



APPLICATION FILED: September 22, 2006
PLANNING COMMISSION: March 14, 2007
BOARD OF SUPERVISORS: Not Yet Scheduled

County of Fairfax, Virginia

February 28, 2007

STAFF REPORT

APPLICATION PCA 2004-DR-023-2/SEA 00-D-006-3

DRANESVILLE DISTRICT

APPLICANT: Oakcrest School

ZONING: R-1

PARCEL(S): 21-3 ((1) 56A

ACREAGE: 5.46 acres

FLOOR AREA RATIO (FAR): 0.12

OPEN SPACE: 40%

PLAN MAP: Residential, 1-2 du/ac

PCA PROPOSAL: Amend the previously-approved proffers to reflect a revised site layout

SEA PROPOSAL: Amend the previously approved Category 3 Special Exception for a private school of general education to decrease the amount of provided parking, to permit outdoor sports courts, to permit a 10-foot high fence to be located around the outdoor sports courts per Sect. 9-624 of the Zoning Ordinance, to permit existing temporary trailers to remain longer, to permit summer activities, to modify the requirement for a traffic marshal, to reduce the SEA land area and to permit associated modifications to site design and development conditions.

O:\clewi4\special exceptions\sea 00-d-006-3, oakcrest school\cover.doc

Department of Planning and Zoning

Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703 324-1290
FAX 703 324-3924
www.fairfaxcounty.gov/dpz/

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 2004-DR-023-2, subject to the execution of draft proffers contained in Appendix 1.

Staff recommends approval of SEA 00-D-006-3, subject to the proposed development conditions contained in Appendix 2.

Staff recommends that Sect. 2-414 of the Zoning Ordinance, which requires the principal buildings of a non-residential use to be set back 75 feet from the right-of-way of an interstate highway (Interstate 495) be waived in order to permit the modular classrooms to be located 30 feet from Interstate 495 as shown on the GDP/SEA Plat.

Staff recommends that the transitional screening requirement along the eastern and southern property lines be modified to the existing landscaping as depicted on the GDP/SEA Plat.

Staff recommends that the barrier requirement along the eastern and southern property lines be waived.

It should be noted that it is not the intent of 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 recommendations 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.



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 WILL BE
FOUND AT THE BACK OF THIS REPORT**

DESCRIPTION OF THE APPLICATION

Special Exception Amendment Request

The applicant seeks to amend the previously approved Category 3 Special Exception for a private school of general education (SE 00-D-006) to decrease the amount of provided parking from 228 spaces to 104 spaces, to permit outdoor sports courts and a containment structure (10-foot high fence) to be located around the outdoor sports courts per Sect. 9-624 of the Zoning Ordinance, to permit the temporary trailers to the north of the school to remain until 2015 and to reduce the SEA land area by removing a 1,255 square feet strip of land along the site's southern property line and to permit other associated modifications to the site design and development conditions.

Currently, the site is used as a private school of general education. The site had also previously been used as a place of worship and as such, parking on the site had to be provided for both uses. On June 30, 2004, however, the place of worship ceased operation from the site. As such, the applicant seeks to eliminate some of the excess parking on the site (124 parking spaces) and convert it to sports courts and open grassy area. The applicant is also seeking to delete a five-foot wide strip (1,255 square feet) of land along the southern property line of the site in order to eliminate the existing front yard requirement along this portion of the site. Eliminating the front yard would permit the applicant to locate the sports courts within this portion of the site.

The applicant is also seeking to enclose the sports courts (tennis and basketball courts) with a 10-foot high vinyl fence. Because such fences are limited to a maximum of seven feet in height per Par. 3(E) of Sect. 10-104, the applicant seeks to permit an increase in height for the fence per Sect. 9-624 of the Zoning Ordinance (Containment Structures Associated with Outdoor Recreation/Sports Facility Playing Fields/Courts and Golf Courses).

The applicant has requested modifications of some of the existing development conditions. These changes are as follows:

- The applicant seeks to permit summer camp and summer school activities on-site. Currently, the development conditions prohibit summer camp activities. The applicant has stated that the enrollment in these summer activities would be limited to a total of 300 students at a time. Enrollment would not be limited to students who attend the school. The applicant has also stated that participants in the summer activities would be limited to students in 1st grade through 12th grade, however no more than 50 students entering 1st through 4th grade shall be allowed at one time. Summer activities would be permitted to start no sooner than (1) one week after the official close of the school year and would be

