



APPLICATION ACCEPTED: April 25, 2008
PLANNING COMMISSION: September 11, 2008
BOARD OF SUPERVISORS: Not Scheduled

County of Fairfax, Virginia

August 27, 2008

STAFF REPORT

SPECIAL EXCEPTION APPLICATION SE 2008-SP-014

SPRINGFIELD DISTRICT

APPLICANT: Little Acorn Patch, Ltd.

ZONING: C-6, HC

Location: 6226 Rolling Road

PARCEL(S): 079-3 ((4)) 42 and 43

ACREAGE: 6.89 acres

FAR: 0.28

PLAN MAP: Retail and Other

SE CATEGORY: Category 3; Child Care Center

PROPOSAL: Approval of a Child Care Center with a maximum daily enrollment of 89 students (ages 2 thru 12).

STAFF RECOMMENDATIONS:

Staff recommends approval of SE 2008-SP-014 subject to the proposed development conditions in Appendix 1.

Staff recommends approval of a modification of the barrier requirement.

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

Christopher M. DeManche

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.

The approval of this special exception does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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.

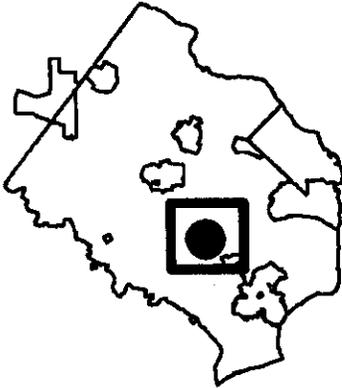
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Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

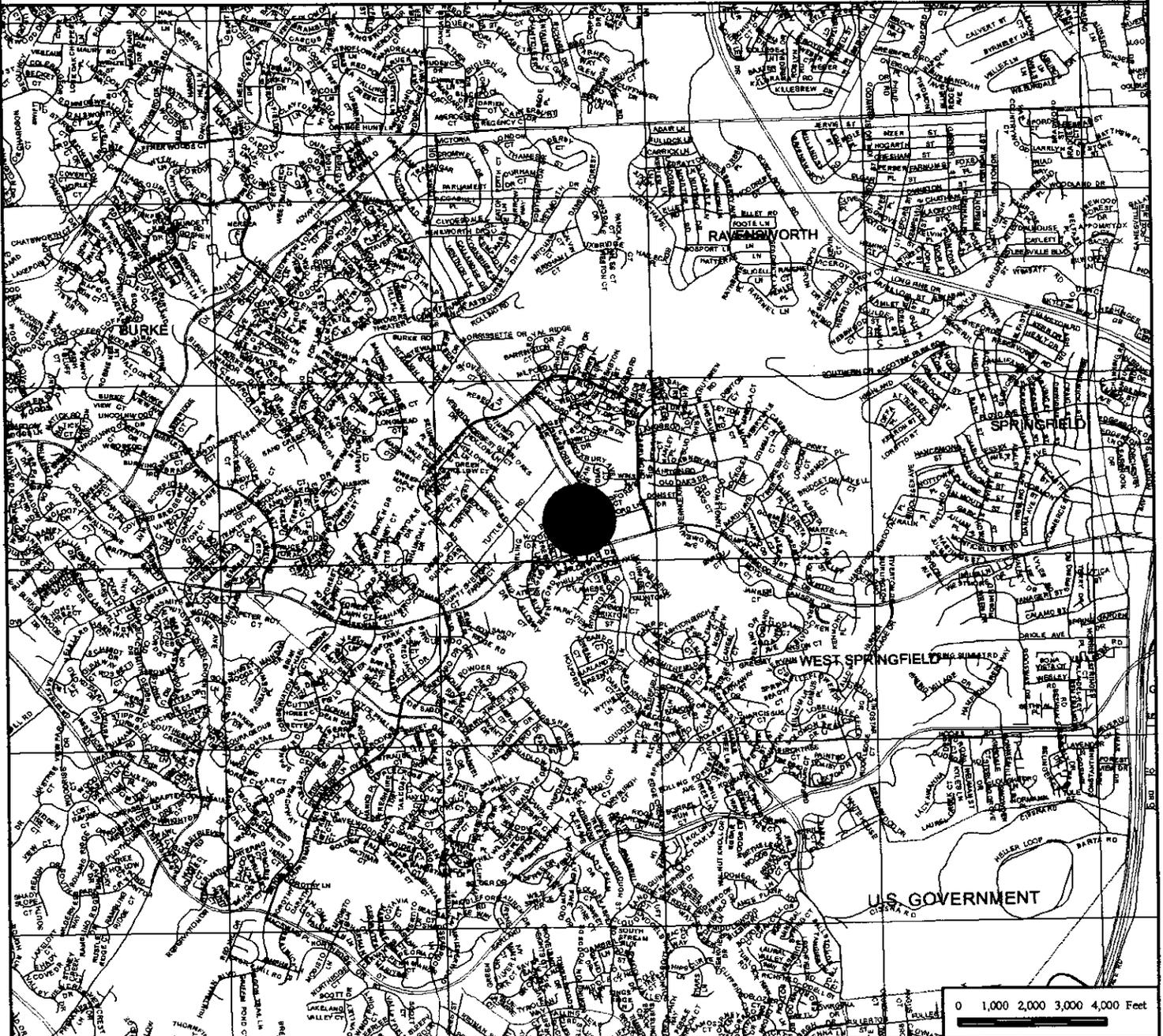
Special Exception

SE 2008-SP-014



Applicant: LITTLE ACORN PATCH, LTD
Accepted: 04/25/2008
Proposed: CHILD CARE CENTER
Area: 6.89 AC OF LAND; DISTRICT - SPRINGFIELD

