



FAIRFAX COUNTY

OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 530
Fairfax, Virginia 22035-0072

V I R G I N I A

Telephone: 703-324-315

FAX: 703-324-392

TTY: 703-324-390

August 19, 1998

Lynne J. Strobel, Esquire
Walsh, Colucci, Stackhouse,
Emrich and Lubeley
2200 Clarendon Boulevard
Thirteenth Floor
Arlington, Virginia 22201-3359

RE: Special Exception Amendment
Number SEA 78-L-074-05
(Concurrent with RZ 1997-LE-041;
RZ 1997-LE-042 and RZ 1997-043)

Dear Ms. Strobel:

At a regular meeting of the Board of Supervisors held on July 27, 1998, the Board approved Special Exception Amendment Number SEA 78-L-074-05 in the name of Hilltop Sand and Gravel Company, Incorporated, located at Tax Map 100-1 ((1)) 9, to amend SE 78-L-074 in order to permit a decrease in land area used for a landfill pursuant to Sections 3-104 and 5-303 of the Fairfax County Zoning Ordinance by requiring conformance with the following development conditions. Previously approved conditions, or those with minor revisions, are marked with an asterisk (*).

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.
2. A copy of this Special Exception Amendment 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.

3. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPW&ES). Any plan submitted pursuant to this special permit shall be in conformance with the approved Special Exception plat **entitled Hilltop Driving Range/Golf Course - Phase II and prepared by Dewberry & Davis which is dated May 5, 1997 and revised through May 29, 1998** and these conditions.
4. *These Special Exception Amendment conditions shall be in addition to the conditions approved with SE 78-L-074, SEA 78-L-074-1, and SEA 78-L-074-4. To the extent that these conditions conflict with those formerly approved pursuant to SE 78-L-074 and SEA 78-L-074-1, these conditions shall govern. Development conditions approved with SEA 78-L-074-2, and SEA 78-L-074-3 have been incorporated and superseded by these development conditions.
5. *Erosion and sediment control shall be provided to achieve an 80% efficiency, around the perimeter and within the application property. The design and location of sediment traps and/or other devices shall be subject to review and approval by the Department of Public Works and Environmental Services (DPW&ES).
6. *All fill shall consist of debris/inert material. No toxic materials, sludge, chemical waste or putrescible substances shall be allowed. A toxic waste control plan shall be prepared for approval by the DPW&ES. This plan shall specifically address the method of control used to prevent the dumping of toxic and hazardous waste in the landfill and be implemented as required by the DPW&ES.
7. *In addition to the requirements of Article 2 of Chapter 104 of the County Code and Section 9-205 of the Zoning Ordinance, the following measures shall continue to be implemented:
 - a. *A 50 foot firebreak located at the interior edge of the on-site tree line shall be provided around the perimeter of the landfill;
 - b. *Erosion control, slope drainage, vegetative stabilization and maintenance shall be provided for the long slopes of the fill area through the use of slope benches to prevent erosion as determined appropriate by the Director, DPW&ES.

- c. *A downslope drainage control plan as approved by DPW&ES shall be incorporated into the overall site drainage plan;
- d. *Diversionary drainage shall be provided;
- e. Elevation certifications signed and sealed by a Virginia licensed land surveyor or professional engineer shall be provided to the Director, DPW&ES, annually by the licensed operator of the Hilltop Sand and Gravel Landfill. The certification shall include a statement verifying whether or not the landfill elevations are at or below the approved elevations under SEA 78-L-074-4. Prior to or upon reaching the approved elevations under SEA 78-L-074-4, the landfill shall cease operations to ensure that the final elevations after capping of the landfill are within approved elevations.
- f. A licensed operator of the landfill shall keep the Director, DPW&ES, appraised of the Virginia Department of Environmental Quality (DEQ) review of the ground and surface water monitoring results. Any evidence of contamination of ground or surface water shall be brought to the attention of the Director, DPW&ES. Similarly the Fire and Rescue Department must be notified of any detection of off-site migration of landfill gas or fire outbreaks.
- g. Additional information, as determined by DPW&ES shall be provided to the Director, DPW&ES, to demonstrate that the existing stormwater pond is adequate for control of stormwater runoff and sedimentation. Corrective measures, as determined appropriate by the Director, DPW&ES, shall be taken to correct any deficiencies.
- h. *Adequate cover soil materials shall be available on the landfill site. Marine clay materials shall not be used as fill in areas where stability will be a problem or where revegetation is to be conducted.

*The above listed measures shall be provided to the satisfaction of the Director, DPW&ES and shall be required as a part of the debris landfill permit.

8. *The tributary to Piney Run shall be stabilized to minimize erosion, the finished slopes and areas around the stream shall be revegetated with trees and the stream valley returned to an environmental quality corridor (EQC). A stream valley creation/restoration plan shall be provided for review and approval by the Landfill Administrator and the Urban Forester, DPW&ES, as part of the restoration plan that is required prior to re-issuance of an amended landfill permit from the Director, DPW&ES.
9. *The debris landfill permit previously approved for the operation shall be amended and resubmitted to the Director, DPW&ES. The permit application shall reflect how current and new requirements will be or have been met. No fill may occur beyond the depths and contours approved in conjunction with SE 78-L-074-4.
10. This Special Exception Amendment shall expire at such time as fill to the proposed contours has been completed; however, prior to such time, a closure/restoration plan shall be submitted for approval of the appropriate State Agencies and the review of the Director, DPW&ES. Upon approval, the closure/restoration plan shall immediately be implemented. The capping of the landfill shall be completed within one year of the expiration of this Special Exception Amendment.
11. *Landscaping shall conform with the landscaping plan dated November 21, 1986, prepared by Dewberry and Davis and shall be provided along the landfill's entrance at Beulah Street within six (6) months from approval of this Special Exception Amendment application. The applicant shall maintain all existing vegetation within the one-hundred foot buffer required pursuant to the development conditions of SE 78-L-074 to provide screening from the landfill to adjacent residential structures.
12. Right-of-way up to fifty (50) feet from the design centerline of Telegraph Road, as shown on the VDOT Field Inspection Plan Number 0611-029-303, C502 as of December, 1989, shall be dedicated, plus all ancillary construction easements up to fifteen (15) feet outside of the right-of-way line. This right-of-way shall be dedicated and conveyed in fee simple to the Board of Supervisors at such time as the road project is funded, or upon demand from VDOT, whichever first occurs.

13. *Upon the reconstruction of Beulah Street, or at the request of VDOT, the entrance to the landfill shall be relocated so as to provide all access to Telegraph Road. This access to Telegraph Road shall be located so as to align with a median break upon the reconstruction of Telegraph Road. At that time, both right and left turn lanes at the site entrance shall be constructed to VDOT standards. Design plans for the reconstruction of the site entrance, including turn lanes, shall be submitted to VDOT for review and approval at the time of VDOT approval of the Telegraph Road project.
14. *The storage of equipment or materials, repair, servicing or parking of any vehicles within the boundaries of the landfill shall be limited to those vehicles used exclusively for the operation of the landfill facility.
- 15a. *Truck arrivals from the Kingstowne development and Hunter Tract shall be monitored to ensure their direct access from Kingstowne Village Parkway and Beulah Street to the landfill. Access from Kingstowne to the subject site via Hayfield Road will be restricted with regulatory signs on the Hilltop property. The applicant will notify all contractors using the Hilltop landfill of such restrictions.
- 15b. *All vehicles departing from the landfill shall be restricted from using Beulah Street as a return route except that vehicles depositing debris from Kingstowne and the Hunter Tract may use Beulah northbound to Kingstowne Village Parkway, or an alternative route not to include Beulah Street.
16. *A fee of fifty cents (\$0.50) per truck load will be collected from each truck entering the Hilltop Landfill. This fund will be equally distributed for use in the development of Lee District Park and acquisition and restoration of Huntley Plantation. There will be no limitation on the amount collected for this fund. This increased fee shall become effective with the 1990 permit renewal process and shall be tied to a yearly escalator based on the Consumer Price Index.
17. *The 1.5 million cubic yards of additional fill capacity approved with SEA 78-L-074-2 shall be used exclusively for debris/inert material generated by the Kingstowne Development and the Hunter Tract. If the total material generated by these two developments is less than 1.5 million cubic yards, then the additional fill capacity shall be limited to that amount of total material generated by the aforementioned sites. In no instance shall fill capacity exceed 8.5 million cubic yards.

