 7 and Towlston Road.

17. If stormwater management detention and/or BMP waiver(s) are not granted by DPWES, the applicant shall provide stormwater management/BMP controls to the satisfaction of DPWES. If stormwater management/BMP facilities are not in substantial conformance with the SE Plat, the applicant may be required to submit a Special Exception Amendment.

18. Any signage installed on site shall be a maximum of ten square feet in size, shall be constructed of wooden materials, and shall be unlit. No building mounted signage shall be allowed.

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 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.