- required to end no later than (2) two weeks before the official start of the school year. The applicant has also stated that outside activities for the summer camp would be limited to no more than 50 people at a time between the hours of 8:00 AM and 4:00 PM.
- The applicant is also seeking to amend the development conditions regarding the leasing of the facilities to community organizations, not affiliated with or sponsored by the school. Currently, the school is permitted to lease out its facilities to other community organizations a maximum of two (2) times per month. The applicant is proposing the ability to lease out the facility 100 times a calendar year. However, the applicant has stated that no more than 50 community organization events a calendar year will have more than 50 people in attendance and that community organization events shall be limited to those events that can be parked entirely on-site. The applicant has also stated that there will be no regular church services on the site (other than those services associated with the school) and that all community organization events would end by 11 p.m., daily. Finally, the applicant would not lease out its facilities during the normal hours of operation for the school (7:00 AM to 6:00 PM, Monday through Friday).
 - The applicant is seeking the ability to start class hours at 7:50 AM, rather than 8:10 AM. No other change to the school hours are proposed. School hours of operation would remain from 7:00 AM to 5:00 PM for normal school use. Parent-teacher conferences and similar after-school activities would be limited to 11:00 PM. Fundraising events, school plays, musicals, and concerts would continue to be required to end by 12:00 AM (midnight).
 - The applicant would like to eliminate the requirement for a traffic marshal for regular school activities. The applicant has stated, however, that if documented complaints are raised with the County, that it will provide a traffic marshal as required by the Fairfax County Department of Transportation (FCDOT).
 - Currently, the applicant is required to send written notice to the Dranesville District Supervisor's office, the McLean Citizens' Association (MCA), the twenty-four (24) residences on Holyrood Drive, and to the North McLean Neighborhood Preservation Coalition (NMPC) six (6) months prior to filing any amendment to the current SE. The applicant would like the ability to have the requirement waived if agreed by the twenty-four (24) residences on Holyrood Drive and the President of the MCA (as evidenced by a signed petition).
 - During consideration of the last special exception amendment (SEA 00-D-006-2), the applicant received approval to permit two modular classrooms on site during interior renovations of the school. The approved conditions limited the use of the modular classrooms to 2011. Because the modular classrooms were not installed as quickly as originally expected and because it appears that interior renovations may take longer than originally thought, the applicant has requested the ability to use the modular classrooms until 2015.

Proffered Condition Amendment Request

The applicant is seeking a proffered condition amendment (PCA) to amend the previously-proffered site layout to reflect the changes to the parking and the addition of the sports courts as described above.

Waivers and Modifications

The applicant is seeking a reaffirmation of the following waivers and modifications:

- A waiver of Sect. 2-414 of the Zoning Ordinance which required non-residential structures to be located 75 feet from the right-of-way (ROW) of an interstate highway to permit two modular classrooms to be located 30 feet from the right-of-way of Interstate 495.
- A modification of the transitional screening requirement along the southern and eastern property lines to that shown on the GDP/SEA Plat
- A waiver of the barrier requirement along the southern and eastern property lines.

LOCATION AND CHARACTER

Site Description:

The application property is located on Balls Hill Road, north of its intersection with Georgetown Pike. The western side of the site is adjacent to the Capital Beltway (I-495). A sound barrier wall exists along this side of the site in the VDOT right-of-way. On the east side of the site are established single-family neighborhoods, zoned R-1. To the south is the Cooper Intermediate School. The site is currently developed with the Oakcrest School and, until recently, the McLean Bible Church, which was permitted to conduct Sunday church services in this facility until June 30, 2004. Since June 30, 2004, Oakcrest School has been the sole user of the site. The existing structure is a 38 feet high; the site also contains 312 space parking lot. There are three (3) points of access into the site from Balls Hill Road. A trickle ditch dry stormwater management pond is located in front of the parking lot in the southeastern portion of the site frontage. The site is landscaped with trees, both along its periphery and in the parking lot islands with the exception of the small northern parking lot which was constructed with the original building in 1965 and is not landscaped.

BACKGROUND (See Appendix 5)

The existing building on the site was constructed in 1965. Special Permit S-151-73 was approved by the BZA on September 12, 1973, to allow an addition to an existing church. Special Permit Amendments were approved for the church (McLean Bible Church) by the BZA in 1973, 1986, 1988, 1992 and in 1994.

Special Exception SE 00-D-006 was approved on July 24, 2000, which permitted establishment of the Oakcrest School, a private school of general education with an enrollment of 100 or more students on the site to share the facilities with the McLean Bible Church, until June 30, 2004. Sunday services were required to cease no later than June 30, 2004, pursuant to the current development conditions.

Special Exception Amendment SEA 00-D-006 was approved on July 21, 2003, which amended the previously-approved development conditions to add a 6th grade to the previously approved Grades 7-12, with no increase in enrollment and to permit leasing of the facilities to third parties not affiliated with or sponsored by the school a maximum of two times per month.

Special Exception Amendment SEA 00-D-006-2 and Proffered Condition Amendment PCA 2004-DR-023 were approved on August 2, 2004. Under SEA 00-D-006-2, the church use was deleted from the site. In addition, two modular classrooms were permitted on the site until August 2, 2011. PCA 2004-DR-023 was filed to waive the 75-foot setback for principal buildings of a non-residential use from the right-of-way of an interstate highway (Sect. 2-414 of the Zoning Ordinance) in order to permit the proposed modular classrooms to be located 30 feet from Interstate 495. The approved proffers also committed to the site layout shown on the Generalized Development Plan (GDP)/SEA Plat and to mitigate the interior noise levels of the modular classrooms to 45 decibels (dBA).

