



FAIRFAX COUNTY

APPLICATION FILED: May 13, 2005
PLANNING COMMISSION: September 29, 2005
BOARD OF SUPERVISORS: Not yet scheduled

V I R G I N I A

September 15, 2005

STAFF REPORT

**APPLICATIONS SE 2005-SU-020
and 2232-Y05-10**

SULLY DISTRICT

APPLICANT: Whole World Fellowship and Church at Northern Virginia, Dominion Christian School, and Invisible Tower, LLC

ZONING: R-E

LOCATION: 10922 Vale Road

PARCEL(S): 37-1 ((1)) 17 and 17A

ACREAGE: 17.95 acres

FAR: 0.04

PLAN MAP: Residential, 0.2 – 0.5 du/ac

SE CATEGORY: Category 3, Use 10: Church with private school of general education

Category 1, Use 8: Mobile and land based telecommunication facilities

PROPOSAL: Sect. 15.2-2232 of the Code of Virginia review, and Special Exception request to permit the construction of a telecommunications facility (148 foot high tree pole) and equipment cabinets on the site of the existing Whole World Fellowship and Church at Northern Virginia.

SE 2005-SU-020 also proposes to permit a place of worship and school of general education previously approved pursuant to SPA 87-C-055-3 to permit an increase in enrollment from 99 to 135 students at the Dominion Christian School, to increase the school hours from 9:00 AM to 3:15 PM weekdays to 8:30 AM to 4:00 PM weekdays, to increase the number of school employees from 12 to 17, to increase the number of church employees at the Whole World Fellowship and Church at Northern Virginia from 3 to 7, and to permit a telecommunications facility (148-foot high tree pole).

STAFF RECOMMENDATIONS:

Staff recommends that the Planning Commission find that the construction of the telecommunications facility proposed under 2232-Y05-10 satisfies the criteria of location, character, and extent as specified in Section 15.2-2232 of the *Code of Virginia*, and therefore is substantially in accord with the provisions of the Comprehensive Plan.

Staff recommends approval of SE 2005-SU-020, subject to the proposed development conditions contained in Appendix 1.

Staff recommends that the transitional screening and barrier requirements along all property lines be modified to the existing vegetation as shown on the SE Plat.

It should be noted that it is not the intent of the staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290 or TTY 711 (Virginia Relay Center).



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

**A GLOSSARY OF TERMS FREQUENTLY
USED IN STAFF REPORTS MAY BE
FOUND AT THE BACK OF THIS REPORT**

DESCRIPTION OF THE APPLICATION

2232-Y05-10 Proposal:

The applicants, Whole World Fellowship and Church at Northern Virginia, Dominion Christian School and Invisible Tower, LLC, have filed an application for review by the Planning Commission to determine whether the construction of a telecommunications facility (148-foot tall tree pole) and related ground structures (equipment cabinets) on the property of the Whole World Fellowship and Church at Northern Virginia satisfies the criteria of location, character and extent pursuant to Section 15.2-2232 of the Code of Virginia; and therefore, may be determined to be substantially in accordance with the Comprehensive Plan.

SE 2005-SU-020 Proposal:

The applicants seek a Category 3, Quasi-Public Use 10 for a church with private school of general education. The church, the Whole World Fellowship and Church at Northern Virginia, and the school, the Dominion Christian School, were originally established under a special permit. Under the proposed application, the applicants seek to:

- Increase the number of students at the Dominion Christian School from 99 to 135;
- Increase the hours of the school from 9:00 AM to 3:15 PM to 8:30 AM to 4:00 PM;
- Increase the number of school employees from 12 to 17;
- Increase the number of employees at the Whole World Fellowship and Church at Northern Virginia from 3 to 7.

The applicants also seek a Category 1, Light Public Utility Use 8 Special Exception to permit the construction of a 148 foot tall telecommunications facility (tree pole) and related equipment cabinets. Multiple equipment areas are proposed within the compound, to accommodate collocation by up to seven (7) carriers.

Waivers and Modifications:

The applicants seek a modification of the transitional screening and barrier requirements along all property lines to the existing vegetation as shown on the SE Plat.

LOCATION AND CHARACTER

Site Description:

The subject 17.95-acre site is located at 10922 Vale Road, on the north side of Vale Road between Berryland Drive and Valestra Court. The southern half of the subject property includes the church, the school, a small house (library), two paved parking areas, landscaping (grass lawn, shrubs, deciduous and evergreen trees) and one entrance from Vale Road. It should be noted that there is a second entrance to the site from Vale Road which abuts the eastern property line but that entrance has been closed off with a fence. The northern half of the subject property is open space. This area contains a substantial stand of trees in the western portion of this area, deciduous trees along the eastern property line and a pond and trees in the northern portion of this area. The center of this area is grassy with individual trees. The site slopes up from Vale Road with the high point of the site being located in the central portion of the property along the eastern property line. The site then slopes down toward the existing pond.

Surrounding Area Description:

Direction	Use	Zoning	Plan
North	Single-Family Detached Dwellings; Girl Scout Camp (Camp Crowell)	R-E	Residential, 0.2-0.5 du/ac
South	Single-Family Detached Dwellings (Berryland Farm)	R-E	Residential, 0.2-0.5 du/ac
East	Girl Scout Camp (Camp Crowell)	R-E	Residential, 0.2-0.5 du/ac
West	Single-family Detached Dwellings	R-E	Residential, 0.2-0.5 du/ac

BACKGROUND

The Church at Northern Virginia was established on the subject property in 1972 prior to the adoption of the amendment to the Zoning Ordinance which required special permit

approval. A list of the zoning applications filed on the site since the establishment of the church are listed below:

Application	Date	Use	BZA Action
S-202-75	11/6/75	Addition of classroom/assembly hall	Approved with development conditions
S-166-77	7/28/77	Addition of sanctuary/classrooms	Approved with development conditions
S-55-78	4/12/78	Modify configuration of building and parking lot	Approved with development conditions
SPA 78-C-055	1/29/92	Allow addition of private school of general education with 5 year term	Approved with development conditions
SPA 78-C-055	6/3/97	To permit changes in development conditions (delete term limit)	Approved with development conditions
SPA 78-C-055-3	8/16/00	Increase students from 75 to 99 and delete requirement that children arrive by bus	Approved with development conditions

A copy of the Resolution and Plat approved in conjunction with SPA 78-C-055-3 is contained in Appendix 3.

