

**REVISED
PROPOSED DEVELOPMENT CONDITIONS**

SEA 93-L-014

NOVEMBER 3, 1997

If it is the intent of the Board of Supervisors to approve SEA 93-L-014, located at Tax Map 82-2 ((1)) 5, 6, and 8, for a nursery school, child care and private school of general education, to permit building additions, increase in parking and site modifications pursuant to Sect. 3-403 and 9-301 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions, which supersede previous development conditions: (Conditions brought forward from the previous Special Exception approval, or which include minor revisions or updates, are noted with an asterisk*.)

- *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 amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception/special permit plat approved with the application, as qualified by these development conditions.
- *3. Any plan submitted pursuant to this special exception shall be in conformance with the approved Special Exception Plat **entitled Burgundy Farm County Day School, Inc, and prepared by Walter L. Phillips which is dated April 28, 1997, as revised to September 1, 1997, and these conditions.**
- *4. The combined maximum daily enrollment for the nursery school, the summer day camp, child care center and the private school of general education shall be limited to 300 children.
- *5. The combined hours of operation for the child care center, the nursery school, the summer day camp and the private school of general education shall not exceed 7:30 am until 6:00 pm, Monday through Friday.
- *6. A maximum of fifty-one (51) full-time employees shall be permitted on site at any one time.
- *7. All play areas shall be enclosed by a fence at least three (3) feet in height, as determined by the Fairfax County Health Department.

- *8. The existing pond shall be aerated and designed as a stormwater management facility incorporating Best Management Practices in accordance with the Chesapeake Bay Preservation Ordinance as determined by the Department of Environmental Management (DEM).
- * 9. Right-of-way up as delineated on the SE Plat shall be dedicated to the Board of Supervisors, in fee simple, within sixty (60) days upon demand by DEM or VDOT at such time as the extension and improvement of Burgundy Road is necessary to allow public street access to Parcel 4A. All ancillary easements along the extended Burgundy Road frontage of the site shall be conveyed to the Board of Supervisors at the time of dedication.
- *10. A landscape plan shall be submitted for review and approval of the Urban Forestry Branch prior to the time of final site plan approval. This landscape plan shall include a tree supplemental plan for the transitional screening area north of the proposed new parking area and a tree survey of individual trees located in the area of the proposed drainage channel. The landscape plan shall include sufficient evergreen trees and other vegetative screening to soften the visual impact for adjacent residents of the proposed new parking area near the north boundary, to the satisfaction of the Urban Forester. Any additional landscaping required by the Urban Forester on the north boundary shall be installed at time of construction of the parking lot. The final location of all supplemental vegetation provided shall be determined by the Urban Forester. The Urban Forester shall review and approve a tree preservation plan for trees to be preserved within the clearing and grading areas.
11. The demolition of existing structures and the construction of new structures shall be conducted in such a manner as to minimize the impact on individual trees and groups of trees to be preserved. The applicant shall conform to the limits of clearing and grading as shown on the SEA/SPA Plat, subject to the installation of necessary utilities, if determined by DEM. If it is necessary to locate the utility lines outside the limits of clearing and grading, those lines shall be located and installed in the least disruptive manner possible. A replanting plan shall be developed and implemented, to the satisfaction of the Urban Forester, for any areas outside the limits of clearing and grading that must be disturbed.
12. All trees to be preserved within or on the boundaries of the limits of clearing shall be protected by fencing a minimum of four (4) feet in height, placed at the dripline of the trees to be preserved. The tree protection fencing shall be made clearly visible to all construction personnel. The fencing shall be installed prior to any work being conducted on the site, including the demolition of any existing structures.
13. Any and all exterior lights installed on the site shall be installed or shielded in such a manner as to prevent significant light spillover from the application site onto adjacent residential property.

14. Compliance with all applicable drainage requirements shall be to the satisfaction of DEM, and shall be determined by DEM in coordination with the Department of Public Works (DPW).
15. Erosion and sediment control measures shall be installed at all stages of construction. If deemed necessary by DEM, controls shall be designed to achieve greater erosion and sediment control than that achieved by the minimum design standards set forth in the Public Facilities Manual and the Virginia Erosion and Sediment Control Handbook.
16. All parking for sports events or other activities held at the gymnasium shall be accommodated on site.
- *17. Any and all gravel surfaces shall be maintained in accordance with the standard practices approved by the Director, Department of Environmental Management (DEM).
18. Following initial establishment of the Special Exception use, as described below, the option to delay construction of the proposed parking lot and entrance on the north portion of the site to a time in the future shall be retained by the applicant and an extension of time shall not be required.

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. Construction of at least one (1) new structure on site shall constitute establishment of the Special Exception. 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.