

REVISED PROPOSED DEVELOPMENT CONDITIONS**SE 2023-PR-00046****~~September 4, 2024~~ October 21, 2024**

If it is the intent of the Board of Supervisors to approve SE 2023-PR-00046 located at Tax Map 50-1 ((2)) 89 and 94A; 50-1 ((12)) 1 (pt.), 5 (pt.), and 6, to permit a public facility, light (water storage tank), pursuant to the Fairfax County Zoning Ordinance, staff recommends that the approval be subject to the following development conditions.

1. This Special Exception (SE) is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This SE is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Plat (SE Plat) approved with the application, as qualified by these development conditions.
3. This SE is subject to the site plan provisions of the Zoning Ordinance as may be determined by the Director, Land Development Services (LDS). Any plan submitted pursuant to this SE must be in substantial conformance with the approved SE Plat entitled "Poplar Heights Water Tank, Special Exception Plat, SE-2023-PR-00046" prepared by Dewberry, consisting of 17 sheets, dated February 2, 2024, as revised through September 4, 2024, and these conditions. Minor modifications to the approved SE may be permitted pursuant to the requirements listed in the Zoning Ordinance.
4. Sidewalk. Upon demand by Fairfax County, the applicant will provide all necessary dedication of right-of-way and associated easements at no public cost to accommodate construction of a five-foot-wide sidewalk along that portion of the Tower Street frontage of the site where no sidewalk exists.
5. Lighting. With the exception of any required Federal Aviation Administration (FAA) aircraft warning lights on top of the water tower, on-site lighting for the SE use will be provided as shown on the SE Plat and must comply with the Outdoor Lighting Standards of Section 5109 of the Zoning Ordinance, including the use of full cut-off fixtures that are mounted horizontal to the ground. Such lighting must be controlled through switches and/or motion sensors to ensure the lights do not remain illuminated longer than the amount of time necessary. All lighting will be LED lighting with a maximum color temperature of 3,000 K.
6. Limits of Clearing and Grading. The applicant must conform to the limits of clearing and grading as shown on the SE Plat, subject to allowances specified in these conditions and for the installation of utilities as determined necessary by the Director of the LDS, as described herein. If it is determined necessary to install utilities in areas protected by the limits of clearing and grading as shown on the SE Plat, such utilities

must be located in the least disruptive manner necessary as determined by the applicant and the Forest Conservation Branch (FCON) of LDS. A replanting plan must be developed and implemented, subject to approval by FCON, for any areas protected by the limits of clearing and grading that must be disturbed for such utilities.

7. Tree Inventory and Condition Analysis. A Tree Inventory and Condition Analysis will be submitted for review and approval as part of the first and all subsequent site plan submissions. The Tree Inventory and Condition Analysis must be prepared by a certified arborist or registered consulting arborist and must include elements of Public Facilities Manual (PFM) 12-0307 deemed appropriate to the property as determined by FCON.
8. Tree Preservation Plan. A Tree Preservation Plan and Narrative will be submitted for review and approval as part of the first and all subsequent site plan submissions for the SE use. The Tree Preservation Plan and Narrative must be prepared by a certified arborist or registered consulting arborist and must include elements of PFM 12-0309 deemed appropriate to the property as determined by FCON.
9. Tree Preservation Walk-Through. The applicant must retain the services of a certified arborist or registered consulting arborist ("Project Arborist") and must have the approved 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 or a landscape architect must walk the limits of clearing and grading with an FCON 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. Such adjustments must be recorded by the Project Arborist and tree protection fencing must be implemented under the Project Arborist's supervision based on these adjustments.
10. Tree Protection Fencing. All trees shown to be preserved on the Tree Preservation Plan must be protected by tree protection fencing. Tree protection fencing must be in a form of four-foot (4') high, fourteen (14) gauge welded wire attached to six-foot (6') steel posts driven eighteen inches (18") into the ground and placed no farther than ten (10) feet apart, or super silt fence so long as any required trenching is done per the root pruning guidelines. All tree protection fencing must be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities. The installation of all tree protection fencing must be performed under the direct supervision of the Project Arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) business days prior to commencement of any clearing or grading activities, but subsequent to the installation of the tree protection fencing, FCON must be notified and given the opportunity to inspect the property to ensure that all tree protection fencing has been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities will occur until the fencing is installed correctly, as determined by FCON.