COMPREHENSIVE PLAN PROVISIONS (Appendix 4)

- Plan Area:** Fairfax Planning District, Area II
- Planning Sector:** Fox Lake Community Planning Sector
- Plan Map:** Residential, 0.2 - 0.5 du/ac
- Plan Text:**

In the Fairfax County Comprehensive Plan, 2003 Edition, Area II, Fairfax Planning District as amended through December 6, 2004, F4-Fox Lake Community Planning Sector, Recommendations, Land Use, page 51, the Plan states:

1. *It is appropriate that land in the Low Density Residential Area associated with the Difficult Run watershed be developed with residential use at a density of 0.1- 0.2, 0.2- 0.5 and 0.5-1 dwelling unit per acre as shown on the Plan map, except for Valewood Manor, which is developed at a density of 1-2 dwelling*

units per acre. This will help maintain the large lot residential character of the area that has been established. These areas are largely outside the approved sewer service area and should remain so to maintain the area in its current condition...

Because of the configuration of several planned density ranges on the Plan map for this area, when a site has more than one planned density range assigned, the appropriate overall density and average lot size should be determined by placing strong emphasis on achieving compatibility with existing development in the vicinity.

ANALYSIS

Special Exception (SE) Plat (copy at front of staff report)

Title of SE Plat: Invisible Towers, LLC: Difficult Run

Prepared By: Entrex Communication Services, Inc.

Date: March 23, 2005, as revised through August 19, 2005

Description of the SE Plat

SE Plat, Invisible Towers, LLC: Difficult Run	
Sheet #	Description of Sheet
1 of 13 (T-1)	Cover Sheet, General Notes
2 of 13 (Z-1)	Site Layout (Sheet 1 of 2)
3 of 13 (Z-1A)	Site Layout (Sheet 2 of 2)
4 of 13 (Z-2)	Adjoiners List, Phasing and Grading Plan
5 of 13 (Z-3)	Detail of Phase I Compound Plan, Tree Pole Elevation
6 of 13 (Z-3A)	Cross-Section of the Site from North to South
7 of 13 (Z-4)	Cingular Shelter Elevations, Antenna and Equipment Details
8 of 13 (Z-4A)	Sprint Equipment Shelter Elevations and Antenna Details
9 of 13 (Z-4B)	Verizon Equipment Shelter Elevations and Antenna Details
10 of 13 (Z-5)	Environmental Quality Map, Soils Map, Resource Management Map, Trails Map, Floodplain Map
11 of 13 (Z-6)	Stormwater Management Calculations
12 of 13 (Z-7)	Tree Removal and Compound Landscape Plan
13 of 13 (Z-7A)	Landscape Plan and Details

Existing Structures: The SE Plat depicts two (2) existing structures totaling approximately 32,768 square feet (SF), which are located in the center of the site.

The site contains a church with 430 seats and a school for up to 99 students. The largest structure houses the church and school and is located approximately 300 feet from the southern property line (Vale Road) and 74 feet from the western property line. The second structure (identified as the chapel) houses the original church building and is used as a sanctuary for the church. The chapel is located approximately 436 feet from the southern property line and 138 feet from the eastern lot line. There is also an approximately 736 SF one-story garage structure used for storage, located approximately 300 feet from the southern property line and 21 feet from the western property line. To the north of the garage is a shed, which is identified to be removed. Finally, there is an existing shed to the north of the sanctuary, at the northern edge of the parking lot. This shed will be relocated to the eastern edge of the property, approximately 703 feet from the southern property line and 21 feet from the eastern property line. Except for the relocation of this shed, no changes are proposed to the existing structures.

Proposed Telecommunications Compound: The telecommunications compound would be located approximately 40 feet west of the eastern property line. The compound would consist of a 148-foot tall tree pole (a telecommunications monopole designed to resemble a pine tree), 5 wireless telecommunications carrier equipment shelters/area and 2 wireless internet carrier equipment pad sites, a CSC cabinet, electrical backboard, 6-foot compound surface stone, 8-foot high solid wood fence around the perimeter and proposed 4-foot high gate. Because the compound would be built on a slope, a six-foot retaining wall is proposed along the south end of the compound. This wall will only be visible from within the compound.

The proposed treepole would have up to 12 antenna per telecommunications carrier (5 carriers are proposed) and 6 antenna per wireless internet carrier (2 carriers are proposed), which would be concealed within the "branches" of the tree pole. The proposed equipment shelters/areas would range in size from 24 SF to 230 SF. The applicants propose to construct the compound in two different phases. The compound's dimensions for the first phase is 41'6" x 39'2", with an overall area of disturbance of 2,495 SF. The second phase would result in an area of disturbance of 2,496 SF. Once the second phase is complete, the overall telecommunications compound will measure 41'6" x 76' 2". A 4-foot wide walk path will be located outside the eastern side of the compound fence and an electrical transformer will be located outside the southern side of the compound fence. The compound would be unmanned; however, there would be a few maintenance visits to the site during the year. In addition to the 8-foot high solid wooden fence, the applicants propose to screen the equipment cabinets with landscaping around the perimeter of the compound. Supplemental evergreen trees (parallel to the equipment compound) will be planted along the eastern boundary of existing deciduous trees in order to further screen the compound from view.