Zoning Dist Sect: 04-0604
Art 9 Group and Use: 3-10
Located: 6226 ROLLING ROAD
Zoning: C-6
Plan Area: 3,
Overlay Dist: HC
Map Ref Num: 079-3- /04/ /0042 /04/ /0043

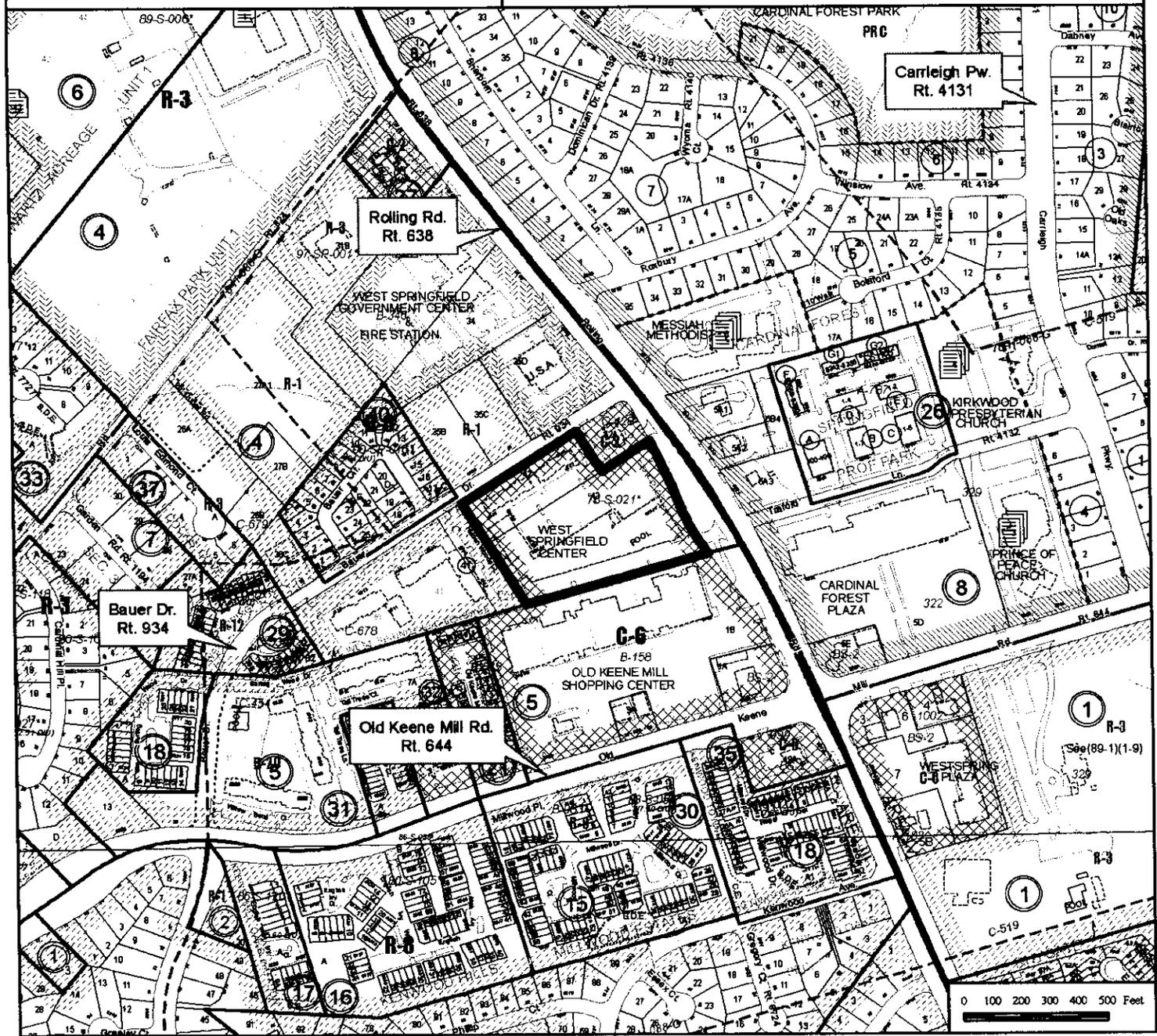
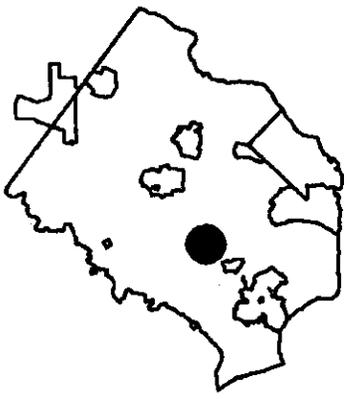


Special Exception

SE 2008-SP-014

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

DESCRIPTION OF THE APPLICATION

- Proposal:** The applicant, Little Acorn Patch Ltd, requests approval of a Special Exception to allow a Child Care Center.
- Number:** Maximum daily enrollment of 89 children, ages 24 months to 12 years, with proposed staggered drop-off and pick-up times between the hours of 6:00 to 9:00 am and 4:00 to 6:30 pm.
- Hours:** 6:45 am to 6:15 pm, Monday through Friday.
- Employees:** 11 full and part-time positions.
- Waivers and Modifications:** A modification of the barrier requirement along the western property line is requested with this application.