11. Tree Preservation Measures. Tree preservation measures must be clearly identified, labeled, and detailed on the Erosion and Sediment Control Plan sheets and the Tree Preservation Plan. Tree preservation measures may include, but are not limited to the following: root pruning, crown pruning, mulching and watering. Specifications must be provided on the Tree Preservation Plan detailing how preservation measures must be implemented. Tree preservation activities must be completed during implementation of the Erosion and Sediment Control Plan.
12. Demolition. The demolition of all existing structures and site features within or adjacent to tree preservation areas must be accomplished in the least disruptive manner practical as reviewed and approved by FCON. All tree protection fencing must be in place and verified by a County representative prior to commencement of demolition activities.
13. Site Monitoring. The Project Arborist must be present on-site during implementation of the Tree Preservation Plan and monitor any construction activities conducted within or adjacent to areas of trees to be preserved. Construction activities include, but may not be limited to clearing, root pruning, tree protection fence installation, vegetation/tree removal, and demolition activities. During implementation of the Erosion and Sediment Control Plan, the Project Arborist must visit the site on a regular basis to continue monitoring tree preservation measures and ensure that all activities are conducted as identified in the Tree Preservation Plan and approved by FCON. Written reports must be submitted to FCON and Site Development and Inspection Services (SDID) site inspectors detailing site visits. A monitoring schedule and Project Arborist reports must be described and detailed in the Tree Preservation Plan.
14. Invasive Plant Species Management. Forested areas containing plant species that are known to be invasive in quantities that threaten the long term health and survival of the existing vegetation present must be the subject of an invasive plant species management plan in order for the area to be awarded full 10-year canopy credit. At the time of site plan submission, the applicant must provide a management plan for review and approval by FCON specifying the common and scientific name of invasive species proposed for management, the target area for management efforts, methods of control and disposal of invasive plants, timing of treatments and monitoring, duration of the management program, and potential reforestation as needed.
15. Landscape Plan. Landscaping must be generally consistent with the quality, quantity and locations shown on the Landscape Plan included as Sheet 14 of the SE Plat, which illustrates the plantings to be provided on the property. The Landscape Plan is conceptual in nature and the tree species and planting locations may be modified by the applicant, in coordination with FCON, as part of final engineering and design, provided such modifications provide a similar quality and quantity of landscape plantings and materials as shown on the Landscape Plan. At the time of planting, the initial heights of the proposed trees will range from minimum heights of eight (8) feet to minimum heights of fourteen (14) to sixteen (16) feet (minimum 3-inch caliper), depending on the species of tree as shown on the SE Plat.

16. Landscape Planting Pre-installation Meeting. Prior to installation of plants to meet the requirements of the Landscape Plan, the applicant or its contractor must coordinate a pre-installation meeting on-site with the landscape contractor and FCON staff. Any proposed changes to the planting locations, tree/shrub planting sizes, and any proposed species substitutions for the plants shown on the Landscape Plan must be reviewed and approved by FCON prior to planting. The installation of plants to meet the requirements of the Landscape Plan that are not approved by FCON may require the submission of a revision to the Landscape Plan, or part thereof, or removal and replacement with approved trees/shrubs prior to bond release.
17. On-site Vegetation. The vegetation on-site, including existing trees identified as to be saved, is required to remain as generally depicted on the SE Plat. Minor modifications as allowed by the Zoning Ordinance may be permitted; however, replacement and appropriate maintenance of the vegetation will be provided as necessary to ensure the survival of the vegetation. Should the vegetation not survive or be damaged or removed as a result of maintenance of the water tank, the applicant will replace such vegetation, at the minimum initial planting heights identified on the SE Plat, and maintain it thereafter.
18. Soil Remediation. Soil in planting areas that contain construction debris and rubble, are compacted or are unsuitable for the establishment and long-term survival of landscape plants, must be the subject of remedial action to restore planting areas to satisfy cultural requirements of trees, shrubs and groundcovers specified in the Landscape Plan. The applicant must provide notes and details specifying how the soil will be restored for the establishment and long-term survival of landscape plants for review and approval by FCON.
19. Native Landscaping. All new landscaping planted on the property must be generally consistent with the quality, quantity and locations shown on the SE Plat and must include a plant selection that includes species that will reduce the need for supplemental watering and the use of chemical fertilizers, herbicides and pesticides. All landscaping provided must be native to the mid-Atlantic region to the extent available and feasible, and must be non-invasive (meaning the applicant must not use any plant species identified in the 2014, or latest version, of the Virginia Invasive Plant Species List published by the Virginia Department of Conservation and Recreation); provided, however, the applicant reserves the right to utilize Green Giant Arborvitae for some of the Large Evergreen trees shown on the SE Plat. The applicant reserves the right, in consultation with and approval by FCON, to modify the exact species to be used, such as when plant materials are not available or have been deemed by FCON to no longer be appropriate.
20. Offsite Landscaping. All new landscaping planted on applicant-owned property outside of the limits of the SE, and as further identified on the SE Plat as "Proposed Offsite Planting (not part of PFM required planting for the SE)" (the "Offsite Landscaping") must be shown on the site plan for the SE use. Such Offsite