Access and parking: A thirty (30) foot wide asphalt drive is the sole entrance to the site from Vale Road. This drive leads to a circular drop-off at the entrance to the church/school structure, as well as to the sanctuary to the east. Another asphalt

driveway also connects to Vale Road from the eastern side of the subject site, but it has been fenced off and is not used. The applicants are seeking to use this driveway during construction of the proposed tree pole. There are two parking lots in the site. The first parking lot is located in the southwestern corner of the site. The second parking lot is located along the eastern property line of the site, across from the sanctuary structure. The two parking lots contain a total of 127 parking spaces.

Landscaping and open space: Landscaping consisting of grass lawn, shrubs and deciduous and evergreen trees is located along the front of the property, between the church/school and sanctuary structure and Vale Road. A partially fenced play area of approximately 8,400 SF is located between the church/school structure and the sanctuary. The northern half of the subject property is open space with a substantial stand of trees along the western portion, a pond and trees in the northern portion, an area of grass and trees in the center and predominately deciduous trees along the eastern boundary. The pond and area around it are designated resource protection area (RPA). As noted above, the applicants propose to landscape along the perimeter of the telecommunications compound. The applicants also propose supplemental landscaping along the eastern property line and between the compound and Vale Road in order to obscure the tree pole and compound from view. The applicants have requested a modification of the transitional screening and barrier requirements along all property lines to the existing and proposed vegetation and existing barriers along these property lines as shown on the SE Plat (see the Waivers and Modifications section of this report for additional discussion).

Land Use / 2232 Review Analysis (Appendix 4)

Church and School

SE 2005-SU-020 proposes to permit a place of worship and school of general education previously approved pursuant to SPA 87-C-055-3 to permit an increase in enrollment from 99 to 135 students at the Dominion Christian School, to increase the school hours from 9:00 AM to 3:15 PM weekdays to 8:30AM to 4:00 PM weekdays, to increase the number of school employees from 12 to 17, and to increase the number of church employees at the Whole World Fellowship and Church at Northern Virginia from 3 to 7. No physical changes are proposed to the existing church and school. This request does not present any land use issues. In staff's opinion, the development remains in harmony with the use and intensity recommendations of the Comprehensive Plan.

Telecommunication Facility

Section 15.2-2232 of the *Code of Virginia*, as amended, charges the Planning Commission with the determination whether the location, character, and extent of the proposed facility are substantially in accord with the adopted Comprehensive Plan.

- *Location*

Plan guidelines support the location of telecommunication uses in residential areas when other, more suitable land uses, such as public property or commercial and industrial properties are not available and the telecommunications facility is located to blend with its surroundings. The applicant states that a number of other sites in the surrounding vicinity were evaluated, some as far away as three miles from the subject property, as a possible alternative location. There are no commercial or industrial properties present in the vicinity of the area to be served (which is almost exclusively residential). Publicly-owned properties, including the Difficult Run Stream Valley Park and the Little Difficult Run Stream Valley Parks, were not suitable for the location of the tree monopole for technical and environmental reasons. Due to the topography, these sites are too low to allow the wireless carriers to meet their coverage objectives. Invisible Tower also investigated school sites (sites that were not both a church and school), both public and private, but concluded that each would be too far from the coverage objective area. In addition, the existing VDOT right-of-ways with existing telecommunication facilities are too far from the target coverage area around the subject property. The proposed location has been determined ideal for adequate service for this facility consistent with the Plan guidelines to consider public lands or commercial and industrial land use as preferred locations. Staff agrees with this conclusion.

The subject property includes trees along its western, northern and eastern boundaries as well as in its interior in the northern and southern portions. While the density of growth varies throughout the site, staff believes that the proposed location for the telecommunications compound appears to be the best possible choice in location as far as minimizing and/or preventing damage or removal of existing trees and as such, the existing mature trees will screen views of the facility from adjoining nearby residential and institutional structures and planned land uses, as recommended by the Plan. Furthermore, the applicant has proposed additional landscaping to mitigate existing and future visual impact of the proposed tree monopole and equipment compound.

The proposed facility will be central to service an existing void area and will be designed to accommodate at least 7 telecommunications service providers (5 wireless telecommunications providers and 2 internet service providers), in accordance with Plan recommendations for co-location. Finally, the proposed telecommunications facility is not located within a flood plain or other environmentally sensitive area, in accordance with the Plan Guidelines.

- *Character*

The proposed tree monopole will be designed to look like a evergreen (pine) tree monopole with simulated bark, tree limbs and pine needles on the

branches. This tree monopole design in combination with existing and proposed landscaping should mitigate its visual impact and help the and help the facility to blend with its surroundings.

A visual impact analysis was conducted to determine the maximum mitigation of the visual impact of the proposed 148-foot tree monopole. Only one house has full view of the tree monopole as it rises above the tree canopy. To further mitigate the impact it was determined that by moving the pole twenty feet to the east, additional tree canopy lessened the amount of the structure extending above the tree line.

To mitigate the visual impact to the property to the east which is planned and zoned for residential development, the applicant will provide supplemental evergreen plantings parallel to the equipment compound and establish a transitional screening area consisting of the existing deciduous trees and the supplemental evergreens along the eastern boundary of the property.

While most native pine trees are not 148-feet tall, the tree monopole will be placed near other tall trees and be compatible with the wooded portion of the subject property and nearby wooded properties. Therefore the proposed tree monopole is in harmony with and should effectively blend with the wooded, residential character of the area.

In order to further mitigate any visual impact of the tree monopole upon residences, several evergreen trees will be planted in front of the eastern parking area to create a natural screen which distracts the viewer from the higher portion of the tree monopole elevation.