Complete files for these applications are available in the Department of Planning and Zoning. A copy of the approved proffers for PCA 2004-DR-023 and the approved development conditions for SEA 00-D-006-2 are contained in Appendix 5.

COMPREHENSIVE PLAN PROVISIONS

Plan Area:	McLean Planning District; Area II
Planning Sector:	Potomac Palisades Community Planning Sector
Plan Map:	Residential use at a density of 1 to 2 du/acre

There is no specific Plan text for this site.

ANALYSIS

Combined GDP/SEA Plat (Copy at the front of the staff report)

Title of GDP/SEA Plat:	Oakcrest School
Prepared by:	VIKA
Original and Revision Dates:	April 25, 2006, as revised through January 24, 2007

The combined GDP/SEA Plat consists of three sheets which show the existing school facility, parking and landscaping, as well as the stormwater (SWM) detention and best management practices (BMP) calculations.

Reduction in Land Area: The subject site is a triangular in size and forms a “point” at the northern end of the site. The site is bounded by Balls Hill Road to the east, the Capital Beltway (I-495) to the west and Georgetown Pike to the south. As such, the site currently has two front yards (Balls Hill Road and Georgetown Pike), a rear yard (the point) and a side yard (Interstate 495). The application proposes to delete a five (5) foot wide strip of land along the southern property line from the SEA area. This area would then become a non-buildable outlot.

School: The school is a brick structure, 38 feet in height, which is located generally in the center of the site. The site itself is a triangular piece of property which is located between Balls Hill Road and Interstate 495 (the Capital Beltway), with the right-of-way of Georgetown Pike at its southern perimeter. With the exception of a wooded area in the northern portion of the site, the entire site is development with either the school or parking. An existing Virginia Department of Transportation (VDOT) sound barrier is located along the site’s property line within the right-of-way for I-495.

Trailers: A small parking area is located on the north side of the school. A loading area, a dumpster and metal shed are also in the northern part of the site. Within this small parking area to the north of the school, between the loading area and the dumpster and shed, there are the two existing modular classrooms, each of which is 24 feet by 60 feet in size. These two trailers are arranged in an “L” shape with a wooden deck/sitting area located within the “L.” The trailers are located 40 feet from the site’s property line along Balls Hill Road and 30 feet from the site’s property line along Interstate 495. The applicant asks that the previously-approved waiver of the 75 foot setback requirement from an interstate highway which was approved under SEA 00-D-006-2 be reaffirmed in order to permit the two modular classrooms to continue to be located in their current location up until 2015.

Parking: In order to accommodate the school and the church uses, a total of 228 parking spaces were located on the subject site. With the exception of the small parking lot described above, the majority of spaces were located south of the school. Because the church no longer uses the site, the applicant seeks to eliminate 124 excess parking spaces. These spaces, located closest to Balls Hill Road would become an outdoor recreation area for the school. A total of 104 parking spaces would continue to be provided for the school (87 are required).

Outdoor Recreation: Three outdoor sports courts are depicted in the southwest portion of the site. Two of the courts (tennis), located parallel to the I-495 property line, are enclosed with a single 10-foot high black, vinyl coated chain link fence. A batting cage is also proposed to be located between these two courts and the I-495 property line. The third court (multipurpose), located parallel to the southern property line, is also enclosed with a 10-foot high black, vinyl coated chain link fence. A proposed 400 square foot equipment shed is depicted to be located between the sports courts (along the southern property line); however, a note indicates that the location of the shed is subject to change. As noted above, 124 parking spaces are proposed to be eliminated. These parking spaces and associated travel aisles are shown to be replaced with additional outdoor recreation areas (such as sports courts or open grassy areas) or with open grassy areas.

Land Use Analysis

Issue: Outdoor Recreation

Special Exception SE 00-D-006 was approved by the Board of Supervisors on July 24, 2000, which permitted the site to be used as a private school of general education and a place of worship. In order to address the requirement for outdoor recreation space for a school (Sect. 9-310 of the Zoning Ordinance), an outdoor recreation area was designated in the parking lot. It was recognized that the parking lot was not an ideal location for a play area but it was viewed as a temporary solution that could be improved through an amendment to the special exception when the place of worship (McLean Bible Church) moved to its new facility. Even though the school did not require all of the existing parking spaces, given the fact that the place of worship (McLean Bible Church) was approved to continue holding services on the site until June 30, 2004, the existing parking lot had to remain. Development Condition #10 specified that parking spaces could not be used for any purpose which interfered with parking use, except that the outdoor play area could not be used for parking during the school day. That development condition, which was included in the development conditions imposed with SEA 00-D-006-2, continues to govern the site. In addition, a note was added to the SEA 00-D-006-2 plat which states that no fencing of the outdoor play area is allowed.