LOCATION AND CHARACTER

Site Description:

The application property is located at 6226 Rolling Road and is comprised of two units within the West Springfield Center. The site totals approximately 6.89 acres and is zoned C-6. Specifically, the site is located south of Bauer Drive and west of Rolling Road. Records indicate that the shopping center was constructed in 1979, with a total gross floor area of 26,948 square feet, which includes three, one-story structures providing retail, restaurant and office uses.

Surrounding Area Description:

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	West Springfield Government Center	R-1	Residential; 2-3 du/ac
South	Old Keene Mill Shopping Center	C-6	Commercial
East	Sun Trust Bank	C-2	Commercial
West	West Springfield Terrace Apartments	R-8	Residential; 12-16 du/ac

BACKGROUND**Site History:*****S-80-S-042 (Barbara Kaplan & Mary Byers)***

Approved June 24, 1980, to permit day care center within shopping center located at 6226 Rolling Road - 45 total students, ages 2-5.

S-82-S-075 (Barbara H. Kaplan & Mary M Byers)

Approved October 19, 1982, to amend S-80-S-042, to permit a change of hours of operation to 6:30 am to 6:30 pm, and ages of children to 2-7.

SPA 82-S-075-1 (Little Acorn Patch, Ltd.)

Approved January 29, 1985, to amend S-82-S-075 to permit change in the name of permittee and increase maximum number of children to 58.

VC 84-S-135 (Little Acorn Patch, Ltd. /B. Mark Fried)

Approved January 29, 1985, to allow child care center in shopping center with playground in required front yard req. by Section 8-307.

SPA 82-S-075-2 (Little Acorn, Ltd.)

Approved September 27, 1990, to amend SPA 82-S-075-1, to allow an increase in the total daily enrollment from 58 to 90 children.

The proposed child care center has been operating under a Special Permit since June 24, 1980, and has been approved for subsequent amendments on October 19, 1982, January 29, 1985, and September 27, 1990, for such items as the change in permittee, hours of operation, total enrollment and the range of ages for children.

The purpose of the Special Exception application is to bring the child care center use into compliance with the Zoning Ordinance. The Little Acorn Patch last received approval for a Special Permit Amendment (SPA 87-S-075-2) with development conditions on September 27, 1990 to allow an increase to the number of children from a maximum of fifty-eight to ninety. In addition, the amendment allowed the applicant to request up to two, five year extensions prior to the expiration of the use at the end of a five year period. Based on County records, no extensions were requested by the applicants; therefore the Special Permit to operate a Child Care Center is null and void.

The Board of Supervisors adopted Ordinance Amendment 01-337, on June 25, 2001. The Amendment included the change in status of child care centers from a Group 3 Special Permit use to a Category 3 Special Exception

use. Due to the expired Special Permit Amendment, The Little Acorn Patch is required to request a Special Exception to operate a Child Care Center pursuant to the Zoning Ordinance.

COMPREHENSIVE PLAN PROVISIONS

Plan Area: Pohick Planning District; Area III
Planning Sector: P2 Main Branch
Plan Map: Commercial

There is no specific plan text for this site.

ANALYSIS

SE Plat (Copy at the front of the staff report)

Title of SE Plat: Lots 44, 43 & a portion of 42
Fairfax Park Subdivision
Prepared by: Huntley, Nyce & Associates, Ltd.
Original and Revision Dates: May 4, 1993, as amended through
September 25, 2007.

The SE Plat consists of one (1) sheet, which includes the site layout, legend and general notes.

Site Design: The SE Plat depicts three existing one story structures with a total gross floor area of 26,948 square feet. The site is accessed by two-way driveways along Bauer Drive and Rolling Road and provides for internal circulation by the use of one and two lane internal driveways.

Parking: Parking is provided throughout the West Springfield Center with a total of 409 parking spaces available for customer and employee parking.

Access: Access to the site is provided by existing two way driveways along Bauer Drive and Rolling Road.

Outdoor Recreation: An outdoor playground area totaling 4,172 s.f. is located along the rear and side yards of the child care center, and is enclosed by an existing wooden fence totaling six feet in height.

Land Use Analysis

This request for a Special Exception to permit a Child Care Center would be compatible with surrounding neighborhood uses. The purpose of this request is to bring the existing Child Care Center into compliance with the Zoning Ordinance, per Amendment 01-337, which reclassified Child Care Centers from a Group 3 Special Permit use to a Category 3 Special Exception use. Based upon more detailed discussion below, staff believes that the Special Exception request is in harmony with the recommendations of the Comprehensive Plan.