18. The landfill operations previously approved pursuant to SEA 78-L-074-4 on approximately 135.97 acres may continue in full force and effect until such time as a landfill closure on the approximately 71.19 acres that is proposed to be deleted from the special exception pursuant to SEA 78-L-074-5 has been approved by the appropriate State agencies. When the landfill closure has been approved, SEA 78-L-074-5 may be implemented on the reduced land area of the landfill containing approximately 64.78 acres in accordance with approved Fairfax County Site Plan 3365-LF-01. The reduced landfill area subject to SEA 78-L-074-5 is shown on the Special Exception Amendment Plat. The 71.19 acres referred to herein and subject to SP 97-L-037 shall not be issued a non-residential use permit for a nine-hole golf course until the landfill closure has been approved by the appropriate State Agencies and implemented as required by that plan.

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 any 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 9-105 of the Zoning Ordinance, this Special Exception Amendment shall automatically expire, without notice, unless the use has been established or construction has commenced and been diligently prosecuted. The use shall be considered established when Development Condition 18 has been met and a new Non-RUP has been issued for SEA 78-L-074-5. 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 Amendment. 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.

The Board also:

- **Waived the additional standard number nine for landfills, subject to the development conditions as modified by the Planning Commission; and**
- **Modified the transitional screening and waived the barrier requirements on the northern, eastern, and western peripheries of parcel 23A to that shown on the Generalized Development Plan (GDP)**

August 19, 1998
SEA 78-L-074-05

7.

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

Sincerely,



Patti M. Hicks
Deputy Clerk to the Board of Supervisors

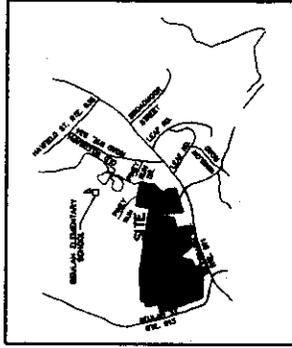
PMH/ns

cc: Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Michael R. Congleton, Deputy Zoning Administrator
Frank Jones, Assistant Chief, PPRB, DPZ
Audrey Clark, Chief, Inspection Svcs., BPRB, DPW&ES
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Robert Moore, Trnsprt'n. Planning Div., Dept. of Transportation
Paul Eno, Project Planning Section, Dept. of Transportation
Department of Public Works and Environmental Service, DPW&ES
Department of Highways, VDOT
Land Acqu. & Planning Div., Park Authority
Michael Neuhard, Battalion Chief, Hazardous Materials Branch, Fire & Rescue Dept.

HILLTOP DRIVING RANGE/ GOLF COURSE - PHASE II

LEE DISTRICT
FAIRFAX COUNTY, VIRGINIA

GENERALIZED DEVELOPMENT PLAN/
SPECIAL EXCEPTION AMENDMENT/
SPECIAL PERMIT - PLAT



VICINITY MAP
SCALE: 1"=2000'

APPLICANT:

HILLTOP SAND AND GRAVEL
7950 TELEGRAPH ROAD
ALEXANDRIA, VIRGINIA 22310

- SHEET INDEX:**
1. COVER SHEET
 2. NOTES & TABULATIONS
 3. 200 SCALE OVERALL DEVELOPMENT PLAN
 4. 100 SCALE-SEA/SP/GDP
 5. 100 SCALE-SEA/SP/GDP
 6. C-6 AREA ENLARGEMENT METES AND BOUNDS
 7. REZONING GRAPHIC/APPLICATION IDENTIFICATION
 8. CONCEPTUAL MINIATURE GOLF COURSE LAYOUT
 - 9.

MAY 5, 1997
REV. JULY 23, 1997
REV. NOV. 3, 1997
REV. JAN. 28, 1997
REV. FEB. 20, 1998
REV. MAY 20, 1998

LINDSAY ERWIN & ASSOCIATES, INC.
GOLF COURSE DESIGN - LAND PLANNING - LANDSCAPE ARCHITECTURE
1065 WILLOW GREEN, SUITE 204
DOWNEY, CALIFORNIA 91746
TEL. (610) 783-0310
TEL. (301) 281-0448

HILLTOP DRIVING RANGE/
GOLF COURSE - PHASE II
LEE DISTRICT
FAIRFAX COUNTY, VIRGINIA
GENERALIZED DEVELOPMENT PLAN/
SPECIAL EXCEPTION AMENDMENT/
SPECIAL PERMIT - PLAT



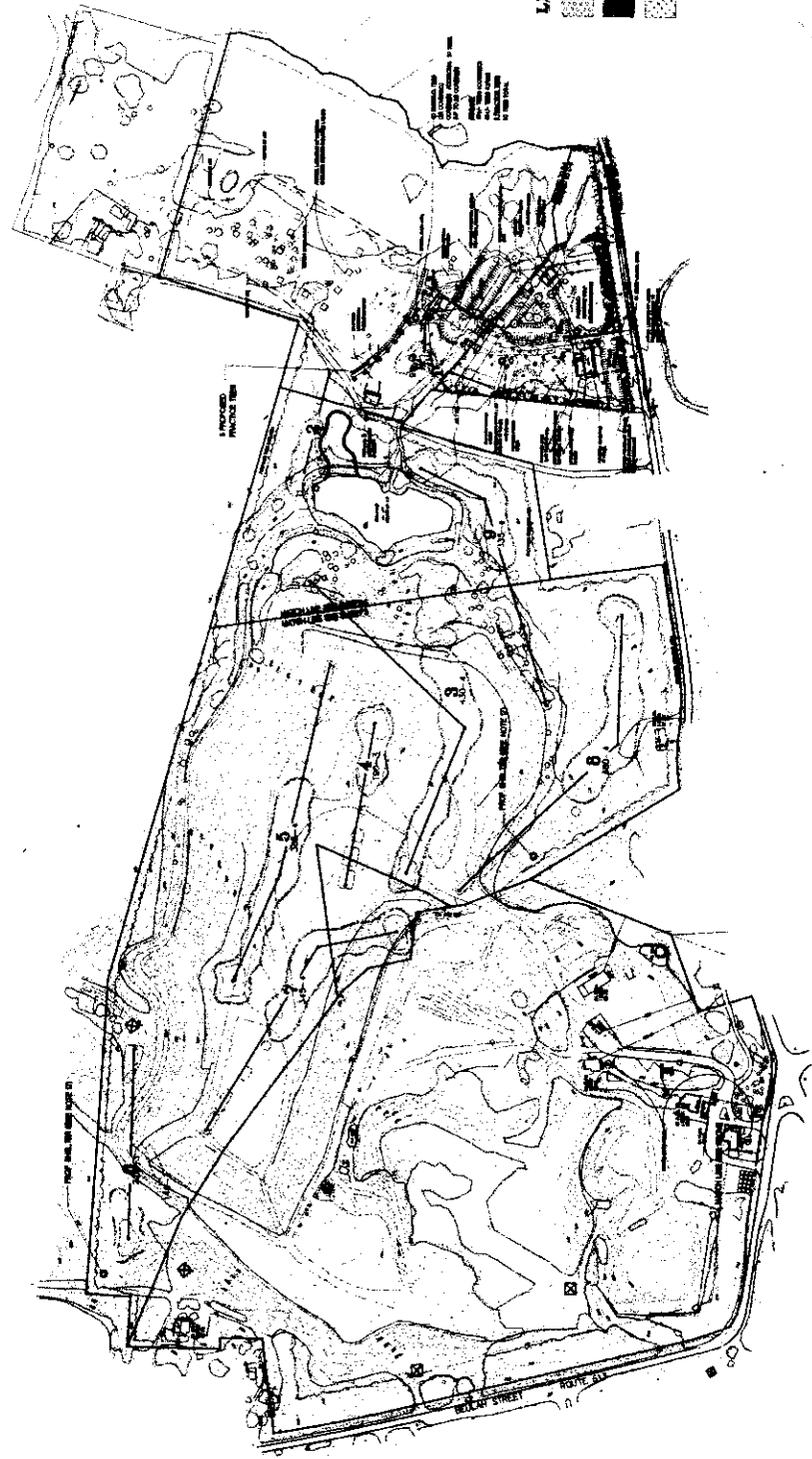
Dewberry & Davis
1441 Lehigh Blvd., Fairfax, VA, 22031
TEL. (703) 842-4100 FAX (703) 842-0118