It should be noted that the guidance from the Urban Forest Management concerning all trees planted in this area to serve as screening trees will be overshadowed by mature trees. Recommendations concerning plant selection, planting and maintenance during, before, and after construction shown be followed to assure the long-term survival of the plantings.

Staff concludes that the proposed tree monopole design, narrow silhouette, concealed antennas and surrounding supplemental and existing trees will effectively mitigate the facility's visual impact on adjacent development. Therefore, the proposed tree monopole will be compatible with the character of the wooded, residential area along Vale Road. In staff's opinion, the proposed facility should not have a negative visual impact on the overall character of the surrounding area which is consistent with Plan objectives.

- *Extent*

The 17.6-acre subject property is a substantial parcel with the church, the school, a small house (library), two paved parking areas. The simulated evergreen tree monopole and the equipment compound (approximately 76 feet

by 42 feet) will occupy 3,116 square feet which accounts for four-tenths of one percent of the total area of the subject property. The proposed facility will not cause the loss of any parking spaces because it will be located in an open-lawn area. According to Invisible Tower, L.L.C., the owner of the subject property indicates that any possible future development of the property would not be affected by the proposed telecommunications facility. Department of Information Technology (DIT) staff has concluded that the proposed facility including the seven providers' antennae to be installed within the tree monopole, will pose no harm to the County or its citizens. Therefore, staff concludes that the proposed unmanned facility and its associated equipment will not have an adverse impact on the use of the existing site or on the possible future development of the site, in accordance with the Plan guidelines.

Environmental Analysis (Appendix 5)

Issue: Water Quality

The proposed expansion of the school is not anticipated to result in any significant impacts to water quality. However, the addition of the telecommunications facility does result in an increase in impervious surface area. There is a small pond located at the rear of the property which is part of the Resource Protection Area (RPA) for Difficult Run. The tree pole with associated pad site and equipment cabinets will be located just uphill from the existing pond and approximately 41 feet from the limits of the RPA. The RPA in this area consists of scattered trees around the pond with mixed tree cover and lawn area beyond the RPA closest to the existing structures and proposed telecommunications facility.

The applicants will be seeking a waiver of stormwater management at the time of site plan review. DPWES believes that such a waiver is likely to be granted due to the minor increase in stormwater runoff generated by this application. DPWES also believes that if it is determined at the time of site plan review that the applicants must meet water quality control requirements, these requirements can be satisfied by placing a conservation easement over a portion of the site.

Resolution:

The proposed increase in impervious surface area provides opportunities to improve water quality for the subject property. These measures could include establishing a conservation easement over a portion of the open space, restoration/replanting within that portion of the RPA which is currently cleared, the construction of a raingarden around the proposed telecommunication facility and/or the construction of an infiltration trench around the proposed facility. This issue will be resolved during the site plan review process.

Issue: Tree Save

Urban Forest Management (UFM), DPWES, notes that the proposed location for the telecommunications compound appears to be the best possible choice in location as far as minimizing and/or preventing damage or removal of existing trees.

That portion of the site is already partially cleared, with sparsely located fairly mature trees. The estimated required tree removal is three mature trees and one dogwood approximately 8-inches in caliper. Even though the footprint of the proposed compound does not impact some of these trees, UFM points out that the necessary land disturbance around the area to build the retaining wall and other portions of the support buildings will disturb sufficient root zone to assume that the trees will not survive.

Because the supplemental landscaping proposed by the applicants will be overshadowed by mature trees, UFM recommends that all trees used to screen the facility should be shade tolerant tree species. UFM further recommends that a diverse selection should be specified so that no one tree species makes up more than 35% of the total trees proposed. Recommended deciduous trees include, but are not limited to American hornbeam, eastern redbud, sweetbay magnolia, sugar maple, and flowering dogwood. Evergreen tree species recommended include, but are not limited to eastern red cedar, American holly, Foster's holly and Serbian spruce.

Urban Forest Management recommends that the trees proposed for the eastern boundary be relocated out of the root zones of the mature existing trees as much as possible, and placed as close to the proposed facility as practicable. However, all planted trees should be shown a minimum of four feet from the retaining wall or other root barrier.

Finally, Urban Forest Management notes that extra care should be taken to move in the sections of the tower and other construction related materials into the construction zone to avoid hitting existing trees along the way, and compacting tree root zones of adjacent trees. At the time of site plan review, all trees adjacent to the construction entrance, the driveway approach, and the tower site itself shall show sufficient tree protection fencing for all potentially affected trees.

Resolution:

With the implementation of the staff-proposed development conditions related to landscaping and tree preservation, staff believes that the proposed telecommunication compound will be effectively screened from view.

Transportation Analysis (Appendix 6)

The applicants have provided staff with a document of the arrival/dismissal procedures for the school. This document, which is distributed to the parents of students, lists the rules for drop-off and pick-up of students as well as the circulation

pattern for drop-off and pick-up. The applicants also note that a member of the school staff monitors drop-off and pick-up each day to ensure that the procedures are followed. Staff believes that continued use of these procedures will mitigate any impact that the additional students will have on the operation of Vale Road. In particular, staff believes that the use of the procedures will ensure that there is no back-up onto Vale Road. Therefore, staff recommends a development condition which requires that the school continue to distribute documents containing the arrival/dismissal procedures for the school to all parents and that a member of the school monitor drop-off and pick-up each day to ensure that the procedures are followed. With the implementation of this development condition, staff believes that the proposed increase in enrollment at the school will not impact the operation of Vale Road.

Department of Information Technology Analysis (Appendix 4)

The Technology Infrastructure Division of the Department of Information Technology Memorandum states that the proposed facility poses no harm to the County or its citizens.