Locational Guidelines for Child Care Facilities

In Fairfax County, as in other areas of the country, there is an increasing need for high-quality child care facilities. Such facilities should be encouraged throughout the County to the extent that they can be provided consistently with the following criteria:

1. *Child care facilities should have sufficient open space to provide adequate access to sunlight and suitable play areas, taking into consideration the size of the facility.*

The Little Acorn Patch child care center provides sufficient open space to ensure adequate access to sunlight and suitable play areas with a fenced play area totaling 4,172 square feet.

2. *Child care facilities should be located and designed to ensure the safety of children.*

The Little Acorn Patch child care center is designed with a play area enclosed by a six foot tall wood fence, which ensures the safety of the children.

3. *Child care facilities should be located and designed to protect children from excessive exposure to noise, air pollutants, and other environmental factors potentially injurious to health or welfare.*

The existing six foot tall wooden fence ensures the safety of the children and prevents excessive exposure to environmental factors that are potentially injurious to health and welfare.

4. *Child care facilities should be located and designed to ensure safe and convenient access.*

The Little Acorn Patch child care center is located within a shopping center with convenient access for pedestrians and automobiles to the surrounding right-of-ways of Bauer Drive and Rolling Road.

5. *Child care facilities in Suburban Neighborhoods should be located and designed to avoid creating undesirable traffic, noise, or other impacts upon the surrounding community. Therefore, siting child care facilities in the periphery of residential developments or in the vicinity of planned community recreation facilities should be considered.*

The location of the Little Acorn Patch child care center within a shopping center would not cause undesirable traffic, noise, and other impact upon the surrounding community due to the pre-existing nature of the use, and location and design of the shopping center on the periphery of a residential development.

6. *Child care facilities should be encouraged in employment centers to provide locations convenient to work places. However, these locations should make provisions for a safe and healthful environment in accord with the guidelines listed above.*

The location of the child care center in a neighborhood shopping complex is in keeping with the intent of provision six to locate child care centers within employment centers to ensure convenience to work places.

Transportation Analysis (Appendix 5)

The Department of Transportation has no objection to the application.

ZONING ORDINANCE PROVISIONS (Appendix 9)

Wavers/Modifications

Modification of the Barrier Requirement

A modification of the barrier requirement along the western property line is requested with this application. The transitional screening and barrier matrix requires a Type H barrier along a portion of the west property line of the project site between the Little Acorn Patch child care center and the West Springfield Terrace apartment complex. The Type H barrier consists of one row of six foot tall trees averaging fifty feet on center of varying tree species.

The western property line area is currently buffered with a wood fence totaling six feet in height and a grass area totaling approximately eight feet in width. The Child Care Center use abuts a parking lot area for the West Springfield Terrace apartment complex only, with no residential units located within the immediate vicinity. Staff believes the requested waiver will not have a negative impact on the adjacent residential property due to existing on-site buffers and the existing nature of the child care center and therefore supports the requested waiver.

Other Zoning Ordinance Requirements:

Special Exception Requirements (Appendix 9)

General Special Exception Standards (Sect. 9-006)

The General Special Exception Standards require that the proposal be in harmony with the Comprehensive Plan, that there is a finding of no significant negative impacts on surrounding properties, and that safe and adequate vehicular and pedestrian access be provided.

The request would preserve existing vegetation and would allow for the continued operation of a Child Care Center as a Special Exception use. The site provides buffering from surrounding properties through the use of an existing six foot tall wooden fence, existing mature trees and open space. Staff believes that, as conditioned, the proposal satisfies all of the General Special Exception Standards.

Standards for all Category 3 Uses (Section 9-304)

The Category 3 Standards require that the proposed use shall meet lot size and requirements for the Zoning District, shall comply with performance standards, and be subject to site plan review.

The proposed use meets each of the Category 3 Standards.

Additional Standards for Child Care Centers (Section 9-309)

The additional standards for Child Care Centers require, in addition to meeting the minimum lot area requirement of the C-6 Zoning District, that the minimum lot area be of such size that one hundred (100) square feet of usable outdoor recreation area is provided for each child that may use the space at any one time.

The proposed Child Care Center is located within an existing shopping center totaling 6.89 acres; however, the Little Acorn Patch provides a fenced outdoor

recreation area totaling 4,172 square feet. Based upon the size of the outdoor play area and the proposed maximum total of eighty-nine children, the outdoor play area would provide approximately ninety-three square feet of usable outdoor recreation area per child if two separate groups of children utilized the play area at separate times. The total usable outdoor recreation area per child increases to one hundred forty (140) square feet per child, if three separate groups of children utilized the play area at separate times. Staff believes the existing play area of 4,172 square feet is sufficient in area for providing adequate square footage for each child and meets the intent of the requirement.

All Child Care Centers pursuant to these additional standards shall 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. In addition, applicants are required to provide trip generation information noting the maximum trip generation, distribution of trips by mode and time of day, and expected service area of the facility.