44-0600

Architects
 Engineers
 Planners
 Surveyors
Dewberry & Davis
 8401 Arlington Blvd, Fairfax, Va. 22031
 (703) 470-0100 FAX (703) 849-0518

FAIRFAX COUNTY, VIRGINIA
Hilltop Driving Range/Golf Course-Phase II
 OVERALL PLAN

Scale: 1" = 100'
 Date: 11/15/93
 Drawn by: MAM
 Checked by: MAM
 Title: Hilltop Driving Range/Golf Course-Phase II
 Project Number: 15-474
 File Number: 15-474
 Sheet: 1 of 11
 Project: Hilltop Driving Range/Golf Course-Phase II



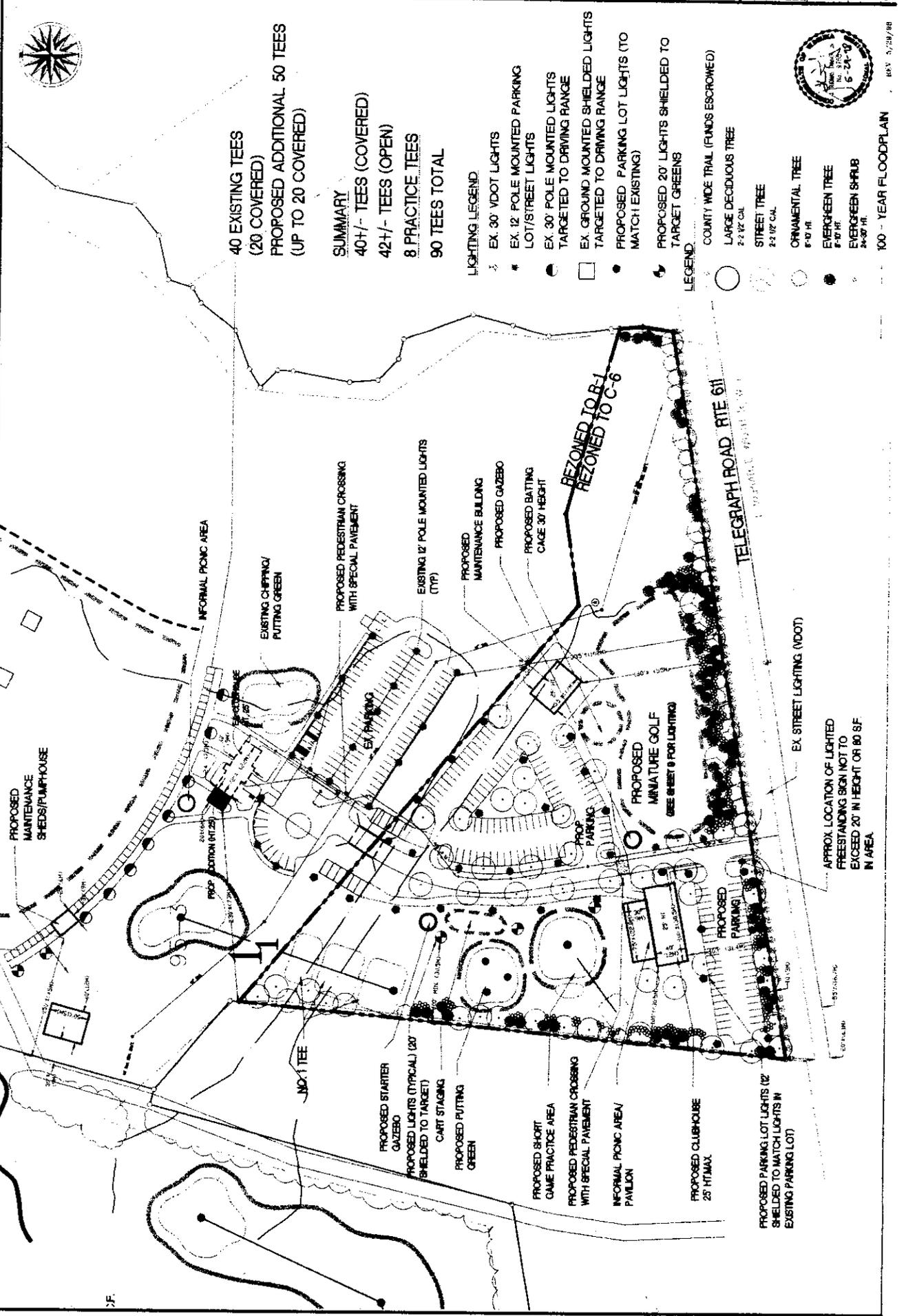
LEGEND

- [Stippled pattern] P-4 TO R-1
- [Solid black] P-4 TO C-6
- [Dotted pattern] S TO R-1
- [Square with X] EXISTING TRANSMISSION TOWER



ANGULAR MEASUREMENTS
 ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN FEET AND INCHES.
 ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
 ALL DIMENSIONS ARE TO BE VERIFIED BY THE CONTRACTOR.
 ALL DIMENSIONS ARE TO BE VERIFIED BY THE CONTRACTOR.
 ALL DIMENSIONS ARE TO BE VERIFIED BY THE CONTRACTOR.

APPROVED FOR CONSTRUCTION BY THE BOARD OF PROFESSIONAL ENGINEERS
 DATE: 11/15/93
 SIGNATURE: [Signature]



40 EXISTING TEES
 (20 COVERED)
 PROPOSED ADDITIONAL 50 TEES
 (UP TO 20 COVERED)

SUMMARY

- 40 +/- TEES (COVERED)
- 42 +/- TEES (OPEN)
- 8 PRACTICE TEES
- 90 TEES TOTAL

LIGHTING LEGEND:

- 3 EX. 30' VDOT LIGHTS
- * EX. 12' POLE MOUNTED PARKING LOT/STREET LIGHTS
- EX. 30' POLE MOUNTED LIGHTS TARGETED TO DRIVING RANGE
- EX. GROUND MOUNTED SHIELDED LIGHTS TARGETED TO DRIVING RANGE
- PROPOSED PARKING LOT LIGHTS (TO MATCH EXISTING)
- PROPOSED 20' LIGHTS SHIELDED TO TARGET GREENS

LEGEND

- COUNTY WIDE TRAIL (FUNDS ESCROWED)
- LARGE DECIDUOUS TREE 22-32' CAL.
- STREET TREE 22-32' CAL.
- ORNAMENTAL TREE 8-10' HT.
- EVERGREEN TREE 8-10' HT.
- EVERGREEN SHRUB 24-30' HT.
- 100 - YEAR FLOODPLAIN



APPROX. LOCATION OF LIGHTED
 FREESTANDING SIGN NOT TO
 EXCEED 20' IN HEIGHT OR 80 SF
 IN AREA

EX STREET LIGHTING (VDOT)

REZONED TO B-1
 REZONED TO C-6

TELEGRAPH ROAD, RTE 611

PROPOSED PARKING LOT LIGHTS (2'
 SHIELDED TO MATCH LIGHTS IN
 EXISTING PARKING LOT)

PROPOSED CLUBHOUSE
 25' HT. MAX.

