APPLICATION ACCEPTED: June 20, 2008
PLANNING COMMISSION: May 28, 2009
BOARD OF SUPERVISORS: Not Yet Scheduled

County of Fairfax, Virginia

May 13, 2008

STAFF REPORT

RZ 2008-PR-010/SE 2008-PR-021

PROVIDENCE DISTRICT

APPLICANT:	James W. Jackson
PRESENT ZONING:	R-1
REQUESTED ZONING:	R-3
PARCEL(S):	48-1((1)) 50
ACREAGE:	1.29 acres
FAR:	.17
PLAN MAP:	Residential, 3-4 du/ac
SE CATEGORY:	Category 3: Child care center and nursery school.
RZ PROPOSAL:	Rezone the subject site from R-1 to R-3 to permit a building with a maximum FAR of 0.17.
SE PROPOSAL:	To permit a child care center and nursery school with maximum enrollment of 170 students.
REQUESTED WAIVERS AND MODIFICATIONS:	Waiver of the service drive requirement along Chain Bridge Road; Waiver of construction of the on-road bike lane along Chain Bridge Road, as depicted on the GDP/SE Plat;

Suzanne Lin

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/

Modification of the transitional screening requirements along the perimeter of the site, in favor of what is shown on the Generalized Development Plan (GDP)/Special Exception (SE) Plat;

Modification of the barrier requirement along the Sutton Road frontage and portions of the Chain Bridge Road frontage in favor of that which is shown on the GDP/SE Plat; and

Modification of the four-foot fence height limitation in a front yard to permit a fence and wall along Chain Bridge Road as shown on the GDP/SE Plat.

STAFF RECOMMENDATIONS:

Staff recommends denial of RZ 2008-PR-010; however, should it be the intent of the Board of Supervisors to approve RZ 2008-PR-010, staff recommends that the approval be subject to the execution of the draft proffers contained in Appendix 1.

Staff recommends denial of SE 2008-PR-021; however, should it be the intent of the Board of Supervisors to approve SE 2008-PR-021, staff recommends that the approval be subject to the development conditions consistent with those contained in Appendix 2.

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

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

The approval of this rezoning and/or 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.

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).

Rezoning Application

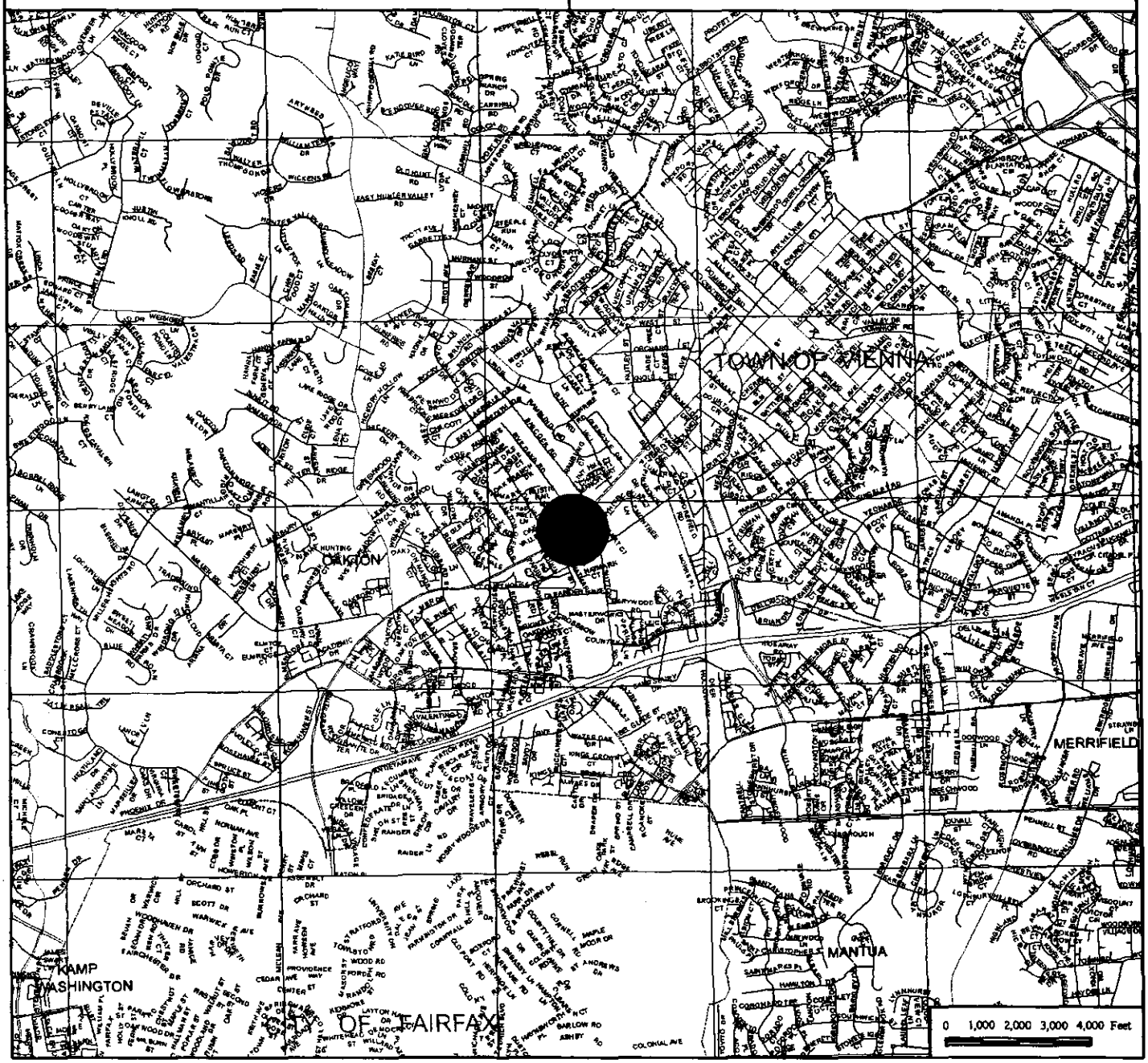
RZ 2008-PR-010

Applicant:	JAMES W. JACKSON
Accepted:	06/20/2008
Proposed:	RESIDENTIAL
Area:	1.29 AC OF LAND; DISTRICT - PROVIDENCE
Zoning Dist Sect:	
Located:	NORTHWEST QUADRANT OF THE INTERSECTION OF CHAIN BRIDGE ROAD AND SUTTON ROAD
Zoning:	FROM R- 1 TO R- 3
Overlay Dist:	
Map Ref Num:	048-1- /01/ /0050

Special Exception

SE 2008-PR-021

Applicant:	JAMES W. JACKSON
Accepted:	06/20/2008
Proposed:	CHILD CARE CENTER AND NURSERY SCHOOL
Area:	1.29 AC OF LAND; DISTRICT - PROVIDENCE
Zoning Dist Sect:	03-030403-0304
Art 9 Group and Use:	3-10 3-10
Located:	2801 CHAIN BRIDGE ROAD
Zoning:	R- 3
Plan Area:	2,
Overlay Dist:	
Map Ref Num:	048-1- /01/ /0050



Rezoning Application

RZ 2008-PR-010

Applicant:	JAMES W. JACKSON
Accepted:	06/20/2008
Proposed:	RESIDENTIAL
Area:	1.29 AC OF LAND; DISTRICT - PROVIDENCE
Zoning Dist Sect:	
Located:	NORTHWEST QUADRANT OF THE INTERSECTION OF CHAIN BRIDGE ROAD AND SUTTON ROAD
Zoning:	FROM R- 1 TO R- 3
Overlay Dist:	
Map Ref Num:	048-1- /01/ /0050

Special Exception

SE 2008-PR-021

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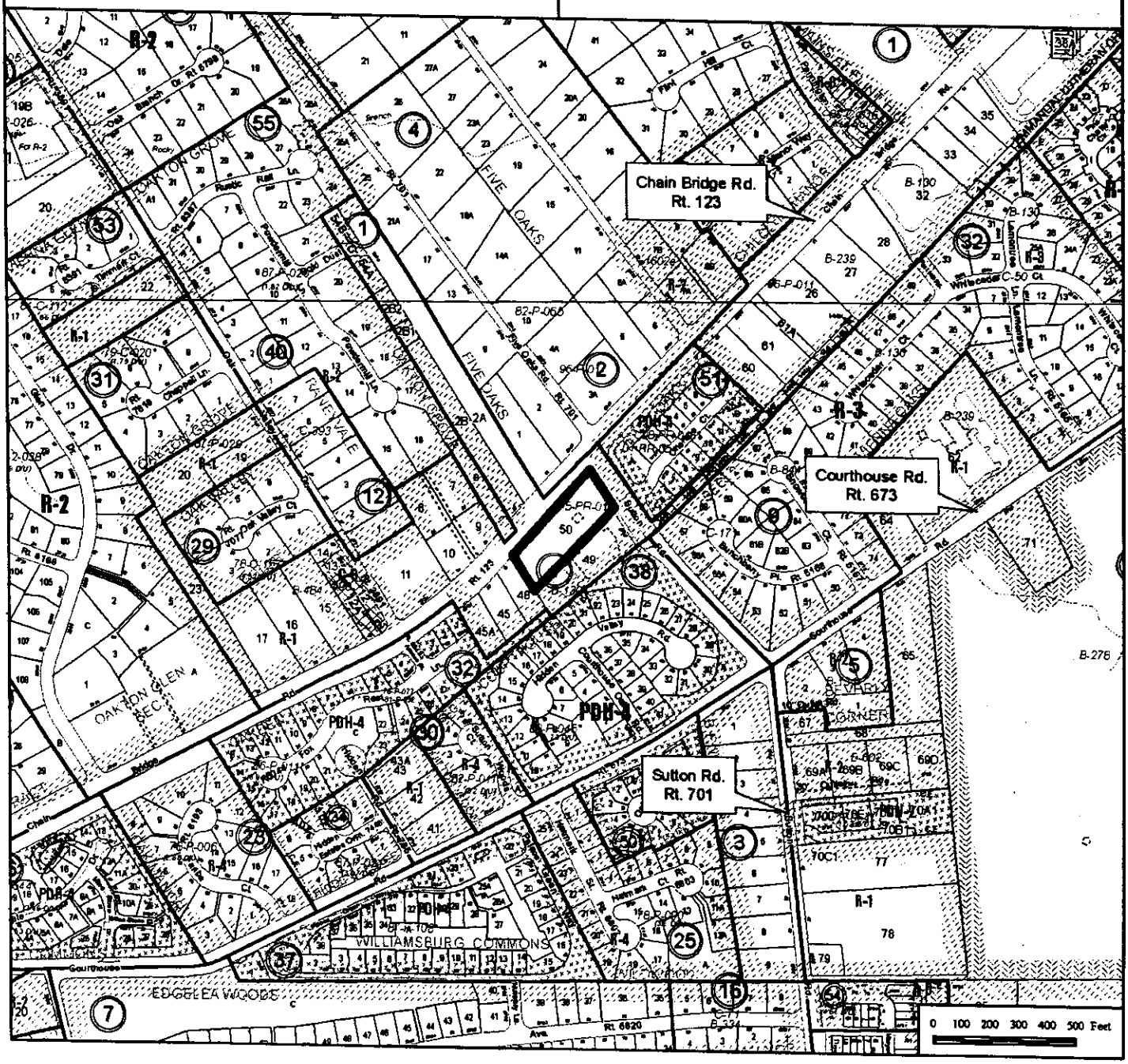
Zoning:	R- 3
Plan Area:	2,
Overlay Dist:	
Map Ref Num:	048-1- /01/ /0050