Landscaping must be installed and maintained until such time as the applicant secures either the earlier of the release of the bond associated with the site plan depicting the Offsite Landscaping or the sale of the offsite lots to third parties.

21. Construction Management Plan. The applicant must prepare a plan for the mitigation of construction impacts to be implemented during construction to mitigate construction impacts on adjoining properties and ensure safe and efficient pedestrian and vehicle circulation at all times along Tower Street. The construction management plan will address:

- Anticipated construction entrances, construction staging areas, construction vehicle routes and procedures for coordination with FCDOT and/or VDOT concerning construction material deliveries and lane, street or sidewalk closures, if any;
- Ensure the limits of clearing and grading are maintained as provided in these conditions;
- Off-street construction worker parking;
- Outreach to the Fairfax County Public Schools that serve the surrounding neighborhood to confirm the school bus routes, bus stop locations and timing of morning pick-ups and afternoon drop-offs so the applicant can coordinate construction activities to the extent possible and schedule and direct construction traffic to avoid conflicts with school bus traffic and students in the neighborhood;
- Providing a person along the Tower Street frontage of the property during the morning pick-up and afternoon drop-off of students from Fairfax County Public Schools buses and during times of day when deliveries of construction materials and equipment are scheduled in order to maintain safe pedestrian and vehicular traffic on Tower Street during construction;
- Including pedestrian and vehicle traffic control along the Tower Street frontage of the property in the contractor's daily briefings;
- Locating dumpsters and other similar devices behind covered fencing or in a location on the property to reasonably limit public visibility and providing timely removal of the same when full; and
- Establishment and continuation of a website for the project which will provide alerts (which could include mass emails or use of social media) for high impact (for instance noise or traffic impacts) activities, designed to provide timely notification to the area residents and those who regularly travel on Tower Street and a contact for construction-related questions and complaints.

The applicant will inform all contractors and subcontractors of the plans for construction related traffic circulation. Signs providing such information will be posted at all construction entrances. Such plan will be prepared by a qualified professional and submitted for review and comment to VDOT, FCDOT and LDS prior to issuance of any land disturbance permit for construction of the SE use on the property. Such plan must identify the name and contact information for the person responsible for responding to complaints related to the construction and/or the construction-related obligations in these conditions. The construction management plan must be provided to the Providence District Supervisor's office.

22. Domestic Water Service During Construction. At such time as the existing water tank is removed from service and until the new water tank is put into service, the applicant will take necessary steps consistent with water industry standards to maintain water service, including water pressure to existing residents, during construction.
23. Construction Noise and Glare. Construction of the SE use must be subject to the Noise Ordinance of Fairfax County. The following noise and glare mitigation measures must be implemented during construction:
- All motorized vehicles and equipment used during construction must be equipped with proper mufflers.
 - Delivery routes must be arranged to minimize the use of backup alarms on commercial vehicles and equipment.
 - The banging of tail gates must be prohibited. All drivers associated with this project must be informed about this prohibition.
 - All lights used to illuminate the construction site, including any staging areas, must be full cut-off or directionally shielded so that the directed light must be substantially confined to the construction site.
24. Construction Hours and Activity. Construction hours must be limited to Monday through Friday 7:00 am to 7:00 pm and Saturday from 9:00 am to 7:00 pm. No construction work must be performed on Sundays. The construction hours noted above will not apply to emergency construction or maintenance. Construction and delivery vehicles must not park and idle on the surrounding residential streets prior to the start time for construction and signs stating this prohibition will be posted on the surrounding street subject to VDOT approval.
25. Construction Timeline. The applicant must notify the Providence District Supervisor's office when construction commences and when construction has been completed.
26. Point of Contact. The applicant must provide the Providence District Supervisor's office with the point of contact for construction-related questions and complaints. This information will also be posted on the applicant's project website. In addition to providing the point of contact to the Supervisor's office and posting it on the project website, prior to commencing construction activities related to the water tank, including demolition of any existing structures, the applicant will notify by first class mail all owners of the properties that abut the site or are located on both sides of Tower Street between Midway Street and Buckelew Drive of the anticipated start date and the point of contact, and if different, an after-hours or emergency number for construction-related questions and complaints. Further, the applicant will post and maintain a sign along the Tower Street frontage of the property that includes the point of contact for after-hours or emergency questions and complaints related to construction. The applicant must provide to the Providence District Supervisor's office copies of construction related questions and complaints within 24 hours of receiving them.