The Child Care Center has direct access to Bauer Drive and Rolling Road which accommodates pedestrian and vehicular traffic. The existing internal driveways of the West Springfield Shopping Center provide access to the existing public streets, as well as sufficient width for circulation and access of vehicles. The applicant has stated in the statement of justification that the estimated number of trips would be fifty from 6:00 to 9:00am and fifty from 4:00 to 6:00pm. Staff believes the applicant meets the intent of the requirement.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Based upon the above analysis, the proposal is in harmony with the intent of the Comprehensive Plan and the locational guidelines for Child Care Facilities. It is staff's conclusion that the proposed use provides sufficient parking area and access points for drop off and pick up trips for pedestrian and vehicular trips from Bauer Drive and Rolling Road. The fenced outdoor recreation area provides substantial area for the proposed eighty-nine children, and is complemented by mature trees, shrubbery and open space to provide buffering for residential zoned properties to west.

With the adoption of the proposed development conditions, the subject application is in harmony with the Comprehensive Plan and all applicable Zoning Ordinance provisions.

Staff Recommendations

Staff recommends approval of SE 2008-SP-014. However, if it is the intention of the Board of Supervisors to approve the application, staff recommends such approval be subject to development conditions consistent with those found in Appendix 1 of this report.

Staff recommends approval of a modification of the barrier requirement.

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

The approval of this special exception does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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. Statement of Justification
4. DPWES Analysis
5. Transportation Analysis
6. Applicable Zoning Ordinance Provisions Checklist
7. Glossary

DEVELOPMENT CONDITIONS

SE 2008-SP-014

August 28, 2008

If it is the intent of the Board of Supervisors to approve SE 2008-SP-014, located at 6226 Rolling Road, Tax Map 079-3 ((4)) 0042 and 0043, for a Child Care Center, pursuant to Sect. 4-604 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

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 (Child Care Center), as qualified by these development conditions.
3. 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 "LOTS 44, 43 & A PORTION OF 42 FAIRFAX PARK SUBDIVISION" prepared by Huntley, Nyce & Associates, Ltd. and dated May 4, 1993, as revised through September 25, 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.
4. 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 hours of operation of the permitted use.
5. The existing evergreen plantings and solid wood fence to the rear and side of the facility shall be maintained to satisfy screening and barrier requirements. No additional screening and/or barriers shall be required.
6. The hours of operation shall be limited to 6:45 am to 6:15 pm, Monday through Friday.
7. The Child Care Center shall be limited to a total daily enrollment of eighty-nine (89) children. The number of parking spaces provided shall satisfy the minimum requirement set forth in Article 11 of the Zoning Ordinance. A minimum of two (2) parking spaces shall be reserved for pick up and drop off of children nearest the entrance to the facility and shall be marked as reserved for the child care use. Appropriate signage shall be posted to indicate the reserved spaces. All parking shall be on site.

8. The maximum number of employees associated with the use shall be 11 at any one time.

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.



COUNTY OF FAIRFAX
 Department of Planning and Zoning
 Zoning Evaluation Division
 12055 Government Center Parkway, Suite 801
 Fairfax, VA 22035 (703) 324-1290, TTY 711
 www.fairfaxcounty.gov/dpz/zoning/applications

APPLICATION No: SE 2008-SP-014
 (Staff will be **RECEIVED**)
 Department of Planning & Zoning
FEB 25 2008
 Zoning Evaluation Division

APPLICATION FOR A SPECIAL EXCEPTION
 (PLEASE TYPE or PRINT IN BLACK INK)

APPLICANT	NAME Little Acom Patch, LTD <i>(Opp the little acorn patch)</i>
	MAILING ADDRESS 6226 Rolling Road, Springfield, Va. 22152
	PHONE HOME () WORK (703) 451-7071
	PHONE MOBILE ()
PROPERTY INFORMATION	PROPERTY ADDRESS 6226 Rolling Road, Springfield, VA. 22152
	TAX MAP NO. 079-3((4))0042 and 079-3((4))0043 SIZE (ACRES/SQ FT) 6.89 acres
	ZONING DISTRICT C-6 and HC overlay MAGISTERIAL DISTRICT Springfield
	PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION: N/A
SPECIAL EXCEPTION REQUEST INFORMATION	ZONING ORDINANCE SECTION 9-011
	PROPOSED USE Child Day Care Center
AGENT/CONTACT INFORMATION	NAME Arif Hodzic
	MAILING ADDRESS Hodzic Architects, PC 1003 Pasadena, Md. 21122
	PHONE HOME () WORK (410) 255-2600
	PHONE MOBILE (410) 271-6733
MAILING	Send all correspondence to (check one): <input type="checkbox"/> Applicant -or- <input checked="" type="checkbox"/> Agent/Contact
<p>The name(s) and addresses of owner(s) of record shall be provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter the subject property as necessary to process the application.</p> <p>Arif Hodzic, Agent</p> <p>TYPE/PRINT NAME OF APPLICANT/AGENT SIGNATURE OF APPLICANT/AGENT <i>(Signature of Arif Hodzic)</i></p>	

DO NOT WRITE IN THIS SPACE

Date Application accepted: 4/25/08

Application Fee Paid: \$ 355.00

SPECIAL EXCEPTION AFFIDAVIT

DATE: August 1, 2008
(enter date affidavit is notarized)

