



FAIRFAX COUNTY

APPLICATION FILED: June 17, 1997
PLANNING COMMISSION: October 30, 1997
BOARD OF SUPERVISORS: November 24, 1997
BOARD OF ZONING APPEALS: December 2, 1997

V I R G I N I A

October 22, 1997

STAFF REPORT

APPLICATION SEA 93-L-014/SPA 93-L-015

LEE DISTRICT

APPLICANT:	Burgundy Farm Country Day School, Inc.
ZONING:	R-4
PARCELS:	82-2 ((1)) 5, 6, 8
ZONING ORDINANCE PROVISIONS:	3-404 (SE) 3-403 (SP)
ACREAGE:	23.22 Acres
FAR:	0.07
OPEN SPACE:	15 Acres (65%)
SE CATEGORY	Category 3: Private School of General Education, Nursery School, and Child Care Center
SE PROPOSAL:	Amend SE 93-L-014 to permit building additions, increase in parking and site modifications
SP GROUP	Group 4: Community Uses
SP PROPOSAL:	Amend SP 93-L-015 to permit the continuation of existing community pool use, building addition, site modification and increase in parking.

WAIVERS/MODIFICATIONS:

Modification of the transitional screening and barrier requirements on the south, north, east and west boundary, in favor of the existing conditions as depicted on the SEA/SPA Plat.

STAFF RECOMMENDATIONS:

Approve Special Exception Amendment Application SEA 93-L-014 subject to the proposed development conditions in Appendix 1.

Approve modification of transitional screening and barrier requirements along the entire periphery of the site in favor of that shown on the SEA/SPA Plat and as further specified in the proposed development conditions.

Approve Special Permit Amendment Application SPA 93-L-015 subject to the proposed development conditions contained in Appendix 1A.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

For information, contact the Zoning Evaluation Division, Office of Comprehensive Planning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.



Reasonable accommodation is available upon 7 days advance notice.
For information call (703) 324-1334.

SPECIAL EXCEPTION AMENDMENT APPLICATION

SEA 93-L-014

SEA 93-L-014
FILED 06/17/97

BURGUNDY FARM COUNTRY DAY SCHOOL, INC.
AMEND SE 93-L-014 FOR NURSERY SCHOOL, CHILD
CARE CENTER AND PRIVATE SCHOOL OF GENERAL
EDUCATION TO PERMIT BUILDING ADDITIONS, INCREASE
IN PARKING AND SITE MODIFICATIONS
ZONING DIST SECTION: 03-0404 03-0404
ART 9 CATEGDY/USE: 03-10 03-11
23.22 ACRES OF LAND; DISTRICT - LEE
LOCATED: 3700 BURGUNDY RD., ALEXANDRIA, VA 22303

ZONED R-4

PLAN AREA 4

OVERLAY DISTRICT(S):

TAX MAP

082-2- /01/ /0005- ,0006- ,0008-



SPECIAL EXCEPTION AMENDMENT APPLICATION

SEA 93-L-014

SEA 93-L-014
FILED 06/17/97

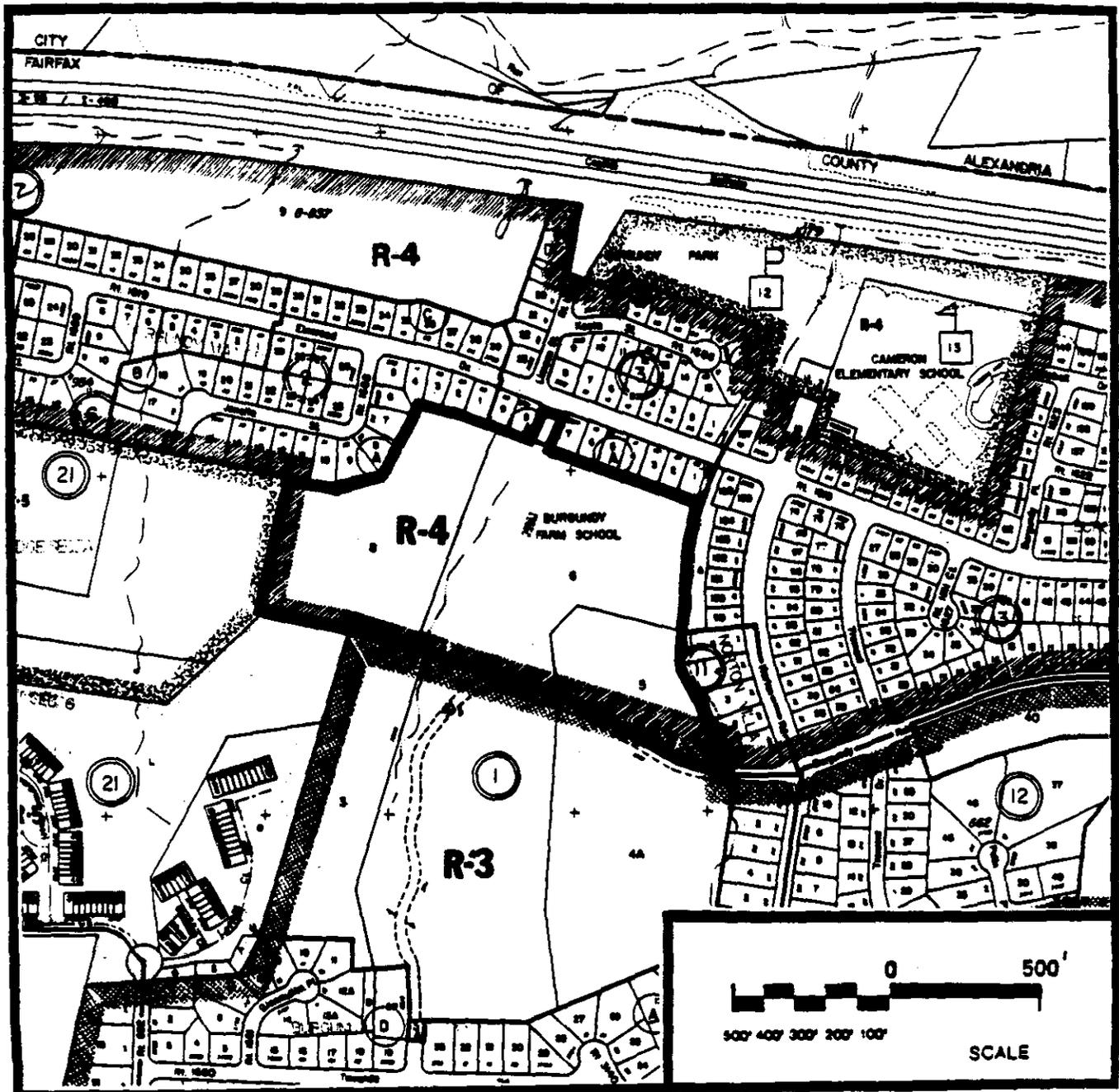
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ZONED R-4
OVERLAY DISTRICT(S):

PLAN AREA 4

TAX MAP

082-2- /01/ /0005- ,0006- ,0008-



SPECIAL PERMIT AMENDMENT APPLICATION

SPA 93-L-015

SPA 93-L-015
FILED 06/17/97

BURGUNDY FARM COUNTRY DAY SCHOOL, INC.
AMEND SP 93-L-015 FOR COMMUNITY POOL TO PERMIT
BUILDING ADDITION, SITE MODIFICATIONS AND
INCREASE IN PARKING
ZONING DIST SECTION: 03-0403
ART 8 GRDUP AND USE: 04-01
23.22 ACRES OF LAND; DISTRICT - LEE
LOCATED: 3700 BURGUNDY ROAD
ZONED R-4
OVERLAY DISTRICT(S):

TAX MAP 082-2- /01/ /0005- ,0006- ,0008-



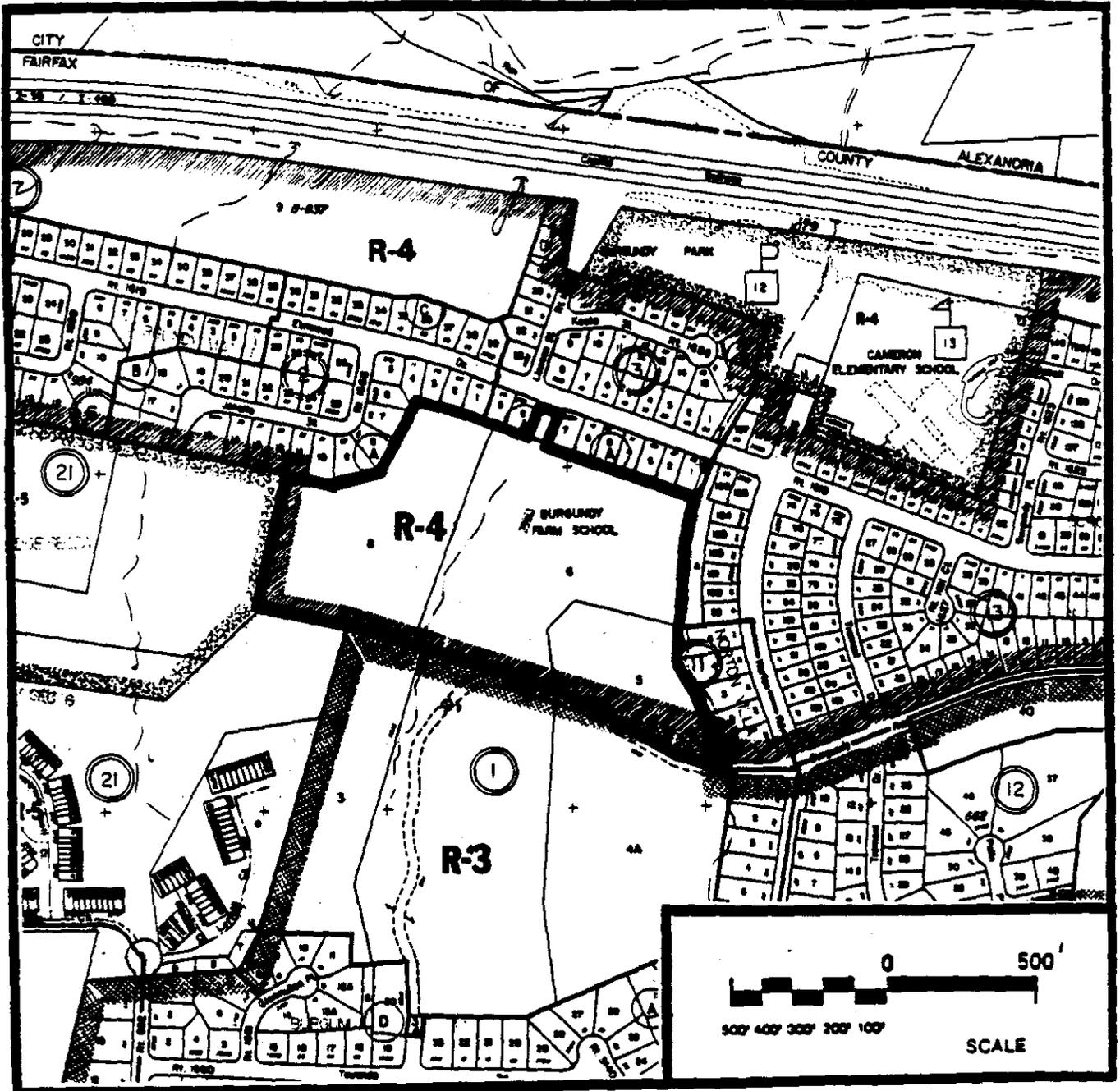
SPECIAL PERMIT AMENDMENT APPLICATION

SPA 93-L-015

SPA 93-L-015
FILED 06/17/97

BURGUNDY FARM COUNTRY DAY SCHOOL, INC.
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BUILDING ADDITION, SITE MODIFICATIONS AND
INCREASE IN PARKING
ZONING DIST SECTION: 03-0403
ART 8 GROUP AND USE: 04-01
23.22 ACRES OF LAND; DISTRICT - LEE
LOCATED: 3700 BURGUNDY ROAD
ZONED R-4
OVERLAY DISTRICT(S):

