



FAIRFAX COUNTY

ATTACHMENT 2

OFFICE OF THE CLERK
BOARD OF SUPERVISORS
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February 18, 2000

George Chernesky
Southwestern Youth Association
6730 Jade Post Lane
Centreville, Virginia 20121

RE: Special Exception
Number SE 99-Y-016

Dear Mr. Chernesky:

At a regular meeting of the Board of Supervisors held on January 24, 2000, the Board approved Special Exception Number SE 99-Y-016 in the name of Southwestern Youth Association, located at Tax Map 52-4 ((1)) 7, 8, 9, 10, 17 to permit a quasi-public park and uses in a floodplain to Sections 3-C04 and 2-904 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

(Note: On January 10, 2000, the Board held the public hearing on Special Exception Application SE 99-Y-016, and deferred decision until January 24, 2000.)

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land. This site shall be for the sole use of the SYA Youth Sports groups.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17. Site Plans, as may be determined by DPWES. Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception Plat entitled "Southwestern Youth Association, Fields of Dreams" and prepared by Dewberry & Davis, which is dated November 19, 1998, revised through October 21, 1999, and these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance.

4. Development of the athletic fields and related facilities shall be as depicted on the Special Exception Plat, except as modified herein. The Special Exception Plat represents phases that depict the maximum development proposed for the property. Irrespective of those phase depictions, a maximum of one (1) track and 10 athletic fields to include soccer, football, lacrosse, softball and baseball facilities may exist on the site at any one time. Further, irrespective of the Special Exception Plat, the recreation center and all associated parking for such uses, as determined by DPWES, shall be eliminated from the subject proposal. The Development Conditions set forth herein contain parameters that may limit the size, number and/or location of uses depicted on the Special Exception Plat. Except for the Senior League Baseball Facility, the location of athletic fields on the subject site may vary as long as such locations are within the envelope for the fields depicted on the Special Exception Plat, as determined by DPWES. If such limitations require uses to be relocated and the impacted uses cannot be relocated in substantial conformance with the Special Exception Plat and these conditions, such facilities shall be reduced or eliminated so that they are in conformance with the Special Exception Plat and these Conditions.

No more than five fields (interim or permanent) shall be put into operation before the three spot improvements referenced in Condition 10 and described on Sheet 7 of the Special Exception Plat have been completed, or twelve months after the \$100,000 contribution referenced in Condition 10 has been provided, whichever occurs first.

No more than the five fields (interim or permanent) shall be put into operation before a traffic signal and right turn lane at the intersection of Route 29 and Bull Run Post Office Road are in operation, or twelve months after the \$25,000 contribution referenced in Condition 11 has been provided, whichever occurs first.

5. All parking shall be on site in the areas shown on the Special Exception Plat. There shall be no overflow parking permitted along any of the surrounding roads. Irrespective of the notes on the Special Exception Plat, in no event shall parking exceed 972 spaces. Parking in excess of the minimum required number of spaces, as determined by DPWES, pursuant to Article 11 of the Zoning Ordinance, shall not be provided unless the need for such parking is clearly documented in a parking study based on data collected from the site for early phases of the development and/or data collected from similar uses elsewhere, as determined by DPWES. The required parking shall be phased such that parking shall be located outside the RPA to the extent possible, as determined by DPWES. Any parking proposed in the RPA is subject to approval of an exception by DPWES. Any parking in excess of the minimum required spaces shall be constructed of pervious materials (i.e. grass-crete, grass) if such surfaces are determined to be feasible and desirable by DPWES.