GENERALIZED DEVELOPMENT PLAN
AND
SPECIAL EXCEPTION PLAT

LORD FAIRFAX ACADEMY

PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA

GENERAL NOTES

1. THE PROPERTY DELINEATED HEREON IS SHOWN ON FAIRFAX COUNTY TAX ASSESSMENT MAP NO. 48-1 ((1)) 50 AND IS CURRENTLY ZONED R-1.
2. FOR EASEMENTS OR ENCUMBERANCES NOT SHOWN HEREON, IF ANY, PLEASE CONSULT TITLE REPORT. NO TITLE REPORT WAS FURNISHED TO THIS FIRM DURING THE PREPARATION OF THIS PLAN.
3. THE SUBJECT PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
4. BOUNDARY AND TOPOGRAPHIC SURVEY IS FIELD RUN BY JEFF WARNER LAND SURVEYORS INC., DATED JULY 10, 2007. ELEVATIONS ARE BASED ON NGVD 1929, CONTOUR INTERVAL IS 2 FEET.
5. THIS SITE DOES NOT LIE WITHIN ANY KNOWN FLOODPLAIN DESIGNATED BY F.L.A., U.S.G.S. OR FAIRFAX COUNTY, NOR DOES THIS SITE LIE WITHIN A CHESAPEAKE BAY PRESERVATION AREA PER CURRENT FAIRFAX COUNTY CHESAPEAKE BAY MAPS.
6. THERE ARE NO KNOWN UTILITY EASEMENTS HAVING A WIDTH OF 20' OR MORE ON THE SUBJECT PARCEL.
7. THERE ARE NO KNOWN CEMETERIES OR PLACES OF BURIAL ON THESE PARCELS.
8. THIS SITE IS CURRENTLY VACANT. THIS PLAN HAS BEEN PREPARED TO ACCOMPANY A REZONING & SPECIAL EXCEPTION APPLICATION FOR A NEW PAYCARE FACILITY.
9. THERE ARE NO KNOWN HAZARDOUS MATERIALS CONTAINED WITHIN THIS SITE.
10. STORMWATER MANAGEMENT AND BEST MANAGEMENT PRACTICES WILL BE PROVIDED BY SEVERAL METHODS : UNDERGROUND DETENTION, PERVIOUS PAVEMENT, STORM FILTER INSERTS & RAINGARDENS. THE SPECIFIC SIZE AND LOCATION OF THESE PRACTICES HAS BEEN SHOWN ON THESE PLANS, HOWEVER, SOME MODIFICATIONS MAY BE REQUIRED UPON FINAL ENGINEERING.
11. ALL STORMWATER EROSION AND SEDIMENT CONTROL MEASURES WILL BE PROVIDED IN ACCORDANCE WITH THE REQUIREMENTS OF THE FAIRFAX COUNTY PUBLIC FACILITIES MANUAL, THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK (CURRENT EDITION) DURING SITE PLAN REVIEW PROCESS.
12. WAIVER OF SERVICE DRIVE REQUESTED ALONG ROUTE #123 (ARTICLE 17 SECTION 201 (5A)). ALSO, WAIVER OF ANY CONSTRUCTION OF STREET WIDENING ON ROUTE #123 IS HEREBY REQUESTED. STREET DEDICATION IS BEING PROVIDED - SEE SITE PLAN (SHEET #2) AND SECTIONS (SHEET #8). ON ROAD BIKE TRAIL CONSTRUCTION REQUESTED TO BE WAIVED.
13. MODIFICATION OF TRANSITIONAL SCREENING REQUESTED. SEE LANDSCAPE PLAN FOR DETAIL (ARTICLE 13 SECTION 304 (3A4)) REDUCTION REQUESTED DUE TO EXISTING RESIDENTIAL HOUSES BEING NOT ACROSS BOTH BUTTON ROAD & CHAIN BRIDGE ROAD FROM THE SITE.
14. MODIFICATION OF ARTICLE 10 SECTION 104 (3B) IS HEREBY REQUESTED TO ALLOW A 6' HIGH WOOD FENCE ALONG ROUTE #123 (IN LIEU OF THE 4' FENCE HEIGHT MAXIMUM).
15. IT IS ANTICIPATED THAT CONSTRUCTION ON THIS PROJECT CAN BE COMPLETED WITHIN ONE YEAR OF OBTAINING ALL NECCESSARY PERMITS.
16. ALL EXISTING STRUCTURES ARE TO BE DEMOLISHED PRIOR TO CONSTRUCTION OF THE DAY CARE FACILITY.

PARKING TABULATION

PAYCARE USE
PARKING REQUIRED : 0.16 SPACES PER CHILD
MAXIMUM ENROLLMENT : 150 CHILDREN (INCLUDING A MAXIMUM 16 INFANTS IN NURSERY)
PARKING REQUIRED = 23.99 PACES
ACCESSIBLE SPACES REQUIRED : 2
ACCESSIBLE SPACES PROVIDED : 2
PARKING PROVIDED : 29

FLOOR AREA RATIO TABULATION
GROSS SITE AREA : 58,008 ± SF OR 1.3258 ACRES
GROSS FLOOR AREA : 8,600 ±

FLOOR AREA RATIO : 8,600 / 58,008 = 17%
MAXIMUM FLOOR AREA RATIO PERMITTED (R-3 ZONE) : 20%

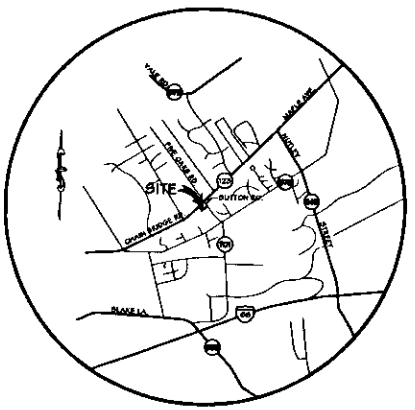
BULK REGULATIONS
MAXIMUM BUILDING HEIGHT PERMITTED: 60'
BUILDING HEIGHT PROPOSED: 20'

FRONT YARD: CONTROLLED BY A 45° ANGLE OF BULK PLANE BUT NOT LESS THAN 30'
SIDE YARD: CONTROLLED BY A 30° ANGLE OF BULK PLANE BUT NOT LESS THAN 10'
REAR YARD: CONTROLLED BY A 30° ANGLE OF BULK PLANE BUT NOT LESS THAN 25'
SEE SHEET #8 FOR ANGLE OF BULK PLANE DETAILS

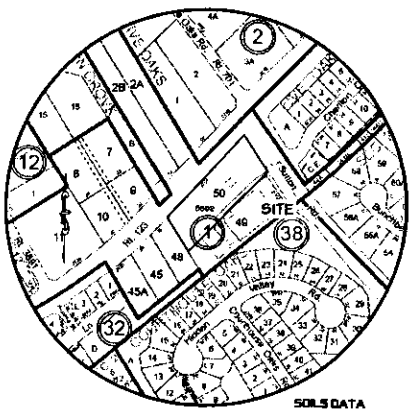
TREE COVER REQUIREMENT
GROSS SITE AREA : 58,008 ±
BUILDING FOOT PRINT : 8,600 ±
NET SITE AREA : 36,808 ±
AREA DEDICATED TO PUBLIC STREETS : 10,873 ±
TREE COVER REQUIRED (R-3 TO 20%) : 7,108 ±
TREE COVER PROVIDED : 8,375 ± OR 23%

INTERIOR PARKING LOT LANDSCAPING
TOTAL AREA OF PARKING LOT AND TRAVEL LANES : 18,840 ±
5% INTERIOR PARKING LOT LANDSCAPING REQUIRED : 947 ±
INTERIOR PARKING LOT LANDSCAPING PROVIDED : 1,100 ± OR 6%

WEST ELEVATION



VICINITY MAP
1" = 1,000'



SOILS MAP
1" = 200'

SOILS DATA
SOIL NUMBER : 50BZ
SOIL NAME : GLENELG SILT LOAM
SLOPE RANGE : 15 - 25
PROBLEM CLASS : C
ESTIMATED PERCENT OF EACH
SOIL TYPE : 100%

REVISIONS
REVISED : 03-03-2008
REVISED : 08-08-2008
REVISED : 09-08-2008

KERRY L. SKINNER
Lic. No. 1883
LAND SURVEYOR

SCHEDULE OF SHEETS

1 : COVER SHEET
2 : REZONING & SPECIAL EXCEPTION PLAT
3 : EXISTING VEGETATION MAP
4 : LANDSCAPE PLAN
5 : ANGLE OF BULK PLANE DIAGRAMS
6 : DRAINAGE DIVIDER TO B.M.P. SYSTEMS
7 : B.M.P. / B.M.P. CALCULATIONS
8 : ROADWAY CROSS SECTION & MISCELLANEOUS DETAILS
9 : OUTFALL ANALYSIS

Barnes & Johnson, Inc.
[redacted]
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Manassas Park, Virginia 20111
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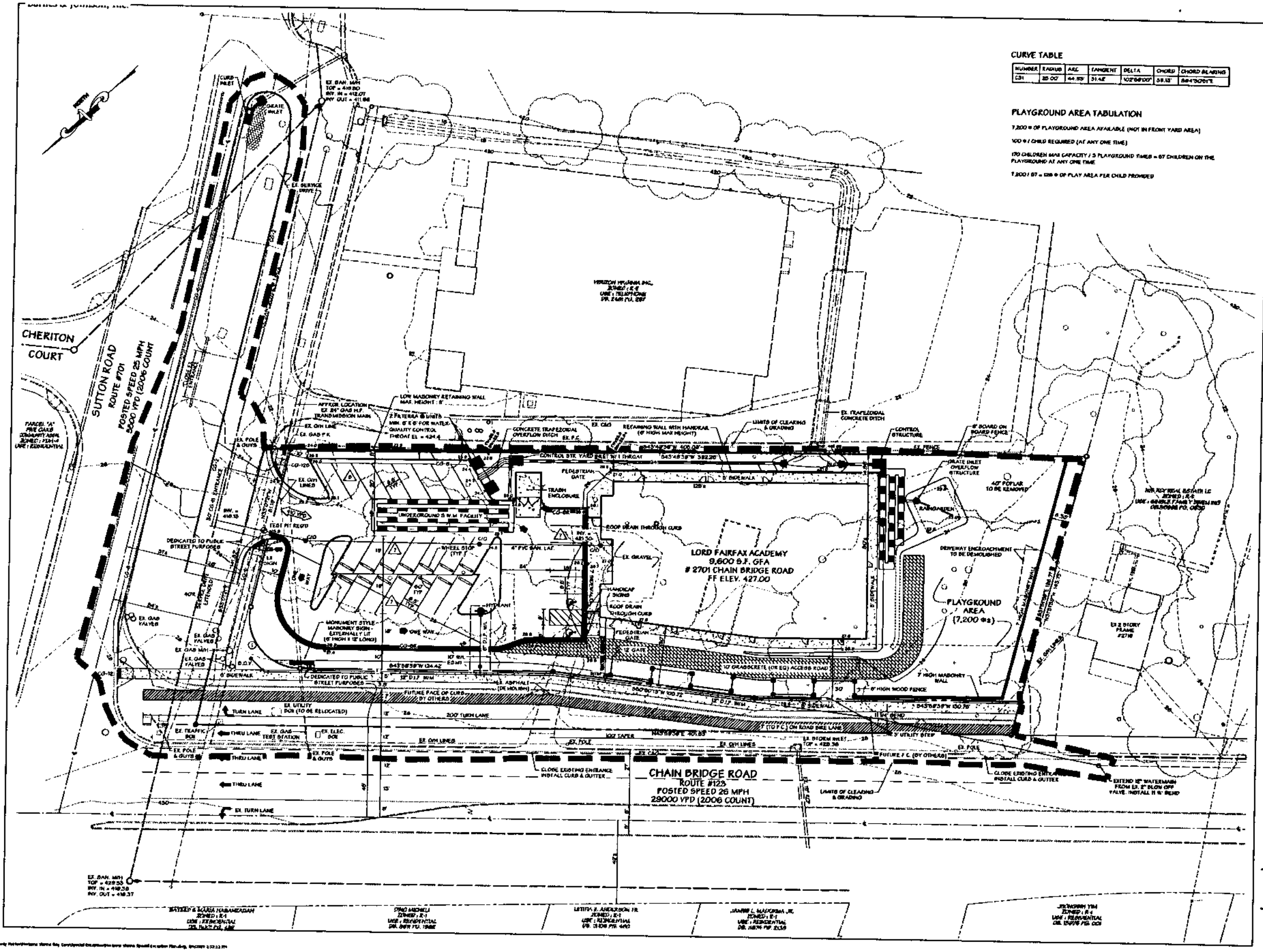
Project #
2400
Date
03-17-2008
Sheet #
1
File #
445 SEP