PROPOSED SHORT
 GAME PRACTICE AREA
 PROPOSED PEDESTRIAN CROSSING
 WITH SPECIAL PAVEMENT
 INFORMAL PICNIC AREA/
 PAVILION

PROPOSED PUTTING
 GREEN
 CART STAGING
 PROPOSED LIGHTS (TYPICAL) (20'
 SHIELDED TO TARGET)

NO. 1 TEE

EXISTING CHIPPING/
PUTTING GREEN

PROPOSED PEDESTRIAN CROSSING
 WITH SPECIAL PAVEMENT

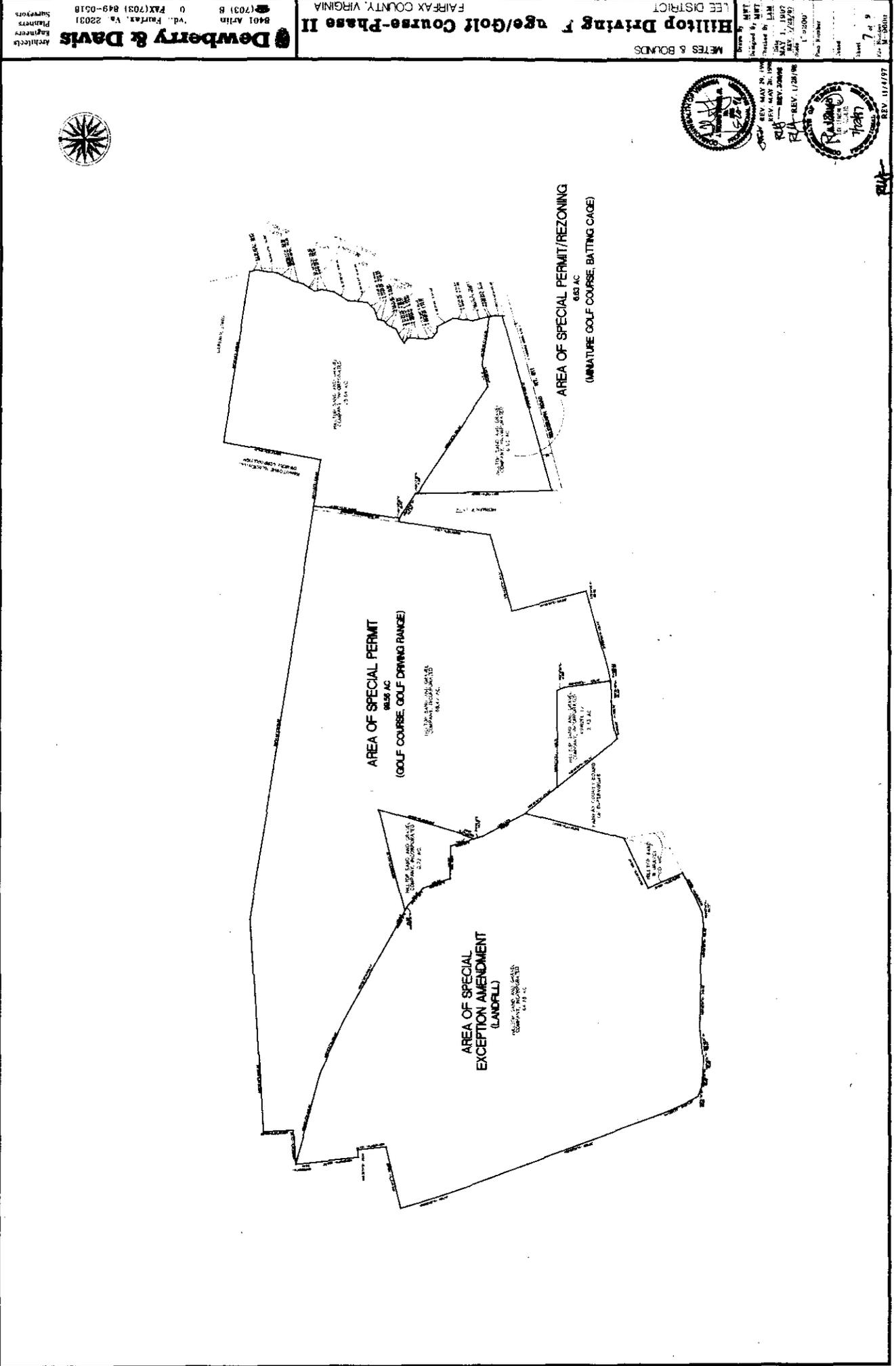
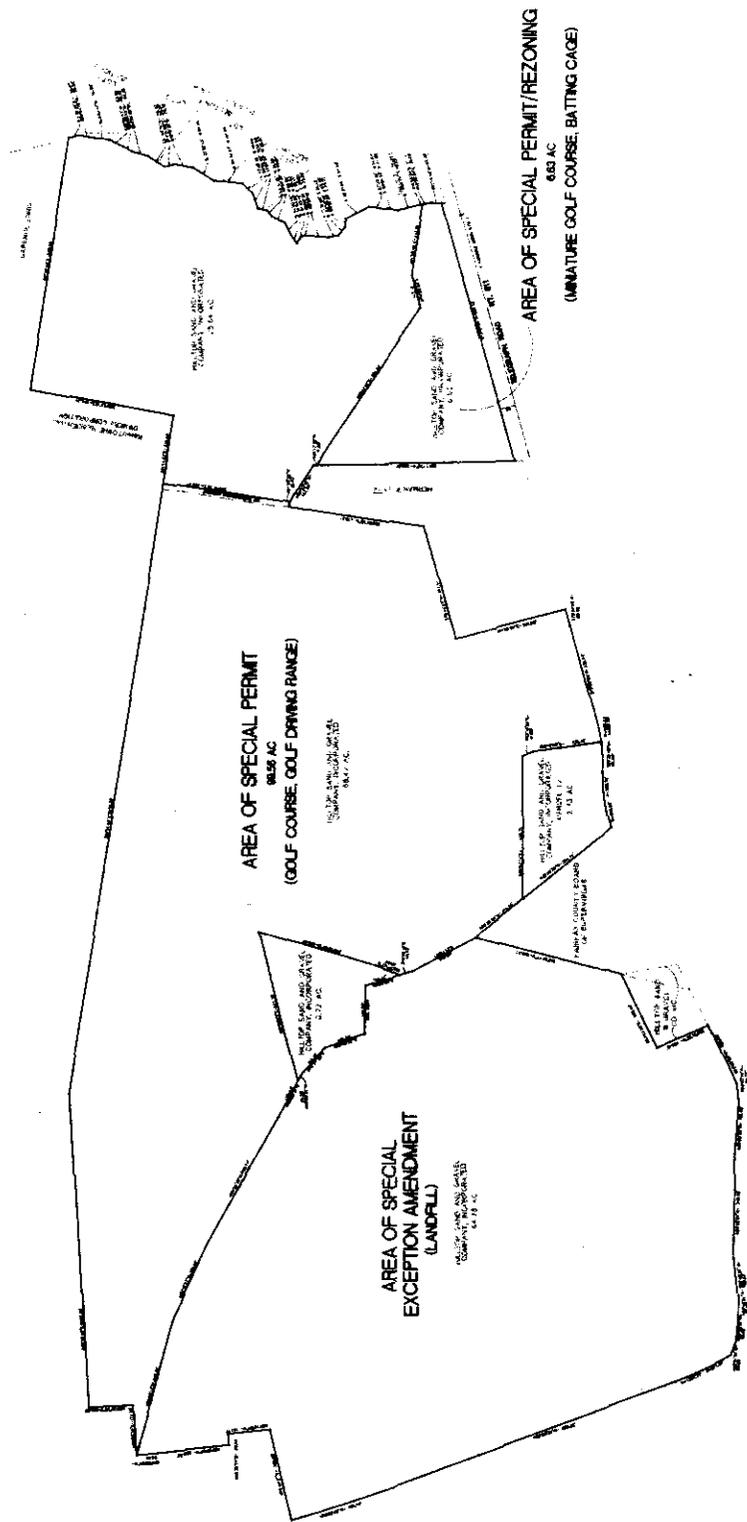
EXISTING 12' POLE MOUNTED LIGHTS
(TYP)