Operational

6. The hours of operation for the use shall be 8:00 am to 9:30 PM, Monday – Thursday, when public schools are closed the following day; 8:00 AM to 9:00 PM, Monday – Thursday, when public schools are open the following day; 8:00 AM to 9:30 PM, Friday and Saturday; and, 9:00 AM to 9:00 PM, Sunday. Field use shall end at least 15 minutes prior to maximum closing time. A control gate shall be provided to preclude use of the site after hours.
7. No field shall be lighted until the three spot improvements on Bull Run Post Office Road, referenced in Condition 10, have been completed. All outdoor lighting, including parking lot lighting, where needed, shall be fully shielded, directed downward and away from adjacent properties and shall be shielded to stop light trespass into the sky. Light pole heights shall be limited to a maximum of sixty feet. All field lighting shall be designed for its specific use to meet safety and play standards, as well as Article 14 of the Zoning Ordinance. No more than seven fields shall be lighted. In no event shall the two-(2) rectangular fields or interim fields on the northern boundary or the northeastern baseball field be lighted. Outdoor lighting fixtures used to illuminate the parking areas and walkways shall not exceed 24 feet in height, shall be of low intensity design and shall focus directly upon the subject property. All outdoor lighting, with the exception of a limited amount of low intensity security lighting, shall be placed on timers that turn the lights off at the end of the hours of operation cited in Condition 6.
8. Any artificial amplification of sound shall meet all applicable Fairfax County standards, as determined by DPZ. If at any time, it is determined that noise levels are in excess of the performance standards contained in the Zoning Ordinance, then, the use of loudspeakers on the site shall be reduced so as to comply with the standards set forth above, as determined by the Zoning Administrator. Use of artificial amplification/ loudspeakers shall be limited to announcements during games (no music between the games), and shall be limited to seven (7) fields at any one time; however, this limit on the number of fields that can use loudspeakers shall not apply to tournament games where the use of loudspeakers is mandated by District, State or National Little League or Senior League tournament requirements.

Transportation

9. Access to Bull Run Post Office Road shall be provided at a location that meets the sight distance standards as required by VDOT. Prior to site plan approval or upon demand by VDOT or Fairfax County, whichever occurs first, right-of-way along the Bull Run Post

Office Road frontage of the site shall be dedicated to the Board of Supervisors in fee simple in order to provide right and left turn lanes into the site. Right and left turn lanes shall be provided into the site to a standard as required by VDOT.

10. Prior to more than five fields (interim or permanent) being put into operation, a contribution of \$100,000 shall be provided to Fairfax County for three spot road improvements along Bull Run Post Office Road between the subject site entrance and Route 29, as depicted on Sheet 7 of the Special Exception Plat. If the amount of these improvements is less than the \$100,000, such the difference shall be applied to the improvements referenced in Condition 11, below. This contribution shall not be required if the three spot improvements have been completed by others.
11. Prior to more than five fields (interim or permanent) being put into operation, a contribution of \$25,000 shall be provided to Fairfax County for a traffic signal at the intersection of Route 29 and Bull Run Post Office Road and/or a right turn lane from westbound Route 29 to Bull Run Post Office Road, unless the signal and turn lane have been completed by others.
12. Upon demand by VDOT or Fairfax County, whichever occurs first, the applicant shall dedicate to the Board of Supervisors in fee simple, right-of-way, with all ancillary easements, for the Tri-County Parkway in a location and amount consistent with the area shown on the Special Exception Plat.

Environmental

13. At such time as any plan is submitted to DPWES, all areas to be protected through limits of clearing and grading, as identified on the Special Exception Plat, shall be preserved and protected with a conservation easement and/or floodplain easement as applicable, as determined by DPWES, in a form approved by the County Attorney to the benefit of Fairfax County. Uses allowed within these areas shall include only stormwater conveyance facilities (outfall pipes, channels, and conveyance facilities), trails, habitat viewing areas, habitat enhancement areas, EQC reforestation areas, wetlands creation areas and, if determined to be necessary by DPWES, an emergency access point across the stream. Any such use shall be located, designed and constructed to minimize clearing and grading, as determined by the Urban Forestry Branch. Trails shall be field located in consultation with the Urban Forestry Branch prior to the first submission of the site plan for the applicable phase of the development in order to minimize clearing and grading. The trails shall be shown on the applicable site plan with the limits of clearing and grading reflecting only that required for access and construction.