TAX MAP 082-2- /01/ /0005- ,0006- ,0008-

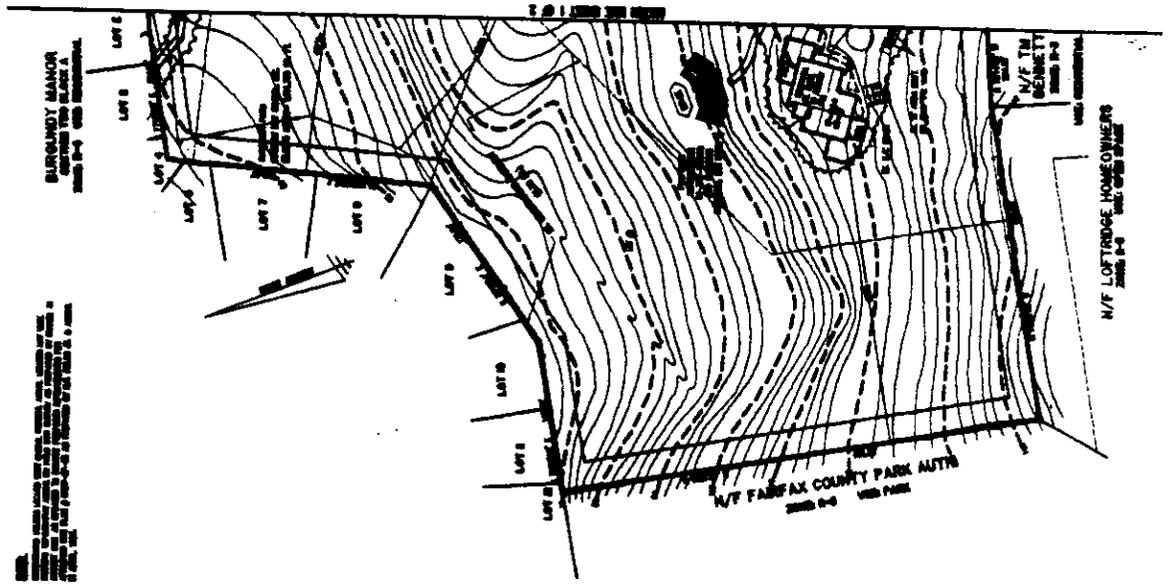


THE BOARD OF SUPERVISORS OF FARMFAX COUNTY, VIRGINIA, HAS REVIEWED THE SPECIAL EXCEPTION/SPECIAL PERMIT AMENDMENT SUBMITTED BY BURGUNDY FARM, INC. AND HAS DETERMINED THAT THE PROPOSED DEVELOPMENT IS IN ACCORDANCE WITH THE ZONING ORDINANCES OF FARMFAX COUNTY, VIRGINIA.

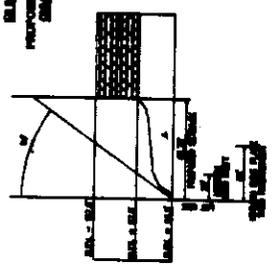
IT IS HEREBY ORDERED THAT THE SPECIAL EXCEPTION/SPECIAL PERMIT AMENDMENT BE GRANTED TO BURGUNDY FARM, INC. FOR THE DEVELOPMENT OF THE BURGUNDY MANOR SUBDIVISION, 100 BURGUNDY, COUNTRY DAY SCHOOL, INC., FARMFAX COUNTY, VIRGINIA.

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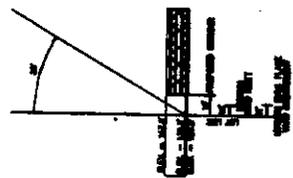
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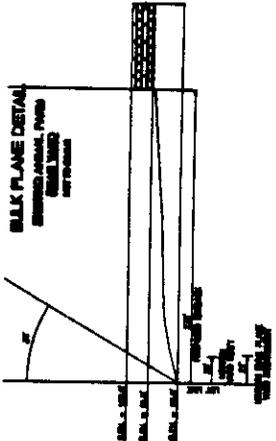
BULK PLANE DETAIL
 PROPOSED MEDICAL SCHOOL AND COMMERCIAL/RESIDENTIAL MIXED USE DEVELOPMENT



BULK PLANE DETAIL
 PROPOSED GARAGE



BULK PLANE DETAIL
 PROPOSED JUNKYARD



LANDSCAPE SCHEDULE

NO.	DESCRIPTION	QTY	UNIT
1
2
3
4
5
6
7
8
9
10

PROPOSED DEVELOPMENT CONDITIONS

SEA 93-L-014

OCTOBER 22, 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 8:30 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 to twenty-six (26) feet from the southern property line along the common boundary of the site with Parcel 4A 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. The existing parking area in the southwest corner of the site shall be shifted at least ten (10) feet to the north as determined by DEM within (30) days following dedication to provide the required setback from the right-of-way of extended Burgundy Road.
- *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 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), and shall include but may not be limited to the following.
 - Speed limits shall be limited to ten (10) mph.
 - During dry periods, application of water shall be made in order to control dust.
 - Runoff shall be channeled away from and around driveway and parking areas.
 - The applicant shall perform periodic inspections to monitor dust conditions, drainage functions and compaction-migration of the stone surface.

- Routine maintenance shall be performed to prevent surface unevenness and wear-through of subsoil exposure. Resurfacing shall be conducted when stone becomes thin.
- There shall be pavement to a point twenty-five (25) feet into the entrance drive from Burgundy Road and to a point one hundred and forty (140) feet into the entrance drive from Elmwood Drive to inhibit the transfer of gravel off-site.

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.

PROPOSED DEVELOPMENT CONDITIONS

SPA 93-L-015

OCTOBER 22, 1997

If it is the intent of the Board of Zoning Appeals to approve SPA 93-L-015, located at Tax Map 82-2 ((1)) 5, 6, and 8, for an amendment to an existing special permit to allow continuation of an existing community pool use with building additions, pursuant to Sect. 3-403 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 intact or with minor amendments from the previous Special Permit approval are noted with an asterisk*.)

- *1. This Special Exception is granted to the applicant only and is not transferable without further action of this Board, and is for the location indicated on the application and is not transferable to other land.
- *2. This Special Permit is granted only for the purpose(s), structure(s) and/or uses(s) indicated on the special exception/special permit plat entitled Burgundy Farm Country Day School, Inc. And prepared by Walter L. Phillips, which is dated April 28, 1997, as revised to September 1, 1997 and approved with this application, as qualified by these development conditions.
- *3. A copy of the Special permit 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.
- *4. A soil survey shall be completed if determined necessary by the Director, Department of Environmental Management (DEM), prior to site plan approval. If high water table soils resulting from uncompacted fill, resource removal or any other circumstances resulting in instability are found in the immediate vicinity of the pool, than the pool shall be engineered and reconstructed to ensure pool stability, including the installation of hydrostatic relief valves and other appropriate measures, as determined by DEM.
- *5. If determined necessary by DEM, a geotechnical study shall be prepared by, or under the direction of a geotechnical engineer experienced in soil and foundation engineering and shall be submitted and approved by DEM prior to submittal of the construction plan and approved measures shall be incorporated into the site plan.

- *6. The pool shall be limited to a maximum of 78 bathers at any one time.
- *7. There shall be no more than four (4) league swim meets conducted at this facility per year. All parking shall be accommodated on site.
- *8. After-hour parties for the swimming pool shall be governed by the following:
- Limited to six (6) per season.
 - Limited to Friday, Saturday and pre-holiday evenings. Three (3) week night parties may be permitted per year, provided written proof is submitted which shows that all contiguous property owners concur.
 - Shall not extend beyond 12:00 midnight.
 - The applicant shall provide a written request at least ten (10) days in advance and receive prior written permission from the Zoning Administrator for each individual party or activity.
 - Requests shall be approved for only one (1) such party at a time and such requests shall be approved only after the successful conclusion of a previous after-hour party.
- *9. During discharge of swimming pool waters, the following operational procedures shall be implemented:
- Sufficient amount of lime or soda ash shall be added to the acid cleaning solution in order to achieve a pH approximately equal to that of the receiving stream. The Virginia Water Control Board standards for the class II and III waters found in Fairfax County range in pH from 6.0 to 9.0. In addition, the standard for dissolved oxygen shall be attained prior to the release of pool waters and shall require a minimum concentration of 4.0 milligrams per liter.
 - If the water being discharged from the pool is discolored or contains a high level of suspended solids that could affect the clarity of the receiving stream, it shall be allowed to stand so that most of the solids settle out prior to being discharged.
- *10. The regular hours of operation for the swimming pool shall not exceed 9:00 am to 9:00 pm.

- *11. 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 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.

These development conditions incorporate and supersede all previous development conditions. 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 responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit 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 Zoning Appeals 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 permit. 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.



SPECIAL PERMIT/VARIANCE AFFIDAVIT

APPENDIX 2

DATE: April 25, 1997
(enter date affidavit is notarized)

I, Gerald L. Marchildon, Director, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) [] applicant
[x] applicant's authorized agent listed in Par. 1(a) below

77-97

and that to the best of my knowledge and belief, the following information is true:

1. (a). The following constitutes a listing of the names and addresses of all APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS and LESSEES of the land described in the application, and if any of the foregoing is a TRUSTEE*, each BENEFICIARY of such trust, and all ATTORNEYS and REAL ESTATE BROKERS, and all AGENTS who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in BOLD print are to be disclosed. Multiple relationships may be listed together, e.g., Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner.)

Table with 3 columns: NAME, ADDRESS, RELATIONSHIP(S). Rows include Burgundy Farm Country Day School, Inc., Gerald L. Marchildon, and David Oliver, P.E.

(check if applicable) [] There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

* List as follows: (name of trustee), Trustee for (name of trust, if applicable), for the benefit of: (list name of each beneficiary).

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: April 25, 1997
(enter date affidavit is notarized)

77-97

1. (b). The following constitutes a listing** of the SHAREHOLDERS of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include sole proprietorships herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name & number, street, city, state & zip code)

Burgundy Farm Country Day School, Inc. - A Non-profit corporation
3700 Burgundy Road
Alexandria, VA 22303

DESCRIPTION OF CORPORATION: (check one statement)

- [] There are 10 or less shareholders, and all of the shareholders are listed below.
[] There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
[] There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

[XX] Non-profit

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial & last name)

Blank lines for listing shareholder names.

(check if applicable) [] There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment to Par. 1(b)" form.

** All listings which include partnerships or corporations must be broken down successively until (a) only individual persons are listed, or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of the stock. Use footnote numbers to designate partnerships or corporations which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: APRIL 25, 1997
(enter date affidavit is notarized)

77-97

1. (c). The following constitutes a listing** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

Not Applicable

(check if applicable) [] The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS (enter first name, middle initial, last name & title, e.g. General Partner, Limited Partner, or General and Limited Partner)

Two columns of horizontal lines for listing partner names and titles.

(check if applicable) [] There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

** All listings which include partnerships or corporations must be broken down successively until (a) only individual persons are listed, or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of the stock. Use footnote numbers to designate partnerships or corporations which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: APRIL 25, 1997
(enter date affidavit is notarized)

77-97

2. That no member of the Fairfax County Board of Zoning Appeals or Planning Commission or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

None

(check if applicable) [] There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

3. That within the twelve-month period prior to the filing of this application, no member of the Fairfax County Board of Zoning Appeals or Planning Commission or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of \$200 or more, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

None

(check if applicable) [] There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

Gerald L. Marchildon

(check one) [] Applicant [x] Applicant's Authorized Agent

Gerald L. Marchildon, Director
(type or print first name, middle initial, last name & title of signer)

Subscribed and sworn to before me this 25 day of April, 19 97, in the state of Virginia

My commission expires: 2/28/99

Louise Harvey
Notary Public

BURGUNDY FARM COUNTRY DAY SCHOOL, INC.
SPECIAL EXCEPTION AND SPECIAL PERMIT
PROPOSED USE STATEMENT

TYPE OF OPERATIONS

Burgundy Farm Country Day School, Inc. is a private, independent, coeducational day school for children of preschool age through grade eight. It is incorporated in the State of Virginia as a non-profit institution and is governed by a Board of Trustees. It is accredited by the Virginia Association of Independent Schools. The school was established in 1946 on the site of an old dairy farm by a group of parents who renovated the farm buildings for classroom and office use. They are still in use today.

In addition, the pleasing combination of farm buildings, woodland and open space provide an ideal setting for the kind of school the founders sought, one in which the natural environment would be close at hand for children's work and play. Use of the woods and fields as laboratories for study in the natural sciences and as places for children to explore and play continue today. The population of farm animals in the barn and barnyard is enjoyed by all children at the school.

HOURS OF OPERATION

Burgundy Farm Country Day School, Inc. conducts a number of programs. Taken together, they constitute a year round operation. Maximum total enrollment on any given day is 300. The combined hours of operation for the Child Care Center, Nursery School, Summer Day Camp and Private Day School is 7:30 a.m. until 6:00 p.m., Monday through Friday. Programs are as follows:

- Nursery School

This program is for children under the age of 5. It is licensed by the Commonwealth of Virginia Department of Social Services (#95-245-01 expired 2/28/97; new permit pending). Current daily enrollment is sixteen children. Current hours of operation are 8:30 a.m. to 3:00 p.m., Monday through Friday, from early September through early June.