ZONING ORDINANCE PROVISIONS

Bulk Standards (R-E)		
Standard	Required	Provided
Lot Size	75,000 square feet (SF)	17.95 acres
Lot Width	200 feet	538.49 feet
Building Height	60 feet*	42 feet (structure) 148 feet (tree pole)*
Front Yard	55 degree angle of bulk plane but not less than 50 feet*	307.7 feet
Side Yard	45 degree angle of bulk plane but not less than 20 feet*	74.6 and 138 feet
Rear Yard	45 degree angle of bulk plane but not less than 25 feet*	615 feet
FAR	0.35 maximum	0.04
Open Space	Not Applicable	86%
Parking	Church – 108 School – 21	127 parking spaces**
<i>See the Modification/Waivers section below for a discussion of the transitional screening and barrier requirements.</i>		

* The proposed tree pole is being requested as a Category 1 special exception use. Par. 1 of Sect. 9-104 of the Zoning Ordinance states that Category 1 special exception uses do not have to comply with the lot size requirements or the bulk regulations set forth for the zoning district in which located. Therefore, the proposed pole is exempt from the building height and setback requirements of the R-E District.

**Because the church and school do not operate at the same time, staff believes that 127 parking spaces are adequate for the site. However, it should be noted that DPWES will need to approve a shared parking agreement based on the non-competing hours of operation for the church and school.

Waivers/Modifications

- **Modification of the transitional screening and barrier requirements along all property lines to allow the existing and proposed vegetation as depicted on the SE Plat**

The subject site is surrounded by single-family detached dwellings and institutional uses (Camp Crowell), which are zoned R-E. As such, Type 3 transitional screening is required by the Zoning Ordinance. Type 3 screening consists of an unbroken strip of open space a minimum of 50 feet wide with specific planting requirements. In addition, Barrier D, E or F is also required by the Zoning Ordinance. Barrier D, E or F consists of a 3.5' chain link fence or six (6) foot high wood or brick/block wall. The applicants are proposing to satisfy these requirements with the existing and proposed vegetation and existing fences as depicted on the SE Plat. Staff supports these modifications because staff believes that the proposed tree pole and compound, as designed, will blend in with the surrounding wooded area and will therefore pose a minimal visual impact on this residentially zoned property. Furthermore, no physical changes are proposed to the church and school. Staff believes that the proposed increase in students and employees does not represent a discernable increase in site intensity. Therefore, staff supports the requested modification.

It should be noted that the SE Plat depicts an existing fences with barbed wire along the perimeter of the property. Barbed wire fences are not permitted in the R-E District. Therefore, staff recommends a development condition which would require the barbed wire to be removed.

Special Exception Requirements (Appendix 10)

General Standards (Sect. 9-006)

Standard 1 requires that the proposed use at the specified location be in harmony with the adopted comprehensive plan. As stated in the Land Use/2232 Analysis, based on the criteria for location, character, and extent, staff believes that the

proposal is in harmony with the Comprehensive Plan. In addition, staff believes that the existing church and school is also in harmony with the Comprehensive Plan. Therefore, staff believes that this standard has been satisfied.

Standard 2 requires that the proposed use be in harmony with the general purpose and intent of the applicable zoning district regulations. The R-E District permits the proposed uses with a special exception. The general purpose and intent of the R-E District is to promote agricultural uses and low density residential uses at a density not to exceed one dwelling unit per two acres and to allow other selected uses which are compatible with the open and rural character of the district. Staff believes that the proposed modifications to the church and school will continue to meet this purpose and intent of this district because they will not result in any physical changes to the site. Likewise, staff believes that proposed telecommunication facility is compatible with the open and rural character of the district because the facility is designed to be hidden among the site's existing mature trees. The proposed uses do not violate any required R-E District regulations with regard to bulk regulations or FAR. Therefore, staff believes that this standard has been satisfied.

Standard 3 requires that the proposed use be harmonious with and not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof. Staff believes that the proposed height (148 feet) of the tree pole will blend in with the surrounding wooded area and with the proposed supplemental landscaping, it will not be visually obtrusive to surrounding residential properties. No physical change is proposed to the existing church/school structure and all previously approved development conditions will be carried forward. Therefore, staff believes that this standard has been satisfied.

Standard 4 requires that the proposed use be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood. Pedestrian and vehicular traffic would not be impacted by the proposed telecommunications facility. In addition, as discussed in the Transportation Analysis, staff does not believe that the requested increase in students and employees at the church and school will result in an increase in traffic which is hazardous or conflicts with the existing and anticipated traffic in the neighborhood. Therefore, staff believes that this standard has been satisfied.

Standard 5 requires that in addition to the standards which may be set forth in the Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13. The Zoning Ordinance

requires that a Type 3 transitional screening yard be located between light public utility uses and residential properties. In addition, transitional screening and barriers are required between residential properties and a church and school. As discussed above, the applicants are requesting a modification of the transitional screening and barrier requirements along all property lines to the existing and proposed vegetation and barriers as shown on the SE Plat. As stated earlier in this report, staff supports the requested modifications because the proposed telecommunications facility will be constructed as a tree pole and the existing vegetation, barrier and supplemental landscaping will be effective in camouflaging the proposed tree pole. Therefore, staff believes that this standard has been satisfied.

Standard 6 requires that open space be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located. There is no Zoning Ordinance requirement for the proposed use; however, the SE Plat indicates that 81% of the site would remain as open space. Therefore, staff believes that this standard has been satisfied.

Standard 7 requires that adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11. The applicants will be seeking a waiver of stormwater management at the time of site plan. DPWES believes that such a waiver is likely to be granted due to the minor increase in stormwater runoff generated by this application. DPWES also believes that if it is determined that the applicants must meet water quality control requirements, that these requirements can be satisfied by placing a conservation easement over a portion of the site. With regard to parking, because the school and church do not operate concurrently, staff believes that the existing 127 spaces will satisfy the provision of Article 11. However, it should be noted that DPWES will need to approve a shared parking agreement based on the non-competing hours of operation for the church and school. Therefore, with the implementation of the staff-proposed development conditions, staff considers this standard satisfied.