The applicant now proposes three outdoor courts on the site. Two of these courts (tennis) would be enclosed with a single containment structure (a 10-foot high, black vinyl-coated, chain link fence). The remaining court (multipurpose) would also be enclosed with a 10-foot high, black vinyl-coated, chain link fence. The applicant is also proposing to eliminate 124 excess parking spaces and associated travel aisles, which could be converted to either additional outdoor sports courts or grassy open area for outdoor recreation.

Resolution:

Staff believes that the addition of the sports courts and the proposed conversion of the excess parking spaces will provide better quality outdoor recreation space for the school. For that reason, staff supports the applicant's proposal to add outdoor sports courts and to convert the existing excess parking to outdoor recreation areas.

Issue: Modular Classrooms

Under SEA 00-D-006-2, the applicant proposed the addition of two modular classrooms to house certain classes during interior renovations of the school, which the applicant anticipated would take approximately seven (7) years. As such, the approved development conditions permitted the two modular classrooms to remain on the subject site for seven years (until August 2, 2011.)

The applicant is now seeking an extension of this time period. The applicant has noted that the modular classrooms were not installed until the fall of 2005 (rather than the fall of 2004). The applicant also states that the development of the school master plan will take longer than previously anticipated, necessitating the use of the classroom for a longer period. As such, the applicant has requested that it be permitted use of the trailers until August 2, 2015.

Resolution:

While the applicant notes that it has not received any complaints from the community regarding these modular classrooms, staff believes that it is important that these classrooms not become a permanent feature of the site. Given the circumstances, staff is comfortable with permitting the classrooms to remain until August 2, 2015. However, staff believes that no further extensions should be granted in the future.

Issue: Summer Camp Activities

As noted in the beginning of this staff report, the applicant is seeking significant changes to the current development conditions in order to permit summer camp and summer school activities. The applicant has proposed restrictions on these activities, which include:

- Enrollment in the summer camp and summer school activities would be limited to a total of 300 students at a time;
- Participants would be limited to students entering 1st grade through 12th grade; however no more than 50 students entering 1st through 4th grade would be allowed at one time and enrollment would not be limited to students who attend Oakcrest School during the regular school year;
- The hours of operation of the summer activities would be 8:00 AM - 6:00 PM daily;
- Summer activities would only take place in the summer months, specifically commence no sooner than (1) one week after the official close of the school year and shall terminate no later than (2) two weeks before the official start of the school year.
- Outside activities would be limited to no more than 50 people at a time between the hours of 8:00 AM – 4:00 PM and no outside activities would take place after 4:00 PM, and
- More than one session of summer activities could take place at the School at one time, however start and end times would be coordinated to the maximum extent possible to prevent traffic at the school at multiple times during the day.

Staff has some concerns about the applicant's proposed language and the ability to enforce and monitor such conditions. For that reason, staff has tried to simplify the proposed development conditions to permit the applicant's desired changes but to also ensure that these conditions can be effectively monitored and enforced. Furthermore, staff is concerned about the traffic impact that summer camp and summer school activities may have on the surrounding neighborhood, especially given that there will be no regular bus service for these activities. As such, staff recommends that a traffic marshal be employed during summer camp and summer school activities.

Resolution:

With the implementation of the staff-proposed development conditions, staff believes that these issues are resolved.

Issue: Leasing of School Facilities

As noted in the beginning of this staff report, the applicant is seeking significant changes to the current development conditions in order to permit summer camp and summer school activities and to change the terms under which the school may lease out its facilities. The applicant has proposed restrictions on these activities, which include:

- The ability to lease the facility one hundred (100) times a calendar year, however no more than fifty (50) community organization events a calendar year will have more than fifty (50) people in attendance.
- A prohibition on regular church services (excluding those services associated with the School).
- The termination of all community organization events by 11 p.m., daily.
- A prohibition on any community organization events that cannot be parked entirely on-site.
- A prohibition on the leasing of the facility outside of the normal hours of operation of the school (7:00 AM – 6:00 PM, Monday through Friday) during the school year.

Staff has some concerns about the applicant's proposed language and the ability to enforce and monitor such conditions – particularly the ability to lease the facility 100 times a calendar year. For that reason, staff has tried to simplify the proposed development conditions to permit the applicant's desired changes but to also ensure that these conditions can be effectively monitored and enforced.

Resolution:

With the implementation of the staff-proposed development conditions, staff believes that these issues are resolved.

Transportation Analysis

Issue: Traffic Marshal

As noted at the beginning of this staff report, the applicant has requested that the condition regarding the use of a traffic marshal during regular school hours be eliminated. The applicant believes that the existing traffic patterns and volume associated with regular school activities are such that a traffic marshal is unnecessary. Staff, however, is concerned about the complete elimination of this condition. For that reason, staff and the applicant have agreed to a condition which would require the school to provide a traffic marshal for regular school activities if determined necessary by the FCDOT based on documented complaints received by any County Agency or County Official and after the applicant has attempted to take voluntary action to correct the problem.