27. Community Meetings. The applicant must host a pre-construction meeting with the surrounding community prior to the commencement of construction of the SE use on the property. The applicant will coordinate the invitations and date and location of this meeting with the Providence District Supervisor's office. Once construction commences, and until construction is completed, the applicant must host quarterly virtual meetings with the surrounding community (as identified by the Providence District Supervisor's Office) to provide them with project updates. In addition, prior to commencing construction, the applicant will provide a written invitation to the owners of the properties that abut the site or are located on both sides of Tower Street between Midway Street and Buckelew Drive to provide their email address in order to receive notifications of major construction milestones and deliveries, such as the demolition of the existing homes and the existing water tank, commencement of clearing, the pouring of the foundation for the new tank and the delivery of the crane. The applicant will maintain the list and will send email notifications at least one (1) business day prior to the date such milestones and deliveries are scheduled to occur.
28. Construction Parking Management Plan. The applicant will prepare and implement a construction parking management plan during construction of the SE use. Such plan must require that all construction vehicles (including personal vehicles of tradesman working on the property) must not be parked on Tower Street.
29. Dust Management Plan. The applicant will prepare and implement a dust management plan tailored to the characteristics of the property and designed to suppress dust from leaving the site. Such plan will be incorporated with the Erosion and Sediment Control Plan and will include, but not be limited to, installation of wash racks, regular use of dust-removing watering methods, and use of covered trucks for removal of construction debris. The applicant will work with all contractors on the dust management plan and will monitor and enforce its implementation.
30. Site Maintenance. The applicant will maintain the construction site for the SE use in a secure and orderly manner and will provide for: 1) a County-approved sedimentation control fence along the limits of disturbance of the construction site; 2) continuous construction fencing around the perimeter of the construction site, designed with screening material to block views into the construction site and prevent construction debris from blowing off the site; and 3) location of trailers, materials, and equipment inside the construction fence. The applicant will maintain the street surfaces adjacent to the property in a clean and safe condition during the construction activity. At the end of each work day during construction, any streets used for hauling construction materials and entrances to the construction site will be free of mud, dirt, trash, allaying dust, and debris, and all streets adjacent to the property will be free of construction-related trash and debris.
31. Resurfacing of Tower Street. The applicant must mill and overlay the surface of Tower Street prior to the release of the bond associated with the site plan depicting the SE use.

32. Antennas. No cellular antennas will be permitted on the top of the water tower, except antennas required for the applicant's or another governmental body's communication and security systems. This condition does not preclude the applicant from installing and maintaining the required FAA aircraft warning lights on top of the water tower.
33. Signs. All signs on-site must be subject to Article 7.
34. Watermain Improvements. In conjunction with construction of the SE use, the applicant will construct watermain improvements to provide the capability to obtain domestic water supply from the adjacent higher pressure zone in order to increase water pressures by approximately fifteen (15) pounds per square inch (psi) or more at the service connection for those customers who are located in certain of the higher elevations within the Poplar Heights Pressure Zone, including the dwellings located near the subject site.
35. During final engineering and design of the water tank, the Applicant will continue to work with the landowners who abut or are located immediately across Tower Street from the property on potential adjustments and/or enhancements to the commitments made in Conditions 4 (Sidewalk), 5 (Lighting), 15 (Landscape Plan) and 20 (Offsite Landscaping) in order to maintain the residential character of the surrounding community, as long as such adjustments and/or enhancements remain in substantial conformance with the SE Plat as determined by the Zoning Administrator.
36. Pursuant to the Zoning Ordinance, this Special Exception will automatically expire, without notice, thirty (30) months after the date of approval unless 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 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 above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by the Board. This approval, contingent on the above noted conditions, does not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant must be responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception will not be valid until this has been accomplished.