Standard 8 requires that signs be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance. There are no new signs proposed with this use, therefore this standard has been satisfied.

Category 1 Standards (Sect. 9-104)

Standard 1 states that Category 1 special exception uses shall not have to comply with the lot size requirements or the bulk regulations set forth for the zoning district in which located.

Standard 2 states that no land or building in any district other than the I-5 and I-6 District shall be used for the storage of materials or equipment, or for the repair or servicing of vehicles or equipment, or the parking of vehicles except those needed

by employees connected with the operation of the immediate facility. The subject property is zoned R-E; no storage or maintenance facilities are proposed. Therefore, this standard has been satisfied.

Standard 3 requires that if the proposed location of a Category 1 use is in an R district, there shall be a finding that there is no alternative site available for such use in a C or I district within 500 feet of the proposed location; except that in the case of electric transformer stations and telecommunication central offices, there shall be a finding that there is no alternative site available in a C or I district within a distance of one (1) mile, unless there is a substantial showing that it is impossible for satisfactory service to be rendered from an available location in such C or I district. The applicants have stated that attempts were made to find alternative sites for this use. There are no commercial or industrial properties within 500 feet of the site. Publicly-owned properties, including the Difficult Run Stream Valley Park and the Little Difficult Run Stream Valley Parks, were not suitable for the location of the tree monopole for technical and environmental reasons. Due to the topography, these sites are too low to allow the wireless carriers to meet their coverage objectives. Invisible Tower also investigated school sites (sites that were not both a church and school), both public and private, but concluded that each would be too far from the coverage objective area. In addition, the existing VDOT right-of-ways with existing telecommunication facilities are too far from the target coverage area around the subject property. The proposed location has been determined ideal for adequate service for this facility consistent with the Plan guidelines to consider public lands or commercial and industrial land use as preferred locations. Staff concurs with this conclusion and considers this standard satisfied.

Standard 4 states that, before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans. A development condition would require the applicants to file a site plan per Article 17 of the Zoning Ordinance. With the implementation of this development condition, staff believes that this standard has been satisfied.

Additional Standards for Mobile and Land Based Telecommunication Facilities (Sect. 9-105)

Standard 1 requires that, except for antennas completely enclosed within a structure, all antennas and their supporting mounts shall be of a material or color that closely matches and blends with the structure on which it is mounted. Up to 12 standard antenna per telecommunications carrier with up to five carriers and up to six antenna per wireless internet carrier with up to two such carriers will be located at the top of the proposed telecommunications tower, which will be compatible with the structure that they are located on. The stealth design of the tree pole will conceal the antennae and telecommunications tower. Therefore, this standard has been satisfied.

Standard 2 requires that except for a flag mounted on a flagpole as permitted under the provisions of Par. 2 of Sect. 12-203, no commercial advertising or signs shall be

allowed on any monopole, tower, antenna, antenna support structure, or related equipment cabinet or structure. The applicants have not proposed any advertising or signs on the telecommunications tower or equipment shelter. Therefore, staff believes that this standard has been satisfied.

Standard 3 requires that if any additions, changes or modifications are to be made to monopoles or towers, the Director shall have the authority to require proof, through the submission of engineering and structural data, that the addition, change, or modifications conforms to structural wind load and all other requirements of the Virginia Uniform Statewide Building Code. A development condition has been included that would require conformance with this standard should any modifications be made to the proposed telecommunications facility. Therefore, with the implementation of this development condition, staff believes that this standard has been satisfied.

Standard 4 requires that no signals, lights or illumination shall be permitted on an antenna unless required by the Federal Communication Commission, the Federal Aviation Administration or the County, provided, however, that on all antenna structures which exceed 100 feet in height, a steady red marker light shall be installed and operated at all times, unless the Zoning Administrator waives the red marker light requirement upon a determination by the Police Department that such marker light is not necessary for flight safety requirements for police and emergency helicopter operations. All such lights shall be shielded to prevent the downward transmission of light. The proposed telecommunications facility includes a 148-foot tall tree pole. A development condition has been included requiring that a steady red marker light be installed unless waived by the Zoning Administrator. Therefore, with the implementation of this development condition, staff believes that this standard has been satisfied.

Standard 5 requires that 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. A development condition requiring conformance with this standard has been included. Therefore, with the implementation of this development condition, staff believes that this standard has been satisfied.

Standards for all Category 3 Uses (Sect. 9-304)

Standard 1 states that for public uses, it shall be concluded that the proposed location of the special exception use is necessary for the rendering of efficient governmental services to residents of properties within the general area of the location. The proposed application is not considered a public use; therefore, this standard is not applicable.

Standard 2 states that except as may be qualified in the following Sections, all uses shall comply with the lot size requirements of the zoning district in which located. The subject application complies with the lot size requirements of the R-E District.

Standard 3 states that except as may be qualified in the following Sections, all uses shall comply with the bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Category 3 use may be increased. As shown above, the subject application complies with the bulk regulations of the R-E District.

Standard 4 states that all uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan as may be required by Part 9 of Article 14. With the implementation of the staff-proposed development condition, staff believes that this standard is satisfied. It should be noted that no athletic fields are provided as part of the school.

Standard 5 states that before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans. With the implementation of the staff-proposed development condition, staff believes that this standard is satisfied.