Resolution:

With the implementation of the staff-proposed development conditions, staff believes that these issues are resolved. There are no other transportation issues.

Environmental Analysis

The Policy Plan recommends that new development should not expose people in noise sensitive environments, to noise in excess of DNL 45 dBA. The previously approved SEA and PCA applications permitted the existing modular classrooms are located 30 feet from I-495. As noted earlier, there is an existing VDOT noise barrier along the site's property line within the I-495 right-of-way, which provides noise attenuation for the subject site. In addition, the applicant has carried forward its proffer commitment to mitigate the interior noise levels of the modular classrooms to 45 dBA by utilizing exterior walls with a laboratory STC rating of at least 39 and doors and windows with a laboratory STC rating of at least 28. If windows constitute more than 20% of any façade, they will have the same laboratory STC as walls. Therefore, staff believes that the noise issue continues to be addressed.

There are no other environmental issues raised by this application.

ZONING ORDINANCE PROVISIONS (See Appendix 7)

Yard Requirements

As noted earlier in this report, the subject site currently has two front yards (Balls Hill Road and Georgetown Pike), a rear yard (the point) and a side yard (Interstate 495). The applicant seeks to delete a five-foot wide strip of land along the southern property line (Georgetown Pike) and to create an outlot. With the creation of the outlot, there would be a change in the yards for the school site. A front yard would remain along the eastern property line (Balls Hill Road) but the southern property line would become a side yard, as would the northern "point" of the site. The western property line (along I-495) would become a rear yard.

The applicant seeks to eliminate the front yard along Georgetown Pike so that the existing sports courts may be located within the front yard. (It should be noted that the site currently abuts the Georgetown Pike right-of-way, which extends up to 163 feet from the centerline of Georgetown Pike; as such, the school and its facilities are not readily visible from Georgetown.) Section 10-104(12) of the Zoning Ordinance states that no accessory use shall be within a minimum front yard. Eliminating the front yard along Georgetown Pike would permit the applicant to keep the existing sports courts in their current location and to also convert the excess parking spaces (and associated travel aisles) into future sports courts.

The following chart reviews the site's conformance with the R-1 setbacks with the new yard determinations:

Bulk Standards (R-1)		
Standard	Required	Provided
Front Yard	40 feet	Modular classroom is 40 feet from the eastern property line (Balls Hill Road).
Side Yard	20 feet	Modular classroom is approximately 450 feet from the northern "point" of the site. Proposed equipment shed would be at least 20 feet from the southern property line.
Rear Yard	25 feet	School structure is 29.5 feet from the western property line (I-495).
Building Height	60 feet maximum	38 feet (school structure)
FAR	0.15 Maximum	0.12 (27,442 SF of GFA)
Parking Parking Spaces	87 spaces	104 spaces
Loading Spaces	2 spaces	2 spaces

OTHER ZONING ORDINANCE REQUIREMENTS

Transitional Screening and Barrier Requirements

Transitional Screening 1 (a 25-foot wide unbroken strip of landscaped open space) and Barrier D, E, or F (a six-foot high barrier) is required between private schools and single-family detached dwellings. The applicant is seeking a modification of the transitional screening requirement and a waiver of the barrier requirement along the site's southern and eastern property lines to the landscaping as depicted on the GDP/SEA Plat. Staff believes that the existing landscaping along Balls Hill Road will continue to adequately buffer the single-family detached dwelling to the east, even with the addition of the proposed sports courts. In addition, given the distance between the school site and the single-family detached dwelling across Georgetown Pike, staff believes that the existing landscaping will also continue to buffer these residences. Therefore, staff supports the requested modification and waiver.

Special Exception Requirements (See Appendix 6)

- General Special Exception Standards (Sect. 9-006)
- Category 3 General Standards (Sect. 9-304)
- Additional Standards for Private Schools of General Education and Private Schools of General Education (Sect. 9-310)

The applicant was deemed to conform with the above standards when SEA 00-D-006 and SEA 00-D-006-2 were approved. No changes are proposed which would alter either of those findings.