CURVE TABLE

NUMBER	RADIUS	ARC	TANGENT	DELTA	CHORD	CHORD BEARING
C31	25.00'	44.85'	31.42'	102°48'00"	39.13'	S64°30'01"E

PLAYGROUND AREA TABULATION

7,200 ☐ OF PLAYGROUND AREA AVAILABLE (NOT IN FRONT YARD AREA)

100 ☐ / CHILD REQUIRED (AT ANY ONE TIME)

170 CHILDREN MAX CAPACITY / 3 PLAYGROUND TIMES = 57 CHILDREN ON THE PLAYGROUND AT ANY ONE TIME

7,200 / 57 = 126 ☐ OF PLAY AREA PER CHILD PROVIDED

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LORD FAIRFAX ACADEMY
SCHOOL FOR EARLY LEARNING

PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA

REZONING & SPECIAL EXCEPTION PLAN

COMMONWEALTH OF VIRGINIA
KERRY L. SKINNER
Lic. No. 1593
LAND SURVEYOR

Scale
1" = 20'

Project #
2400

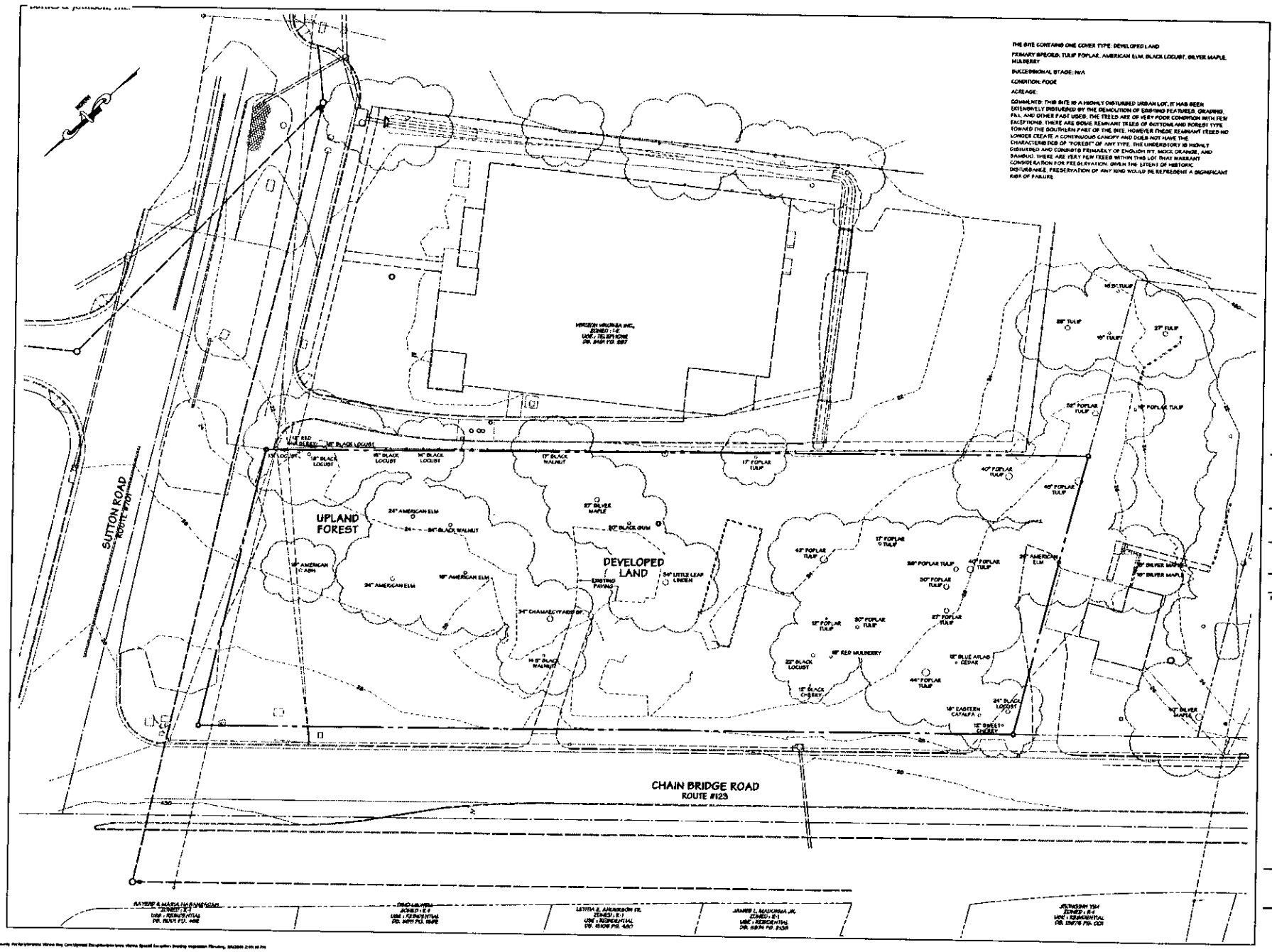
Date
05-06-2008

Revisions

No	Description	Date	By

Sheet #
2

File #
445 SEP



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LORD FAIRFAX ACADEMY
SCHOOL FOR EARLY LEARNING

PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA

EXISTING VEGETATION MAP

COMMONWEALTH OF VIRGINIA
KERRY L. SKINNER
Lic. No. 1563
LAND SURVEYOR

Scale
1" = 20'