PROPOSED MAINTENANCE BUILDING
 PROPOSED GAZEBO
 PROPOSED BATTING
 CAGE 30' HEIGHT

PROPOSED
 MINIATURE GOLF
 (SEE SHEET 9 FOR LIGHTING)

PROPOSED
 MAINTENANCE
 SHEDS/PUMPHOUSE

INFORMAL PICNIC AREA



Architect
Planner
Engineer
Surveyor

Dewberry & Davis

Fairfax, VA 22031

8601 Ardmore
703 949-01

FAIRFAX COUNTY, VIRGINIA

Hilltop Driving Range/Golf Course-Phase II

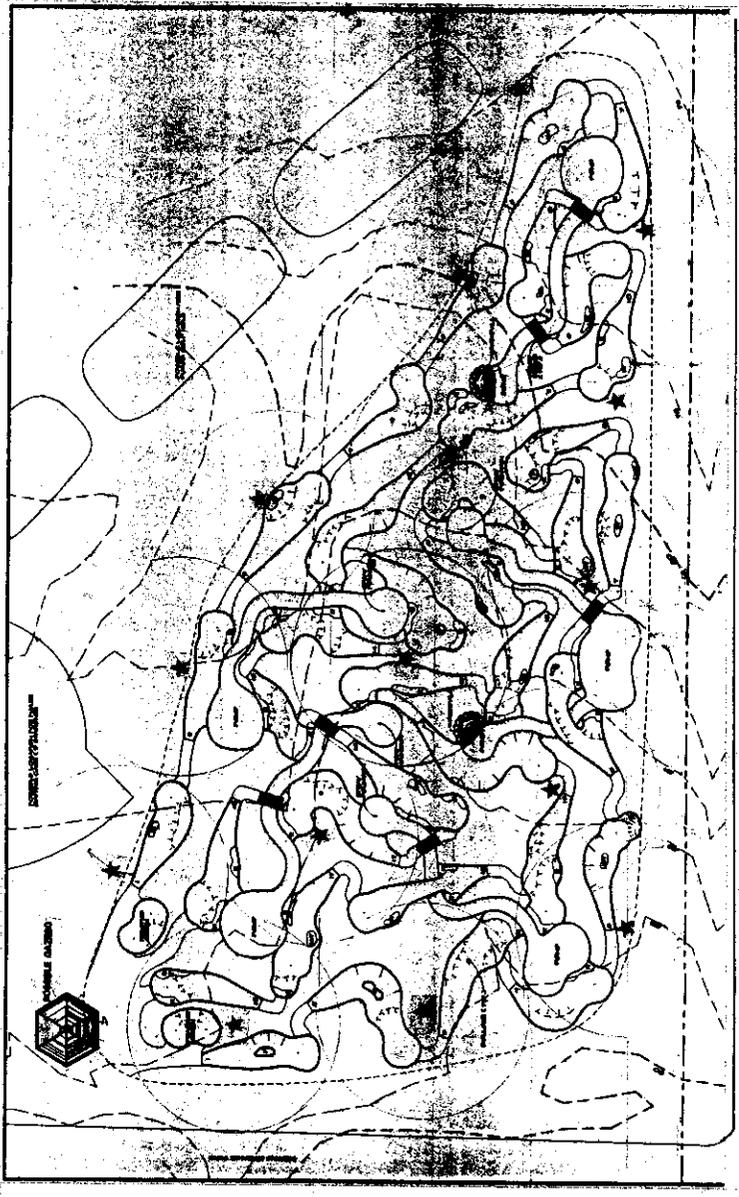
CONCEPTUAL MINIATURE GOLF COURSE LAYOUT

LEE DISTRICT

Project No.	11701
Date	11/20/02
Scale	1" = 20'
Author	
Checker	
Project Manager	
Client	
Site	
Sheet No.	9 of 9
Total Sheets	9



- SYMBOLS KEY**
- R - ROUGH
 - M - MOUND
 - P - PLANTER
 - ST - SAND TRAP
 - WT - WATER TRAP
- LEGEND**
- ★ POSSIBLE LOCATION OF LIGHT SHIELDED TO MINIATURE GOLF PLAYING AREA
- NOTE: LIGHT FIXTURES ARE CONCEPTUAL AND ARE SUBJECT TO CHANGE WITH FINAL DESIGN AND CONSTRUCTION.**



TELEGRAPH ROAD

PROFFERS**RZ 1997-LE-041****June 2, 1998**

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950 as amended, Hilltop Sand and Gravel Company, Inc., (hereinafter referred to as the "Applicant"), the Applicant in RZ 1997-LE-041, filed for property identified on the Fairfax County tax map as 100-1 ((1)) 23A, part, (hereinafter referred to as the "Application Property"), proffers to the following for itself, its successors and assigns, provided that the Fairfax County Board of Supervisors (hereinafter referred to as the "Board") approves a rezoning of the Application Property, containing approximately 25.64 acres, from the PDH-4 Zoning District to the R-1 Zoning District, in conjunction with a Generalized Development Plan/Special Exception Amendment/Special Permit Plat (hereinafter referred to as the "GDP") for a golf driving range, golf course, chipping/putting green, club house and additional accessory uses.

1. GENERALIZED DEVELOPMENT PLAN (GDP) -

- a. If accepted, these proffers shall replace and supercede previous proffers approved on the Application Property dated May 13, 1995 and September 19, 1986 and development conditions dated June 1, 1995 and March 30, 1988, applicable to the Application Property.
- b. Subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance (hereinafter referred to as the "Zoning Ordinance"), development of the Application Property shall be in substantial conformance with the GDP prepared by Dewberry and Davis, dated May 5, 1997 as revised through May 29, 1998.
- c. Pursuant to Section 18-204, minor deviations from the GDP may be permitted as determined by the Director, Department of Environmental Management (DEM). The Applicant shall have the flexibility to make minor modifications to the building footprints shown on the GDP, and make other minor modifications without requiring approval of an amended GDP, provided such modifications are in substantial conformance with the GDP as determined by the Director, DEM.

2. DESIGN -

- a. Existing driving range lights consist of eight light poles that are 30 feet in height with a cumulative total of 27 lumieres, and ten ground mounted lights with 20 lumieres in locations as shown on the GDP. The pole mounted lights consist of ten lumieres angled down to the ground (3 lumieres toward the chipping and putting greens behind

the tee line, and 7 lumieres toward the range). Seventeen of the pole mounted lumieres are directed parallel with the driving range. All lumieres are 1000 watts and no lumieres are directed to the sky. Any lights/poles installed in the future to replace or repair existing lights/poles shall not exceed these limitations. All driving range lights shall be shielded to reduce glare on adjacent properties.