- Additional Standards for Containment Structures Associated with Outdoor Recreation/Sports Facility Playing Fields/Courts and Golf Courses (Sect. 9-624)

Additional Standard 1 requires that detailed information relating to the anticipated trajectory of balls and other sports equipment and the need for a containment structure to keep such equipment on the property shall be submitted with the application. *The applicant proposes the 10-foot high fencing around two tennis courts and a basketball court. Given the small amount of space for outdoor recreation and its location next to existing parking and the general trajectory of basketballs, soccer balls, tennis balls, volleyballs, street hockey balls or pucks of students of school age, the applicant notes that 10-foot high fences are the generally accepted height needed in order to ensure that balls remain within the courts and do not interfere with the use of the surrounding areas – either for other outdoor recreation or for parking.*

Additional Standard 2 requires that the height, location, color and materials of the proposed containment structure, including the size of mesh for any netting, shall be identified in the application. *The applicant proposes a 10-foot high black, vinyl-coated chain link fence around the proposed sports courts.*

Additional Standard 3 requires that the material for the containment structure shall be limited to support structures, netting that is at least seventy-five (75) percent open in an evenly distributed pattern, and/or guy wires. *The proposed fencing meets this standard.*

Additional Standard 4 requires that wherever practical, the containment structure shall be designed in such a manner that, in the event of collapse, the structure will not fall onto adjacent property or right-of-way. *The proposed fencing around the outdoor sports courts is 10 feet high and is located no closer than 20 feet from the nearest property line. As such, should the fencing fall, it will not fall onto adjacent property or right-of-way.*

Additional Standard 5 prohibits signs from being located on any containment structures. *No signs are proposed to be located on the containment structure.*

Additional Standard 6 requires that wherever practical, the containment netting shall be removed when the outdoor sports facility is not in use due to seasonal changes or other factors. *No netting is proposed as part of the containment structures.*

Additional Standard 7 requires that a containment structure may be located on an adjacent lot to an outdoor recreation/sports facility playing field/court or golf course, whether or not such lot contains a principal structure or use. *This standard is not applicable.*

Additional Standard 8 states that such containment structure shall not be allowed in association with a privately used playing field/court on a lot containing a single family dwelling. *The outdoor sports courts are used in conjunction with a private school of general education.*

Waiver of the 75-foot Setback from an Interstate Highway (Sect. 2-414)

Sect. 2-414 of the Zoning Ordinance requires non-residential structures to be located a minimum of 75 feet away from the right-of-way of an interstate highway.

The original part of the structure, constructed in 1965, pre-dates this Zoning Ordinance requirement; it is located 29.86 feet from I-495. In addition, county records show approval of variances in 1988 and in 1994. Of particular note is VC 88-D-095 for setback from interstate highways which was approved on October 18, 1988, and permitted the construction of an addition 44 feet from the I-495 right-of-way.

As part of its approval of PCA 2004-DR-023, the Board waived Sect. 2-414 to permit the two modular classrooms to be located 30 feet from I-495. The applicant has sought a reaffirmation of this waiver. It should be noted that no change is sought in the location of these trailers. Staff supports the requested waiver.

Summary of Zoning Ordinance Provisions

All applicable standards have been satisfied with the proposed development conditions.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Staff concludes that the subject application is in harmony with the Comprehensive Plan. It is also in conformance with the applicable Zoning Ordinance provisions, with implementation of the Proposed Development Conditions contained in Appendix 1 of the Staff Report.

Staff Recommendations

Staff recommends approval of PCA 2004-DR-023-2, subject to the execution of draft proffers contained in Appendix 1.

Staff recommends approval of SEA 00-D-006-3, subject to the proposed development conditions contained in Appendix 2.

Staff recommends that Sect. 2-414 of the Zoning Ordinance, which requires the principal buildings of a non-residential use to be set back 75 feet from the right-of-way of an interstate highway (Interstate 495) be waived in order to permit the modular classrooms to be located 30 feet from Interstate 495 as shown on the GDP/SEA Plat.

Staff recommends that the transitional screening requirement along the eastern and southern property lines be modified to the existing landscaping as depicted on the GDP/SEA Plat.

Staff recommends that the barrier requirement along the eastern and southern property lines be waived.

It should be noted that it is not the intent of 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 recommendations of staff; it does not reflect the position of the Board of Supervisors.

APPENDICES

1. Draft Proffers
2. Proposed Development Conditions
3. Affidavit
4. Statement of Justification
5. Approved Proffers for PCA 2004-DR-023 and Approved Development Conditions and Plat for SEA 00-D-006-2
6. Applicable Zoning Ordinance Provisions Checklist
7. Glossary of Terms

PROFFERS

PCA 2004-DR-023-02

February 23, 2007

Pursuant to Section 15.2-2303(a) Code of Virginia, 1950, as amended, Oakcrest School for themselves, their successors, and assigns in PCA 2004-DR-023 (hereinafter referred to as the “Applicants”), filed for property identified as Tax Map 21-3 ((1)) 56A (hereinafter referred to as the “Application Property”), hereby proffers the following:

1. GENERALIZED DEVELOPMENT PLAN (“GDP”)
 - a. Development of the Application Property shall be in substantial conformance with the SEA Plat/GDP, which was prepared by Vika dated April 25, 2006 as revised through January 24, 2007.
 - b. The Applicant reserves the right to make minor adjustments to the modular buildings’ orientation, at time of site plan submission based on final engineering design, provided that such adjustments do not decrease the amount and general location of open space, parking, or minimum distances to peripheral lot lines, that the general orientation of the modular buildings that are shown on the GDP is maintained, and are in substantial conformance with the GDP and proffers.
2. Applicant shall utilize materials on the modular buildings with the following characteristics to achieve a maximum interior noise level of 45 of BA Ldn:
 - a. Exterior walls shall have a laboratory STC rating of at least 39.
 - b. Doors and windows shall have a laboratory STC rating of at least 28.
If windows constitute more than 20% of any façade, they should have the same laboratory STC as walls.