Project #
2400

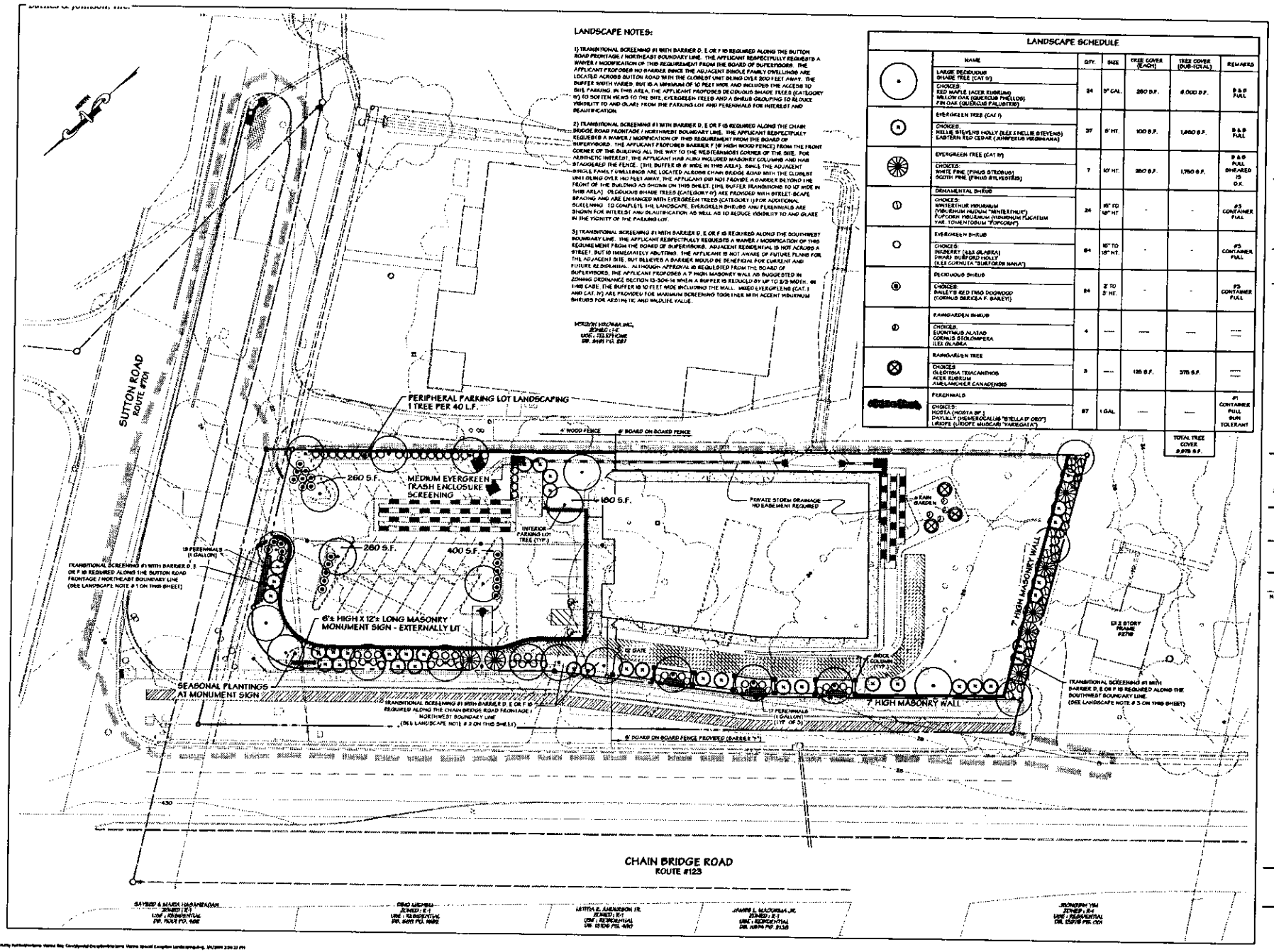
Date
05-06-2008

Revisions

No	Description	Date	By

Sheet #
3

File #
445 SEP



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LORD FAIRFAX ACADEMY
SCHOOL FOR EARLY LEARNING

PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA

LANDSCAPING PLAN

COMMONWEALTH OF VIRGINIA
KERRY L. SKINNER
Lic. No. 1563
LAND SURVEYOR

Scale
1" = 20'
20 0 20 40

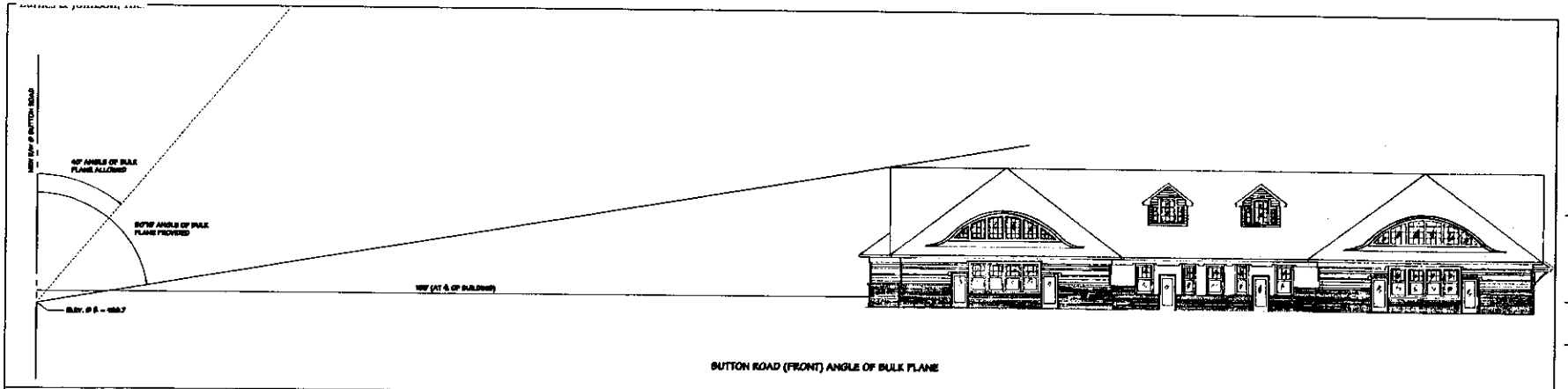
Project #
2400

Date
05-06-2008

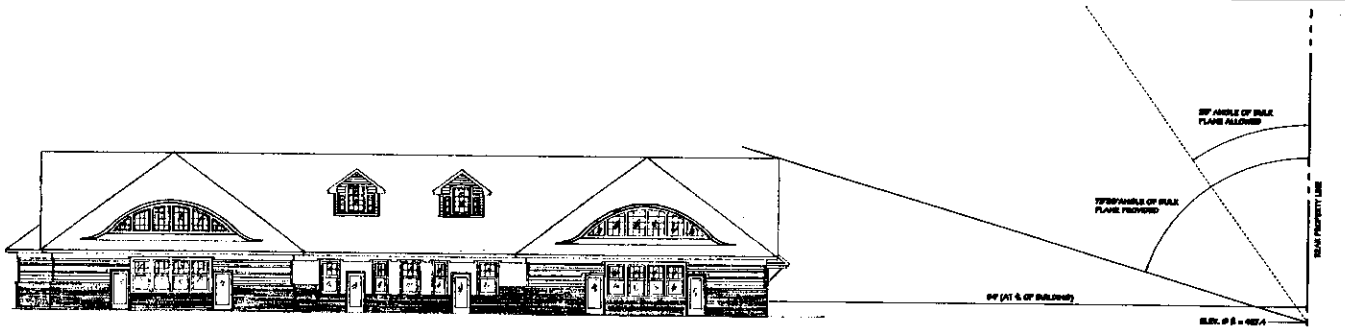
Revisions
No Description Date By

Sheet #
4

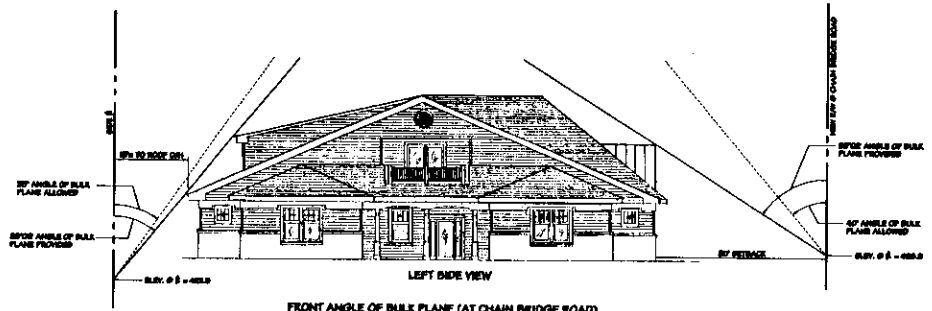
File #
445 SEP



BUTTON ROAD (FRONT) ANGLE OF BULK PLANE



REAR ANGLE OF BULK PLANE



FRONT ANGLE OF BULK PLANE (AT CHAIN BRIDGE ROAD)
SIDE ANGLE OF BULK PLANE

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LORD FAIRFAX ACADEMY
SCHOOL FOR EARLY LEARNING

PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA

BULK PLANE

COMMONWEALTH OF VIRGINIA
KERRY L. SKINNER
Lic. No. 1583
LAND SURVEYOR

Scale
1" = 10'

Project #
2400

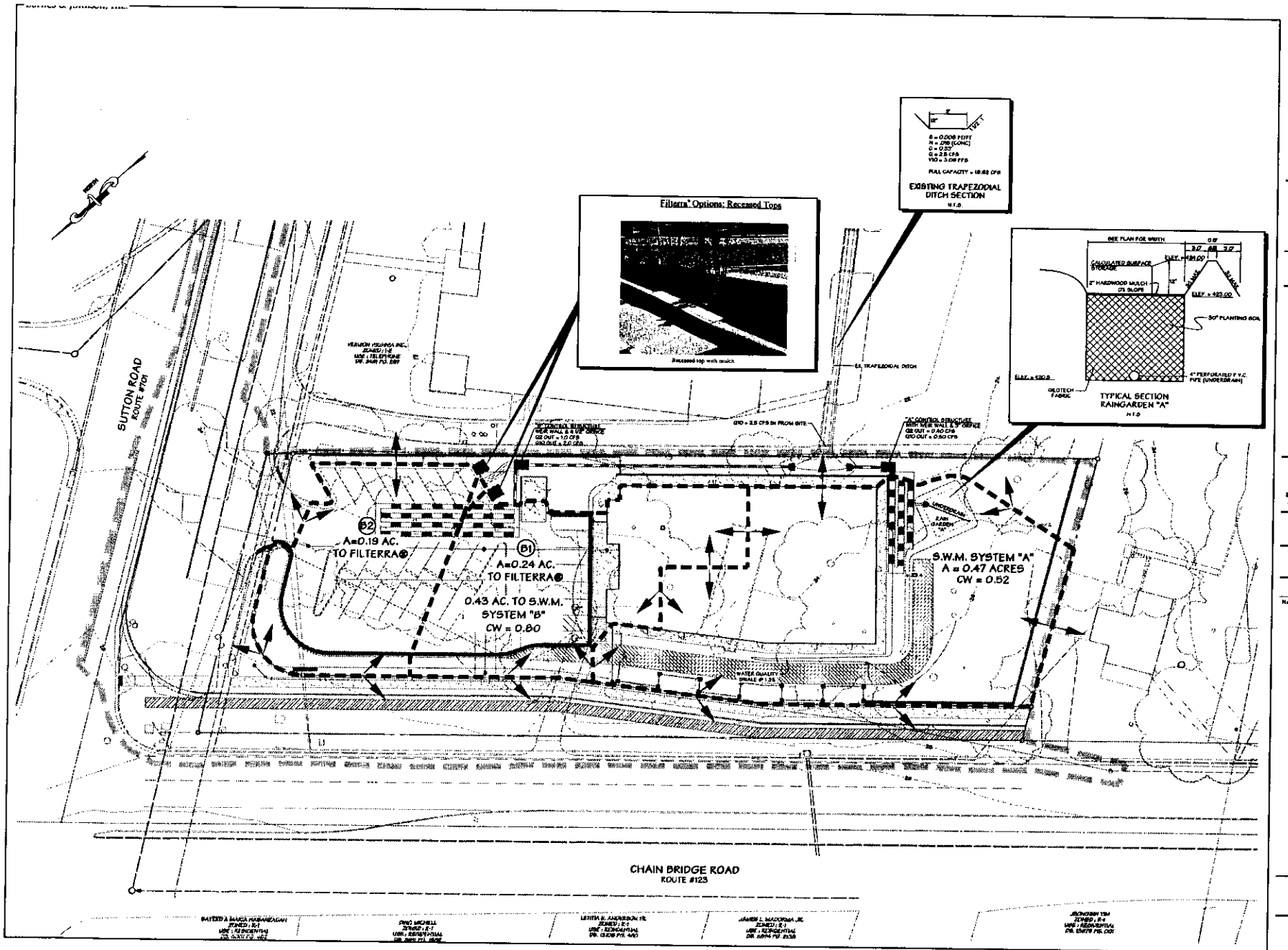
Date
05-06-2008

Revisions

No.	Description	Date	By

Sheet #
5

File #
445 SEP



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LORD FAIRFAX ACADEMY
SCHOOL FOR EARLY LEARNING

PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA

DRAINAGE DIVIDES

COMMONWEALTH OF VIRGINIA
KERRY L. SKINNER
Lic. No. 1583
LAND SURVEYOR

Scale
1" = 20'

Project #
2400

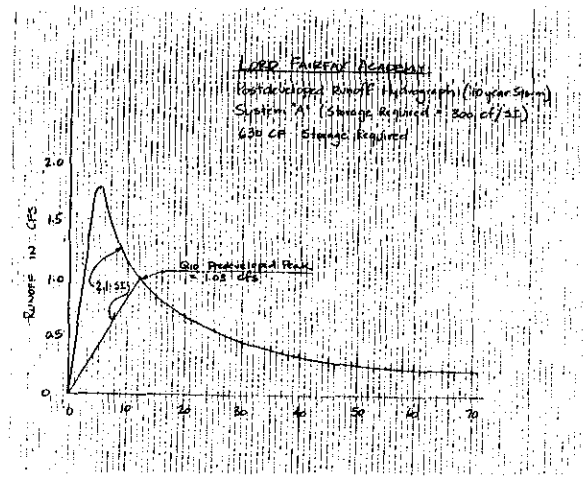
Date
05-06-2008

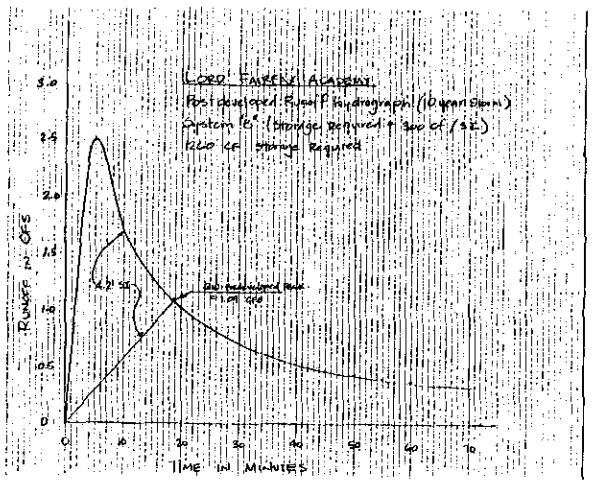
Revisions

No.	Description	Date	By

Sheet #
6

File #
445 SEP





FAIRFAX COUNTY INFLOW HYDROGRAPH
PROJECT NAME LORD FAIRFAX ACADEMY

RATIONAL FORMULA Q=CI*C*I*A
DRAREA= 0.47
CFACTOR= 0.52

RATIONAL FORMULA: Tc=5 MIN

TIME	I2	I10	I100	Qx	Q10	Q100
0.00	0.00	0.00	0.00	0.00	0.00	0.00
5.00	5.74	7.27	9.84	1.40	1.78	2.40
10.00	3.70	4.68	6.37	0.90	1.14	1.56
15.00	2.73	3.46	4.73	0.67	0.85	1.16
20.00	2.19	2.77	3.74	0.53	0.68	0.91
25.00	1.81	2.29	3.13	0.44	0.56	0.76
30.00	1.53	1.94	2.65	0.37	0.47	0.65
35.00	1.33	1.68	2.33	0.32	0.41	0.57
40.00	1.16	1.47	2.07	0.28	0.36	0.51
45.00	1.04	1.31	1.88	0.25	0.32	0.46
50.00	0.93	1.18	1.69	0.23	0.29	0.41
55.00	0.85	1.08	1.55	0.21	0.26	0.38
60.00	0.78	0.99	1.40	0.19	0.24	0.34
65.00	0.68	0.91	1.30	0.17	0.22	0.32
70.00	0.62	0.83	1.18	0.15	0.20	0.29
75.00	0.56	0.74	1.07	0.14	0.18	0.26
80.00	0.49	0.66	0.95	0.12	0.16	0.23
85.00	0.43	0.58	0.83	0.11	0.14	0.20
90.00	0.37	0.50	0.71	0.09	0.12	0.17
95.00	0.31	0.41	0.59	0.08	0.10	0.14
100.00	0.25	0.33	0.47	0.06	0.08	0.11
105.00	0.19	0.25	0.36	0.05	0.06	0.09
110.00	0.12	0.17	0.24	0.03	0.04	0.06
115.00	0.06	0.08	0.12	0.01	0.02	0.03
120.00	0.00	0.00	0.00	0.00	0.00	0.00

FAIRFAX COUNTY INFLOW HYDROGRAPH
PROJECT NAME LORD FAIRFAX ACADEMY SYSTEM "B"

RATIONAL FORMULA Q=CI*C*I*A
DRAREA= 0.43
CFACTOR= 0.80

RATIONAL FORMULA: Tc=5 MIN

TIME	I2	I10	I100	Q2	Q10	Q100
0.00	0.00	0.00	0.00	0.00	0.00	0.00
5.00	5.74	7.27	9.84	1.98	2.50	3.38
10.00	3.70	4.68	6.37	1.27	1.61	2.19
15.00	2.73	3.46	4.73	0.94	1.19	1.63
20.00	2.19	2.77	3.74	0.75	0.95	1.29
25.00	1.81	2.29	3.13	0.62	0.79	1.08
30.00	1.53	1.94	2.65	0.53	0.67	0.91
35.00	1.33	1.68	2.33	0.46	0.58	0.80
40.00	1.16	1.47	2.07	0.40	0.51	0.71
45.00	1.04	1.31	1.88	0.36	0.45	0.63
50.00	0.93	1.18	1.69	0.32	0.41	0.58
55.00	0.85	1.08	1.55	0.29	0.37	0.53
60.00	0.78	0.99	1.40	0.27	0.34	0.48
65.00	0.68	0.91	1.30	0.23	0.31	0.45
70.00	0.62	0.83	1.18	0.21	0.29	0.41
75.00	0.56	0.74	1.07	0.19	0.25	0.37
80.00	0.49	0.66	0.95	0.17	0.23	0.33
85.00	0.43	0.58	0.83	0.15	0.20	0.29
90.00	0.37	0.50	0.71	0.12	0.17	0.24
95.00	0.31	0.41	0.59	0.11	0.14	0.20
100.00	0.25	0.33	0.47	0.09	0.11	0.16
105.00	0.19	0.25	0.36	0.07	0.09	0.12
110.00	0.12	0.17	0.24	0.04	0.06	0.08
115.00	0.06	0.08	0.12	0.02	0.03	0.04
120.00	0.00	0.00	0.00	0.00	0.00	0.00

STORMWATER MANAGEMENT NARRATIVE

Stormwater Management and Best Management Practices requirements will be satisfied by the installation of two underground detention systems, one raingarden and 2 Filterra® structural devices. The phosphorus removal requirement is 40%. The calculated phosphorus removal (preliminary) is 45%. The underground detention systems provide attenuation such that site outfall is reduced from pre-developed conditions for both the 2 and 10 year storms. (See calculations attached). All storm water management system pipes and structures will be owner maintained under a maintenance agreement executed at the site plan stage.