- b. The existing entrance drive and parking lot lighting consists of twenty-six light poles, twelve feet in height. The light poles are mounted with downward directed 175 watt lumieres shielded to reduce glare on adjacent properties.
- c. The hours of operation of the chipping/putting green, and clubhouse shall be a maximum from 6:00 a.m. until 11:00 p.m., seven (7) days a week, during the spring, summer and fall. During the winter months (Thanksgiving to St. Patrick's Day) the hours of operation shall be from 6:00 a.m. to 9:30 p.m.
- d. The hours of operation of the golf driving range shall be a maximum from 9:00 a.m. until 11:00 p.m., seven (7) days a week during the spring, summer and fall. During the winter months (Thanksgiving to St. Patrick's Day) the hours of operation shall be from 9:00 a.m. to 9:30 p.m. All lighting on the golf driving range shall be turned off at closing. At such time as a non-residential use permit is issued for the nine hole golf course, the hours of operation of the golf driving range may be extended to a maximum from 6:00 a.m. until 11:00 p.m., seven (7) days a week, during the spring, summer and fall. During the winter months (Thanksgiving to St. Patrick's Day) the hours of operation may be extended from 6:00 a.m. to 9:30 p.m. No lighting of the golf driving range shall be permitted in the morning.
- e. The hours of operation of the nine hole golf course shall vary depending on the time of the year. The golf course shall operate at a maximum from 6:00 a.m. until dusk, seven (7) days a week.
- f. There shall be no lighting associated with the proposed nine hole golf course on the Application Property.
- g. The mechanical equipment used for maintenance of the golfing facilities shall not be operated outside of normal operating hours of the facilities, except, however, ball retrieval equipment may operate one (1) hour after the operating hours, and turf maintenance equipment may operate for one (1) hour before operating hours, but no earlier than 6:00 a.m. on the golf course and 7:00 a.m. on the golf driving range. During the one-hour period for maintenance and ball retrieval after closing at night, the lights on the driving range and the lights on the ground shall be turned off.

Operation of mechanical equipment shall be in compliance with the noise standards established in Article 14-700 of the Fairfax County Zoning Ordinance.

- h. The proposed parking surfaces shall be maintained and landscaped in accordance with PFM standards as determined by DEM.
- i. No loud speakers or amplification devices shall be permitted with the exception of announcements by the starter for golf course tee times. No amplified announcement shall be loud enough to be heard off-site.
- j. Green or black safety netting shall be provided as shown on the GDP. Netting poles shall be a natural wood color.
- k. The total number of golf tees associated with the driving range and the height of the golf driving range structure shall be provided as shown on the GDP.
- l. Vending machines shall not be visible from Telegraph Road.

3. LIMITS OF CLEARING AND GRADING -

The Application Property shall be developed in accordance with the limits of clearing and grading as shown on the GDP, subject to minor deviations/encroachments for the necessary installation of public utilities allowance and stormwater management areas, as approved by the Director, DEM and the Urban Forester, DEM. The Applicant shall provide landscaping as shown on the GDP. Minor modifications shall be permitted as determined appropriate by the Urban Forester, DEM.

4. TURF MAINTENANCE -

An integrated fertilizer, herbicide and pesticide management program and turf maintenance plan for limiting excessive chemicals and protecting water quality shall be implemented for this use. This program and plan shall include maintenance of the driving range and other lawn areas on the site and shall provide for periodic monitoring and adjustment that demonstrates an intent to reduce amounts of fertilizers, herbicides and pesticides applied to the property over time. The design of this program and all monitored parameters shall be consistent with the most current Virginia Cooperative Extension Pest Management Guide and be reviewed by Virginia Cooperative Extension, Fairfax County Office, as determined by DEM prior to site plan approval. Following site plan review, a copy of the approved management program

RZ 1997-LE-041

Proffers

Page 4

shall be kept on-site at all times. Records of all applications of pesticides and herbicides shall be kept and shall be made available to County staff on demand.

OWNER:

HILLTOP SAND AND GRAVEL COMPANY, INC.

By: 

Name: Clemens S. Gailliot, Jr.

Its: President

J:\HILLTOP\8130\PROFFR8A.041
11/4/97, 2/3/98, 2/4/98, 2/23/98, 3/17/98, 3/18/98
3/23/98, 4/1/98, 4/8/98, 5/14/98

PROFFERS**RZ 1997-LE-042****June 2, 1998**

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950 as amended, Hilltop Sand and Gravel Company, Inc., (hereinafter referred to as the "Applicant"), the Applicant in RZ 1997-LE-042, filed for property identified on the Fairfax County tax map as 100-1 ((1)) 9, part, (hereinafter referred to as the "Application Property"), proffers to the following for itself, its successors and assigns, provided that the Fairfax County Board of Supervisors (hereinafter referred to as the "Board") approves a rezoning of the Application Property, containing approximately 2.72 acres, from the I-3 Zoning District to the R-1 Zoning District, in conjunction with a Generalized Development Plan/Special Exception Amendment/Special Permit Plat (hereinafter referred to as the "GDP") for a golf course and accessory uses.

1. GENERALIZED DEVELOPMENT PLAN (GDP) -

- a. Subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance (hereinafter referred to as the "Zoning Ordinance"), development of the Application Property shall be in substantial conformance with the GDP prepared by Dewberry and Davis, dated May 5, 1997 as revised through May 29, 1998.
- b. Pursuant to Section 18-204, minor deviations from the GDP may be permitted as determined by the Director, Department of Environmental Management (DEM). The Applicant shall have the flexibility to make minor modifications to the design elements shown on the GDP, and make other minor modifications without requiring approval of an amended GDP, provided such modifications are in substantial conformance with the GDP as determined by the Director, DEM.

2. DESIGN -

- a. The hours of operation of the nine hole golf course shall vary depending on the time of the year. The golf course shall operate at a maximum from 6:00 a.m. until dusk, seven (7) days a week.
- b. There shall be no lighting associated with the proposed nine hole golf course on the Application Property.
- c. The mechanical equipment used for maintenance of the golfing facilities shall not be operated outside of normal operating hours of the facilities, except, however, ball retrieval equipment may operate one (1) hour after the operating hours, and turf maintenance equipment may operate for one (1) hour before operating hours, but no earlier than 6:00 a.m. Operation of mechanical equipment shall be in compliance with

the noise standards established in Article 14-700 of the Fairfax County Zoning Ordinance.

- d. No loud speakers or amplification devices shall be permitted with the exception of announcements by the starter for golf course tee times. No amplified announcement shall be loud enough to be heard off-site.

3. TURF MAINTENANCE -

An integrated fertilizer, herbicide and pesticide management program and turf maintenance plan for limiting excessive chemicals and protecting water quality shall be implemented for this use. This program and plan shall include maintenance of the driving range and other lawn areas on the site and shall provide for periodic monitoring and adjustment that demonstrates an intent to reduce amounts of fertilizers, herbicides and pesticides applied to the property over time. The design of this program and all monitored parameters shall be consistent with the most current Virginia Cooperative Extension Pest Management Guide and be reviewed by Virginia Cooperative Extension, Fairfax County Office, as determined by DEM prior to site plan approval. Following site plan review, a copy of the approved management program shall be kept on-site at all times. Records of all applications of pesticides and herbicides shall be kept and shall be made available to County staff on demand.

4. GEOTECHNICAL REVIEW -

- a. Applicant shall address all comments of the Geotechnical Review Board regarding the stability of the slopes prior to site plan approval for the golf course, as determined by the Director, DEM.
- b. Applicant shall retain a professional engineer with expertise in geotechnical engineering and landfills to certify that the site/grading plans have been prepared in accordance with the approved recommendations of the geotechnical report/closure plans and that the site/grading plans satisfy Section 9-205.9 of the Fairfax County Zoning Ordinance, as determined by the Director, DEM.

5. MISCELLANEOUS -

- a. The Application Property is subject to SP 97-L-037 and SEA 78-L-074-5 which are being processed concurrently with this application. The landfill uses approved with the prior special exception amendment (SEA 78-L-074-4) shall expire on the Application Property at such time as fill to the proposed contours has been completed

and a landfill closure plan has been approved by the appropriate State agencies and SEA 78-L-074-5 has been established. Until that time, the nine-hole golf course approved with SP 97-L-037 shall not be issued a non-residential use permit.