Oakcrest School
A District of Columbia non-profit corporation

By: _____ (seal)

Name: Roger Naill

Title: President, Board of Directors

PROPOSED DEVELOPMENT CONDITIONS

SEA 00-D-006-3

February 28, 2007

If it is the intent of the Board of Supervisors to approve SEA 00-D-006-3 located at Tax Map 21-3 ((1)) 56A at 850 Balls Hill Road previously approved for a private school of general education with an enrollment of 100 or more students pursuant to Sect. 3-104 and Sect. 9-006 of the Fairfax County Zoning Ordinance to permit the addition of outdoor sports courts, the deletion of parking and 1,255 square feet of land from the special exception amendment (SEA) area, the increase in height for the outdoor sports courts' containment structures to permit a 10 foot high fence per Sect. 9-624, and other changes to the development conditions and minor site modifications, staff recommends that the Board condition the approval by requiring conformance with the following development conditions which incorporate and supercede all previous conditions. Previously-approved conditions are marked with an asterisk (*)

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 approved with the application, as qualified by these development conditions. The use of the properties is limited to the use authorized by this Special Exception and no other use may be made of the subject property.*
3. A copy of this Special Exception and the Non-Residential Use Permit 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 Special Exception plat entitled, Oakcrest School, prepared by VIKA, dated April 25, 2006, and as revised through January 24, 2007, 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.
5. The maximum daily enrollment of the private school of general education shall be limited to 300 students in grades 6-12. *

6. Normal hours of operation for the School shall be limited to 7:00 a.m. until 5:00 p.m., Monday through Friday. Class hours shall be limited to approximately 7:50 a.m. until 3:00 p.m., Monday through Friday. Evening hours of operation for parent/teacher conferences and similar activities shall be limited to until 11:00 p.m. Monday through Friday. Normal extracurricular activities and other school-only activities shall end by 6:00 p.m., daily. Other school activities, such as fundraising events, school plays, musicals and concerts, shall end by 12:00 midnight.
7. Any on-site summer camp and summer school activities shall be subject to the following restrictions:
 - No more than one session of summer camp and summer school activities may take place on-site at any one time; however, total enrollment in summer camp and summer school activities shall be limited to a total of 300 participants at any one-time, provided that it can be demonstrated to DPWES and DPZ that all required parking can be provided on-site.
 - Participants shall be limited to students entering 1st grade through 12th grade; however, in order to limit the amount of outdoor activities and to address noise concerns, there shall be no more than 50 students entering 1st grade through 4th grade at any one time.
 - Summer camp and summer school activities may begin one week after the official end of the school year for Oakcrest School and must terminate no later than two (2) weeks before the official start of the school year for Oakcrest School.
 - The hours of operation of the summer camp and summer school activities shall be limited to 8:00 AM to 5:00 PM, Monday through Friday.
 - In order to address possible noise issues, outside activities shall be limited to no more than 50 people at any one time and shall only be permitted between the hours of 8:00 AM to 4:00 PM.
 - During summer camp and summer school activities, a traffic marshal shall be provided to direct and control traffic at the School's entrance on Balls Hill Road, at the median break opposite Holyrood Drive, for two 30 minute periods per weekday, defined as the one-half hour before the beginning of summer camp and summer school activities and 30 minutes after the summer camp and summer school activities, Monday through Friday. In addition, the starting and ending times of summer camp and summer school activities shall be coordinated to the maximum extent possible in order to stagger the arrival and departure time of traffic.