The outfall is into an existing trapezoidal ditch that has the capacity to carry the flows from the facility.

Outfall from this site meets the requirements contained in the Public Facilities Manual 6-0201.2 where the discharge is into an existing drainage facility that has sufficient capacity.

See detailed analysis on sheet 9

Stormwater Management Calculations

- **Pre-developed Runoff** Q = ACI (tc = 5 minutes)
  $Q_2 = (1.29)(0.37)(5.74) = 2.74$ cfs
  $Q_{10} = (1.29)(0.37)(7.27) = 3.47$ cfs
  $Q_{100} = (1.29)(0.37)(9.84)(1.25) = 5.88$ cfs

  Post-developed Runoff (if not detained)
  $Q_2 = (1.29)(0.56)(5.74) = 4.15$ cfs
  $Q_{10} = (1.29)(0.56)(7.27) = 5.25$ cfs
  $Q_{100} = (1.29)(0.56)(9.84)(1.25) = 8.89$ cfs

  Onsite Uncontrolled
  $Q_2 = (0.32)(0.34)(5.74) = 0.62$ cfs
  $Q_{10} = (0.32)(0.34)(7.27) = 0.79$ cfs
  $Q_{100} = (0.32)(0.34)(9.84)(1.25) = 1.34$ cfs

  Allowable Release From SWM Systems
  Predeveloped runoff – onsite uncontrolled
  $Q_2 = 2.74 - 0.62 = 2.12$ cfs
  $Q_{10} = 3.47 - 0.79 = 2.68$ cfs

  Actual Runoff From Preliminary Routing Comps
  Q_2 out (combined systems) 1.4 cfs
  Q_{10} out (combined systems) 2.5 cfs

- NOTE: When purchased, this property contained a single family dwelling, detached garage, driveway and parking area and greenhouse. The total impervious area existing was 6,500 S.F. – or 11.6% of the site area. Therefore a weighted C factor of 0.37 was used for predeveloped runoff.

Part 2: Compute the Total Phosphorus Removal for the site

Subarea Designation	BMP Type	Removal Eff. (%)	Area Ratio	'C' Factor Ratio	Product
(1)	(2)	(3)	(4)	(5)	(6)
"A"	[redacted]	50%	0.47/1.29	0.37/0.56	= 16.9
"B"	[redacted]	*75%	0.24/1.29	0.80/0.56	= 19.40
"B2"	[redacted]	*75%	0.18/1.29	0.80/0.56	= 18.04

*MANUFACTURERS EFFICIENCY NUMBERS

(a) Total = 51.4%
>40% OK

MINIMUM STORMWATER INFORMATION FOR REZONING, SPECIAL EXCEPTION, SPECIAL PERMIT AND DEVELOPMENT PLAN APPLICATIONS

The following information is required to be shown or provided in all zoning applications, or a waiver request of the submission requirement with justification shall be attached. Note: Waivers will be acted upon respectively. Failure to adequately address the required submission information may result in a delay in processing this application.

This information is required under the following Zoning Ordinance paragraphs:
Special Permits (9-011 2J & 2L) Special Exceptions (9-011 2J & 2L)
Cluster Subdivision (9-615 1G & 1N) Commercial Revitalization Districts (9-622 2A (12) & (14))
Development Plans PRC District (18-302 3 & 4) PRC Plan (18-303 1E & 1G)
FDP P Districts (except PRC) (18-502 1F & 1Q) Amendments (18-202 10F & 10)

[X] 1. Plat is at a maximum scale of 1"=50' (unless it is depicted on one sheet with a minimum scale of 1"=100').

[X] 2. A graphic depicting the stormwater management facility(ies) and limits of clearing and grading accommodate the stormwater management facility(ies), storm drainage pipe systems and outlet protection, pond spillways, access roads, site outfalls, energy dissipation devices, and stream stabilization measures as shown on Sheet 2.

[X] 3. Provide.

Facility Name/ Type & No.	On-site Area served (acres)	Off-site area served (acres)	Drainage area (acres)	Footprint area (sf)	Storage Volume (cf)	If pond, dam heights (ft)
SWM Sys "A"	0.47	0	0.47	760	1,504	N/A
SWM Sys "B"	0.43	0	0.43	870	1,400	N/A
Totals	0.90	0	0.90	1,630	2,904	

[X] 4. Onsite drainage channels, outfalls and pipe systems are shown on Sheet 2.
Pond inlet and outlet pipe systems are shown on Sheet N/A.

[X] 5. Maintenance access (road) to stormwater management facility(ies) are shown on Sheet 2.
Type of maintenance access road surface noted on the plan is asphalt or gravel.

[ ] 6. Landscaping and tree preservation shown in and near the stormwater management facility is shown on Sheet N/A.

[X] 7. A 'stormwater management narrative' which contains a description of how detention and best management practices requirements will be met is provided on Sheet 7.

[X] 8. A description of the existing conditions of each numbered site outfall extended downstream from the site to a point which is at least 100 times the site area or which has a drainage area of at least one square mile (640 acres) is provided on Sheet 9.

[X] 9. A description of how the outfall requirements, including contributing drainage areas of the Public Facilities Manual will be satisfied is provided on Sheet 8.

[X] 10. Existing topography with maximum contour intervals of two (2) feet and a note as to whether it is an air survey or field run is provided on sheets 1 & 2.

[ ] 11. A submission waiver is requested for: N/A

[ ] 12. Stormwater management is not required because N/A

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LORD FAIRFAX ACADEMY
SCHOOL FOR EARLY LEARNING
PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA

S.W.M. / B.M.P. CALCULATIONS

COMMONWEALTH OF VIRGINIA
KERRY L. SKINNER
Lic. No. 1993
LAND SURVEYOR

Scale
N/A

Project #
2400

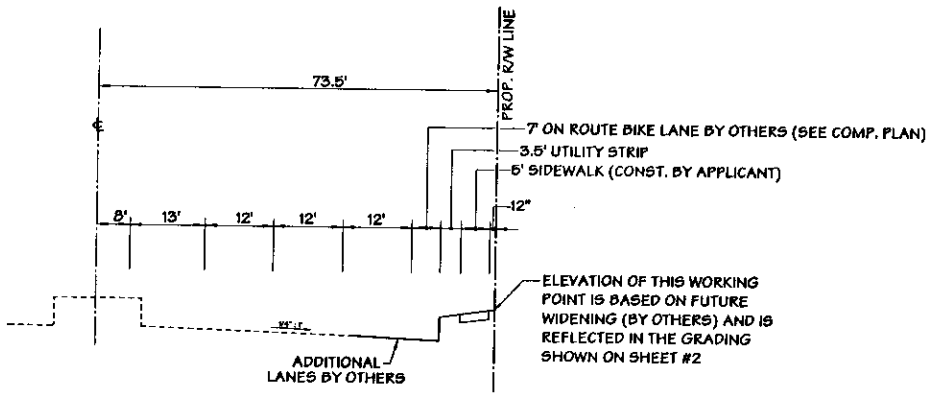
Date
05-06-2006

Revisions

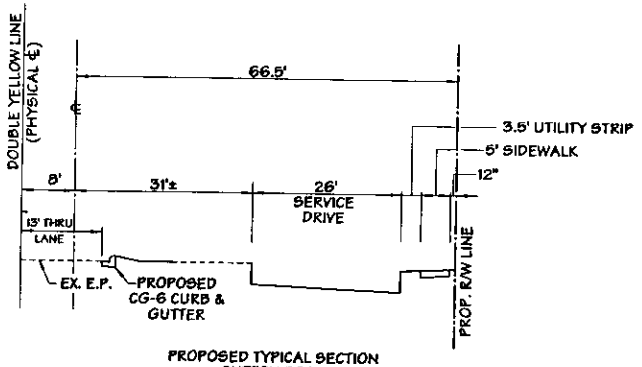
No	Description	Date	By

Sheet #
7

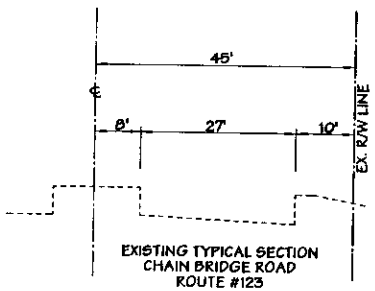
File #
445 SEP



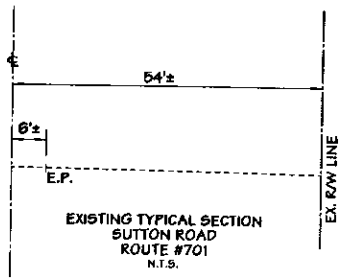
FUTURE TYPICAL SECTION
CHAIN BRIDGE ROAD
ROUTE #123
N.T.S.



PROPOSED TYPICAL SECTION
SUTTON ROAD
ROUTE #701
N.T.S.



EXISTING TYPICAL SECTION
CHAIN BRIDGE ROAD
ROUTE #123
N.T.S.



EXISTING TYPICAL SECTION
SUTTON ROAD
ROUTE #701
N.T.S.

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LORD FAIRFAX ACADEMY
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PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA

ROADWAY CROSS SECTIONS

COMMONWEALTH OF VIRGINIA
KERRY L. SUMNER
Lic. No. 1563
LAND SURVEYOR

Scale
N/A

Project #
2400

Date
05-06-2008

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No | Description | Date | By

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8

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TIME OF CONCENTRATION FOR CROSS SECTION DOWNSTREAM
(SOURCE: SEELYE OVERLAND FLOW FOR SURFACES AND KIRPICH OVERLAND FLOW TIMES FOR CHANNELS)

300' OF SHEET FLOW = 5 MINUTES
350' OF CHANNEL FLOW = 3 MINUTES
350' OF PIPED FLOW @ 7.5 FPS = 1 MINUTE
TC = 7 MINUTES TO CHANNEL @ PICTURE #1
I2 = 5.1 IN/HR (10 = 6.75 IN/HR

300' OF CHANNEL TO SWM/BMP POND = 2 MINUTES
1,000' OF PIPED FLOW @ 6 FPS = 2 MINUTES
TC = 11 MINUTES TO CHANNEL IN PICTURE #4
I2 = 4.48 IN/HR (10 = 6.76 IN/HR

660' OF CHANNEL TO PICTURE #5 = 4 MINUTES
TC = 15 MINUTES
I2 = 3.9 IN/HR (10 = 5.10 IN/HR

350' OF CHANNEL TO PICTURE #6 = 2 MINUTES
TC = 17 MINUTES
I2 = 3.71 IN/HR (10 = 4.86 IN/HR

700' OF CHANNEL TO PICTURE #7 = 6 MINUTES
TC = 23 MINUTES
I2 = 3.16 IN/HR (10 = 4.24 IN/HR

ROUGHNESS COEFFICIENT MODIFIER (EACH TABLES 5.1A TO 5.2I)

n1 CHANNELS IN COARSE GRAVEL n = 0.028
n2 SWM/BMP n= 0.000
n3 LARGE & SMALL SECTION ALTERNATING GRADUALLY n= 0.005
n4 NEGLIGIBLE OBSTRUCTIONS n = 0.000
n5 OVERBANK CONDITIONS - BUSHY GROWTHS, MODERATELY DENSE WITH NO SIGNIFICANT VEGETATION ALONG BOTTOM n = 0.015
n6 SINUOSITY: RATIO OF MEANDER LENGTH/STRAIGHT LENGTH = 1.07 n = 0.000

COEFFICIENT FOR CHANNEL (n1 + n2 + n3 + n4 + n5 + n6) = 0.048

TABLE 5-2Z YEOH
PERMISSIBLE VELOCITIES IN NATURAL CHANNELS WITH COARSE GRAVEL BOTTOMS IS 6 F.P.S.