Additional Standards for Private Schools of General Education and Private Schools of Special Education (Sect. 9-310)

Standard 1 states that in addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area for a private school of general education shall be of such size that:

- *200 square feet of usable outdoor recreation area shall be provided for each child in grades K-3 that may use the space at any one time, and*
- *430 square feet of usable outdoor recreation area shall be provided for each child in grades 4-12 that may use the space at any one time. Such usable outdoor recreation area shall be delineated on a plat submitted at the time the application is filed.*

For the purpose of this provision, usable outdoor recreation area shall be limited to:

- *That area not covered by buildings or required off-street parking spaces.*
- *That area outside the limits of the required front yard.*
- *Only that area which is developable for active outdoor recreation purposes.*
- *An area which occupies no more than eighty (80) percent of the combined total areas of the required rear and side yards.*

The subject site is 17.95 acres. The SE Plat indicates an existing outdoor play area between the church/school structure and the chapel, with approximate dimensions of 120 feet by 90 feet (or 10,800 SF). Furthermore, staff believes that the sufficient play area exists outside of those areas covered by building, parking areas, and

yards, which is developable for active outdoor recreation purposes, to satisfy this standard.

Standard 2 states that in addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area of a private school of special education shall be based upon a determination made by the Board; provided, however, that the proposed use conforms with the provisions set forth in Sect. 304 above. As noted above, the subject site conforms with the minimum lot size requirements.

Standard 3 states that all private schools shall be subject to the provisions set forth in Par. 2 and 3 of Sect. 309 above. If applicable, such uses shall also be subject to the regulations of Chapter 30 of The Code or Title 63.1, Chapter 10 of the Code of Virginia. Paragraphs 2 and 3 of Sect. 9-309 state that all uses shall be located so as to have direct access to an existing or programmed public street of sufficient right-of-way and cross-section width to accommodate pedestrian and vehicular traffic to and from the use and that all uses shall be located so as to permit the pick-up and delivery of all persons on the site. The subject site is located off of Vale Road, a collector street, which staff believes is of sufficient right-of-way and cross-section width to accommodate 135 students. The applicants have submitted a copy of the school's drop-off/pick-up instructions to parents. These instructions specifically state that vehicles are not to stack on Vale Road during drop-off and pick-up. The school also notes that they are seeking the increased hours of operation so that there is a larger window of time for drop-off and pick-up of students. Staff believes that the school's program of student pick-up and drop-off has worked to prevent any traffic from queuing up on Vale Road. Therefore, staff believes that this standard has been satisfied.

Additional Standards for Churches, Chapels, Temples, Synagogues or Other Such Places of Worship With a Child Care Center, Nursery School or Private School (Sect. 9-314)

Sect. 9-314 of the Zoning Ordinance states that churches, chapels, temples, synagogues and other such places of worship with a child care center, nursery school or private school of general or special education may be approved as a special exception use in accordance with the provisions of Part 3 of Article 9 of the Zoning Ordinance or as a special permit use in accordance with the provisions of Part 3 of Article 8. The choice of whether to file an application for a special permit or special exception shall be at the applicants' discretion. In either event, such use is subject to the additional standards set forth in Sections 309 and 310 above. The applicants have chosen to file its application under the provision of Part 3 of Article 9 of the Zoning Ordinance. An analysis of how the proposed application conforms to the provision of Sect. 9-310 is contained above.

CONCLUSION AND RECOMMENDATIONS

Conclusions

The applicants seek a special exception (SE 2005-SU-020) to permit a place of worship and school of general education previously approved pursuant to SPA 87-C-055-3 to permit an increase in enrollment from 99 to 135 students at the Dominion Christian School, to increase the school hours from 9:00 AM to 3:15 PM weekdays to 8:30AM to 4:00 PM weekdays, to increase the number of school employees from 12 to 17, to increase the number of church employees at the Whole World Fellowship and Church at Northern Virginia from 3 to 7, and to permit a telecommunications facility (148-foot high tree pole). Staff concludes that the special exception is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provision.

Staff also concludes that Application 2232-Y05-10 for Invisible Tower, Inc. to construct a 148-foot high tree monopole, antennas, equipment shelters and compound and site improvements located at 10922 Vale Road in Oakton, satisfies the criteria of location, character, and extent as specified in Section 15.2-2232 of the *Code of Virginia*, and recommends that the Planning Commission find the proposal substantially in accord with provisions of the adopted Comprehensive Plan.

Recommendations

Staff recommends that the Planning Commission find that the telecommunications facility proposed under 2232-Y05-10 satisfies the criteria of location, character, and extent as specified in Section 15.2-2232 of the *Code of Virginia*, and therefore is substantially in accord with the provisions of the Comprehensive Plan.

Staff recommends approval of SE 2005-SU-020, subject to the proposed development conditions contained in Appendix 1.

Staff recommends that the transitional screening and barrier requirements along all property lines be modified to the existing and proposed vegetation and existing fences as depicted on the SE Plat.

It should be noted that it is not the intent of staff to recommend that the Board of Supervisors, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of Staff; it does not reflect the position of the Board of Supervisors.

APPENDICES

1. Proposed Development Conditions
2. Affidavit
3. Approved Development Conditions for SPA 78-C-055
4. Land Use/2232 Review Analysis, including Applicants' Statement of Justification
5. Transportation Analysis
6. Environmental Analysis
7. Urban Forest Management Analysis
8. Stormwater Analysis (Environmental and Site Review Division, DPWES)
9. Applicable Zoning Ordinance Provisions
10. Glossary of Terms

PROPOSED DEVELOPMENT CONDITIONS

SE 2005-SU-020

September 15, 2005

If it is the intent of the Board of Supervisors to approve SE 2005-SU-020 located at 10922 Vale Road [Tax Map 37-1 ((1)) 17 and 17A] previously approved pursuant to SPA 87-C-055-3 for an existing place of worship and private school of general education to permit a telecommunications facility (tree pole and related equipment shelters) and to amend the development conditions for the place of worship and private school of general education to permit an increase in students, an increase in school hours and an increase in the number of school and church employees pursuant to Section 3-E04 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. Previously approved conditions (from SPA 78-C-055-3) are marked with an asterisk (*). New conditions and changes to previous conditions are underlined.