- Accredited Private Day School

This encompasses all programs at Burgundy Farm Country Day School for children ages 5 to 13 in grades Kindergarten through 8. The maximum number of students, including the Nursery School, at any one time is 300, as permitted by Fairfax County Special Exception #S-111-79, amended by S-242-79, amended by SE93-L-014. The current enrollment, including the Nursery School, is 275 students. Current hours of operation are 8:30 a.m. to 3:00 p.m., Monday through Friday, from early September through early June.

- Accredited Summer Day Camp

This program is for children ages 3 to 14 and operates two 3-week sessions and one 2-week session between late June and mid-August, Monday through Friday, 9:00 a.m. to 3:00 p.m. with a maximum daily enrollment of 300 campers. Average enrollment of the three sessions is 270 campers.

- Licensed Child Care Center

This program was established as a service to Day School, Nursery School and Summer Day Camp working parents who need child care. It is not open to non-Burgundy families. The program is licensed by the Commonwealth of Virginia Department of Social Services (#95-245-01 expired 2/28/97; new permit pending) to operate at a maximum capacity of 100 children, ages 3-14. Current enrollment is 35. The center operates year round 3:00 p.m. to 6:00 p.m., Monday through Friday. In addition, the Child Care Center operates from 7:30 a.m. to 9:00 a.m. during the days of operation of the Summer Day Camp.

- Swimming Pool Operation

The present pool was built in 1973. Burgundy's first pool was opened in 1952 and provided swimming facilities for the racially integrated school and camp. Local pools were segregated so in 1952 the community pool operation was launched as a service to our neighbors. The pool operates under permit from the Fairfax County Department of Health Services (#429-016-0023-009:00 expired 9/30/96; new permit applied for). Maximum bathers at any one time is 78.

The Private School, Nursery School and Summer Day Camp use the pool in season from 8:30 a.m. to 3:00 p.m., Monday through Friday. The Child Care Center uses the pool in season from 3:00 p.m. to 4:00 p.m., Monday through Friday.

Burgundy Farm Country Day School, Inc. operates the Burgundy Farm Swim Club during the season from mid-May through mid-September. Hours of operation are 4:00 p.m. to 8:00 p.m., Monday through Friday and 11:00 a.m. to 8:00 p.m. on Saturdays and Sundays. There are no plans to expand the Swim Club beyond its present service as inexpensive recreation for community families.

Parking adjacent to the pool facility will be used for faculty and staff parking, soccer field parking, and, between mid-May and mid-September, for community pool member parking at the time of future pool and soccer field renovations.

HAZARDOUS SUBSTANCE LISTING

There are no hazardous substances on the property.

PROPOSED USE CONFORMANCE STATEMENT

The proposed use conforms with the provisions of all applicable ordinances, regulations and adopted standards with the exception of the requested special exception, special permit and waivers as stated on the Special Exception/Special Permit Plan. An Administrative Waiver will be requested at the time of Site Plan Application for continuation of existing dustless surface.

OWNERSHIP STATEMENT

The Property is currently in the name of Burgundy Farm Country Day School, Inc. as recorded in DB 1034/PG 339, DB 711/PG 113 and DB 1225/PG 36 of the land records of Fairfax County, Virginia, for Parcels 5, 6 and 8 respectively.

EXISTING PERMITS

See enclosed existing permits issued by Fairfax County Zoning, Fairfax County Fire Prevention Code and Commonwealth of Virginia Department of Social Services.

ESTIMATED NUMBER OF PUPILS AND TEACHERS

Present school enrollments are 259 children in the Private Day School and 16 in the Nursery School. It is the intention of the school to increase enrollment as space becomes available, but not to exceed the maximum allowable 300 students.

Current full time employees number 31 faculty members, 12 staff members, and 1 caretaker. The maximum number of full time employees will not exceed 48. The community pool operates with 5 seasonal part-time employees.

ESTIMATED TRAFFIC IMPACT

The existing estimated traffic generation is less than 500 Vehicles Per Day. The majority of the traffic is generated by parents dropping off their children between the hours of 7:30 a.m. to 8:30 a.m. and picking them up between 3:00 p.m. and 6:00 p.m. The proposed development will not significantly increase the traffic generation as the school is not proposing to increase the existing permitted maximum enrollment.

GENERAL AREA SERVED

Burgundy Farm Country Day School draws its students from the Washington metropolitan area and includes the Virginia counties of Arlington and Fairfax; the cities of Alexandria and Falls

Church; the District of Columbia; and Prince George's County in Maryland.

PROPOSED BUILDING ARCHITECTURE AND FACADE

New buildings will be small scale buildings similar in character to the existing historic farm buildings. Roofs on the existing character defining buildings are gabled and gambrel roofs; future buildings are likely to have those roof forms. All the existing classroom buildings have exterior access and extensive glazed areas to facilitate connection to the large wooded natural site. All new classroom buildings are likely to also be characterized by large glazed areas and access to the exterior at grade. The existing small scale buildings are currently scattered about the site tucked into grades among trees. Future buildings are sited consistently with this pattern.

ANIMAL UNITS

12 Sheep = 3 Animals Units

2 Goats = 1 Animal Unit

BIRD UNITS

14 Chickens = 1 Bird Unit

3 Ducks = 1 Bird Unit

USE OF EXISTING STRUCTURES

<u>As identified on Plat</u>	<u>Use</u>
Admn Bldg(s)	Administrative Offices
Student Services	Administrative Offices
Caretaker's Residence	Caretaker's Residence
Meyer's Barn	Classroom: Grade 1
West Barn	Classrooms: Nursery School Kindergarten, Transition
East Barn	Classrooms: Grade 1; Foreign Language, Library

Beechwood	Classrooms: Grades 4,5
Woodhall	Classrooms: Grades 2,3
Loft	Fine Arts, Computer Lab
Drama Trailer	Classroom: Grades 6-8
Swallow Barn	Classrooms: Grades 6-8
Temp Cl Rms	Classrooms: Grades 6-8
Stage	Outdoor dramatic productions
Animal Barn	Animal Barn
Pool & Pool House	Swimming Classes Community Pool
Garage	Maintenance Shop

FAIRFAX COUNTY, VIRGINIA

SEP 5 1997

MEMORANDUM

ZONING EVALUATION DIVISION

TO: Barbara A. Byron, Director
Zoning Evaluation Division, OCP

FROM: *Bruce G. Douglas*
Bruce G. Douglas, Chief
Environment & Development Review Branch, OCP

SUBJECT: Comprehensive Plan Land Use Analysis for:
SEA 93-L-014
SPA 93-L-015
Burgundy Farm Country Day School

DATE: 5 September 1997

This memorandum includes citations from the Comprehensive Plan that provide guidance for the evaluation of the application and the development plan dated June 4, 1997. The application requests building additions and site modifications for an existing school. Approval of this application would result in a floor area ratio (FAR) of .067. The extent to which the proposed use, intensity, and the development plan are consistent with the guidance of the Plan is noted.

CHARACTER OF THE SURROUNDING AREA:

The site contains a variety of natural environments as well as buildings which have been constructed in association with the private school which has occupied it for many years. Single-family detached houses abut it to the north, northwest, and east. They are part of the Burgundy Conservation Area and are subject to the Neighborhood Improvement Program adopted by the Board of Supervisors in 1979. This program, as well as the Plan recommendation for continued residential use at 3-4 dwelling units per acre, are designed to provide for "the conservation and development of a viable and sound residential community."¹ Immediately south of the site are 3 large, mostly wooded parcels which total almost 25 acres and contain 2 houses. They are planned for residential use at 2-3 dwelling units per acre like the subject property and the existing detached neighborhoods to its south. To the west and southwest of the site is wooded land consisting of an undeveloped public park and the open space portion of a clustered townhouse development.

COMPREHENSIVE PLAN CITATIONS AND ANALYSIS:

The 23.22-acre property is located in the Burgundy Community Planning Sector (RH3) of the Rose Hill Planning District in Area IV. The Comprehensive Plan text and map provide the

¹Fairfax County Department of Housing and Community Development, *Burgundy Neighborhood Improvement Program and Conservation Plan*, 1979, p. 2.

following guidance on land use and intensity for the property:

Text:

On page 267 of the 1991 edition of the Area IV Plan as amended through June 26, 1995, under the heading "Recommendations, Land Use," the Plan states:

"The Burgundy Community Planning Sector is largely developed as stable residential neighborhoods. Infill development in these neighborhoods should be of a compatible use, type and intensity and in accordance with the guidance provided by the Policy Plan under Land Use Objectives 8 and 14."

Map:

The Comprehensive Plan map shows that the property is planned for residential use at 2-3 dwelling units per acre.

Analysis:

If they do not generate negative impacts on their neighbors, non-residential uses such as schools and churches are frequently accommodated in areas of the County which are planned for residential use. In large part because of the generous size of the site, as well as its attributes (wooded edges, etc), the existing school has fit in with the surrounding neighborhoods. The current proposal will not increase the number of students who attend the school (thereby not increasing traffic, which could have an adverse impact on the surrounding streets). Many of the proposed physical improvements are in locations which are interior to the site which mitigates adverse visual impacts as well as potential issues such as noise generation. Those changes which will affect surrounding properties are discussed further below.

It should be noted that the plat does not accurately differentiate between some existing conditions on the site and some modifications which are included in the current proposal. For instance, a "proposed soccer field" in the northeast corner of the property appeared to be already existing when the site was visited. Parking is occurring in an area on the west side of the "student services" building in the southwestern portion of the site, but that parking is not reflected on the plat. The limits of clearing and grading shown are not clear. Therefore, a complete evaluation may not be possible with these documents.

The Comprehensive Plan also provides the following text that establishes guidelines for evaluating the development proposal:

Text:

On page 35 of the 1990 Policy Plan as amended through November 18, 1996, under the heading "Land Use Compatibility," the Plan states:

- "Objective 14: Fairfax County should seek to achieve a harmonious and attractive development pattern which minimizes undesirable visual, auditory, environmental and other impacts created by potentially incompatible uses.
- Policy b. Encourage infill development in established areas that is compatible with existing and/or planned land use and that is at a compatible scale with the surrounding area and that can be supported by adequate public facilities and transportation systems.
- Policy c. Achieve compatible transitions between adjoining land uses through the control of height and the use of appropriate buffering and screening.
- Policy l. Regulate the amount of noise and light produced by non-residential land uses to minimize impacts on nearby residential properties."

Analysis:

As noted above, many potential impacts from the use on adjacent residential properties are mitigated by relatively wide vegetated buffers around the edges of the site. One exception to this, however, is the southern edge, which is adjacent to the main driveway for the school. Although the residential property abutting the southern edge is currently wooded, the school should plant shade trees and other landscape materials along that edge in preparation for potential redevelopment of the land to the south sometime in the future.

The new access road to the pool from the residential street to the north, although not yet implemented, has already been approved in previous zoning actions. Because of the proximity of the neighbors' yards and houses to that access road, the applicant should provide heavy screening on both sides of the road. A hedge of evergreen plant materials (possibly Leyland cypress or similar) should be installed to reduce the impacts created by traffic at that location.

Another potential impact on surrounding properties are lights used to light parking lots and/or buildings, etc. at night. Their use, especially near the edges of the site, should be clarified and all efforts made to preclude spillover onto adjacent properties.

Text:

On page 41 of the 1990 Policy Plan as amended through November 18, 1996, under the heading "Locational Guidelines for Child Care Facilities," the Plan states:

"In Fairfax County, as in other areas of the country, there is an increasing need for high-quality child care facilities. Such facilities should be encouraged throughout the County to the extent that they can be provided consistently with the following criteria:

1. Child care facilities should have sufficient open space to provide adequate access to sunlight and suitable play areas, taking into consideration the size of the facility.
2. Child care facilities should be located and designed to ensure the safety of children.
3. Child care facilities should be located and designed to protect children from excessive exposure to noise, air pollutants, and other environmental factors potentially injurious to health or welfare.
4. Child care facilities should be located and designed to ensure safe and convenient access. This includes appropriate parking areas and safe and effective on-site circulation of automobiles and pedestrians.
5. Child care facilities in Suburban Neighborhoods should be located and designed to avoid creating undesirable traffic, noise, and other impacts upon the surrounding community. Therefore, siting child care facilities on the periphery of residential developments or in the vicinity of planned community recreation facilities should be considered.
6. Child care facilities should be encouraged in employment centers to provide locations convenient to work places. However, these locations should make provisions for a safe and healthful environment in accord with the guidelines listed above."

Analysis:

The school site currently provides an interesting and varied environment for its students. The criteria cited above, which technically apply only to the youngest children on site, have been generally satisfied. Criterion #6 does not apply, and some improvements (noted above) would better meet the goals stated in Criterion #5.

