

DEVELOPMENT CONDITIONS

SE 2014-SP-038

February 3, 2015

The Board of Supervisors approved SE 2014-SP-038 located at 6426 Ox Road, 6428 Ox Road, and 6401 Wolf Run Shoals Road, Tax Map 77-3 ((1)) 35, 36, and 36B, to permit a church with child/elderly care center pursuant to Sect. 3-C04 of the Fairfax County Zoning Ordinance, subject to conformance with the following development conditions. These conditions supersede all previous conditions associated with SPA 95-S-029.

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. A copy of the Special Exception conditions and the Non-Residential Use Permit (Non-RUP) 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. This Special Exception is subject to the provisions of Article 17, Site Plans. Any plan submitted pursuant to the special exception shall be in substantial conformance with the approved Special Exception (SE) Plat entitled "Special Exception Plat Seoul Presbyterian Church," consisting of four sheets, prepared by Apex Solutions, LLC, dated May 27, 2014, as revised through January 8, 2015, and these conditions. Minor modifications to the approved special exception may be permitted as determined by the Zoning Administrator.
5. The maximum seating capacity in the main area of worship shall be limited to a total of 250 seats for Phase 1 and 900 seats for Phase II.
6. The maximum number of attendees for the child care and elderly care on site at any one time shall not exceed 99 in total.
7. The hours of operation for the child care and elderly care shall limited to 6:30 am to 6:00 pm, Monday through Friday.
8. With the Phase 2 development, the area along the western lot line adjacent to the future septic field shall be supplemented with additional plantings, species, size and location to be determined in consultation with the Urban Forest Management Division (UFMD), of the Department of Public Works and Environmental Services (DPWES), to meet full Transitional Screening 1 requirements.

9. Foundation plantings and shade trees shall be maintained around the original church buildings and shall be planted around the new buildings associated with Phase II to soften the visual impact of the structures. The species, size and location shall be determined by UFMD.
10. The applicant shall continue to provide a twenty-four (24) foot wide area along the eastern lot line south of the existing driveway for a future interparcel connection to Lot 33. The church shall construct that portion of the interparcel connection and grant appropriate public access easements if, and when, Lot 33 is required to construct an interparcel connection.
11. Stormwater management (SWM) and Best Management Practices (BMPs) shall be provided as required with the Phase 2 development, unless waived by DPWES. The applicant shall make every effort to combine stormwater management facilities and to avoid the use of underground facilities. However, in the event that the applicant chooses to provide underground stormwater management / BMP facilities, the applicant shall be required to submit and have approved by DPWES a maintenance agreement for all of the proposed SWM/BMP facilities prior to final approval of any site plans for the subject property.
12. Any proposed lighting shall be in accordance with the following:
 - The combined height of the light standards and fixtures shall not exceed twelve (12) feet;
 - Bollard type lighting will be provided in any new parking areas;
 - The lights shall be low intensity design, full-cut-off fixtures, which focus the light directly onto the subject property and does not create glare or a nuisance off the property;
 - Shields shall be installed, if necessary, to prevent the light and glare from projecting beyond the lot lines;
 - The lights shall be controlled with an automatic shut-off device and shall be turned off when the site is not in use, except for security lighting directly adjacent to the building; and,
 - There shall be no up-lighting of the proposed or existing building.
13. The undisturbed open space tabulations shown on the plat shall not be reduced. The existing wooded area denoted on the special permit plat, including the Environmental Quality Corridor (EQC), shall not be disturbed. There shall be no clearing or grading of any vegetation except for dead or dying vegetation, as determined by UFMD. There shall be no clearing or structures located in the EQC, other than the force main shown on the perimeter of the EQC, as depicted on the plat.

14. Prior to any additional grading on the site, a grading plan that establishes the limits of clearing and grading necessary to construct the Phase II improvements shall be submitted to DPWES, including UFMD, for review and approval. The extent of the clearing and grading shall be the minimum amount feasible as determined by DPWES and shall not encroach into wetlands or the EQC, except as qualified by these conditions. The limits of clearing and grading for the proposed septic field to be located on the western side of the EQC shall be the minimum amount feasible as determined by DPWES. Prior to any land disturbing activities for Phase 2, a pre-construction conference shall be held between DPWES, including UFMD, and representatives of the applicant to include the construction site superintendent responsible for the on-site construction. In no event shall any area on the site be left denuded for a period longer than 14 days except for that portion of the site in which work will be continuous beyond 14 days.
15. A tree preservation and restoration plan shall be submitted to UFMD for review and approval at the time of site plan review for Phase 2. This plan shall designate the limits of clearing and grading as described in Development Condition 12 and all areas shown on the plat outside of the limits of clearing and to be preserved shall be labeled as "perpetually undisturbed open space." The restoration plan shall be developed with the intention of revegetating and restoring EQC located in the northern portion of the site to its natural habitat. The force main shown on the western side of the EQC to serve part of the Phase II development shall be installed prior to the EQC restoration. The restoration plan shall include the planting of saplings and evergreen seedlings, number, size and species to be determined by UFMD, within the perpetually undisturbed open space previously operating as a plant nursery. All man-made materials and non-native plant species, as determined necessary by UFMD, shall be removed prior to replanting in the restoration area.
16. Signs may be permitted in accordance with the provisions of Article 12 of the Zoning Ordinance. There shall be no up-lighting of any signs.
17. The proposed entrance to the property from Old Wolf Run Shoals Road shall be constructed with Phase II of the proposed development and shall meet Virginia Department of Transportation (VDOT) entrance and sight distance requirements.
18. Old Wolf Run Shoals Road shall be improved to VDOT two-lane public street standards at the time of Phase II development, or the applicant may choose to vacate the entire width of Old Wolf Run Shoals Road and provide a two-way driveway at the time of Phase II development.
19. At the time of the Phase II development, the applicant shall extend the southbound Ox Road left turn lane and construct the raised median as shown on Sheet 1 of the SE Plat, subject to approval by VDOT.
20. The applicant shall utilize two vans for the child care and/or elderly care for the purpose of transporting attendees to and from the site on a regular basis in an attempt to reduce the overall vehicle trips and from to the site.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use has been established as evidenced by the issuance of a Non-RUP for the child/elder care center use and church. 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.