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 (SE Plat) approved with this application, as qualified by these development conditions.
3. A copy of this Special Exception 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, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved SE Plat entitled "Invisible Towers, LLC: Difficult Run," prepared by Entrex Communication Services, Inc., consisting of 13 sheets, dated March 23, 2005, as revised through August 19, 2005. Minor modifications to the approved Special Exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
5. The maximum number of church seats in the main area of worship shall be limited to 430.*
6. There shall be no concurrent use of the existing facility by the church and the private school of general education. The church office may remain open for use by the church pastor and administrative staff during hours of operation of the private school of general education.*

7. Upon issuance of a Non-Residential Use Permit (Non-RUP) for this special exception, the maximum daily enrollment of the private school of general education shall not exceed 135 students, ages five (5) to fourteen (14) years, enrolled in grades kindergarten through eight (8).
8. Upon issuance of a Non-Residential Use Permit (Non-RUP) for this special exception, the maximum number of employees of the private school of general education shall be limited to 17 on-site at any one time.
9. Upon issuance of a Non-Residential Use Permit (Non-RUP) for this special exception, normal hours of operation of the private school of general education shall be limited to 8:30 AM to 4:00 PM, Monday through Friday, during the months of September through June. No students shall arrive prior to 8:15 AM.
10. The number of parking spaces provided shall satisfy the minimum requirement set forth in Article 11 and shall be a minimum ~~and a maximum~~ of 127 spaces per DPWES approval. Prior to the issuance of the Non-RUP for this special exception, a shared parking agreement shall be submitted for the review and approval of DPWES based on the non-competing hours of operation for the church and school. All parking shall be on-site and shall be designed according to the Public Facilities Manual (PFM) requirements.
11. The existing and supplemental trees and landscaping shall be provided and maintained along all lots lines as shown on the SE Plat, subject to the review and approval of Urban Forest Management, DPWES. Any dead or dying plantings shall be replaced as approved by Urban Forest Management, DPWES.
12. Interior parking lot landscaping shall be maintained in accordance with Article 13.*
13. Barrier requirements shall be modified along all lot lines in favor of the natural existing vegetation and supplemental plantings and existing fences as shown on the SE Plat. Any barbed wire on site shall be removed prior to the issuance of the Non-RUP for this special exception.
14. The limits of clearing and grading shall be ~~established~~ as shown on the SE Plat.
15. The applicant shall encourage carpooling, busing or vanpooling for the school use. Information detailing the arrival/dismissal procedures for the school, similar to the attached exhibit, shall be distributed to the parents/guardians of students each year to ensure that there is no back-up of traffic onto Vale Road. In addition, during drop-off and pick-up hours each school day, a member of the school shall be present to ensure that the procedures are followed.
16. The existing facility shall remain connected to public water and the previously approved on-site sewage disposal system.*

17. The telecommunications tower shall be designed as a tree pole in substantial conformance with the elevation depicted on the SE Plat. The maximum height of the telecommunications tower (tree pole) shall not exceed 148 feet.
18. Unless waived by the Zoning Administrator, a steady red marker light shall be installed on the monopole and operated at all times. Said light shall be shielded to prevent the downward transmission of light.
19. An eight (8) foot tall fence shall be installed around the perimeter of the telecommunications compound as shown on the SE Plat.
20. There shall be no outdoor storage of materials, equipment, or vehicles within the wireless compound for the telecommunications facility.
21. A landscape plan shall be submitted concurrent with site plan review and shall be subject to the review and approval of the Urban Forest Management, DPWES. Landscaping shall be provided as shown on the SE Plat. Additional plantings shall also be provided along the eastern portion of the telecommunications compound to provide further screening of the compound. Trees used to screen the telecommunication compound shall be shade-tolerant tree species. In addition, the landscape plan shall utilize a diverse selection of tree species so that no one tree species makes up more than 35% of the total trees proposed. Trees proposed for the eastern boundary shall be relocated out of the root zones of the mature existing trees as much as possible, and placed as close to the proposed facility as practicable, as determined by Urban Forest Management. All planted trees shall be located a minimum of four feet from the retaining wall or other root barrier.
22. A tree preservation plan shall be submitted as part of the first and all subsequent site plan submissions with the intent to preserve as many trees as possible on the site. The preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a certified arborist or landscape architect, and reviewed and approved by the Urban Forest Management, DPWES. Such plan shall be implemented as approved by Fairfax County. All trees shown to be preserved shall be protected by a tree protection fence. Tree protection fencing to consist of four foot high, 14 gauge welded wire attached to 6 foot steel posts driven 18 inches into the ground and placed no further than 10 feet apart shall be erected at the limits of clearing and grading as shown on the SE Plat. All tree protection fencing shall be installed, as approved by the Urban Forester, prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree fences, except super silt fence, shall be performed under the supervision of a certified arborist. Three days prior to the commencement of any clearing, grading, or demolition activities, the Urban Forest Management, DPWES shall be notified and given the opportunity to inspect the site to assure that all tree protection devices have been correctly installed.

23. Stormwater Management (SWM) and Best Management Practices (BMP) shall be provided in accordance with the requirements of the Public Facilities Manual (PFM) as determined by DPWES.
24. No signs shall be permitted on the subject property for the advertisement of the users of the telecommunications facility.
25. Should the need arise to alter the telecommunications monopole from that shown on the SE Plat, the applicant shall submit engineering and structural data affirming that said alterations conform to structural wind load and all other requirements of the Virginia Uniform Statewide Building Code to DPWES prior to alteration.
26. Any component(s) of the telecommunications facility shall be removed within 120 days after such component(s) are no longer in use.
27. The maximum number of antennas shall be 72.
28. The area within the Resource Protection Area (RPA) shall remain undisturbed; however, any restoration/replanting of this area shall be permitted.

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 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 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.