BGD:SHL

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Barbara A. Byron, Director
Zoning Evaluation Division, OCP

FROM: Angela Kadar Rodeheaver, Chief *AKR by CAA*
Site Analysis Section, OT

FILE: 3-5 (SE 93-L-014); 3-6 (SP 93-L-015)

SUBJECT: Transportation Impact

REFERENCE: SEA 93-L-014, SPA 93-L-015; Burgundy Farm Country Day School, Inc.
Traffic Zone: 1477
Tax Map: 82-2 ((1)) 5, 6 and 8

DATE: October 13, 1997

The following comments reflect the analyses of the Office of Transportation. These comments are based on the applicant's special exception/use permit plat dated April 28, 1997 with revisions to September 1, 1997, and the applicant's statement of justification stamp dated April 30, 1997 by the Office of Comprehensive Planning. Because this review is based in part on the submitted plat and statement of justification, development of the site in accordance with the plat and statement should be made a condition of approval.

The applicant is seeking approval for various modifications to the layout of buildings on the site and for the continuation of the existing community pool use. No increase in staff or number of students is proposed above that which was previously approved. The 23.2 acre site is planned for residential development at 2 - 3 dwelling units per acre. Based on data published by the Institute of Transportation Engineers, if developed to residential uses within the Plan range the site can be expected to generate 460 - 700 vehicles per day and 45 - 70 trips during the a.m. and p.m. peak hours of adjacent street traffic. Data provided by the applicant indicates that traffic generated with the current use is similar to that which would be expected with residential build out of the site.

There are no significant transportation issues associated with the application. However prior transportation related development conditions and commitments should be carried forward with the subject applications.

AKR/CAA

cc: Deputy Director, Design Review Division, Department of Environmental Management

FAIRFAX COUNTY, VIRGINIA
MEMORANDUM

TO: Barbara A. Byron, Director
Zoning Evaluation Division, OCP

FROM: *Bruce G. Douglas*
Bruce G. Douglas, Chief
Environment and Development Review Branch, OCP

SUBJECT: **ENVIRONMENTAL ASSESSMENT** for: SEA 93-L-014
Burgundy Farm Country Day School

DATE: 3 October 1997

This memorandum, prepared by Noel Kaplan, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. The citations are followed by a discussion of environmental concerns, including a description of potential impacts that may result from the proposed development as depicted on the development plan dated September 1, 1997. Possible solutions to remedy identified environmental impacts are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

COMPREHENSIVE PLAN CITATIONS:

The Comprehensive Plan is the basis for the evaluation of this application. The assessment of the proposal for conformity with the environmental recommendations of the Comprehensive Plan is guided by the following citations from the Plan:

On page 230 of the 1991 Area IV Plan, as amended through June 26, 1995, in the Section entitled "Environment" under the district-wide recommendations for the Rose Hill Planning District, the Comprehensive Plan states:

"Slippage-prone, shrink-swell clays and unstable slopes are also environmental constraints in the Rose Hill District. Any development in areas with these conditions should be based on the latest technologies for stabilizing marine clays from soil slippage. Provisions which protect the County from liability due to soil slippage over a 20 to 25 year period should be supplied."

On pages 91 to 93 of the 1990 Policy Plan as amended on February 10, 1997 under the heading "Environmental Resources", the Comprehensive Plan states:

"It is desirable to conserve a portion of the County's land in a condition that is as close to a predevelopment state as is practical. A conserved network of different habitats can

accommodate the needs of many scarce or sensitive plant and animal species. Natural open space also provides scenic variety within the County, and an attractive setting for and buffer between urban land uses. In addition, natural vegetation and stream valleys have some capacity to reduce air, water and noise pollution.

Objective 9: Identify, protect and enhance an integrated network of ecologically valuable land and surface waters for present and future residents of Fairfax County.

Policy a: For ecological resource conservation, identify, protect and restore an Environmental Quality Corridor system (EQC). . . . Lands may be included within the EQC system if they can achieve any of the following purposes:

- **Habitat Quality:** The land has a desirable or scarce habitat type, or one could be readily restored, or the land hosts a species of special interest.
- **"Connectedness":** This segment of open space could become a part of a corridor to facilitate the movement of wildlife.
- **Aesthetics:** This land could become part of a green belt separating land uses, providing passive recreational opportunities to people.
- **Pollution Reduction Capabilities:** Preservation of this land would result in significant reductions to nonpoint source water pollution, and/or, micro climate control, and/or reductions in noise.

The core of the EQC system will be the County's stream valleys. Additions to the stream valleys should be selected to augment the habitats and buffers provided by the stream valleys, and to add representative elements of the landscapes that are not represented within stream valleys. The stream valley component of the EQC system shall include the following elements . . . :

- All 100 year flood plains as defined by the Zoning Ordinance;
- All areas of 15% or greater slopes adjacent to the flood plain, or if no flood plain is present, 15% or greater slopes that begin within 50 feet of the stream channel;
- All wetlands connected to the stream valleys; and
- All the land within a corridor defined by a boundary line which is 50 feet plus 4 additional feet for each % slope measured perpendicular to the stream bank. The % slope used in the calculation will be the average

slope measured within 110 feet of a stream channel or, if a flood plain is present, between the flood plain boundary and a point fifty feet up slope from the flood plain. This measurement should be taken at fifty foot intervals beginning at the downstream boundary of any stream valley on or adjacent to a property under evaluation.

Modifications to the boundaries so delineated may be appropriate if the area designated does not benefit habitat quality, connectedness, aesthetics, or pollution reduction as described above. In addition, some intrusions that serve a public purpose such as unavoidable public infrastructure easements and rights of way are appropriate. Such intrusions should be minimized and occur perpendicular to the corridor's alignment, if practical.

Preservation should be achieved through dedication to the Fairfax County Park Authority, if such dedication is in the public interest. Otherwise, EQC land should remain in private ownership in separate undeveloped lots with appropriate commitments for preservation."

On page 93 of the 1990 Policy Plan as amended on February 10, 1997, under the heading "Environmental Resources", the Comprehensive Plan states:

"The retention of environmental amenities on developed and developing sites is also important. The most visible of these amenities is the County's tree cover. It is possible to design new development in a manner that preserves some of the existing vegetation in landscape plans. It is also possible to restore lost vegetation through replanting. An aggressive urban forestry program could retain and restore meaningful amounts of the County's tree cover.

Objective 10: Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.

Policy a: Protect or restore the maximum amount of tree cover on developed and developing sites consistent with planned land use and good silvicultural practices. . . ."

On pages 86 and 87 of the 1990 Policy Plan as amended on February 10, 1997, under the heading "Water Quality", the Comprehensive Plan states:

"Objective 2: Prevent and reduce pollution of surface and groundwater resources.

Policy a. Implement a best management practices (BMP) program for Fairfax

County, and ensure that new development and redevelopment complies with the County's best management practice (BMP) requirements. . . .

Development proposals should implement best management practices to reduce runoff pollution."

On page 90 of the 1990 Policy Plan as amended on February 10, 1997, under the heading "Environmental Hazards", the Comprehensive Plan states :

"Objective 6: Ensure that new development either avoids problem soil areas, or implements appropriate engineering measures to protect existing and new structures from unstable soils.

...
Policy b: Require new development on problem soils to provide appropriate engineering measures to ensure against geotechnical hazards."

On page 85 of the 1990 Policy Plan as amended on February 10, 1997, under the heading "Air Quality", the Comprehensive Plan states :

"Objective 1: Preserve and improve air quality.

...
Policy c: Apply state of the art technology toward the reduction of emissions from stationary sources of air pollution."

ENVIRONMENTAL ANALYSIS:

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed use. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Particular emphasis is given to opportunities provided by this application to conserve the County's remaining natural amenities.

Environmental Quality Corridor

Issue:

An Environmental Quality Corridor (EQC) is associated with a stream that flows along

the eastern boundary of the property. The EQC boundary shown on the development plan is consistent with the boundary approved with the original special exception application. The proposed limits of clearing and grading will not encroach into the EQC; the only disturbance being proposed for the EQC is for the construction of a drainage channel to convey stormwater runoff from a portion of the site into the stream. The development plan indicates that construction of this channel will not require any clearing of trees (as opposed to an earlier development plan, which displayed the clearing of a swath of trees for the construction of a subsurface pipe). The construction of the channel may, however, affect the root systems of individual trees and alter hydrologic conditions in the immediate area of the channel. As such, adverse impacts to trees in the immediate area of the channel are possible.

Suggested Solution:

The conveyance of storm drainage through the EQC as proposed should be accepted as a necessary encroachment. The location, design, and construction of the channel should be such that impacts to the existing tree cover will be minimized, consistent with the need to convey drainage from upland areas on the site into the stream, as determined by DEM. The applicant should be encouraged to consult with the Urban Forestry Branch of the Department of Environmental Management (DEM) for assistance when detailed designs are being prepared.

Tree Preservation

Issue:

The existing school facilities have been constructed with sensitivity to the tree cover on the property; large, mature hardwood trees are prevalent within the developed area. The proposed development is generally sensitive to the existing tree cover. However, the loss of individual hardwood trees on the site will be unavoidable if the proposed additions to the school complex are pursued. In addition, the proposed improvements to an existing parking lot and the construction of a storm sewer pipe to convey drainage from the proposed middle school and gymnasium will require clearing within a hardwood forest area in the southeastern portion of the site. The applicant has indicated that further clearing will be needed in this area if a waiver of the dustless surface requirement is not granted for the parking areas (due to the need to provide a curb and gutter system, thereby concentrating stormwater runoff and necessitating construction of a storm sewer system to convey this runoff into the stream along the eastern property boundary). A note on the

development plan indicates that a substantial increase in clearing and grading can be anticipated if this waiver is not granted.

The clearing and grading identified for the proposed improvements to the existing pool area and to the proposed parking area near Elmwood Drive is generally consistent with, and somewhat less extensive than, what has already been approved for this area. However, because the existing tree cover is relatively sparse in the area to the north of the proposed parking lot, landscaping will be needed in this area to protect adjacent residences from the adverse visual impacts associated with the parking lot.

Suggested Solution:

Clearing and grading should be minimized, consistent with an approved development plan, as determined by DEM. If a waiver of the dustless surface requirement is not granted, the additional clearing and grading that will be needed to convey drainage from the parking areas should be minimized, as determined by DEM.

The applicant should ensure that a sufficient amount of landscaping will be provided along the northern property boundary in order to protect residences along Elmwood Road from visual impacts associated with the proposed new parking lot.

Storm Drainage

Issue:

As noted earlier, the applicant is proposing to construct a storm drainage channel to convey drainage from the parking area and proposed middle school and gymnasium to the stream that flows along the eastern property boundary. This stream has been severely degraded by erosion associated with stormwater runoff from upstream areas. The Department of Public Works (DPW) has pursued storm drainage improvements in similarly impacted upstream reaches of the stream.

At the time of Site Plan review, the applicant will, per the "Policy of Adequate Drainage" within the County's *Public Facilities Manual*, be required to demonstrate, to the satisfaction of DEM, that drainage from the site will be conveyed into the stream without causing adverse impacts to the stream. The applicant will be required to provide measures that will ensure that drainage from the site will not aggravate the existing erosion problem.

Suggested Solution:

Compliance with the "Policy of Adequate Drainage" will be required, and, therefore, does not need to be addressed through a development condition. However, because of the severity of the erosion problem along the eastern property boundary, and because of DPW's involvement with an upstream drainage project, it would be desirable to flag this issue through a development condition that would require compliance with adequate drainage requirements, as determined by DEM in coordination with DPW.

Soil Constraints

Issue:

Marine Clay soils have been mapped throughout much of the property. These soils contain clays with high shrink-swell potentials; as a result, land slippage, slope instability, and poor foundation support are typically associated with these soils. These soils are also generally characterized by poor drainage conditions. A geotechnical engineering study in accordance with Chapter 107 of the *Fairfax County Code* will be required for any construction on the property. According to staff of the Special Projects Branch of DEM, any such construction will be referred to the County's Geotechnical Review Board for recommendations. Based on our coordination with the Special Projects Branch, it is our view that the existing review requirements will be sufficient to ensure that issues associated with soil constraints will be addressed.

Air Quality: Dustless Surface

Issue:

The gravel surfaced roads and parking area associated with this development may cause an increase in airborne dust unless adequate maintenance measures are pursued. A development condition imposing specific maintenance requirements was imposed as part of an approved special permit for the site. The development condition addresses this issue, and therefore no additional measures are needed at this time (aside from ensuring that the development condition is retained).

Swimming Pool Discharge

Issue:

The discharge of water from swimming pools, if performed correctly, should have little or no adverse impacts to receiving waters. Improperly discharged water, however, may have significant adverse impacts and may result in violations of the State Water Control Law. Care should be taken during the maintenance of the proposed swimming pool to ensure that water discharged from the pool meets all applicable water quality standards.

A development condition addressing this issue was imposed as part of an approved special permit for the site. No additional measures are needed at this time (aside from ensuring that the development condition is retained).

The Environmental Health Division of the Health Department (246-2444) should be contacted for more information about appropriate swimming pool maintenance and discharge procedures.

