

**PROPOSED DEVELOPMENT CONDITIONS****SE 2013-DR-019****October 14, 2014**

If it is the intent of the Board of Supervisors to approve Special Exception SE 2013-DR-019, located at 1301 Trap Road, Tax Map 19-4 ((1)) 47, to permit a place of worship with a nursery school, child care center and telecommunications facility pursuant to Sect. 3-304, 9-104, 9-304, 9-309 and 9-314 of the Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

General

1. This Special Exception is granted for and runs with the land indicated in the 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 this application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17 of the Zoning Ordinance, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any site plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception plat entitled SE Plat CWS 91 ACUMC – Bell Tower and prepared by Entrex Communication Services, Inc., containing twelve sheets dated May 29, 2013, and revised through April 21, 2014, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. A copy of the Special Exception conditions shall be posted in a conspicuous place along with the Non-Residential Use Permit of the use(s) and shall be made available to all Departments of the County of Fairfax during hours of operation of the permitted use(s).
5. Parking lot lighting shall be the low intensity type, on standards not to exceed twelve feet in height and shielded, if necessary, so as to prevent light or glare from projecting onto adjacent residential properties. New or replaced outdoor lighting fixtures shall be in accordance with Sect. 14-902 of the Zoning Ordinance.

Church

6. The maximum number of seats in the principal place of worship shall be 200.

7. The single family detached dwelling shall be used as a parsonage only.
8. Only one sign for the church, child care and nursery school is permitted on the property in accordance with Article 12 of the Zoning Ordinance. All non-permitted signs shall be removed within 60 days of the Special Exception approval.

#### Nursery School/Child Care Center

9. The combined maximum daily enrollment of the child care center and the nursery school shall not exceed 99 children.
10. The hours of operation for the nursery school and child care programs shall be limited to 9:00 a.m. to 2:00 p.m.
11. There shall be a combined maximum of 14 employees on site at any one time associated with the nursery school and child care programs.
12. The play area shall be provided as shown on the Special Exception Plat, and shall be fenced in accordance with the Fairfax County Health Department standards.

#### Telecommunications Facility

13. The telecommunications tower shall be designed as a bell tower in substantial conformance with the approved SE Plat. The maximum height of the tower shall not exceed 120 feet inclusive of all antennas and other appurtenances. The maximum width of each side will be 15.5 feet, measured from centerline of pole to centerline of pole.
14. The equipment compound for the telecommunications facility shall be enclosed with a locked, 8-foot tall solid wood fence as shown on the SE Plat. The area of the compound shall not exceed 2,450 square feet as shown on the SE Plat.
15. The bells on the telecommunications tower shall be non-functional and no taped bell sounds or music shall be broadcast.
16. Subject to Federal Aviation Administration (FAA) approval, the bell tower/telecommunications facility shall be beige or earth-tone in color and have a non-reflective finish.
17. No signals, lights or illumination of the tower shall be permitted unless required by the FAA, Federal Communications Commission or the County.

18. All antennas and related equipment cabinets or structures shall be removed within 120 days after such antennas or related equipment cabinets or structures are no longer in use.
19. No signs shall be permitted for the advertisement of the users of the telecommunications facility.
20. Any proposed additions, changes or modifications to the tower shall require proof, through the submission of engineering and structural data to the Director of DPWES, that the addition, change, or modifications conform to structural wind load and all other requirements of the Virginia Uniform Statewide Building Code.
21. There shall be no outdoor storage of materials, equipment, or vehicles.
22. A site plan addressing storm water quality control for the telecommunications facilities shall be submitted to DPWES and approved prior to issuance of a Non-Residential Use Permit (Non-RUP).
23. Prior to site plan approval, a geotechnical report shall be submitted and approved in accordance with the geotechnical guidelines (Chapter 4 of the Public Facilities Manual) and the Virginia Uniform Statewide Building Code.
24. Tree Preservation and Landscaping
  - a. Prior to issuance of the Non-RUP for the telecommunications facility, the landscaping in conformance with Sheets Z-7A and Z-7B shall be installed and inspected by staff from the Urban Forest Management Division (UFMD) to ensure conformance with the SE Plat and the Public Facilities Manual. In addition, the 12-foot wide construction entrance shall be reduced to the 6-foot walkway as shown on the SE Plat.
  - b. The Virginia Pines and Southern Magnolia shown along Trap Road on Sheet Z-7B of the plat shall be relocated outside the Virginia Power easement to a location to be approved by the Urban Forest Management Division. The intent of this development condition is to maximize screening of the telecommunications tower from Windsor Meadows Lane.
  - c. Existing and proposed landscape materials and barriers on-site shall be maintained and replaced in accordance with Article 13-106 of the Zoning Ordinance. Any diseased, dead or dying plantings shall be replaced with the same species unless an alternative species is approved by the Urban Forest Management Division.
  - d. All plant material shall be tended and maintained in a healthy growing condition, replaced when necessary due to poor health or unsafe conditions and shall be kept free of refuse and debris. If any of the existing or proposed

landscaping on the subject property is removed as a result of the improvements to Leesburg Pike, the applicants shall replace the affected landscaping within six months of completion of the project along the property frontage.

