

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

6805 INDUSTRIAL LAND CO., SP 2015-MA-088 Appl. under Sect(s). 5-603 of the Zoning Ordinance to permit a health club, ice-skating facilities, swimming pool, squash courts, indoor recreational uses, and accessory uses. Located at 6801 Industrial Rd., Springfield, 22151, on approx. 20.0 ac. of land zoned I-6, HC. Mason District. Tax Map 80-2 ((1)) 30. Mr. Hammack 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 March 16, 2016; and

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

1. The applicant is the owner of the land.
2. There is a favorable staff recommendation.
3. The Board thinks this is a very significant addition to the community, and has been well thought through.
4. The applicant has read, understands, and concurs with the proposed development conditions, including the modifications made at this hearing.

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 the Zoning Ordinance.

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

1. This approval is granted to the applicant, 6805 Industrial Land Co., only, and is not transferable without further action of this Board, and is for the location indicated on the application, 6801 Industrial Road, and is not transferable to other land.
2. This special permit is granted only for the purposes, structures and/or uses indicated on the special permit plat titled, "Special Permit for St. James Sports and Wellness Complex," prepared by David Logan, P.E., dated May 20, 2015, as revised through February 3, 2016, approved with this application, as qualified by these development conditions.

3. A copy of this special permit 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. Maximum occupancy shall be based on the approved Non-RUP occupancy as issued by the Fairfax County Department of Public Works and Environmental Services (DPWES), and subject to final approval by the Fire Marshal's office.
5. The number of required parking spaces shall be provided as shown on the special permit plat and in conformance with the provisions of Article 11 of the Zoning Ordinance (ZO), as determined by DPWES.
6. If food is served, the applicant shall maintain a valid food handler's permit with the Virginia Department of Health and the site shall be in conformance with the provisions of said permit at all times.
7. There shall be no exterior advertising of the accessory retail, food service, child care, amusement games, or multi-purpose room uses, and they shall remain subordinate in size and operation to the indoor commercial recreation use.
8. Any event expected to attract 285 or more participants and/or spectators shall only be permitted on weekdays outside of the hours of 7:00 a.m. to 9:00 a.m. and 4:30 p.m. to 7:00 p.m., Saturdays, Sundays, and Federal holidays, and these events shall not exceed an average of two per month.
9. No more than two tournaments, special events, showcase events, meets, or competitions shall be held at any one time, unless off-duty police officers or private security personnel are on-site to direct traffic and parking.
10. Interior parking lot landscaping shall be provided in conformance with the requirements of Sect. 13-202 as part of the first and all subsequent site plan submissions.
11. A Tree Preservation Target Deviation Request shall be submitted as part of the first and all subsequent site plan submissions. This letter shall be addressed to the Director of the Urban Forest Management Division and shall specifically reference which of the allowable deviations specified in PFM 12-0508.3 the applicant is claiming and provide all information required by PFM 12-0508.4.
12. The applicant's design team shall include an LEED-AP.
 - a. The LEED-AP will work with the team to incorporate sustainable design elements and innovative technologies into the proposed building.