TRAILS PLAN:

No trails are planned on this property.

BGD:NHK

9-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

8-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

8-303 Standards for all Group 3 Uses

In addition to the general standards set forth in Sect. 006 above, all Group 3 special permit uses shall satisfy the following standards:

- ☑1. Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.
- ☑2. All uses shall comply with the performance standards specified for the zoning district in which located.
- ☑3. Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.

PART 4 8-400 GROUP 4 COMMUNITY USES

8-401 Group 4 Special Permit Uses

1. Community clubs, centers, meeting halls, swimming pools, archery ranges.
2. Country clubs, golf clubs, swimming clubs and tennis clubs/courts.
3. Marinas, docks and boating facilities of a private, nonprofit nature.
4. Any other recreational or social use, operated by a nonprofit organization, where membership thereto is limited to residents of nearby residential areas.

8-402 Districts in Which Group 4 Uses may be Located

Group 4 uses may be permitted by right in all P districts when represented on an approved development plan and may be allowed by special permit in the following districts:

All R Districts except R-A: All uses

C-1, C-2, C-3, C-4 Districts: Limited to use 2

C-5, C-6 Districts: All uses

C-7, C-8 Districts: Limited to uses 2 and 3

C-9 District: Limited to swimming clubs and tennis clubs/courts

I-1, I-2, I-3, I-4 Districts: All uses

I-5, I-6 Districts: Limited to use 2

8-403 Standards for all Group 4 Uses

1. Except for Use 2 set forth in Sect. 401 above, all uses and their related facilities shall be under the control and direction of a board of managers composed, at least in part, of the residents of the area intended to be served by the facility. Further, no Group 4 use shall be operated on a profit-making basis, and the owner of the facility shall be a nonprofit organization where membership thereto is limited to residents of nearby residential areas.
2. All uses shall comply with the bulk regulations of the zoning district in which located.
3. All uses shall comply with the performance standards specified for the zoning district in which located.
4. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

9-304 Standards for all Category 3 Uses

In addition to the general standards set forth in Sect. 006 above, all Category 3 special exception uses shall satisfy the following standards:

1. For public uses, it shall be concluded that the proposed location of the special exception use is necessary for the rendering of efficient governmental services to residents of properties within the general area of the location.
2. Except as may be qualified in the following Sections, all uses shall comply with the lot size requirements of the zoning district in which located.
3. Except as may be qualified in the following Sections, all uses shall comply with the bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Category 3 use may be increased.
4. All uses shall comply with the performance standards specified for the zoning district in which located.
5. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

9-305 Additional Standards for Conference Centers and Retreat Houses

1. No building shall be located closer than 45 feet to any street line or closer than 100 feet to any lot line which abuts an R-A through R-4 District.

9-306 Additional Standards for Housing for the Elderly

1. Housing and general care shall be provided only for persons who are sixty-two (62) years of age or over and couples where either the husband or wife is sixty-two (62) years of age or over.
2. Housing for the elderly may include general nursing facilities designed solely for the residents as an accessory use.
3. The Board specifically shall find that applications under this Section adequately and satisfactorily take into account the needs of elderly persons for transportation, shopping, health, recreational and other similar such facilities and shall impose such reasonable conditions upon any exception granted as may be necessary or expedient to insure provisions of such facilities.

SPECIAL EXCEPTIONS

adverse impact on adjacent properties. All proposed signs shall be subject to the maximum area and height limitations for hospital signs set forth in Article 12. All requests shall show the location, size, height and number of all signs, as well as the information to be displayed on the signs.

9-309

Additional Standards for Child Care Centers and Nursery Schools

- 1. In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area shall be of such size that 100 square feet of usable outdoor recreation area shall be provided for each child that may use the space at any one time. Such area shall be delineated on a plat submitted at the time the application is filed. For the purpose of this provision, usable outdoor recreation area shall be limited to:
 - A. That area not covered by buildings or required off-street parking spaces.
 - B. That area outside the limits of the minimum required front yard, unless specifically approved by the Board in commercial and industrial districts only.
 - C. Only that area which is developable for active outdoor recreation purposes.
 - D. An area which occupies no more than eighty (80) percent of the combined total areas of the required rear and side yards.
- 2. For each person enrolled, indoor recreation space shall be provided in accordance with the provisions of Chapter 30 of The Code.
- 3. All such uses shall be located so as to have direct access to an existing or programmed public street of sufficient right-of-way and cross-section width to accommodate pedestrian and vehicular traffic to and from the use as determined by the Director. To assist in making this determination, each applicant, at the time of application, shall provide an estimate of the maximum expected trip generation, the distribution of these trips by mode and time of day, and the expected service area of the facility. As a general guideline, the size of the use in relation to the appropriate street type should be as follows, subject to whatever modification and conditions the Board deems to be necessary or advisable:

Number of Persons	Street Type
4-75	Local
76-660	Collector
660 or more	Arterial

- 4. All such uses shall be located so as to permit the pick-up and delivery of all persons on the site.
- 5. No such use shall be permitted unless it is determined by the County Department of Health Services that the location does not pose any hazard to the health, safety and welfare of the children.

Additional Standards for Private Schools of General Education and Private Schools of Special Education

1. In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area for a private school of general education shall be of such size that:

- A. 200 square feet of usable outdoor recreation area shall be provided for each child in grades K-3 that may use the space at any one time, and
- B. 430 square feet of usable outdoor recreation area shall be provided for each child in grades 4-12 that may use the space at any one time.

Such usable outdoor recreation area shall be delineated on a plat submitted at the time the application is filed.

For the purpose of this provision, usable outdoor recreation area shall be limited to:

- A. That area not covered by buildings or required off-street parking spaces.
- B. That area outside the limits of the required front yard.
- C. Only that area which is developable for active outdoor recreation purposes.
- D. An area which occupies no more than eighty (80) percent of the combined total areas of the required rear and side yards.

2. In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area of a private school of special education shall be based upon a determination made by the Board; provided, however, that the proposed use conforms with the provisions set forth in Sect. 304 above.

3. For each person enrolled, indoor recreation space shall be provided in accordance with the provisions of Chapter 30 of The Code.

4. The provisions set forth in Par. 3, 4 and 5 of Sect. 309 above shall also apply to private schools of general education and private schools of special education.



FAIRFAX COUNTY

APPENDIX 8

OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

V I R G I N I A

Telephone: 703-324-3151

October 7, 1993

Gerald L. Marchildon, Director
1315 Constitution Avenue NE
Washington, D.C. 20002

RE: Special Exception Application
Number SE 93-L-014

Dear Mr. Marchildon:

At a regular meeting of the Board of Supervisors held on September 27, 1993, the Board approved Special Exception Number SE 93-L-014, in the name of Burgundy Farm Country Day School, Inc., located at Tax Map 82-2 ((1)) 5, 6 and 8 for use as a nursery school, child care center, and private school of general education, pursuant to Section 3-104 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. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Amendment Plat approved with the application, as qualified by these development conditions which shall supersede all previous conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans. Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception Plat entitled Burgundy Farm Country Day School and prepared by CEM Consulting Services, Inc., which is dated March 16, 1993 as revised through September 13, 1993.
4. The combined maximum daily enrollment for the nursery school, 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 a.m. until 6:00 p.m., Monday through Friday.
6. A maximum of fifty-one (51) full-time employees shall be permitted on site at any one given 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 as delineated on the Special Exception Plat (Note 15) shall be dedicated to the Board of Supervisors, in fee simple, within sixty (60) days upon demand of the Department of Environmental Management (DEM) or the Virginia Department of Transportation (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 supplementation plan for the transitional screening area north of the proposed new parking area and for the transitional screening area along the southern periphery west of the partially constructed garage 300 feet east to the gravel outlet road in order to mitigate adverse impacts on existing and future residential units as determined by the Urban Forester. 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. A Phase I archaeology study shall be performed by the applicant for each area to be disturbed on the site subject to the review and approval of the Heritage Resources Branch, OCP. Phase II and Phase III archaeology studies shall be performed by the applicant, as necessary, subject to the review and approval of the Heritage Resources Branch, Office of Comprehensive Planning (OCP).

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 personally responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception Amendment 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 this 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 for the amount 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 and barrier requirement along the entire periphery of the site in favor of that shown on the Special Exception Plat and as specified in the development conditions.

If you have questions regarding the expiration of this Special Exception or filing a request for additional time they should be directed to the Zoning Evaluation Division of the Office of Comprehensive Planning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035-5505.

Sincerely,



Nancy Vehrs

Clerk to the Board of Supervisors

NV/ns

cc:

John M. Yeatman, Director, Real Estate Dvs., Assessments
Melinda M. Artman, Deputy Zoning Administrator
Frank Jones, Assistant Chief, PPRB, OCP
Audrey Clark, Chief, Inspection Srvs., BPRB, DEM
Barbara A. Byron, Director, Zoning Evaluation Dvsn., OCP
Robert Moore, Trnsprt'n. Planning Dvs., Office of Transportation
Paul Eno, Project Planning Section, Office of Transportation
Department of Environmental Management
Y. Ho Chang, Resident Engineer, VDOT
Land Acq. & Planning Dvs., Park Authority



FAIRFAX
COUNTY

OFFICE OF COMPREHENSIVE PLANNING
Zoning Evaluation Division
Special Permit and Variance Branch
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

V I R G I N I A

(703) 324-1280

Fax 324-3924

October 27, 1993

Gerald L. Marchildon, Director
1315 Constitution Avenue, NE
Washington, D.C. 20002

Re: Special Permit Application SP 93-L-015
Variance Application VC 93-L-027
BURGUNDY FARM COUNTRY DAY SCHOOL

Dear Mr. Marchildon:

At its October 19, 1993 meeting, the Board of Zoning Appeals took action to **GRANT** the above-referenced applications. The final approval date is October 27, 1993. Copies of the Resolutions are attached.

This action does not constitute exemption from the various requirements of this County and State. The applicant is responsible for ascertaining if permits are required and for obtaining the necessary permits such as Building Permits, Residential Use Permits and Non-Residential Use Permits. Information concerning Building Permits may be obtained by calling 324-1550.

Sincerely,

Geri B. Bepko, Substitute Clerk
Board of Zoning Appeals

Enclosure: As Stated

COUNTY OF FAIRFAX, VIRGINIA

VARIANCE RESOLUTION OF THE BOARD OF ZONING APPEALS

In Variance Application VC 93-L-027 by BURGUNDY FARM COUNTRY DAY SCHOOL, under Section 18-401 of the Zoning Ordinance to permit accessory structure (garage) to remain in minimum required front yard, on property located at 3700 Burgundy Rd., Tax Map Reference 82-2((1))5.6.8, Mrs. Thonen moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on October 19, 1993; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the land.
2. The present zoning is R-4.
3. The area of the lot is approximately 23.44 acres.
4. The applicant has been operating for a long time and there have been no complaints about the accessory structure.
5. The accessory structure does not give the appearance of being in the front yard.

This application meets all of the following Required Standards for Variances in Section 18-404 of the Zoning Ordinance:

1. That the subject property was acquired in good faith.
2. That the subject property has at least one of the following characteristics:
 - A. Exceptional narrowness at the time of the effective date of the Ordinance;
 - B. Exceptional shallowness at the time of the effective date of the Ordinance;
 - C. Exceptional size at the time of the effective date of the Ordinance;
 - D. Exceptional shape at the time of the effective date of the Ordinance;
 - E. Exceptional topographic conditions;
 - F. An extraordinary situation or condition of the subject property, or
 - G. An extraordinary situation or condition of the use or development of property immediately adjacent to the subject property.
3. That the condition or situation of the subject property or the intended use of the subject property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted by the Board of Supervisors as an amendment to the Zoning Ordinance.
4. That the strict application of this Ordinance would produce undue hardship.
5. That such undue hardship is not shared generally by other properties in the same zoning district and the same vicinity.
6. That:
 - A. The strict application of the Zoning Ordinance would effectively prohibit or unreasonably restrict all reasonable use of the subject property, or
 - B. The granting of a variance will alleviate a clearly demonstrable hardship approaching confiscation as distinguished from a special privilege or convenience sought by the applicant.
7. That authorization of the variance will not be of substantial detriment to adjacent property.

8. That the character of the zoning district will not be changed by the granting of the variance.

9. That the variance will be in harmony with the intended spirit and purpose of this Ordinance and will not be contrary to the public interest.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has satisfied the Board that physical conditions as listed above exist which under a strict interpretation of the Zoning Ordinance would result in practical difficulty or unnecessary hardship that would deprive the user of all reasonable use of the land and/or buildings involved.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **GRANTED** with the following limitations:

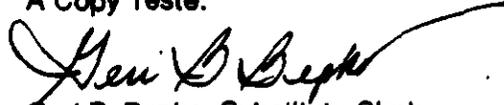
1. This variance is approved for the location of the garage structure south of the proposed administration building as shown on the plat entitled Burgundy Farm Country Day School and prepared by CEM Consulting Services, Inc. which is dated March 16, 1993 as revised through September 13, 1993 submitted with this application and is not transferable to other land.
2. A Building Permit for the garage structure shall be obtained prior to any construction and final inspections shall be approved.