- e. The two American Holly trees shown adjacent to Route 7 on Sheet Z-7B of the plat may be relocated at the time of site plan approval if it is determined by the Urban Forest Management Division that the trees may be impacted by improvements to Route 7. There shall be no change in the quantities or species shown on the plat, and the trees shall be sited to maximize screening of the telecommunications facility from Route 7 and the adjacent residential dwellings.
- f. Tree Preservation Plan: The Applicant shall contract with a certified arborist or registered consulting arborist (the "Project Arborist") to prepare a tree preservation plan to be submitted as part of the first and all subsequent site plan submissions. The tree preservation plan shall be reviewed and approved by the Urban Forest Management Division. The tree preservation plan shall provide a tree inventory which includes the location, species, size, crown spread and condition rating percent of all trees 8 inches or greater in diameter, measured 4.5 feet from the ground and located within twenty-five feet of the proposed limits of clearing and grading. The condition analysis shall be prepared using methods outlined in the latest edition of the Guide for Plant Appraisal. Specific tree preservation activities designed to maximize the survivability of trees designated for preservation shall be incorporated into the tree preservation plan. Activities should include, but are not limited to, crown pruning, root pruning, mulching and fertilization.
- g. Tree Preservation Walk-Through: The Applicant shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree preservation walk-through meeting, the Project Arborist shall walk the limits of clearing and grading with a UFMD representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw, and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions.
- h. Limits of Clearing and Grading: Clearing, grading and construction shall conform to the limits of clearing and grading as shown on the SE Plat, subject

to the installation of necessary utility lines and other required site improvements, all of which shall be installed in the least disruptive manner possible, as determined in accordance with the approved plans. A replanting plan shall be developed and implemented, subject to approval by the UFMD, for any areas protected by the limits of clearing and grading that must be disturbed.

- i. Tree Preservation Fencing: All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fencing. Tree protection fencing, consisting of four foot high, 14 gauge welded wire attached to six foot steel posts driven 18 inches into the ground and placed no farther than ten feet apart or super silt fence, to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees, shall be placed at the limits of clearing and grading as shown on the erosion and sediment control sheets in all areas. The tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to the performance of any clearing and grading activities on the site. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three days prior to the commencement of any clearing or grading activities, but subsequent to the installation of the tree protection devices, the UFMD shall be notified and given the opportunity to inspect the site to ensure that all devices have been correctly installed. If it is determined that the fencing has not been correctly installed, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD.
- j. Root Pruning: The Applicant shall root prune as needed to comply with the tree preservation requirements of these conditions. Areas that will be root pruned shall be clearly identified on the Tree Preservation Plan. All treatments for such trees and vegetation shall be clearly specified, labeled, and detailed on the erosion and sediment control sheets of the grading plan submission. The details for these treatments shall be included in the Tree Preservation Plan and shall be subject to the review and approval of UFMD.

All root pruning shall be performed in a manner that protects adjacent trees and vegetation that are required to be preserved and may include, but not be limited to, the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches, or as specified by UFMD at the pre-construction meeting.
- Root pruning shall take place prior to any clearing and grading.
- Root pruning shall not sever or significantly damage structural or compression roots in a manner that may compromise the structural

integrity of trees or the ability of the root system to provide anchorage for the above ground portions of the trees.

- Root pruning shall be conducted with the on-site supervision of the Project Arborist.
- Tree protection fencing shall be installed immediately after root pruning.
- UFMD shall be informed in writing (email is acceptable) when all root pruning and tree protection fence installation is complete.

- k. Site Monitoring: During the installation of tree protection fencing, performance of root pruning and during any clearing or removal of trees, vegetation, or structures, the Project Arborist shall be present to effectively monitor the process and ensure that the activities are conducted in accordance with these conditions and as approved by the UFMD. The Project Arborist shall be a certified arborist or landscape architect retained by the applicant and shall monitor all construction, demolition, landscape installation and tree preservation efforts to ensure conformance with the conditions and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan and shall be reviewed and approved in writing by UFMD.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

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

Pursuant to Sect. 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, 30 months after the date of approval unless the uses have been established by obtaining the required Non-Residential Use Permits noted above.