I, Arif H. Hodzic, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below 99871c

in Application No.(s): SE 2008 - SP - 014
(enter County-assigned application number(s), e.g. SE 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS and REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in BOLD print are to be disclosed. Multiple relationships may be listed together, e.g., Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Little Acorn Patch, Ltd, dba Little Acorn Patch ✓	6226 Rolling Rd. Springfield, Va. 22152	Applicant/Lessee
Andrea B. Savage	6226 Rolling Rd. Springfield, Va. 22152	Agent for Applicant/Lessee
Hodzic Architects, PC ✓	1003 Snapper Cove Ln. Pasadena, Md. 21122	Agent for Applicant/Lessee
Arif H. Hodzic	1003 Snapper Cove Ln. Pasadena, Md. 21122	Agent for Applicant/Lessee
West Springfield Center LLC ✓	875 N. Michigan Ave. Suite 1800 Chicago, IL 60611	Title Owner/Lessor

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Special Exception Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Special Exception Attachment to Par. 1(a)

DATE: August 1, 2008
(enter date affidavit is notarized)

99871c

for Application No. (s): SE 2008-SP-014
(enter County-assigned application number (s))

(NOTE: All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel (s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
MCCAFFERY INTERESTS, INC. ✓	2801 CLARENDON BLVD. SUITE 200 ARLINGTON, VA 22201	AGENT FOR TITLE OWNER/LESSOR
JOSEPH C. REGER	2801 CLARENDON BLVD. SUITE 200 ARLINGTON, VA 22201	AGENT FOR TITLE OWNER/LESSOR

(check if applicable)

[]

There are more relationships to be listed and Par. 1(a) is continued further on a "Special Exception Attachment to Par. 1(a)" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: August 1, 2008
 (enter date affidavit is notarized)

99871c

for Application No. (s): SE 2008-SP-014
 (enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code)
 Hodzic Architects, PC
 1003 Snapper Cove Ln.
 Pasadena, Md. 21122

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
 There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
 There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial and last name)

Arif H. Hodzic

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Special Exception Attachment to Par. 1(b)

DATE: August 1, 2008
(enter date affidavit is notarized)

99871c

for Application No. (s): SE 2008-SP-014
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Little Acorn Patch, Ltd, dba Little Acorn Patch ✓
6226 Rolling Rd.
Springfield, Va. 22152

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Andrea B. Savage

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

West Springfield Center, LLC ✓
875 N. Michigan Ave., Suite 1800
Chicago, Il. 60611

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

McCaffery Loudoun/Fairfax Virginia Venture, LLC

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

Special Exception Attachment to Par. 1(b)

DATE: August 1, 2008
(enter date affidavit is notarized)

99871c

for Application No. (s): SE 2008-SP-014
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

McCaffery Loudoun/Fairfax Virginia Venture, LLC
875 N. Michigan Ave., Suite 1800
Chicago, Il. 60611

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

McCaffery Loudoun/Fairfax Virginia Member, LLC, its Managing Member ✓
Loudoun/Fairfax Virginia Member, LLC, its Co-Managing Member

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

McCaffery Loudoun/Fairfax Virginia Member, LLC ✓
875 N. Michigan Ave., Suite 1800
Chicago, Il. 60611

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

McCaffery Interests, Inc. ✓
Member/Manager

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

Special Exception Attachment to Par. 1(b)

DATE: August 1, 2008
(enter date affidavit is notarized)

99871c

for Application No. (s): SE 2008-SP-014
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Loudoun/Fairfax Virginia Member, LLC
875 N. Michigan Ave., Suite 1800
Chicago, Il. 60611

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Principal Life Insurance Company

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

McCaffery Interests, Inc.
875 N. Michigan Ave., Suite 1800
Chicago, Il. 60611

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Daniel T. McCaffery

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

Special Exception Attachment to Par. 1(b)

DATE: August 1, 2008
(enter date affidavit is notarized)

99871c

for Application No. (s): SE 2008-SP-014
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Principal Life Insurance Company
801 Grand Ave.
Des Moines, Iowa 50327

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: August 1, 2008
(enter date affidavit is notarized)

99871c

for Application No. (s): SE 2008-SF-014
(enter County-assigned application number(s))

1(c) The following constitutes a listing*** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, and number, street, city, state, and zip code)

NONE

(check if applicable) [] The above-listed partnership has no limited partners

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

(check if applicable) [] There is more partnership information and Par. 1(c) is continued on a "Special Exception Affidavit Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

SPECIAL EXCEPTION AFFIDAVIT

DATE: August 1, 2008
(enter date affidavit is notarized)

99871c

for Application No. (s): SE 2008-SP-014
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Special Exception Attachment to Par. 2" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: August 1, 2008
(enter date affidavit is notarized)

99871c

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

NONE

NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

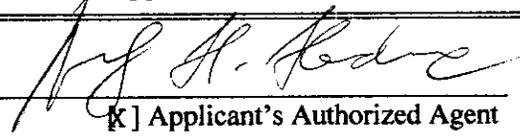
(check if applicable) [] There are more disclosures to be listed and Par. 3 is continued on a "Special Exception Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

[] Applicant

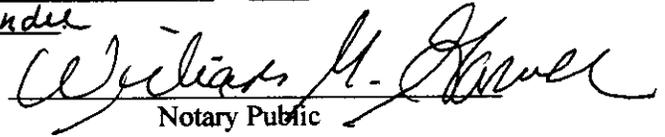


[X] Applicant's Authorized Agent

Arif H. Hodzic

(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 1 day of August 2008, in the State/Comm. of Maryland, County/City of Anne Arundel