Pursuant to Sect. 18-407 of the Zoning Ordinance, this variance shall automatically expire, without notice, thirty (30) months after the date* of approval, unless construction has commenced and has been diligently prosecuted. The Board of Zoning Appeals may grant additional time to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the variance. 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.

Mr. Pammel seconded the motion which carried by a vote of 7-0.

*This decision was officially filed in the office of the Board of Zoning Appeals and became final on October 27, 1993. This date shall be deemed to be the final approval date of this variance.

A Copy Teste:


Geri B. Bepko, Substitute Clerk
Board of Zoning Appeals

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

In Special Permit Application SP 93-L-015 by BURGUNDY FARM COUNTRY DAY SCHOOL, under Sections 8-915 and 3-403 of the Zoning Ordinance to permit a waiver of the dustless surface requirement and continuation of existing community pool use, on property located at 3700 Burgundy Rd., Tax Map Reference 82-2((1))5,6,8, Mrs. Thonen moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on October 19, 1993; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the land.
2. The present zoning is R-4.
3. The area of the lot is approximately 23.44 acres.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in Section 8-915 of the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **GRANTED** with the following limitations:

1. This approval is granted to the applicant only and is not transferable without further action of this Board, and is for the location indicated on the application and is not transferable to other land.
2. This Special Permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special permit plat entitled Burgundy Farm Country Day School and prepared by CEM Consulting Services, Inc. which is dated March 16, 1993 as revised through September 13, 1993 and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit 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.
4. If determined necessary by DEM, a geotechnical study shall be prepared by, or under the direction of a geotechnical engineer experienced in soil and foundation engineering and shall be submitted and approved by DEM prior to submittal of the construction plan and approved measures shall be incorporated into the site plan.
5. The pool shall be limited to a maximum of 78 bathers at any one time.

6. There shall be no more than four (4) league swim meets conducted at this facility per year. All parking shall be accommodated on site.
7. After-hour parties for the swimming pool shall be governed by the following:
 - Limited to six (6) per season.
 - Limited to Friday, Saturday and pre-holiday evenings. Three (3) weeknight parties may be permitted per year, provided written proof is submitted which shows that all contiguous property owners concur.
 - Shall not extend beyond 12:00 midnight.
 - The applicant shall provide a written request at least ten (10) days in advance and receive prior written permission from the Zoning Administrator for each individual party or activity.
 - Requests shall be approved for only one (1) such party at a time and such requests shall be approved only after the successful conclusion of a previous after-hour party.
8. During discharge of swimming pool waters, the following operational procedures shall be implemented:
 - Sufficient amount of lime or soda ash shall be added to the acid cleaning solution in order to achieve a pH approximately equal to that of the receiving stream. The Virginia Water Control Board standards for the class II and III waters found in Fairfax County range in pH from 6.0 to 9.0. In addition, the standard for dissolved oxygen shall be attained prior to the release of pool waters and shall require a minimum concentration of 4.0 milligrams per liter.
 - If the water being discharged from the pool is discolored or contains a high level of suspended solids that could affect the clarity of the receiving stream, it shall be allowed to stand so that most of the solids settle out prior to being discharged.
9. The regular hours of operation for the swimming pool shall not exceed 9:00 am to 9:00 pm.
10. The gravel surfaces shall be maintained in accordance with the standard practices approved by the Director, Department of Environmental Management (DEM), and shall include but may not be limited to the following. The approval of the dustless surface shall be for the time period specified in Sect. 8-915 of the Zoning Ordinance.
 - Speed limits shall be limited to ten (10) mph.
 - During dry periods, application of water shall be made in order to control dust.
 - Runoff shall be channelled away from and around driveway and parking areas.

- The applicant shall perform periodic inspections to monitor dust conditions, drainage functions and compaction-migration of the stone surface.
 - Routine maintenance shall be performed to prevent surface unevenness and wear-through of subsoil exposure. Resurfacing shall be conducted when stone becomes thin.
 - The three existing asphalt speed bumps on the entrance drive from Burgundy Drive shall remain. If, after one year, the speed bumps prove not to be effective in controlling dust, the applicant shall provide pavement to a point 25 feet into the entrance drive from Burgundy Road.
 - The applicant shall provide pavement to a point 140 feet into the entrance drive from Elmwood Drive to inhibit the transfer of gravel off the site.
11. 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 supplementation plan for the transitional screening area north of the proposed new parking area and for the transitional screening area along the southern periphery west of the partially constructed garage 300 feet east to the gravel outlet road in order to mitigate adverse impacts on existing and future residential units as determined by the Urban Forester. 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 limited to 9:00 A.M. to 9:00 P.M.

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 responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established and been diligently prosecuted. Construction of at least one (1) new structure shall constitute establishment of this Special Permit use. The Board of Zoning Appeals 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 permit. 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.

Mr. Pammel seconded and amended the motion which carried by a vote of 6-1. Mrs. Thonen voted nay on the amended motion.

*This decision was officially filed in the office of the Board of Zoning Appeals and became final on October 27, 1993. This date shall be deemed to be the final approval date of this special permit.

A Copy Teste:



Geri B. Bepko, Substitute Clerk
Board of Zoning Appeals

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of-way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted in the zoning district if the site were developed as a conventional subdivision. See Sect. 9-815 of the Zoning Ordinance.

COUNTY 456 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.1-456 of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BDS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets, trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.1-491 of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Environmental Management.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DEM for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DEM for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDC	Planned Development Commercial
ADU	Affordable Dwelling Unit	PDH	Planned Development Housing
ARB	Architectural Review Board	PFM	Public Facilities Manual
BMP	Best Management Practices	PPRB	Permit, Plan Review Branch
BOS	Board of Supervisors	PRC	Planned Residential Community
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Central Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
DEM	Department of Environmental Management	SE	Special Exception
DDR	Division of Design Review, DEM	SP	Special Permit
DP	Development Plan	TDM	Transportation Demand Management
DPW	Department of Public Works	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPW
FDP	Final Development Plan	UMTA	Urban Mass Transit Association
GDP	Generalized Development Plan	VC	Variance
GFA	Gross Floor Area	VDOT	Virginia Dept. of Transportation
HCD	Housing and Community Development	VPD	Vehicles Per Day
LOS	Level of Service	VPH	Vehicles per Hour
Non-RUP	Non-Residential Use Permit	WMATA	Washington Metropolitan Area Transit Authority
OCP	Office of Comprehensive Planning	ZAD	Zoning Administration Division, OCP
OT	Office of Transportation	ZED	Zoning Evaluation Division, OCP
PD	Planning Division		

**A GLOSSARY OF TERMS FREQUENTLY
USED IN STAFF REPORTS WILL BE
FOUND AT THE BACK OF THIS REPORT**

DESCRIPTION OF THE APPLICATION

SE Amendment Proposal: Amend Special Exception SE 93-L-014 to permit building additions, demolition of existing classroom buildings, site modifications and an increase in parking for an existing nursery school, child care center and private school of general education with a maximum of 300 students. There is no increase in enrollment proposed with this application.

SP Amendment Proposal: Amend Special Permit SP 93-L-015 to permit continuation of existing community recreational facility (pool) use, to include a pool building addition, site modifications, and an increase in parking.

Proposed development conditions for these amendment applications are included in Appendix 1 and Appendix 1A of this report.

Acreage: 23.22 Acres

Enrollment: Maximum daily enrollment on-site: 300 students
(No change)

Employees: 46 full-time staff; 5 seasonal, part-time employees
(No change)

Modifications Requested:

Barrier

North
 South
 East
 West

Transitional Screening

North
 South
 East
 West

The applicants are requesting modifications of Ordinance required transitional screening and barrier requirements in favor of the currently existing conditions. The requested modifications, and basis for approval, are discussed in detail later in this report.

A child care center, nursery school, and a private school of general education with an enrollment of 100 or more students is a Category 3 Special Exception and subject to Sect. 9-006, Sect. 9-304, Sect. 9-309, Sect. 9-310, among others.

A community recreation facility, or community pool, is a Group 4 Special Permit and subject to Sect. 8-006 and 8-003, among others.

Staff proposed conditions and the applicant's affidavit are attached as Appendices 1 and 2, respectively. Copies of applicable Zoning Ordinance Provisions are contained in Appendix 7.

LOCATION AND CHARACTER

Site Description:

The site was originally a working farm until converted into a school campus. The site still retains the look of a farm, as many of the original farm buildings have been converted to classrooms and offices. Farm animals reside on the campus, adding to the farm ambiance. The site is predominantly wooded with classroom and administration buildings located in the central portion of the site. A stream flows west of existing structures into an existing pond. Another stream within a floodplain flows along the eastern periphery. Access is obtained via an existing gravel outlet road adjoining Burgundy Road. The application site includes an area on the north boundary which lies between existing dwelling units, with frontage on Elmwood Drive.

This area has an existing ingress/egress easement which is proposed to be a landscaped entrance for the school pool and playing field areas. A wooded conservation easement area runs parallel with most of the western property boundary. A total of 4.70 acres of the application site are included within this conservation easement.

Existing Use:

Nursery School - 16 students
Hours: M-F 8:30 am - 3:00 pm

Private Day School - 259 students
Grades K-8, Sept.-June
Hours: M-F 8:30 am - 3:00 pm

Summer Day Camp - 300 students

Late June through mid-August

Hours: M-F 9:00 am - 3:00 pm

Child Care Center - 35 students

Year round - (Limited to Burgundy Farm School or Day Camp students)

Hours: M-F 3:00 am - 6:00 pm; also 7:30 am - 9:00 am during the days of operation of the Summer Day Camp.

Community Pool - Maximum capacity - 78 swimmers.

Hours: M-F 4:00 pm - 8:00 pm

Weekends - 11:00 am - 8:00 pm

Proposed Use:

There is no change in use proposed. There is no increase in enrollment, faculty, or change to the hours of operation proposed with this application.

The child care center includes only those students and children who arrive before class begins in the mornings, and/or do not go directly home after classes end. The pool is used in shifts with the Day campers, and becomes a Community Pool after 4:00 PM, after most students have left the campus.

Existing Structures:

Most structures were originally constructed as farm buildings and have been converted to school use. With the approval of Special Exception SE 93-L-014, a Floor Area Ratio (FAR) of 0.077 was approved for this site. Much of the new construction proposed with that special exception was never built. Currently existing buildings/structures, as shown on the Plat, are listed below showing current use:

<u>Structure</u>	<u>Use</u>
Administration Bldg.	Administrative Offices
Student Services**	Administrative Offices
Caretaker's dwelling	Dwelling
Meyer's Barn	Classroom
West Barn	Classrooms
East Barn	Classrooms

<u>Structure</u>	<u>Use</u>
Beechwood	Classrooms
Woodhall	Classrooms
Drama Trailer	Classroom
Swallow Bam**	Classroom
Temp. Bldg.**	Classroom
Stage**	Outdoor drama production
Animal Barn	Animal shelter
Pool/pool house	Community pool/Swim classes
Garage	Maintenance Shop
Deck	Forest observation

** This application proposes the removal of these structures.

Proposed Structures:

All buildings noted above, other than the buildings/structures indicated to be removed, are to remain on site. In addition, new construction proposed includes a middle school and gymnasium (16,400 Gross Square Feet (GSF) in area), a first grade/extended day care building (4,200 GSF), an expanded pool house (to total 1,290 GSF) and pool deck, a play court and a new amphitheater with stage structure (420 GSF). The proposed FAR totals 0.065, a decrease from the FAR of 0.077, or 13,664 square feet in total floor area, from that previously approved.

Existing Parking:

Two (2) parking lot areas, including bus parking spaces, exist along the southern portion of the site. Access to these parking lot areas is obtained from Burgundy Road via a fifteen (15) feet wide outlet road along the southern boundary of the site.

Proposed Parking:

A redesign and redistribution of parking spaces in the southern parking lots is proposed, totaling seventy-six (76) parking spaces and six (6) accessible parking spaces. A new parking area with thirty (30) additional parking spaces is proposed along the northern periphery, near the pool area.

Other Features: Animals currently in-residence on the site include 12 sheep, 2 goats, 14 chickens and 3 ducks.