8. The School shall be permitted to lease its facilities to community organizations, not affiliated with or sponsored by the School subject to the following restrictions:
 - The leasing of facilities shall not be permitted during normal school hours of operation (7:00 AM to 6:00 PM, Monday through Friday).
 - The School may lease the facility a maximum of eight (8) times per month; however, no more than four (4) events per month shall have more than fifty (50) people in attendance. Any events which have more than fifty (50) people in attendance will be required to provide a traffic marshal to direct and control traffic at the School's entrance on Balls Hill Road, at the median break opposite Holyrood Drive, for two 30 minute periods, defined as the one-half hour before the scheduled start of the event and 30 minutes after the scheduled end of the event.
 - Community organization events shall terminate by 11 PM.
9. Transitional screening requirements along Balls Hill Road shall be modified to permit the existing landscaping to satisfy the screening requirement with the following conditions:
 - All of the landscaping shown on the Landscape Plan approved by the BZA with SPA 73-D-151-5 shall be provided on the site, as determined by Urban Forest Management (UFM), DPWES.
 - Evergreen trees shall be provided in front of all of the parking spaces between the main parking lot and the stormwater management pond to provide continuous year-round full screening of the parked vehicles and headlight glare, subject to UFM approval.
 - The parking lot located north of the existing building shall be screened with evergreen trees or shrubs to the extent feasible given the narrow width of the planting strip between the parking spaces and the road, subject to UFM approval.
 - All diseased and/or dying plant material shall be replaced as necessary to maintain a continuous year-round screen, particularly between the parking areas and the residential neighborhood, as approved by UFM.*
10. All vehicle parking shall be provided on-site. If additional parking is required during any special and occasional school-sponsored functions or when the facility is leased to community organizations, the School shall utilize appropriate off-site parking facilities from which participants shall be transported by shuttle bus to the event. Information detailing the location of off-site parking areas and shuttle bus details shall be included in all advertisements and notices for these events. In addition, a traffic marshal shall be provided to direct and control traffic at the School's entrance on Balls Hill Road, at the median break opposite Holyrood

Drive, for two 30 minute periods, defined as the one-half hour before the scheduled start of the event and 30 minutes after the scheduled end of the event.

The School shall provide adequate traffic controls for such overflow parking.

The School shall take all reasonable actions to prevent on-site parking by commuters or other parking not related directly to the operation of the school.*

11. If determined necessary by the Fairfax County Department of Transportation (FCDOT) based on documented complaints received by any County Agency or County Official, the School shall provide a traffic marshal to direct and control school traffic at the School's entrance on Balls Hill Road, at the median break, for two 30 minute periods per school day, defined as the one-half hour before the beginning of classes and 30 minutes after the end of classes, Monday through Friday, on school days during the regular school year and anytime attendance on the site is expected to equal or exceed that which occurs during the regular school day as a result of students, staff, and visitors. Prior to the imposition of any requirement for a traffic marshal, FCDOT shall notify the school of the nature and substance of any documented complaints and provided a reasonable opportunity to voluntarily take appropriate corrective action.
12. Parking spaces shall not be used for any purpose which interferes with their parking use by faculty, staff, students, and visitors to the school. Equipment and/or vehicles may only be stored in parking spaces designated as excess parking. Any school buses or vans which park on site overnight shall park on the side of the building adjacent to the I-495 noise wall.
13. Any new outdoor lighting shall be in conformance with the Performance Standards for Outdoor Lighting contained in Part 9 of Article 14 of the Zoning Ordinance. The maximum height of the light standards and fixtures shall not exceed twelve (12) feet. Parking lot lighting shall be extinguished no later than 10:00 p.m. daily, with the exception of special events subject to Par. 6 above.*
14. Except for emergencies, the use of outdoor loudspeakers shall be prohibited. There shall be no exterior bells or buzzers. The lawns shall not be mowed on weekends.*
15. The trash dumpster shall be fully screened from view by a masonry wall which has been designed to be compatible with the building materials, as determined by DPWES. Trash removal shall not occur before 7:00 a.m.*
16. Stormwater management, including BMPs, shall be provided for as determined by DPWES.*
17. Prior to the first day of school each year, the School administration shall establish a neighborhood liaison committee to meet with interested neighbors on a quarterly basis to discuss and address neighborhood concerns regarding the operation of the School as it relates to impacts on the surrounding neighborhood. The neighborhood liaison committee shall publish a contact person and

telephone number and provide the information to the Dranesville Supervisor's office prior to the first day of school each year.*

18. All car pool stacking shall occur on-site.*
19. The School administration shall establish a car pool coordinator to promote the maximum use of car pools with maximum occupancy vehicles.*
20. Students, faculty, and parents shall be instructed not to use Benjamin Street or Lawton Street to access Georgetown Pike.
21. The School shall send written notice to the Dranesville District Supervisor's office, the McLean Citizens' Association (MCA), the twenty-four (24) residences on Holyrood Drive, and to the North McLean Neighborhood Preservation Coalition (NMPC), at an address to be provided to the Dranesville District Supervisor's office by the NMPC, six (6) months prior to filing any amendment to this Special Exception. The School may be permitted to file an amendment to this Special Exception without said written notice only if this notice is waived by a petition signed by the twenty-four (24) residences on Holyrood Drive and the President of the MCA.
22. The two modular classrooms shall be permitted on the subject site as shown on the Special Exception Amendment Plat until August 2, 2015. These modular classrooms shall be similar to those depicted on the attached exhibit. In addition, a row of shrubs shall be planted in front of the proposed modular classrooms and wood deck sitting area to provide additional screening from Balls Hill Road.
23. The proposed storage shed shall be no taller than 8 ½ feet.

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 Sect. 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established as evidenced by the issuance of Non-RUPs for the summer school uses. 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.