14. The proposed road crossing of the EQC shall be designed and constructed such that clearing and grading within the EQC shall be minimized to the maximum extent feasible without requiring the use of retaining walls, as determined by the DPWES. Utility crossings of the EQC (e.g., water lines, phone lines, electrical lines) shall be co-located with the road crossing to the extent possible, as determined by DPWES. Areas within the EQC that will be disturbed shall, to the extent feasible, be replanted with native tree seedlings as determined by the Urban Forestry Branch and as further described in Condition #15.
15. A reforestation plan, for the review and approval of the Urban Forestry Branch, shall be submitted at or prior to the time of the first submission of any site plan that includes one or more of the ponds. If the ponds are shown on different site plans, the reforestation plan may be phased accordingly. However, the first phase of the reforestation plan shall cover at least one-half of the area to be protected by the limits of clearing and grading as shown on the Special Exception Plat; the remainder of this area shall be covered by the subsequent phase of the reforestation plan, but no later than the approval for the 10th athletic field (interim or permanent). The plan shall provide for the reforestation of the following areas on-site: areas within the EQC but outside of easements that are disturbed by the installation of utilities and/or trails; all areas designated as perpetually undisturbed open space where no forest currently exists; and, all areas within the RPA that are not approved for specific uses. The primary reforestation method for the designated planting areas shall be the planting of bare-root seedlings, where adequate natural regeneration is not present. Adequacy of existing natural regeneration within designated planting areas shall be determined in consultation with the Urban Forestry Branch during the development of the reforestation plan. Exact quantities and species of supplemental seedling plantings shall be determined at that time. Transplantation of existing vegetation from areas that are to be cleared shall also be utilized where feasible. The plan shall outline the proposed tree species, planting methods and timing, spacing and post-planting maintenance to ensure establishment. Trees that are selected for planting shall be native to the area, be well adapted to the existing soil and hydrological conditions of the area, and provide benefits to wildlife and riparian restoration, as determined by the Urban Forestry Branch. Turf areas within the EQC/RPA shall not be mowed (except as approved by the Urban Forester as part of a reforestation plan), fertilized, or subject to the application of pesticides.
16. At least 30% of the surface area of each of the two ponds shall be designed, constructed and planted as a wetlands area. Alternatively, equivalent wetlands creation efforts may be pursued, subject to DPWES approval, that may include a reduced extent of wetland creation within one or both ponds (although the extent of wetlands to be provided in each pond shall be no less than 20% of the surface area of the pond) and the creation of new

wetlands elsewhere in areas of the EQC that are currently characterized by a turf cover or otherwise degraded, as determined by DPWES. Prior to the approval of each site plan that includes pond construction, a wetland construction and planting plan shall be submitted for review and approval of DPWES. A variety of plant species shall be provided within the wetland area of each pond and any other wetland area that may be created on the property. All species provided shall be native to the area and have a high value for wildlife, as determined by the DPWES.

17. For each phase of construction, a grading plan which establishes the limits of clearing and grading necessary to construct the improvements planned for that phase shall be submitted to DPWES, including the Urban Forestry Branch, for review and approval. The extent of clearing and grading for each phase of construction shall be the minimum amount feasible for that phase, as determined by DPWES. Clearing of any heavily forested land for improvements, including septic reserve areas shown on the SE plat, shall not occur until the clearing of that portion of the site is required for imminent construction, as determined by DPWES.
18. To the maximum extent possible, as determined by DPWES, runoff from parking areas shall be conveyed to one or more stormwater management/best management practice (SWM/BMP) facilities. The conveyance of drainage through vegetated filter areas shall be considered, as shall more traditional structural BMP measures, as determined by DPWES. The applicant shall provide information regarding best management practices that will be provided on the site and regarding the conveyance of drainage from impervious areas and athletic fields to DPWES as a part of any plan submission and shall provide SWM/BMPs as determined by DPWES.
19. In order to minimize the runoff of nutrient and pesticide pollutants into nearby streams and to minimize infiltration of such pollutants into groundwater resources, a turf establishment and maintenance plan (to include both nutrient management and pest management components) for the athletic fields and other managed turf areas shall be developed, provided to DPWES for approval, and implemented as approved. For the proposed athletic fields, this plan shall be implemented in accordance with the best management turf grass practices for athletic fields developed by the Virginia Polytechnic Institute. The plan shall include regular on-site monitoring of its major components to allow for ongoing adjustments and improvements. The plan shall be subject to approval by the Virginia Cooperative Extension, Fairfax County, and shall include provisions ensuring that records of applications of fertilizers and pesticides shall be maintained and be made available to the County upon request.