OUTFALL ANALYSIS

THE DEVELOPMENT OF THE LORD FAIRFAX ACADEMY DAY CARE FACILITY INCORPORATED THREE STORM WATER MANAGEMENT FACILITIES THAT COMBINE TO REDUCE THE PEAK R. 10 YEAR STORM DISCHARGES TO BELOW PRE-DEVELOPER-LEVELS. SEE SHEET 7 FOR PRELIMINARY STORM WATER MANAGEMENT AND BEST MANAGEMENT CALCULATIONS. THE SITE CONSISTS OF 1.80 ACRES SO THE ANALYSIS THAT FOLLOWS WILL TERMINATE AT A POINT WHERE THE TOTAL CONTRIBUTING DRAINAGE AREA IS 130 ACRES, OR 100 TIMES THE SITE AREA.

THE POINT OF DISCHARGE OF THESE SWM/BMP SYSTEMS IS THE EXISTING CONCRETE TRAPEZOIDAL DITCH ON THE NORTH SIDE OF THE ADJACENT VERIZON FACILITY. THIS DITCH HAS BEEN FOUND ADEQUATE TO CARRY THE FLOW AND CALCULATIONS ARE INDICATED ON SHEET 8. THE TRAPEZOIDAL DITCH CONVEYS STORM WATER TO THE SOUTH SIDE OF THE VERIZON FACILITY WHERE IT IS PICKED UP BY A STORM SEWER SYSTEM.

THE STORM SEWER SYSTEM OUTFALLS INTO GRASS LINED "V" DITCH BEHIND THE SIDEWALK ON THE WEST SIDE OF BUTTON ROAD. SEE PHOTOGRAPH #1 WITH CROSS SECTIONS AND CALCULATIONS ATTACHED. THIS DITCH IS WELL MAINTAINED WITH NO VISIBLE EROSION PRESENT, AND BUTTON IN THE ATTACHED CALCULATIONS THAT SHOW THE TWO YEAR VELOCITY TO BE LESS THAN THE PERMISSIBLE VELOCITY FOR GRASS LINED CHANNEL.

FROM THIS DITCH THE STORM WATER IS CONVEYED TO THE EXISTING STORM WATER MANAGEMENT POND IN COURTHOUSE OAKS. PHOTOGRAPH #2 SHOWS THIS FACILITY TO BE WELL MAINTAINED WITH NO VISIBLE EROSION AT THE LOW FLOW ORIFICE NOR AT THE TWO INLET THAT SERVES AS THE PRINCIPAL SPILLWAY STRUCTURE FOR THIS SYSTEM.

ONCE STORM WATER IS PICKED UP WITHIN THE POND IT IS CONVEYED DOWNSTREAM IN AN ADEQUATELY FUNCTIONING STORM SEWER SYSTEM ON THE NORTH SIDE OF COURTHOUSE ROAD IN A NORTHEASTERLY DIRECTION FOR APPROXIMATELY 1,000 FEET, WHERE IT CROSSES UNDER COURTHOUSE ROAD AND IS DISCHARGED INTO A CHANNEL IN NOTTOWAY PARK.

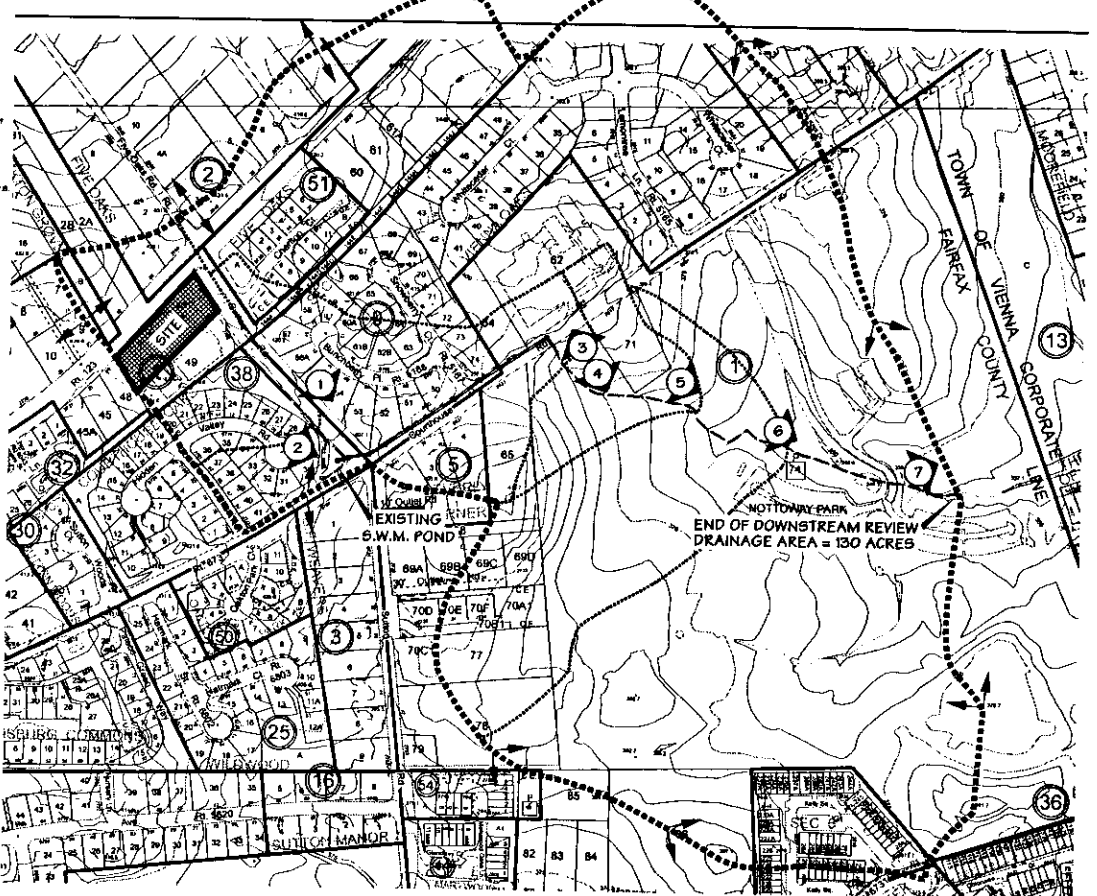
THE DISCHARGE PIPE IS SHOWN IN PHOTOGRAPH #3 AND THE CHANNEL TO WHICH IS DISCHARGES INTO IS SHOWN IN PHOTOGRAPH #4. THIS CHANNEL IS CHARACTERIZED BY A COARSE GRAVEL BOTTOM WITH STABLE SIDE SLOPES AND OVERBANKS THAT CONSIST OF MODERATELY DENSE BUSHY GROWTHS. NO EVIDENCE OF EROSION WAS VISIBLE, AND 2 YEAR VELOCITIES WERE BELOW PERMITTED VELOCITY OF 6 FEET/SECOND.

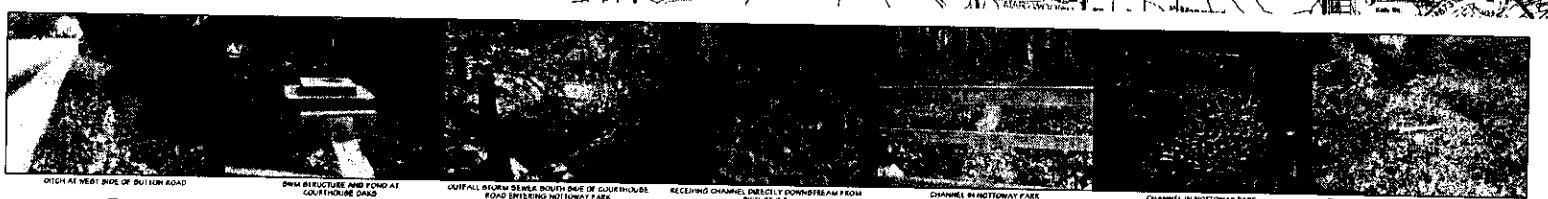
PICTURE #5 LIES APPROXIMATELY 650 FEET DOWNSTREAM OF #4. THIS CHANNEL, WHILE NARROWER AT 4'± WIDE, CONTAINS THE SAME COARSE GRAVEL BOTTOM, STABILIZED SIDE SLOPES AND BUSHY OVERBANKS AS IN PHOTOGRAPH #4. NO EVIDENCE OF EROSION WAS VISIBLE AND THE 2 YEAR VELOCITIES WERE BELOW PERMITTED VELOCITY OF 6 FEET/SECOND.

THE CROSS SECTION AND PHOTOGRAPH AT PICTURE #6 LIES ABOUT 350' BELOW PICTURE #5 AND SOLIDLY PERPENDICULAR TO THE NORTHERLY END OF THE PARKING LOT THAT SERVES THE PARK. THE BOTTOM CONSISTS OF COARSE GRAVEL, THE SIDE SLOPES WELL STABILIZED AND OVERBANKS ARE FAIRLY DENSE WITH SMALL TREES, SHRUBS AND GREEN BRIAR. THE 2 YEAR VELOCITY WAS CALCULATED AT 5.86 FEET/SECOND, SUBSTANTIALLY BELOW THE 6 FEET/SECOND PERMITTED BY YEOH TABLE 5-2Z.

THE FINAL CROSS SECTION LIES APPROXIMATELY 300' WEST OF THE TOWN OF VIENNA CORPORATE LINE. THIS CROSS-SECTION, PICTURE #7, DRAINS AN AREA OF 130 ACRES WHICH REPRESENTS AN AREA 100 TIMES THE SIZE OF THE SUBJECT SITE. THE BOTTOM OF THE CHANNEL IS 8'± WIDE AND CONSISTS OF COARSE GRAVEL, THE SIDE SLOPES ARE WELL STABILIZED, AND THE OVERBANKS CONTAIN SMALL BUSHES AND TREES. THERE ARE NO VISIBLE SIGNS OF EROSION AND THE 2 YEAR VELOCITIES ARE WELL BELOW PERMITTED AMOUNTS.

BASED ON THE FACT THAT THE PEAK DISCHARGES FROM THE SITE ARE BELOW PRE-DEVELOPED RATES, THAT THE OUTFALL PIPES AND CHANNELS ARE WELL STABILIZED, THAT THERE WAS NO EVIDENCE OF EROSION, AND THAT EROSIVE TWO YEAR VELOCITIES ARE NOT PRESENT IT IS OUR OPINION THAT THE OUTFALL IS ADEQUATE.





DITCH AT WEST SIDE OF BUTTON ROAD

SWM STRUCTURE AND POND AT COURTHOUSE OAKS

OUTFALL STORM SEWER SOUTH SIDE OF COURTHOUSE ROAD ENTERING NOTTOWAY PARK

RECEIVING CHANNEL DIRECTLY DOWNSTREAM FROM PICTURE # 3

CHANNEL IN NOTTOWAY PARK

CHANNEL IN NOTTOWAY PARK

CHANNEL AT END OF STUDY APPROX 300' WEST OF TOWN OF VIENNA LINE

1

3:1 2.5'± 3:1 12'

EX. DITCH CROSS SECTION N.T.S.