Surrounding Area Description:

Direction	Use	Zoning	Plan
North	Residential	R-4	Res. 3-4 du/ac
South	Residential	R-3, R-5	Res. 2-3 du/ac
East	Residential	R-3	Res. 3-4 du/ac
West	Open Space Residential	R-5 R-4	Public Recreation Res. 3-4 du/ac

BACKGROUND

Site History:

Date Established: 1946

Application	Date	Use	BOS Action*
S-111-79	7-31-79	private school:250 students & Community pool	Approve*
S-246-79	10-23-79	building enclosure; increase in enrollment to 300 students	Approve*
SE 93-L-014	9-27-93	nursery school, child care center, & private school	Approve*
SP 93-L-015	10-19-93	permit a waiver of dustless surface requirements & continuation of community pool	Approve*
VC 93-L-027	10-19-93	permit garage structure to remain in minimum required front yard	Approve*

- * Approved with limitations or Development Conditions contained in Appendix 8. Existing Special Permit development conditions limit school enrollment to a maximum daily enrollment of 300 students. There is no change to the maximum daily enrollment proposed with this Special Exception application. Development conditions associated with the current amendment applications are included in Appendix 1 and 1A of this report. Proposed development conditions which have been brought forward from those originally approved are indicated by an asterisk.

COMPREHENSIVE PLAN PROVISIONS (Appendix 4)

Plan Area: Area IV

Planning Sector: Burgundy Community Planning Sector (RH3) of the Rose Hill Planning District

Plan Map: Residential, 2-3 dwelling units per acre (du/ac)

ANALYSIS

Special Exception Plat (Copy at front of staff report)

Title of SEA/SPA Plat: Burgundy Farm Country Day School, Inc.

Prepared By: Walter L. Phillips

Original and Revision Dates: April 28, 1997, as revised to September 1, 1997

Description of Special Exception Plat:

The SEA/SPA Plat shows two (2) new classroom buildings, new additions to three (3) existing structures, and a new play court and a new thirty (30) space parking lot. Four (4) existing structures are to be removed, including the swallow barn, a temporary classroom structure and the existing amphitheatre and stage. One of the proposed new buildings, the middle school and gymnasium, will be constructed over the demolition site of two of the existing buildings in the southeast portion of the site. Additions are proposed for the existing pool house and pool deck, and for the Meyer's Barn building. Efforts to leave as many existing trees as possible undisturbed by new construction activity is evidenced by the locations of the proposed buildings and additions.

The proposed new parking lot on the north end of the site has access from Elmwood Drive. (This entrance was approved with special exception application SE 93-L-014 but was never installed). This application shows improved

landscaping on each side of the entrance, with Leyland Cypress planted to screen the adjacent homes. The proposed parking lot has been redesigned from the original parking lot approval, which moves the parking lot farther from the shared lot line with adjacent residences. The proposed new parking lot will accommodate thirty (30) parking spaces. A pathway is provided to the existing pool and ballfield areas from the proposed parking lot. Although not indicated on the Plat, the entrance driveway and parking lot must be constructed with a hard, dustless surface material (asphalt, concrete, etc.), unless waived by DEM.

The existing parking lot on the southern end of the site is shown to be redesigned to accommodate a total of seventy-six (76) parking spaces and six (6) accessible parking spaces. The existing gravel outlet road along the southern periphery remains located in the 25 foot transitional screening yard.

Stormwater runoff has been directed from the parking lot and the area of the proposed gymnasium/middle school to a drainage channel, noted as a EC-1, Type A trapezoidal channel. The channel will meander in direction in order to avoid valuable trees. The channel will carry runoff overland to the existing stream along the eastern property boundary. An Environmental Quality Corridor (EQC) area is shown to run the entire length of the eastern boundary, associated with the stream. The approximate width of the EQC area varies in width from 63 feet to 88 feet.

A six-foot high, chain-link fence is shown to completely encircle the site except for the southern side of the gravel outlet road. This fence is currently installed.

Land Use Analysis (Appendix 4)

The land use analysis is based on the SEA/SPA Plat dated June 4, 1997.

Issue:

The land area currently is currently developed for use as a school and is shown on the Comprehensive Plan map to be planned for resident residential use at 2-3 dwelling units per acre.

Resolution:

If they do not generate negative impacts on their neighbors, non-residential uses such as schools and churches are frequently accommodated in areas of the County which are planned for residential use. In large part because of the generous size of the site, as well as its attributes (wooded edges, etc), the existing school has fit in with the surrounding neighborhoods since 1946.

The current proposal will not increase the number of students who attend the school (thereby not increasing traffic, which could have an adverse impact on the surrounding streets). Many of the proposed physical improvements are in locations which are interior to the site which mitigates adverse visual impacts as well as potential issues such as noise generation.

Issue:

As noted above, most potential impacts from the use on adjacent residential properties are mitigated by relatively wide vegetated buffers around the edges of the site. One exception to this, however, is the southern edge, which is adjacent to the main driveway for the school. Although the residential property abutting the southern edge is currently wooded, the school should plant shade trees and other landscape materials along that edge in preparation for potential redevelopment of the land to the south sometime in the future.

Resolution:

The applicant has requested a modification of the transitional screening and barrier requirements for this area. Several factors preclude installation of a full vegetative transitional screen in this area, primarily the fact that the existing gravel outlet road serving as the main access to the site is located along this boundary, within the required twenty-five (25) foot transitional screening area. The outlet road is constructed within an existing fifteen (15) foot wide access easement belonging to the Fairfax County Water Authority and has existed in this area since the land was in used as a farm, and continued with the establishment of the school use. This road is frequently used by residents on property to the south as alternate access to their property. The existing mature vegetation in this area softens the impact sufficiently to warrant staff support of the requested modification in favor of the existing conditions. Modifications of the transitional screening and barrier requirements for this area were previously approved with the original SE/SP applications.

Issue:

The new access road to the pool from the residential street to the north, although not yet implemented, has already been approved in previous zoning actions. Because of the proximity of the neighbors' yards and houses to that access road, the applicant should provide heavy screening on both sides of the road. A hedge of evergreen plant materials (possibly Leyland cypress or similar) should be installed to reduce the impacts created by traffic at that location.

Resolution:

The revised SEA/SPA Plat has provided that Leyland Cypress trees will be installed (ten (10) feet on center) on each side of the proposed entrance from Elmwood Drive. Plan notes indicate that the trees will be installed at time of entrance construction. The proposed parking lot area is revised from the previously approved location to move the parking area farther away from the rear lot lines of the adjoining residential property. A total of seventy (70) shrubs, from 18 to 24 inch containers, will be installed at the north perimeter of the parking lot, further softening the impact on residential property to the north. Staff is of the opinion that this issue has been sufficiently addressed.

Issue:

A potential impact on surrounding properties is lighting used to light parking lots and/or buildings, etc. at night. Their use, especially near the edges of the site, should be clarified and all efforts made to preclude spillover onto adjacent properties.

Resolution:

A development condition has been proposed in Appendix 1 which requires that any and all exterior lights that may be installed on the site must be installed or shielded in such a manner to prevent significant light spillover from the application site onto adjacent residential property. Implementation of the proposed development condition should resolve this issue.

Transportation Analysis (Appendix 5)

No transportation issues. Development conditions which addressed transportation concerns have been brought forward from the previously approved special exception application.

Environmental Analysis (Appendix 6)**Issue:**

An EQC is associated with a stream that flows along the eastern boundary of the property. The EQC boundary shown on the development plan is consistent with the boundary approved with the original special exception application. The proposed limits of clearing and grading will not encroach into the EQC; the only disturbance being proposed within the EQC is for the construction of a drainage

channel to convey stormwater runoff from a portion of the site into the stream. The development plan indicates that construction of this channel will not require any clearing of trees (as opposed to an earlier development plan, which showed the clearing of a swath of trees for the construction of a subsurface pipe). The construction of the channel may, however, affect the root systems of individual trees and alter hydrologic conditions in the immediate area of the channel. As such, adverse impacts to trees in the immediate area of the channel are possible.

Resolution:

The conveyance of storm drainage through the EQC as proposed is viewed as a necessary encroachment. The location, design, and construction of the channel should be such that impacts to the existing tree cover will be minimized, consistent with the need to convey drainage from upland areas on the site into the stream, as determined by DEM. This issue is sufficiently addressed by a proposed development condition which alerts the applicant to consult with the Urban Forestry Branch of the Department of Environmental Management (DEM) for assistance when detailed designs are being prepared.

Issue:

The existing school facilities have been constructed with sensitivity to the tree cover on the property; large, mature hardwood trees are prevalent within the developed area. The proposed development is generally sensitive to the existing tree cover; however, the loss of individual hardwood trees on the site will be unavoidable if the proposed additions to the school complex are pursued. In addition, the proposed improvements to an existing parking lot and the construction of a storm sewer pipe to convey drainage from the proposed middle school and gymnasium will require clearing within a hardwood forest area in the southeastern portion of the site. The applicant has indicated that further clearing will be needed in this area if a waiver of the dustless surface requirement is not granted by DEM for the parking areas (due to the need to provide a curb and gutter system, thereby concentrating stormwater runoff and necessitating construction of a storm sewer system to convey this runoff into the stream along the eastern property boundary). A note on the development plan indicates that a substantial increase in clearing and grading can be anticipated if this waiver is not granted.

The clearing and grading identified for the proposed improvements to the existing pool area and to the proposed parking area near Elmwood Drive is generally consistent with, and somewhat less extensive than, what has been previously approved for this area. However, because the existing tree cover is relatively sparse in the area to the north of the proposed parking lot, landscaping will be needed in this area to protect adjacent residences from the adverse visual impacts associated with the parking lot.

SEA 93-L-014
December 11, 1997

5.

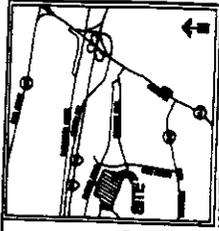
cc: John M. Yeatman, Director, Real Estate Div., Dept. of Tax Administration
Melinda M. Artman, Deputy Zoning Administrator
Frank Jones, Assistant Chief, PPRB, OCP
Audrey Clark, Chief, Inspection Svcs., BPRB, DEM
Barbara A. Byron, Director, Zoning Evaluation Div., OCP
Robert Moore, Trnsprt'n. Planning Div., Office of Transportation
Paul Eno, Project Planning Section, Office of Transportation
Department of Environmental Management
Dorothy Purvis, Permits Department, VDOT
Land Acqu. & Planning Div., Park Authority

RECEIVED
OFFICE OF COMPREHENSIVE PLANNING

DEC 15 1997

ZONING EVALUATION DIVISION

107



SPECIAL EXCEPTION DATA:

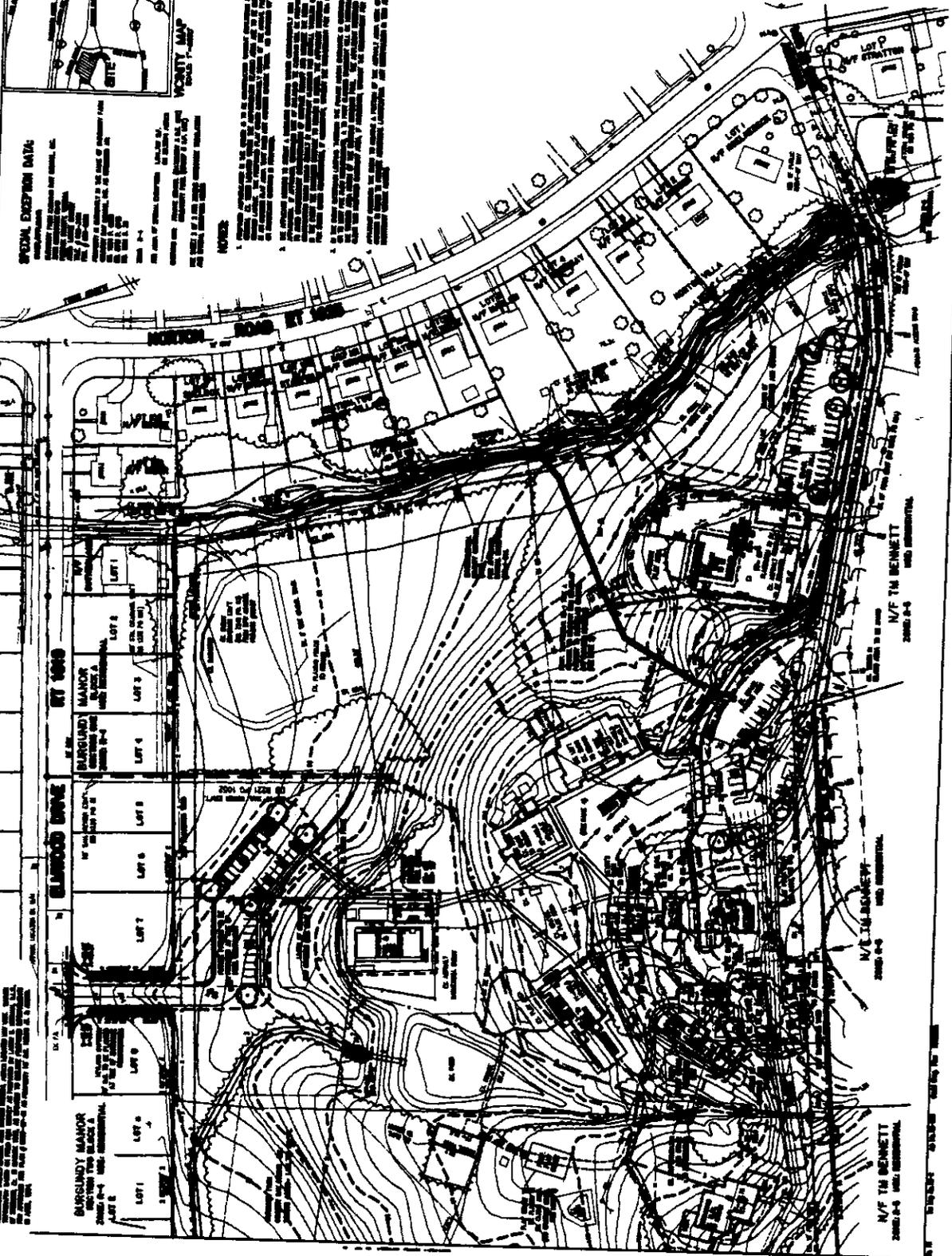
1. THE PROPOSED DEVELOPMENT IS A SCHOOL FOR THE DEAF AND BLIND, WHICH IS A USE PERMITTED BY THE ZONING REGULATIONS.

