

APPROVED DEVELOPMENT CONDITIONS

SE 2004-LE-015

October 15, 2004

If it is the intent of the Board of Supervisors to approve SE 2004-LE-015 located on Tax Map 91-2 ((1)) 35A pt. for a golf driving range and related facilities, pursuant to Sect. 3-104 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 "Conceptual Development Plan / Final Development Plan / Proffered Condition Amendment / Special Exception Plat, Golf Center at Kingstowne" and these conditions consisting of four sheets. The first two sheets are dated October 7, 2003, as revised through September 23 2004, and prepared by Williamsburg Environmental Group, Inc.; the third and fourth sheets are dated April 15, 2004 as revised through July 26, 2004 and prepared by E. K. Fox and Associates, Ltd. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. The driving range and related facilities (clubhouse, pro-shop) shall be limited to the following hours of operation: April through October, 8:00 a.m. – 11:00 p.m. Monday through Thursday and 8:00 a.m. – 12:00 midnight Friday through Sunday; November through March, 8:00 a.m. to 11:00 p.m. seven days a week.
5. The Applicant shall submit to DPWES at the time of site plan review, geotechnical data derived from soil borings in the areas of the proposed target greens. These borings shall be drilled to a depth of four feet below the proposed bottom of the target pit. Prior to site plan approval, the project engineer will submit evidence to DPWES that construction of these target pits in the existing site soils will not negatively affect the overall stormwater management proposed for the site.

6. The computer monitors in each tee box shall not have an audio component.
7. The proffers accepted by the Board of Supervisors pursuant to the approval of PCA C-448-31 are incorporated into these development conditions by reference.

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 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.