Notary Public

My commission expires:

WILLIAM M. GARVER
NOTARY PUBLIC
ANNE ARUNDEL COUNTY
MARYLAND
My Commission Expires Feb. 6, 2011



Fairfax County
Zoning Department

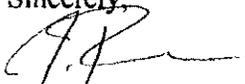
January 18, 2008

To Whom It May Concern:

West Springfield Center, LLC hereby permits Little Acorn Patch, Ltd doing business as The *Little Acorn Patch* located in West Springfield Center on 6226 Rolling Road, Springfield VA 22152 special exception to operate a day-care center.

Arif Hodzic will be their designated agent in this matter.

Sincerely,



Joe Réger
Vice President
McCaffery Interests

WASHINGTON, D.C. OFFICE
2801 Cleveland Boulevard
Suite 200
Arlington, Virginia 22201 U.S.A.
703 351 9500 Telephone
703 351 7707 Fax

RECEIVED
Department of Planning
FEB 25 2008
Zoning Evaluation Department

CHICAGO OFFICE
737 North Michigan Avenue
Suite 2050
Chicago, Illinois 60611 U.S.A.
312 914 3777 Telephone
312 914 7107 Fax



Hodzic Architects, P.C.

1003 Snapper Cove Lane
Pasadena, MD 21122
Tel: (410) 255-2600
Fax: (410) 255-2680

arif@hodzicarchitects.com
www.hodzicarchitects.com

Tel: (703) 941-0666

Re: Special Exception Application
Little Acorn Parch, Ltd.
6226 Rolling Road
Springfield, Virginia 22152

RECEIVED
Department of Planning & Zoning
FEB 25 2008
Zoning Evaluation Division

SP-2005-0308

Statement of Justification, Revision

Revised: February 22, 2008
December 24, 2007

The purpose of this application is to allow Day Care Center to continue the business at this address.

We are requesting Waiver of Plot Plan requirements, because we are not planning to add or modify existing building. We had permit before, and we only ask to extend that permit.

The business was established September 1, 1981, and has been in operation ever since. Our center takes care of children, from our neighborhood. Area covered is Springfield, 5 miles radius.

Total number of children is 89 or less.
Total number of teachers is 12 or less in one shift.

Hours of operation: Monday to Friday, 6:45 AM to 6:15 PM.

Number of trips dropping of and picking up children: 50 from 6:00 to 9:00 AM and 50 from 4:00 to 6:30 PM.

Total number of parking spaces, as required by Zoning Ordinance is 17 (89x0.19). In front of the Day Care Center there are two parking spaces designated for Little Acorn Patch. There are 4 parking spaces, near their entrance door, marked 15 min maximum stay, for pick up and delivery of children. In addition 11 teachers will park in area designated for Employees and company cars. Total of 17 spaces for Day Care Center is provided.

A lot of deliveries are for 2, 3 or more children per car. Some teachers also bring children when they come to work or leave the work. All this reduces number of trips and load on parking spaces.

Size of facility is 4,200 SF.

There will be no additional impact on the adjacent properties, such as noise, light, air, erosion and storm water runoff. Everything will be as approved before.

Existing and proposed floor areas are the same.

Parking study is included and shows more parking spaces than required.

Photos of Day Care facility and outdoor play area are included.

Outdoor play area is fenced and designated on the Plot Plan.

The Little Acorn Patch works cooperatively with West Springfield High School to teach students in the Early Childhood Development Program. See attached letter.

Child day care program is very important community asset and need to continue its operation in this location. We would appreciate if you approve this Special Permit, because it would continue to serve the neighborhood.

If you have any questions please give me a call.

Prepared by:



Arif H. Hodzic, AIA
Agent for the Owner



Little Acorn Patch, Ltd.

5801 Castlewellan Drive
Alexandria, VA 22315
Tel (703) 822-0803
Fax (703) 822-0805

July 17, 2008

Little Acorn Patch, Ltd.
6226 Rolling Road
Springfield, VA 22125

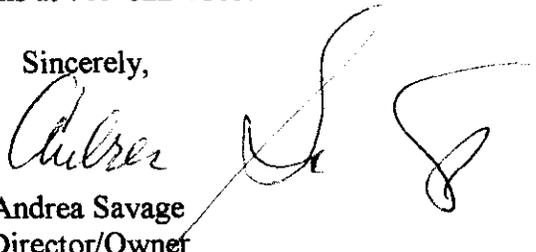
To Whom It May Concern:

This letter is to confirm the information for the Little Acorn Patch, Ltd.:

The Little Acorn Patch was established in September 01, 1981. The maximum enrollment is 89 children. Our hours of operation are 6:45 am to 6:15 pm Monday thru Friday. The number of trips dropping off and picking up children are estimated at 50 in the morning and 50 in the afternoon per day. The number of staff is 11. The size of the facility is approximately 4,200 SF. The size of the play area is 4172 SF.

Please call if you have any questions at 703-822-0803.