Q2 TO DITCH = AC1
(6.2) (0.16) (6.1) = 21.3 CFS
Q2 CAPACITY
S = 0.023 FT/FT
N = 0.05 (VEGT)
D = 1.5'
V(a) = 3.42 FPS V(ALLOW) 4 FPS±

2

1,000± APPROXIMATELY FUNCTIONING CLOSED CONDUIT STORM SEWER SYSTEM

3

4

Q2 TO CHANNEL = (25.0) (.40) (4.48) = 51.0 CFS

3:1 3:1

EX. DITCH CROSS SECTION N.T.S.

D = 1.3'
B = 12.0 FT/FT
N = 0.45
V2 = 4.6 FPS

5

Q2 TO CHANNEL = AC (32.4) (.40) (3.90) = 66.9 CFS

3:1 3:1

EX. DITCH CROSS SECTION N.T.S.

D = 1.25'
B = 0.05 FT/FT
N = 0.45
V2 = 5.20 FPS

6

Q2 TO CHANNEL = AC (48.8) (.40) (3.71) = 72.80 CFS

3:1 3:1

EX. DITCH CROSS SECTION N.T.S.

D = 1.5'
B = 0.04 FT/FT
N = 0.45
V2 = 5.86 FPS

7

Q2 = (130) (.36) (3.16) = 144.7 CFS

3:1 3:1

EX. DITCH CROSS SECTION N.T.S.

D = 2.5'
B = 0.04 FT/FT
N = 0.045
V2 = 4.88 FPS

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LORD FAIRFAX ACADEMY
SCHOOL FOR EARLY LEARNING

PROVIDENCE DISTRICT
FAIRFAX COUNTY, VIRGINIA

OUTFALL ANALYSIS

COMMONWEALTH OF VIRGINIA
KERRY L. SKINNER
Lic. No. 1583
LAND SURVEYOR

Scale
1" = 200'
200 0 200 400

Project #
2400

Date
05-06-2006

Revisions

No	Description	Date	By

Sheet #
9

File #
445 SEP

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

DESCRIPTION OF THE APPLICATION

Rezoning Request:

The applicant, James W. Jackson, is requesting that the subject 1.29 acre property, be rezoned from the R-1 District (Residential, 1 du/ac) to the R-3 District (Residential, 3 du/ac) in order to permit the construction and operation of a proposed child care center and nursery school in a single building. The proposed 9,600 square foot (SF) building would result in a FAR of .17.

Special Exception Request:

In addition to the rezoning request, the applicant is also requesting a Category 3 Special Exception to permit a child care center and nursery school with a maximum enrollment of 170 students in a R-3 zone.

Location:	The subject property is located in the southeast quadrant of the intersection of Chain Bridge and Sutton Roads in Vienna.
Acreage:	1.29 acres
Hours of Operation:	6:30 am to 7:00 pm Monday-Friday with an option for extended hours, from 6:00 pm to 10:00 pm on Friday and Saturday nights for evening day care.

Waivers and Modifications

The applicant is requesting approval of the following waivers and modifications:

- A waiver of the service drive requirement along Chain Bridge Road;
- A modification of the transitional screening requirements along the perimeter of the site, in favor of what is shown on the Generalized Development Plan (GDP)/Special Exception (SE) Plat;
- A modification of the barrier requirement along portions of the Chain Bridge Road frontage and along the Sutton Road frontage in favor of that which is shown on the GDP/SE Plat;

- A modification of the four-foot fence height limitation in a front yard to permit a fence and wall along Chain Bridge Road as shown on the GDP/SE Plat. The proposed wooden fence, which is generally adjacent to the proposed structure, is shown as 6 feet in height, while the play area is surrounded by a 7- foot high masonry wall. Sections of this wall are also located along Chain Bridge Road; and

- Waiver of construction of the on-road bike lane along Chain Bridge Road, as depicted on the GDP/SE Plat.

The draft proffers, proposed development conditions, the applicant's statement of justification and the affidavit may be found at Appendices 1-4 at the end of this staff report.

LOCATION AND CHARACTER

Site Description:

The 1.29 acre site is located at the southeastern corner of the intersection of Sutton and Chain Bridge Roads. The site has frontage on both Chain Bridge and Sutton Roads. The site's topography is relatively level.

The site is currently vacant with a gravel driveway, parking lot and a concrete box. Vegetation on this site consists of pioneer upland forest containing tulip, black locust, black walnut, black cherry, silver maple, Norway maple, paulownia, ash, elm and white pine species and is generally in poor to fair condition.

Surrounding Area Description:

SURROUNDING AREA DESCRIPTION			
Direction	**Use**	**Zoning**	**Plan**
Northwest	Single Family Detached (Five Oaks Subdivision)	R-2	Residential, 3-4 du/ac
Northeast	Single Family Detached (Five Oaks Subdivision)	PDH-4	Residential, 3-4 du/ac
Southeast	Public Utility (Verizon Central Switching Station)	RE	Residential, 3-4 du/ac
Southwest	Single Family Detached	R-1	Residential, 3-4 du/ac

BACKGROUND

Site History:

According to county records, temporary special permits have been issued for this site for seasonal sales of Christmas trees and fireworks in the past. However, the applicant notes that since his acquisition, the property has been solely used for a construction staging area for the Virginia Department of Transportation (VDOT) capital road improvements taking place in the Town of Vienna (located to the east of the site).

Previous land use applications include a 2005 rezoning application, (RZ/FDP 2005-PR-016) which requested a rezoning to PDH-4 for single family residential development on the site. However, the application was ultimately withdrawn by the applicant.

COMPREHENSIVE PLAN PROVISIONS

Plan Area:	Area 2, Vienna Planning District
Planning Sector:	Nutley Community Planning Sector
Plan Map:	Residential, 3-4 du/ac

The Comprehensive Plan contains no site specific text for this parcel; however, generally, the Nutley Planning sector is largely developed as stable residential neighborhoods. The Plan recommends that infill development in these neighborhoods should be of a compatible use, type and intensity.

ANALYSIS

Generalized Development Plan/Special Exception Plat (GDP/SE)
(Copy at front of staff report)

Title of GDP/SE:	Lord Fairfax Academy
Prepared By:	Barnes & Johnson, Inc. Civil Engineers
Original and Revision Dates:	March 17, 2008 and revised through March 3, 2009

The GDP/SE Plat consists of nine (9) sheets showing the following information:

GDP/SE Plat Lord Fairfax Academy	
Sheet 1 (Cover Sheet)	Vicinity Map, Sheet Index, West Elevation, Soils Map, General Notes, Tabulations
Sheet 2	Site Layout, Playground Area Tabulation
Sheet 3	Existing Vegetation Map
Sheet 4	Landscaping Plan, Landscaping Schedule, Waiver Requests
Sheet 5	Bulk Plan Depictions
Sheet 6	Drainage Divides
Sheet 7	SWM/BMP Calculations
Sheet 8	Roadway Cross Sections
Sheet 9	Outfall Analysis

The following features are depicted on the combined GDP/SE Plat:

- *Site Layout:* The GDP/SE Plat shows a one-story, 28-foot high brick and exterior siding building with a maximum gross floor area of 9,600 SF for a 0.17 FAR. While the building dominates the site, the site layout also proposes to place the surface parking near the Sutton Road frontage, in front of the proposed building, with the children's play area to the rear of the building, closest to the Chain Bridge Road frontage. The development will thus largely consume the entire site. The building is rectangular and approximately 80 feet by 125 feet in dimension, with the long side facing Chain Bridge Road. The building sits near the center of the site, approximately 165 feet from the property frontage along Sutton Road, 30 feet from the frontage along Chain Bridge Road and 94 feet from the rear property line.

- *Right-of-Way Dedication:* The applicant has proposed right-of-way dedication of 73.5 feet from the centerline along Chain Bridge Road to support the three through lanes, a right turn lane and an on-road bike lane on Chain Bridge Road. The applicant has also proposed dedication of 66.5 feet from the centerline of Sutton Road to support the improvement of Sutton Road, per the Comprehensive Plan, to a two-lane improved roadway.

- Architecture: Per the draft proffers, the building constructed on the property shall be in substantial conformance with the elevations depicted on the GDP, consisting of a combination of brick and siding exterior materials. The structure is proposed to have a maximum height of 28 feet and will feature multiple gables.

- *Access:* The site will be accessed via a driveway directly from Sutton Road. The access point will be near the southern property line (shared with the abutting Verizon facility) and will provide right and left turn access into and out of the site. While the single entrance will provide full service for right and left turns, the circulation onsite is proposed to be controlled with one-way drive aisles, with those entering the site turning immediately left to access parking spaces.

- *Parking:* The GDP/SE Plat shows a surface parking lot consisting of 29 parking spaces located adjacent to Sutton Road, in front of the proposed day care structure.

- *Landscaping:* The applicant proposes landscaping along the Sutton and Chain Bridge Road frontages, as well as along the southwest boundary line where the property is adjacent to a single-family detached home. The landscaping along Chain Bridge Road and Sutton Road consists of a row of 3-inch caliper shade trees interspersed with different size evergreen trees and seasonal plantings. Adjacent to the existing single-family detached home to the southwest, the applicant proposes a ten-foot wide planting strip with three additional 3-inch caliper shade trees with shrubs and evergreen trees to be placed between a proposed masonry wall and the property line. In addition, shade trees and shrubs will be planted within the parking area to provide shade within the parking lot as well as screen the proposed trash enclosure. The applicant further proposes walls of varying heights and materials on the periphery of this site to provide further buffering. Around the play area, which is at the rear of the building, the applicant proposes a 7-foot high masonry wall which will follow the rear property line and portions of the property line along Chain Bridge Road. Further, along the proposed building the applicant proposes a 6-foot high wooden wall along Chain Bridge Road. That wall is proposed to end roughly at the northwest corner of the building.

- *Pedestrian Amenities*: The applicant proposes a five (5) foot wide sidewalk along Chain Bridge and Sutton Roads.

- *Stormwater Management*: The applicant proposes to satisfy the stormwater management and best management practices with the installation of two underground detention systems, one raingarden in the rear area near the play area and two filterra structural devices.

Land Use Analysis

Issue: Intensity of Use

As noted above, the Comprehensive Plan indicates that this area is characterized by stable residential neighborhoods and that infill development may be appropriate if compatible with its surroundings in terms of use, type and intensity. Staff believes that this type of use may be compatible with the residential nature of the area and that the general design of the structure, with gables and dormers, is architecturally compatible. However, staff is concerned that the proposed intensity and size of the facility (including the building and its required parking and playground areas) is too great for this parcel given its relatively small size and the fact that the size of the building and associated parking lot will compel the applicant to provide less space for landscaped buffering for nearby single-family detached dwellings and will limit the ability to provide the right-of- way necessary to achieve transportation requirements along Sutton and Chain Bridge Roads. The applicant is requesting a waiver and/or modification of all of the required transitional screening and barriers for this site, and staff notes that provision of full screening here may be especially important to protect the play area, the adjacent single family homes and buffer the use from the traffic on Chain Bridge Road. As such, staff has encouraged the applicant to consider a new design based on fewer students and a smaller building footprint.

Resolution:

In order to address staff's concerns, the applicant has reduced the maximum number of children onsite from 185 to 170 students, and has reduced the size of the facility from 10,347 SF to 9,600 SF. While this has allowed the applicant to reduce the number of parking spaces and provide more area for dedication of right of way along Chain Bridge Road, the applicant has not been able to provide for more landscaped screening on this site. Generally, the applicant has indicated that the proposed number of students is necessary for the child care center to be financially successful. In addition, the applicant has cited state regulations requiring a certain amount of space per student, mandating the size of the building and the core facilities (kitchen, bathrooms, indoor play space) that need to provided with any child care centers. Therefore, the size of the structure and parking area has not changed in any significant way. This issue remains unresolved.