20. Documentation indicating that the proposed construction of fields and/or related facilities within the gas pipeline easement is acceptable to the Columbia Gas Transmission Corporation shall be provided to DPWES prior to approval of any site plan that shows development in the pipeline easement. Any or all portions of the proposed construction that are not acceptable to Columbia Gas shall be deleted or relocated outside of the easement area to other locations which are in substantial conformance with the SE Plat and these conditions. Any relocation of facilities determined to be not in substantial conformance with the approved Special Exception Plat, as determined by DPZ, will require approval of a Special Exception Amendment.
21. All pervious travel and parking areas shall be approved and maintained in accordance with standard practices as determined by DPWES to ensure that dust is not generated from these areas.
22. If determined necessary by DPWES, a geotechnical engineering study, in accordance with Chapter 107 of the Fairfax County Code, shall be required, and the results implemented in the design of the development, prior to site plan approval for any phase of the development.

Sewage Treatment

23. No sewage treatment/disposal system was approved for the subject use prior to approval of the Special Exception. As such, prior to site plan approval for any phase of the proposed development, the sewage treatment/disposal system for that phase of development shall be reviewed by the Health Department to ensure that it will be sufficient to treat/dispose of the anticipated wastewater from that phase without any adverse health or environmental impacts, as determined by the Health Department. If Health Department review of the required plans allows approval of the proposed sewage treatment/disposal system, the site plan may be approved for the phase concerned. Any sewage treatment/disposal system that is provided on the site shall have a lifetime maintenance and monitoring contract through a certified contractor knowledgeable in the operation of the system(s), as approved by the Health Department. Portable toilets may be permitted for any phase of the project subject to approval by the Health Department. If an adequate method of sewage treatment/disposal cannot be permitted and approved by the Health Department for a particular phase of the development or for any particular use within a phase of development, that phase of development or use within the phase shall not be permitted.

24. The applicant shall, if determined to be appropriate by the Health Department, submit a groundwater monitoring program for any on-site sewage treatment/disposal system prior to the approval of the site plan for the phase(s) of development for which any such system will be provided. The monitoring plan shall be subject to the review and approval of the Health Department and may include the following components, as determined by the Health Department: the identification of the number, depths, and locations of groundwater monitoring wells; the identification of the substances that will be monitored and any other monitoring that will be performed (e.g., water table levels); the identification of the frequency and duration of the groundwater monitoring effort (with background monitoring provided prior to the initiation of operation of the on-site sewage treatment/disposal system(s)); and the establishment of a groundwater monitoring protocol, to include the method(s) of sample extraction and laboratory procedures. Should a problem arise with the functioning of the system, rectification of the problem, in accordance with Health Department recommendations, shall be provided. The applicant shall implement any monitoring plan that is approved by the Health Department and shall submit monitoring results to the Health Department, DPWES and DPZ.

Floodplain

25. Any structures on the Special Exception Plat that are located in the floodplain shall be constructed of flood resistant materials up to the 100-year flood elevation and anchored against floatation or elevated above the 100-year flood elevation.
26. All structural, electrical, mechanical, plumbing, water and sanitary facilities connected with the uses in the floodplain shall be constructed of flood resistant materials or elevated above the 100-year flood elevation.
27. There shall be no storage of herbicides, pesticides or toxic or hazardous substances as set forth in Title 40, Code of Federal Regulations, Part 116.4 and 261.30 et seq., in the floodplain.
28. Prior to site plan approval for any phase of the development for which construction activities are proposed to occur within the RPA, the applicant shall obtain approval from DPWES for any required exception pursuant to the Chesapeake Bay Preservation Ordinance. If such exception is not granted, then the proposed encroachments shall be moved out of the RPA to locations that are in substantial conformance with the Special Exception Plat and these conditions, or deleted.
29. Clearing and grading for Ponds 1 and 2 shall not encroach within 100 feet of the RPA core components (stream and contiguous wetlands) as determined by DPWES. Any relocation shall be in substantial accordance with the Special Exception Plat and these conditions.