Sincerely,


Andrea Savage
Director/Owner

RECEIVED
Department of Planning & Zoning

JUL 22 2008

Zoning Evaluation Division



Little Acorn Patch, Ltd.

6226 Rolling Road
Springfield, VA 22152
Tel (703) 451-7071
Fax (703) 451-4056

August 15, 2008

Re: Ages of children

To Whom It May Concern:

This letter is regarding the ages requested for the Little Acorn Patch. The ages served are from 24 months to twelve years. If you have any additional questions, please contact me at 703-451-7071.

Sincerely,

A handwritten signature in cursive script that reads "Andrea Savage". The signature is written in black ink and is positioned to the left of a larger, more stylized signature.

Andrea Savage
President

RECEIVED
Department of Planning & Zoning

AUG 15 2008

Zoning Evaluation Division



County of Fairfax, Virginia

MEMORANDUM**JUL 9 2008****DATE:****TO:** Chris DeManche, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning**FROM:** Elfatih Salim, Senior Engineer III *ES*
Stormwater and Geotechnical Section
Environmental and Site Review Division
Department of Public Works and Environmental Services**SUBJECT:** Special Exception Application; SE 2008-SP-014; Little Acorn Parch, Ltd.; Plan Dated September 25, 2007; LDS Project #002320-ZONA-001-1; Tax Map #079-3-04-00-0042 and 0043; Accotink Creek and Pohick Creek Watersheds; Springfield District

We have reviewed the subject submission and we have no comments related to Stormwater management, this application deals with allowing Daycare Center to continue the business.

If further assistance is desired, please contact me at 703-324-1720.

ES/tg

cc: Craig Carinci, Director, Stormwater Planning Division, DPWES
Zoning Application File





County of Fairfax, Virginia

MEMORANDUM**DATE:** June 12, 2008

TO: Regina Coyle, Director
Zoning Evaluation Division,
Department of Comprehensive Planning

FROM: Angela Kadar Rodeheaver, Chief
Site Analysis Section
Department of Transportation *AK*

FILE: 3- 5 (SE 2008-SP-014)

SUBJECT: Transportation-Impact

REFERENCE: SE 2008-SP-014; Little Acorn Patch, Ltd.
Traffic Zone: 1506
Land Identification Map: 61-2 ((01)) 007

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the applicant's statement of justification of use dated May 7, 2008 and the plat dated September 25, 2007.

The applicant requests a special exception to extend the permit for the Day Care Center. The maximum enrollment is 89 children and the daily hours are from 6:45 a.m. to 6:15 p.m.

This department does not object to the subject application.

AKR/AK C:SE2008SP014LittleAcornPatchLTD
CC: Michelle Brickner, Director, Design Review, DPW & ES



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)

June 13, 2008

DAVID S. EKERN, P.E.
COMMISSIONER

Ms. Regina Coyle
Director of Planning and Zoning
Office of Comprehensive Planning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5511

Re: SE 2008-SP-014 Little Acorn Patch, Ltd.
Tax Map # 79-3((04))0042 & 43
Fairfax County

Dear Ms. Coyle:

I have reviewed the above plan submitted on May 7, 2008, and received May 13, 2008. I have no objection to the approval of this special exception. It is recommended the County have the left turn lanes on Rolling Road extended if the entire center comes in with any plans for changes.

If you have any questions, please call me at (703)383-2424.

Sincerely,

Kevin Nelson
Transportation Engineer

cc: Ms. Angela Rodeheaver
fairfaxspex2008-SP-014se1LittleAcornPatch6-13-08RC

ARTICLE 9**SPECIAL EXCEPTIONS****PART 0 9-000 GENERAL PROVISIONS****9-006 General Standards**

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will 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.
4. The proposed use shall 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.
5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall 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.

9-304 Standards for all Category 3 Uses

In addition to the general standards set forth in Sect. 006 above, all Category 3 special exception uses shall satisfy the following standards:

1. 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.
2. 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.
3. 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.
4. 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.
5. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

9-309 Additional Standards for Child Care Centers and Nursery Schools

1. In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area shall be of such size that 100 square feet of usable outdoor recreation area shall be provided for each child that may use the space at any one time. Such 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:

A. That area not covered by buildings or required off-street parking spaces.

B. That area outside the limits of the minimum required front yard, unless specifically

approved by the Board in commercial and industrial districts only.
SPECIAL EXCEPTIONS 9-33

C. Only that area which is developable for active outdoor recreation purposes.

D. An area which occupies no more than eighty (80) percent of the combined total areas of the required rear and side yards.

2. All such 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 as determined by the Director. To assist in making this determination, each applicant, at the time of application, shall provide an estimate of the maximum expected trip generation, the distribution of these trips by mode and time of day, and the expected service area of the facility. As a general guideline, the size of the use in relation to the appropriate street type should be as follows, subject to whatever modification and conditions the Board deems to be necessary or advisable:

Number of Persons	Street Type
1-75	Local
76-660	Collector
660 or more	Arterial

3. All such uses shall be located so as to permit the pick-up and delivery of all persons on the site.
4. Such use shall be subject to the regulations of Chapter 30 of The Code or Title 63.1, Chapter 10 of the Code of Virginia.

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dba: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area; information such as topography, location and size of proposed structures, location of streets, trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may be function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		