- b. Prior to the issuance of a non-residential use permit for the golf course, Fairfax County shall be provided verification that the landfill has been closed (partial closure) to the satisfaction of the Virginia Department of Environmental Quality.
- c. The Hilltop Sand and Gravel Company, Inc. shall install a landfill cap in accordance with the plan dated October 31, 1997, prepared by Culpeper Engineering that meets or exceeds the requirement of the Virginia Department of Environmental Quality and provide a passive venting system for the landfill gas which could be converted to an active system if required. The actual design and installation shall meet current engineering best practices and shall be completed prior to the issuance of a non-residential use permit for the golf course.
- d. The Hilltop Sand and Gravel Company, Inc. shall design and implement a methane monitoring, inspection, control, and maintenance program prior to issuance of a non-residential use permit for the golf course. At a minimum, the program shall address detection, monitoring locations, monitoring intervals, staffing, training, quality control, systems maintenance, and actions to be taken at threshold detection limits. This program shall be designed by a competent engineering firm familiar with landfill gas issues and approved by the Hazardous Materials and Investigative Services Section of the Fire and Rescue Department's Fire Marshal's Office. Records generated over the life of this program shall be available for inspection by County staff at the Application Property.

OWNER:

HILLTOP SAND AND GRAVEL COMPANY, INC.

By 

Name: Clemens S. Gailliot, Jr.

Its: President

PROFFERS**RZ 1997-LE-043****June 15, 1998**

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950 as amended, Hilltop Sand and Gravel Company, Inc., (hereinafter referred to as the "Applicant"), the Applicant in RZ 1997-LE-043, filed for property identified on the Fairfax County tax map as 100-1 ((1)) 23A, part, (hereinafter referred to as the "Application Property"), proffers to the following for itself, its successors and assigns, provided that the Fairfax County Board of Supervisors (hereinafter referred to as the "Board") approves a rezoning of the Application Property, containing approximately 6.63 acres, from the PDH-4 Zoning District to the C-6 Zoning District, in conjunction with a Generalized Development Plan/Special Exception Amendment/Special Permit Plat (hereinafter referred to as the "GDP") for a miniature golf course, golf course, a baseball hitting cage, short game practice area, club house, maintenance building, and accessory uses. No other uses shall be allowed "by-right" on the Application Property without approval of a proffered condition amendment.

1. GENERALIZED DEVELOPMENT PLAN (GDP) -

- a. If accepted, these proffers shall replace and supercede previous proffers approved on the Application Property dated May 13, 1995 and September 19, 1986 and development conditions dated June 1, 1995 and March 30, 1988, applicable to the Application Property.
- b. Subject to the provisions of Section 18-204 of the Fairfax County Zoning Ordinance (hereinafter referred to as the "Zoning Ordinance"), development of the Application Property shall be in substantial conformance with the GDP prepared by Dewberry and Davis, dated May 5, 1997 as revised through May 29, 1998.
- c. Pursuant to Section 18-204, minor deviations from the GDP may be permitted as determined by the Director, Department of Environmental Management (DEM). The Applicant shall have the flexibility to make minor modifications to the building footprints shown on the GDP, and make other minor modifications without requiring approval of an amended GDP, provided such modifications are in substantial conformance with the GDP as determined by the Director, DEM.

2. TRANSPORTATION -

- a. The Applicant reserves density credit in accordance with provisions of 2-308 of the Zoning Ordinance as it may apply to all street dedications described herein or as may

be reasonably required by Fairfax County or the Virginia Department of Transportation at site plan approval, as it may apply.

- b. Applicant shall escrow funds at time of site plan approval for installation of a traffic signal at the entrance from the Application Property to Telegraph Road. If the appropriate VDOT warrants are not met within two years from the date of completion of proposed improvements on the Application Property, the escrowed funds shall be returned to the Applicant and there shall be no further obligation under this proffer.
- c. Applicant shall dedicate right-of-way as necessary along the Application Property's Telegraph Road frontage, consistent with road improvements plans, but not more than 55 feet in width from the centerline of the existing pavement of Telegraph Road. Applicant shall grant ancillary easements adjacent to Telegraph Road to Fairfax County as may be necessary for the construction of Telegraph Road improvements. Dedication shall be made at such time as the road project is funded. Prior to site plan approval, the Applicant shall escrow funds in order to construct roadway improvements for one-half of a four lane divided section along the Application Property's Telegraph Road frontage plus an ultimate right turn lane into the Application Property's entrance to be constructed concurrent with the four lane roadway improvements.

3. **DESIGN -**

- a. The lighting for the miniature golf, maintenance building, and additional parking lot lighting shall be limited to a height of twelve feet. The lighting for the short game practice area and pitching and putting green shall be limited to no more than 20 feet high. The location of light poles shall be as shown on the GDP. The pitching and putting green and the short game practice area lumieres shall be limited to 1000 watts. All 1000 watts lumieres directed toward the short game practice area and the pitching and putting green shall be shielded and directed downward to reduce glare on adjacent properties. All lighting, with the exception of security lights shall be turned off at closing.
- b. The hours of operation for the miniature golf course and batting cages shall be a maximum of 9:00 a.m. until 11:00 p.m., seven (7) days a week during the spring, fall and summer. The hours of operation during the winter (from Thanksgiving to St. Patrick's Day) shall be a maximum of 9:00 a.m. to 9:30 p.m. All lighting, with the exception of security lights, shall be turned off at closing.

- c. The hours of operation of the nine hole golf course, short game practice area and pitching and putting green shall vary depending on the time of the year. The golf course shall operate at a maximum from 6:00 a.m. until dusk, seven (7) days a week. The hours of operation of the short game practice area and pitching and putting green shall be a maximum from 6:00 a.m. until 11:00 p.m., seven (7) days a week, during the spring, summer and fall. During the winter months (Thanksgiving to St. Patrick's Day) the hours of operation shall be from sunrise to 9:30 p.m. No lighting of these facilities shall be permitted in the morning.
- d. The mechanical equipment used for maintenance of the golfing facilities shall not be operated outside of normal operating hours of the facilities, except, however, ball retrieval equipment may operate one (1) hour after the operating hours, and turf maintenance equipment may operate for one (1) hour before operating hours, but no earlier than 6:00 a.m. Operation of mechanical equipment shall be in compliance with the noise standards established in Article 14-700 of the Fairfax County Zoning Ordinance.
- e. The proposed club house and any other buildings constructed on the Application Property shall be compatible with the existing buildings associated with the golf driving range located to the north of the Application Property. The buildings shall be integrated in design, style, materials and colors to the adjacent existing improvements, and shall be similar in appearance, color and materials to the conceptual elevation attached hereto as Exhibit A.
- f. The proposed miniature golf course shall be similar in concept to Exhibit B attached hereto and shall not include any elements such as clowns, windmills, animals or other garish features. Appropriate design elements may include, but not be limited to, gazebos, waterfalls, rock features, sand traps and water hazards.
- g. The existing and proposed parking surfaces shall be maintained and landscaped in accordance with PFM standards as determined by the Director, DEM.
- h. No loud speakers or amplification devices shall be permitted with the exception of announcements by the starter for golf course tee times. No amplified announcement shall be loud enough to be heard off-site.
- i. Vending machines shall not be visible from Telegraph Road.
- j. All signs shall be designed and installed in accordance with Article 12 of the Fairfax County Zoning Ordinance.
- k. Green or black safety netting may be installed by the Applicant depending on the conditions of the actual play by patrons. Netting poles shall be a natural wood color.

4. LIMITS OF CLEARING AND GRADING -

The Application Property shall be developed in accordance with the limits of clearing and grading as shown on the GDP, subject to minor deviations/encroachments for the installation of public utilities allowance and stormwater management areas, as approved by the Director of the Department of Environmental Management (DEM) and the Urban Forester, DEM. The Applicant shall provide landscaping as shown on the GDP. Minor modifications shall be permitted as determined appropriate by the Urban Forester, DEM.