- b. At the time of site plan submission, the applicant will provide the Environment and Development Review Branch of DPZ (EDRB) with documentation demonstrating compliance with the commitment to engage an LEED-AP as part of the design team.
13. Prior to the issuance of a NON-RUP, the LEED-AP shall submit a certification statement to EDRB, including supporting documentation, confirming the sustainable design elements listed below have been incorporated into the design and construction of the building:
- a. The Applicant shall install water-efficient landscaping that uses 50% less water than a calculated midsummer baseline for the site, or shall use non-potable water for irrigation, or shall use an irrigation system that does not require a permanent connection to the public water supply (other than a temporary system allowed for the first year from the date of installation). The Applicant shall provide manufacturer's information for the selected system;
 - b. The Applicant shall provide a light pollution reduction strategy for interior lighting that reduces the overall lighting power density for the project by 20% from the maximum allowances established by International Energy Conservation Code (IECC) Table 505.5.2. The Applicant shall provide proof of installation and plan locations;
 - c. Except with respect to shower fixtures, the Applicant shall install motion sensor faucets and flush valves and ultralow-flow plumbing fixtures that have a maximum water usage compliant with the guidelines established in the LEED Water Efficiency Indoor Water Use Reduction credit. The Applicant shall provide proof of installation and manufacturers' product data;
 - d. The project shall not have any chlorofluorocarbon (CFC) based refrigerants in any of the building systems, or not use refrigerants. The Applicant shall provide manufacturer's specification sheets for any refrigerant installed in the building;
 - e. The building will collect data regarding energy usage for the owner/operator's use. Owner shall not be required to share the data with any third party, but will use the information for its own operations. The Applicant shall provide manufacturer's information for the selected system or method for data collection;
 - f. The Applicant shall provide an area for the separation, collection and storage of glass, paper, metal, plastic and cardboard generated by both customers and employees. There shall be a dedicated area on the property for the storage of the recycled materials. The Applicant shall provide proof of

- installation, installation locations and a copy of the Applicant's recycling hauling contract;
- g. The Applicant shall have a construction waste management plan that consists of hiring a waste removal and diversion company to process all construction waste at a recycling center. The Applicant shall provide a copy of the waste removal contract as proof of compliance;
 - h. At least 10 percent of the building materials used in the development will have been produced or manufactured within 500 miles of the project site. The Applicant shall provide proof of installation with manufacturer's data showing the production or manufacturing location;
 - i. Except with respect to specialty sports surfaces, the Applicant shall use low-emitting materials for all adhesives, sealants, paints, coatings, flooring systems, composite wood, and agrifiber products. Low VOC is defined as compliant with the guidelines established in the LEED Indoor Environmental Quality Low-Emitting Materials credit. The Applicant shall provide proof of installation and the manufacturer's product data;
 - j. Use of natural light, including sky lights, windows, and clearstory; and
 - k. The Applicant shall install Energy Star appliances and equipment in the café and other areas for all refrigerators, dishwashers, water heaters, computers, monitors, televisions, vending machines, water coolers, and other appliances and office equipment (if available). The Applicant shall provide proof of installation, installation locations, and manufacturers' product data, including the Energy Star energy guide.
14. During the development, the applicant shall construct all traffic impact mitigation measures as recommended in the Traffic Impact Analysis Addendum dated January 20, 2016, which includes:
- a. Striping along Industrial Road from Commercial Drive to Commercial Drive (two bike lanes, two trail lanes, a center two-way turn lane, and associated transitions);
 - b. A maximum 50 foot taper and 500 foot southbound left turn lane along Backlick Road at the intersection with Industrial Road; and,
 - c. Westbound restriping of Industrial Road at Backlick Road.

15. A signal modification plan for the intersection of Backlick Road and Industrial Road, as proposed in the TIA Addendum, shall be required at the time of site plan submittal, and shall be implemented in conjunction with the westbound restriping of Industrial Road at Backlick Road, as described in Condition 13C above.
16. Until the driveway at the eastern side of the building can be connected to the parking lot at the front of the building, informational signage shall be provided advising that the driveway at the rear of the building does not provide an outlet to the front of the site.
17. Prior to final bond release, the applicant shall provide the Fairfax County Department of Transportation (FCDOT) adequate funds, not to exceed \$30,000, to construct a bus shelter in a location along Industrial Road within the existing right-of-way that is mutually agreeable to the applicant, FCDOT, and the Virginia Department of Transportation, and which may or may not be along the property's frontage.
18. All proposed signage must be in conformance with the provisions of Article 12 of the Zoning Ordinance.
19. All activities relating to the indoor commercial recreation use shall take place within the interior of the facility.

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.

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, 30 months after the date of approval unless the use has been established as outlined above. 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 require

Mr. Hart seconded the motion, which carried by a vote of 5-0. Mr. Beard and Mr. Smith were absent from the meeting.

A Copy Teste:



Lorraine A. Giovinazzo
Clerk to the Board of Zoning Appeals