2. THE PROPOSED DEVELOPMENT IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD AND WILL NOT BE DETRIMENTAL TO THE PUBLIC INTEREST.

3. THE PROPOSED DEVELOPMENT IS IN ACCORDANCE WITH THE ZONING REGULATIONS AND THE SUBDIVISION MAP ACT.

4. THE PROPOSED DEVELOPMENT IS IN ACCORDANCE WITH THE DISTRICT OF COLUMBIA ZONING REGULATIONS AND THE SUBDIVISION MAP ACT.

5. THE PROPOSED DEVELOPMENT IS IN ACCORDANCE WITH THE DISTRICT OF COLUMBIA ZONING REGULATIONS AND THE SUBDIVISION MAP ACT.



BURGUNDY MANOR
 2001 C/1228 (S)
 LOT 1

BURGUNDY MANOR
 2001 C/1228 (S)
 LOT 2

BURGUNDY MANOR
 2001 C/1228 (S)
 LOT 3

BURGUNDY MANOR
 2001 C/1228 (S)
 LOT 4

BURGUNDY MANOR
 2001 C/1228 (S)
 LOT 5

BURGUNDY MANOR
 2001 C/1228 (S)
 LOT 6

BURGUNDY MANOR
 2001 C/1228 (S)
 LOT 7

BURGUNDY MANOR
 2001 C/1228 (S)
 LOT 8

BURGUNDY MANOR
 2001 C/1228 (S)
 LOT 9

BURGUNDY MANOR
 2001 C/1228 (S)
 LOT 10

BURGUNDY MANOR
 2001 C/1228 (S)
 LOT 11

BURGUNDY MANOR
 2001 C/1228 (S)
 LOT 12

N/F T.M. BENNETT
 2001-10-5 (S) - 1000

N/F T.M. BENNETT
 2001-10-5 (S) - 1000

N/F T.M. BENNETT
 2001-10-5 (S) - 1000

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

APPENDICES

1. Proposed Special Exception Amendment Development Conditions
- 1A. Proposed Special Permit Amendment Development Conditions
2. Affidavit
3. Statement of Justification
4. Plan Citations and Land Use Analysis
5. Transportation Analysis
6. Environmental Analysis
7. Applicable Zoning Ordinance Provisions Checklist
8. Original Development Conditions and Plat for SE 93-L-014 and SP 93-L-015
9. Glossary of Terms

Additional Standards for Private Schools of General Education (Sect. 9-310)

In addition to the general standards, all private schools of general education uses must satisfy the specific Additional Standards set forth for these uses. As discussed in detail in this report, staff is of the opinion that, with the implementation of the proposed development conditions included in Appendix 1 and 1A of this report, this application satisfies all requirements and standards: the indoor/outdoor recreation areas exceed Ordinance Standards and the use exceeds the minimum lot area.

Summary of Zoning Ordinance Provisions

The special exception amendment and the special permit amendment applications have satisfied all applicable standards with the proposed development conditions.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

In harmony with the Comprehensive Plan.

In conformance with the applicable Zoning Ordinance provisions.

Staff Recommendations

Approve Special Exception Amendment Application SEA 93-L-014, subject to the proposed development conditions in Appendix 1.

Approve modification of transitional screening and barrier along the entire periphery of the site in favor of that shown on the SEA/SPA Plat, and as further specified in the proposed development conditions.

Approve Special Permit Amendment Application SPA 93-L-015 subject to the proposed development conditions contained in Appendix 1A.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the Applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

General Special Permit Standards (Sect 8-006)

As discussed in detail in this report, staff is of the opinion that, with the implementation of the proposed development conditions included in Appendix 1A of this report, this application satisfies all requirements including the General Special Permit Standards: the site exceeds the minimum lot area; the use meets all bulk regulations; the use will meet all performance standards; and the use will be subject to Article 17, Site Plans.

Category 3 Standards (Sect. 9-304)

In addition to the general standards, all Category 3 special exception uses must satisfy the specific Category 3 Standards. As discussed in detail in this report, staff is of the opinion that, with the implementation of the proposed development conditions included in Appendix 1 of this report, this application satisfies all applicable requirements and standards including the Category 3 Standards: the site exceeds the minimum lot area; the use meets all bulk regulations; the use will meet all performance standards; and the use will be subject to Article 17, Site Plans.

Group 4 Standards (8-403)

In addition to the general standards, all Group 4 special permit uses shall satisfy the specific Group 4 Standards. As discussed in detail in this report, staff is of the opinion that, with the implementation of the proposed development conditions included in Appendix 1A of this report, this application satisfies all requirements and standards including the Group 4 Standards: three members of the board of managers live in adjacent residential neighborhoods and the pool use is operated on a non-profit basis; the swim club membership is limited to residents of nearby residential areas; the use meets bulk regulations and performance standards; and the use will be subject to Article 17, Site Plans.

Additional Standards for Child Care Centers and Nursery Schools (Sect. 9-309)

In addition to standards listed above, all child care center uses and nursery school uses must satisfy the additional standards set forth for these uses. As discussed in detail in this report, staff is of the opinion that, with the implementation of the proposed development conditions included in Appendix 1 and 1A of this report, this application satisfies all requirements and standards: the use provides for requisite outdoor/indoor recreation areas; provides for safe access; and has been approved by the Department of Health Services.

Basis:

Par. , Sect. 13-304: where land between building and property line specifically designed to minimize adverse impact. Staff supports a modification of the barrier requirement in favor of the existing chain link fence along the periphery of the site and located within the transitional screening yard, as shown on the SEA/SPA Plat.

Other Zoning Ordinance Requirements:

The applicant has stated that farm animals are housed on the school campus, including sheep, goats, chickens and ducks. Par. 3 of Sect. 2-512 states that the keeping of livestock and domestic fowl is allowed as an accessory use on any lot of two (2) acres or more in size. One (1) animal unit and one (1) bird unit are permitted per acre of property. Animal/bird units are identified as follows:

5 sheep	= 1 animal unit
5 goats	= 1 animal unit
32 chickens	= 1 animal unit
16 ducks	= 1 animal unit

Up to 23 animal units and up to 23 bird units would be allowed by right on the 23.2 acre site. The application site currently houses four (4) animal units and two (2) bird units as an accessory use, as noted in the statement of justification provided by the applicant (Appendix 3). Therefore, the application satisfies this provision of the Zoning Ordinance.

Special Exception Requirements (Appendix 7)**General Special Exception Standards (Sect. 9-006)**

The analysis of the proposed site alterations and construction of new buildings proposed with this application has been completed under specific guideline criteria to ascertain compliance and conformance with all Ordinance standards and requirements. In addition to the specific standards discussed hereinafter with regard to the particular special exception uses, all special exception applications must satisfy the general standards. As discussed in detail in this report, staff is of the opinion that, with the implementation of the proposed development conditions included in Appendix 1 of this report, this application satisfies all requirements including the General Standards: as the use is in harmony with the Plan and with applicable zoning district regulations; the use will not adversely affect adjacent properties; traffic from the use will not create a hazard or conflict; landscaping will be provided; open space exceeds Ordinance requirements; drainage will be to the satisfaction of DEM and DPW; and no signs are proposed.

Transitional Screening

North (R-4)	25 ft. Screening	Existing woods & Supplemental vegetation
South (R-3, R-5)	25 ft. Screening	Existing woods & Supplemental vegetation
East (R-3)	25 ft. Screening	Existing woods
West (R-3, R-5)	25 ft. Screening	Existing woods

Barrier

North (R-4)	wood fence, chain link fence, or wall	6 ft chain link fence
South (R-3, R-5)	wood fence, chain link fence, or wall	6 ft chain link fence
East (R-3)	wood fence, chain link fence, or wall	6 ft chain link fence
West (R-3, R-5)	wood fence, chain link fence, or wall	6 ft chain link fence

Modifications Requested

Modification: Transitional screening along north, south, east and west to that shown on the SEA/SPA Plat.

Basis:

Par.3 , Sect. 13-304: where land between building and property line specifically designed to minimize adverse impact. Staff supports a modification of transitional screening along the periphery of the site in favor of the existing mature vegetation which currently exists and supplemental vegetation which is to be provided along the northern entrance and periphery, as stipulated in the proposed development conditions.

Modification:

Barrier along north, south, east and west in favor of existing fence shown on SEA/SPA Plat.

compliance with adequate drainage requirements, as determined by DEM in coordination with DPW. This issue is resolved with the proposed development condition.

ZONING ORDINANCE PROVISIONS (Appendix 7)

Bulk Regulations (R-4)

Standard	Required	Provided
Lot Size	8,400 sq. Ft	23.22 acres
Lot Width	70 ft.	532+ ft.
Building Height	60 ft.	30 ft.
Front Yard	35° ABP	21.2 ft.* (Garage) Not less than 25 ft.
Side Yard	30° ABP	117 ft. Not less than 10 ft.
Rear Yard	30° ABP	N/A Not less than 25 ft.
FAR	0.30	0.07
Open Space	None	65% (15 acres)

* Variance application VC 93-L-027 was approved to permit the garage to remain within the minimum required front yard area.

Parking

Parking Spaces	76**	82
Loading Spaces	1	1

** Per Ordinance requirements, required parking for the private school is based on one (1) space per full time employees (48); visitor's spaces (4); community pool - based on a maximum of 78 person occupancy load - 1 space per 4 persons (20 spaces); Nursery School/Day Care with a total of 20 children, based on 0.19 space per child, (4 spaces). Six (6) accessible parking spaces are also provided.

Resolution:

The applicant has requested a modification of the transitional screening requirements along the northern boundary. The full twenty-five (25) feet of transitional screening yard has been provided between the area proposed for a parking lot and the rear property lines of the adjacent neighbors. Mature trees and other vegetation currently grow in this area, although not sufficient in number to satisfy the full Ordinance requirements for transitional screening. The applicant has agreed to plant approximately twenty (20) Leyland Cypress evergreen trees to screen residents from the proposed new entrance, at time of construction. A development condition is proposed that requires the applicant to install additional vegetation, to include evergreen species, to protect the adjacent residents from adverse visual impacts associated with the north parking lot, to the satisfaction of the Urban Forester, at the time of the parking lot construction. (The applicant has stated that there are no plans to construct this entrance or the proposed parking lot in the foreseeable future, although, if approved, it may be built at the applicant's discretion.) Staff is of the opinion that the issue has been sufficiently addressed with the proposed development condition.

Issue:

As noted earlier, the applicant is proposing to construct a storm drainage channel to convey drainage from the parking area and proposed middle school and gymnasium to the stream that flows along the eastern property boundary. This stream has been severely degraded by erosion associated with stormwater runoff from upstream areas. The Department of Public Works (DPW) has pursued storm drainage improvements in similarly impacted upstream reaches of the stream.

At the time of Site Plan review, the applicant will, per the "Policy of Adequate Drainage" within the County's *Public Facilities Manual*, be required to demonstrate, to the satisfaction of DEM, that drainage from the site will be conveyed into the stream without causing adverse impacts to the stream. The applicant will be required to provide measures that will ensure that drainage from the site will not aggravate the existing erosion problem.

Resolution:

Compliance with the "Policy of Adequate Drainage" will be required, and, therefore, does not need to be addressed through a development condition. However, because of the severity of the erosion problem along the eastern property boundary, and because of DPW's involvement with an upstream drainage project, a development condition is proposed that would require