5. TURF MAINTENANCE -

An integrated fertilizer, herbicide and pesticide management program and turf maintenance plan for limiting excessive chemicals and protecting water quality shall be implemented for this use. This program and plan shall include maintenance of the driving range and other lawn areas on the site and shall provide for periodic monitoring and adjustment that demonstrates an intent to reduce amounts of fertilizers, herbicides and pesticides applied to the property over time. The design of this program and all monitored parameters shall be consistent with the most current Virginia Cooperative Extension Pest Management Guide and be reviewed by Virginia Cooperative Extension, Fairfax County Office, as determined by DEM prior to site plan approval. Following site plan review, a copy of the approved management program shall be kept on-site at all times. Records of all applications of pesticides and herbicides shall be kept and shall be made available to County staff on demand.

6. LANDSCAPING -

Applicant shall provide an effective year-round visual barrier, as determined by the Urban Forestry Division of DEM, between Telegraph Road and the proposed recreation facilities including the parking area. This barrier shall consist of evergreen trees, 8 to 10 feet high at time of planting, large deciduous trees at least 2-2½ inches in caliper, and flowering trees, 8 to 10 feet high at time of planting, all as shown on the GDP. The landscape barrier may also include fencing and berms within the Applicant's sole discretion. The planting of the evergreen trees shall be staggered and supplemental evergreen understory plantings shall be provided as shown on the GDP. Any vegetation that does not survive shall be replaced within six (6) months.

RZ 1997-LE-043
Proffers
Page 5

OWNER:

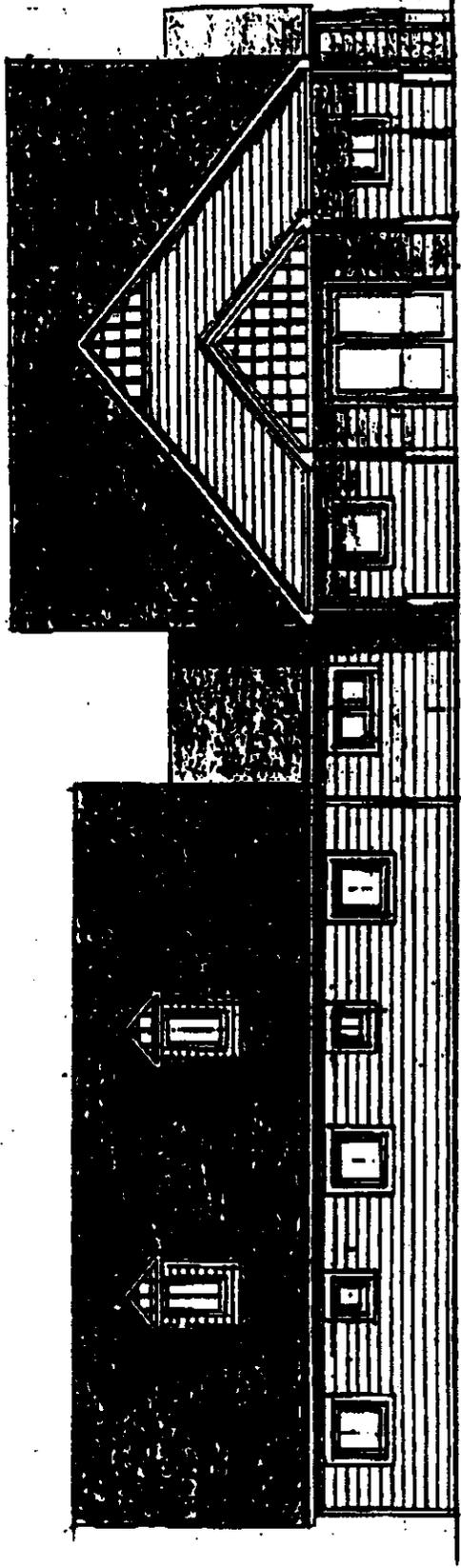
HILLTOP SAND AND GRAVEL COMPANY, INC.

By: 

Name: Clemens S. Gailliot, Jr.

Its: President

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3/23/98, 4/1/98, 4/8/98, 5/14/98



SCHEMATIC ELEVATION

NO SCALE

CLUBHOUSE FOR HILLTOP DRIVING RANGE

29 OCT. 1977

WHEELER·GOODMAN·MASEK

ARCHITECTS · INTERIOR DESIGNERS

ANNAPOLIS, MARYLAND · 410-341-6787

EXHIBIT A FOR ILLUSTRATIVE PURPOSES ONLY

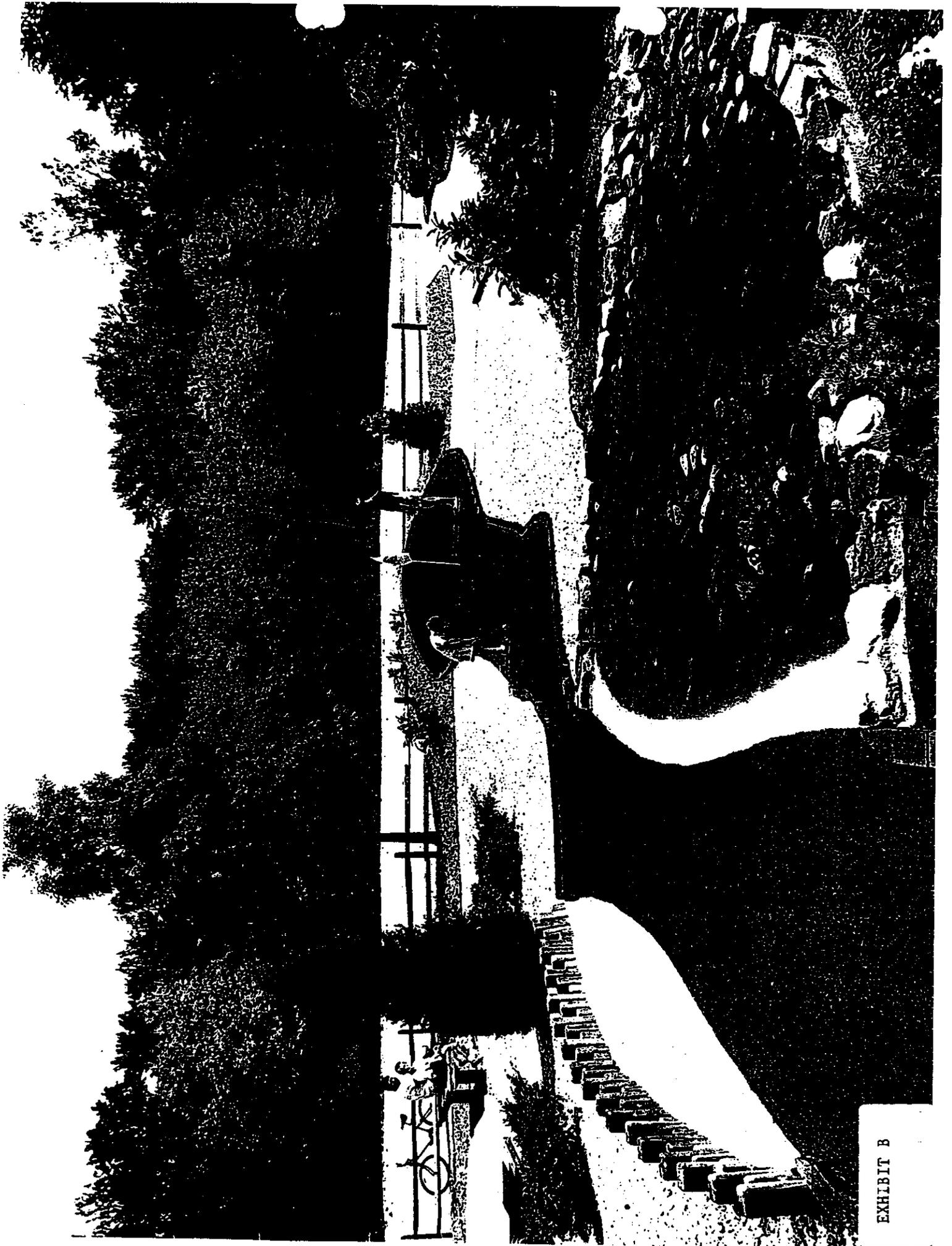


EXHIBIT B