30. Plantings shall be provided which will, at maturity, result in the creation of a riparian forest buffer within 100 feet of all RPA core components. All plantings shall be completed prior to the time that the ninth field (interim or permanent) is in operation or at such earlier time as necessary to meet water quality control requirements or Chesapeake Bay Preservation Ordinance exception approval conditions, as determined by DPWES.
31. If interim uses are provided, there shall be no encroachment into the RPA for such uses.
32. Application of composted or liquid sanitary waste shall be allowed only if approved by the Health Department and shall not be permitted on fields unless it is part of an integrated pesticide/fertilizer management program as approved by the Virginia Cooperative Extension, Fairfax County and DPWES. Spreading of composted or liquid sanitary waste shall not be permitted in the RPA.

Landscaping and Open Space

33. At the time of each site or grading plan submission for each phase of the development, a tree preservation plan shall be provided for review and approval by the Urban Forestry Branch. Each tree preservation plan shall include a tree survey which describes the location, species, size, accurate dripline, and condition of all trees 10 inches in diameter and greater that are located within 25 feet of either side of the limits of clearing and grading for that phase of development. The condition analysis shall be prepared by a certified arborist. Specific tree preservation activities shall be reflected in the tree preservation plans, and shall include but not be limited to root pruning, crown pruning, mulching and tree protection devices.

Aesthetic Character

34. At the time of development of the fields located along the northern boundary, a six foot tall green clad vinyl chain link fence and/or a six foot tall landscaped berm shall be provided along that portion of the northern property boundary. Supplemental plantings shall also be provided along the northern boundary, as shown on the Special Exception plat and as determined by the Urban Forestry Branch, DPWES.
35. Signage shall be provided in accordance with Article 12 of the Zoning Ordinance. The freestanding sign proposed at the site's entrance shall not be internally lighted and shall be a ground-mounted monument type sign with a maximum sign area that is in accordance with the Zoning Ordinance. Any sign lighting shall be shielded to prevent light trespass into the sky.

36. Trash dumpsters shall be screened with wood or masonry enclosures and shall be located in an area not readily visible from adjacent residential neighborhoods. Refuse and trash removal shall be permitted only between the hours of 7:00 am and 7:00 PM, Monday through Saturday.
37. Equestrian trails within public access easements shall be provided along Bull Run Post Office Road, Bull Run Creek and along the northwest corner of the site connecting at each end to the Columbia Gas Transmission Easement area, as determined by DPWES at the time of site plan review of each phase of the development. The equestrian trail along the northwest corner of the site shall be located outside of the fence.
38. Irrespective of Note 11 on the Special Exception Plat, the single-family residences located on the subject site shall be removed prior to the issuance of the first Non-RUP for the site, except one single-family residence may be occupied as a residence by the property caretaker and/or administrative officials of the Southwestern Youth Association.
39. The County Archaeological Services shall conduct Phase II evaluations, and if appropriate, Phase III recoveries on area of the subject sites identified in the memorandum from the County Archaeological Services dated December 11, 1999. The scope of work shall include plowing and/or disking operations being performed by the applicant under the supervision of the County Archaeologist and all recovery of artifacts being conducted by the County Archaeologist. Alternatively, these areas of the subject site shall remain undisturbed. Proposed trails that could impact archaeological sites, as determined in the memorandum, shall be shifted to avoid damaging the archaeological areas. The County Archaeological Services shall be permitted to monitor construction activities and recover any artifacts uncovered by any land disturbing activity on the subject property.

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 months after the date of approval unless Phase I of the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a

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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.

The Board also modified the transitional screening requirement and waiver of the barrier requirement along the northern and eastern boundaries as depicted on the Special Exception Plat and as further described in the proposed development conditions as amended.

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 in 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,



Nancy Veers
Clerk to the Board of Supervisors

NV/lsns

cc: Chairman Katherine K. Hanley
Supervisor - Sully District
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., Department of Transportation
Ellen Gallagher, Project Planning Section, Department of Transportation
Michelle A. Brickner Acting Director, Site Development Services, DPW&ES
DPW&ES - Bonds & Agreements
Department of Highways, VDOT
Land Acq. & Planning Div., Park Authority
District Planning Commissioner