Transportation Analysis *(See Appendix 5)*

Issue: Right turn lane from Chain Bridge Road to Sutton Roads

The Comprehensive Plan calls for a six-lane undivided section along Chain Bridge Road in this location. As such, staff requested that right-of-way of

73.5 feet from centerline be provided with an additional 12 feet for a right turn lane from Chain Bridge Road to Sutton Road. The applicant has dedicated sufficient right of way, but has also submitted a right-turn lane analysis based on existing conditions to show that a right turn lane is required even now, even prior to development of this proposed child care facility. Nevertheless, the applicant has not agreed to construct a right turn lane from Chain Bridge to Sutton Road

Resolution:

As stated, staff's analysis of the submitted right-turn lane analysis shows that a full width right-turn lane and taper is warranted today under existing conditions. With the intensity proposed here, the school will place an even larger burden on this intersection which is already strained. For that reason, staff believes that the right turn lane should be provided. This issue is unresolved.

Environmental Analysis (*See Appendix 6*)

Issue: Noise Mitigation

As noted in the Environmental Memo attached at Appendix 6, the entire property falls within the 65-70 dBA L_{dn} noise impact area, caused by projected traffic noise from Chain Bridge Road. The Policy Plan of the Comprehensive Plan recommends that outdoor recreation areas have noise levels no greater than 65dBa. The proposed new school/child care facility is considered a noise sensitive use. Therefore, in an effort to reduce the noise impacts, staff requested that the applicant use appropriate indoor and outdoor noise mitigation efforts in this project in order to reduce the noise levels to 45 dBA indoor and 65 dBA outdoor.

Resolution:

The applicant has revised the GDP/SE Plat to show a 7-foot high masonry wall extending along the rear of the property continuing around the side property line adjacent to the proposed play area. The applicant has not submitted a noise study demonstrating the mitigation effects of this masonry wall, but staff has generally concluded that this barrier may be sufficient to mitigate noise generated by the traffic of Chain Bridge Road, as well as to buffer the adjacent residential uses from the children's play area. Since this section of the wall is likely needed for noise mitigation, staff does support the request to waive the maximum wall height along this front yard. While staff would prefer that sufficient noise testing be done at this time in order to determine the efficacy of the wall at noise mitigation, staff has suggested a proposed development condition which would require a noise study to be done prior to site plan approval in order to show that the proposed wall will mitigate noise levels to 65 dBA or less. Further, staff has proposed a development condition that the school itself should be

constructed with building materials that are sufficient to reduce noise in interior areas to 45 dBA L_{dn} or less. The condition also stipulates that, should the noise study show failure on either of these measures, proper mitigation techniques must be implemented prior to site plan approval. Therefore, staff believes that this issue is resolved.

Issue: Energy and Environmental Design

The Comprehensive Plan was recently amended to recommend that buildings and associated landscapes be designed and constructed to use energy and water resources efficiently and to minimize negative impacts on the environment and building occupants. Therefore, staff encouraged the applicant to evaluate this development proposal against the standards established by the U.S. Green Building Council through their LEED (Leadership in Energy and Environmental Design) program and to implement building and development practices designed to ensure water and energy conservation.

Resolution:

This application proposes the use of low impact development (LID) techniques to meet some of the stormwater management requirements for this proposed school and child care center. While the applicant has agreed to explore options such as Energy Star appliances in their building, no specific commitment to use Energy Star has been made at this time. In staff's opinion, such a commitment would provide an opportunity to minimize the development's negative impacts on the environment and the building occupants over time. For that reason, staff continues to urge the applicant to commit to further energy conservation within the building.

Public Facilities *(See Appendices 7-11)*

Issue: Stormwater Management *(Appendix 7)*

As noted above, the applicant proposes to manage stormwater on this site through use of two underground detention systems, a raingarden and two Filterra devices. Staff has informed the applicant that there are some ditch drainage complaints in the area. However, this site's outfall path is outside of the parcel which has made complaints and therefore staff does not expect this proposed project to exacerbate this problem. Nevertheless, as always, it should be noted that the applicant will be responsible for their own outfall as per the Public Facilities Manual (PFM). In addition, staff has noted to the applicant that

requirements related to appropriately detailed soil tests will be required at the time of site plan review and that all facilities must meet PFM standards. Based on the information provided by the applicant, staff believes, however, that the SWM plan is appropriate.

Issue: Tree Preservation and Screening *(See Appendix 8)*

Originally, staff expressed concerned with the limits of clearing and grading on this site because the site is proposed to be completely cleared of all vegetation with no tree preservation of any kind. However, further investigation found that the onsite trees are in poor to fair condition. One tree, located in the southeast corner of this site, had originally been slated for preservation but the Urban Forester noted that the tree condition was so poor (in decline with vines and broken wood and branches at the crown) that it was not a successful candidate for preservation. Given the condition of the on-site vegetation and the proposed development in the center of the site with play area at the rear, the opportunities for preserving onsite trees is simply limited on this site. Staff is concerned that the proposed limits of clearing and grading, which extend all the way to the property line at the eastern portion of the site, may impact co-owned trees along that property boundary. Staff recommended that the limits of clearing and grading be adjusted appropriately.

Staff has also pointed out that the proposed locations of the barriers at the western portion of the site adjacent to Chain Bridge Road are not located between the required transitional screening and the proposed school as required by the Zoning Ordinance and that the barrier should be relocated to the western edge of the 10' wide grasscrete access road with the transitional screening along the western side of the barriers. Finally, staff has pointed out that the location of several proposed trees need to be adjusted because they are shown to be planted within 4 feet of a restrictive barrier and that an evergreen tree appears to be located within a proposed waterline easement at the western portion of the property.

Resolution:

With regard to the offsite trees, the applicant employed a landscape architect and arborist to evaluate the condition of the offsite trees. The trees were determined to be poor candidates for preservation and the applicant is pursuing permission from the owner, Verizon, to remove these trees. Staff has thus proposed a development condition noting that the applicant must obtain this letter of permission to remove these trees prior to site plan approval. With the implementation of this proposed development condition, staff believes that this issue has been resolved.

Staff has also included a proposed development condition requiring the barrier and transitional screening to be designed to meet the PFM requirements for screening the use from single family detached dwellings across Chain Bridge Road. A review of the exact placement of trees and any impact on existing easements must be conducted at the time of site plan review and that all requirements of the PFM will need to be satisfied prior to any site plan approval. Staff would stress again that trees cannot be planted within 4 feet of a restrictive barrier or within a utility easement unless appropriate waivers and permissions are obtained.

Water Service Analysis *(See Appendix 9)*

Adequate domestic water service is not available on this site, and an offsite water main extension will be required utilizing the 12" water main located in Chain Bridge Road. The GDP/SE Plat depicts a new water line which will be extended through the site to provide domestic water services and staff notes that this requirement will be reviewed and required prior to site plan approval. Therefore, staff feels that this issue has been resolved.

Fire and Rescue Analysis *(See Appendix 10)*

Staff has reviewed this application and has found that the application currently meets fire protection guidelines and that, the applicant will be required to meet all fire marshal guidelines during site plan review.

Park Authority Analysis *(See Appendix 11)*

Issue: Archeological Resources

During review of this case, staff noted that the site appeared to contain structures constructed prior to 1937 and suggested that the site be subjected to a tight interval Phase I archeological survey, using a scope of work provided by the Park Authority.

Resolution:

The applicant indicated that a Phase I archeological study is being conducted at this time, with results to be forwarded upon completion. Staff has further proposed a development condition noting that the applicant should conduct and send this study to the Fairfax County Park Authority, with additional cultural resources studies such as Phase II/III reviews to be completed as indicated.

ZONING ORDINANCE PROVISIONS

Bulk Standards (R-3 Zoning)		
Standard	**Required**	**Provided**
Lot Size	10,500 SF	56,009 SF or 1.29 ac
Lot Width	105 feet	Approx. 127 feet on Sutton Road; 357.89 feet on Chain Bridge Road
Front Yard	Controlled by a 40° angle of bulk plane, but not less than 30 feet (for a 28 foot high building, the ABP distance is 25 feet minimum)	165—Sutton Road; 30—Chain Bridge Road
Side Yard	Controlled by a 35° angle of bulk plane, but not less than 10 feet. (please see ABP illustration on Sheet 5 of the GDP/SE Plat demonstrating conformance with APB regulations)	13 feet (See Sheet 5 for the rendering of the building with step backs to meet ABP)
Rear Yard	Controlled by a 35° angle of bulk plane, but not less than 25 feet (for a 28 foot high building, the ABP distance is approximately 21 feet)	94 feet
Building Height	60	28 feet
FAR	.25	.17
Open Space	No Requirement	N/A
Tree Cover	20%	28%
Parking Spaces	28	29
Transitional Screening	TS 1, 25 foot wide open space with proscribed plantings Required along all property lines except along southern boundary (Verizon Switching Station)	Modification requested to that shown on GDP/SE Plat.
Barriers	D, E, or F required along all property lines except southern boundary with Verizon Switching Station	On western property line, providing 7 foot high masonry wall; Along Chain Bridge Road, frontage has three different treatments, including a 7-foot high masonry wall, moving east and a length of 6 foot high board on board fence, with no barrier for the rest of the length of Chain Bridge Road frontage; Along Sutton Road (On East), waiver requested.

Waivers/Modifications

Transitional Screening and Barriers

As noted above, this proposed child care center is adjacent or across the street from single-family detached dwellings on all sides except to the south, where the property is adjacent to a public utility.

The applicant has stated that he is unable to meet any of the transitional screening and barrier requirements resulting from the abutting single family detached homes due to requirements associated with the building, the structure and the play area. The applicant has thus asked for several waivers and/or modifications to these requirements.

According to the Zoning Ordinance, child care centers and nursery schools which abut single-family detached dwellings require Transitional Screening 1 (an unbroken strip of open space at least 25 feet wide planted with a prescribed ratio of large deciduous and evergreen trees and shrubs to buffer the nearby residential uses). In addition, child care centers and nursery schools which abut single-family detached dwellings require Barriers D, E, or F (which includes a 42-48-inch high chain link fence, or a 6-foot high solid masonry or wood fence to buffer the nearby residential uses).

Northern Property Line/Sutton Road Frontage

The applicant requests a modification of the transitional screening requirement along Sutton Road and a waiver of the barrier requirement. Instead of the required transitional screening, the applicant proposes a series of deciduous and evergreen trees with deciduous shrubs at a width of approximately 20 feet to buffer the parking lot from the residential uses across the street. Par. 3 of Sect. 13-304 allows such waivers or modifications when the land between the proposed building and the property line has been specifically designed to minimize impacts. The applicant has designed the parking lot with angled parking spaces to avoid glare of headlights facing the residential uses and has architecturally designed the building to appear residential in character. Given the fact that the detached residential development is across the street and not directly abutting the proposed project, staff could be supportive of a waiver of the barrier and modification of transitional screening. However, staff notes that the reason that the applicant requires this transitional screening modification is that the site is largely consumed by the proposed development and it is possible that the transitional screening modification would not be required if the development footprint were smaller. Therefore, while staff supports the waiver of the barrier, staff cannot support the modification of the required transitional screening at this time.

Western Property Line/Chain Bridge Road Frontage

The Chain Bridge Road frontage can be broken into three distinct pieces for purposes of the requested waivers and/or modifications requested for transitional screening and barriers. At the southern end of the site, the applicant proposes a 7-foot high masonry wall which buffers the play area from Chain Bridge Road. Moving north, this masonry wall transitions to a 6-foot high wooden fence that would be immediately adjacent to the proposed school. Past the school, and along the northern portions of the frontage, the applicant proposes no barrier at all. As for landscaping, the applicant is not proposing landscaping between the 7-foot high wall and Chain Bridge Road. Instead supplemental plantings would be placed between the 6-foot high wooden fence and Chain Bridge Road shielding the fence from the street. Staff has noted that the wall should be buffered with landscaping adjacent to Chain Bridge Road in the areas with the barrier. The applicant has indicated that landscaping could be provided, although staff has not received revised drawings showing the proposal. In the areas without a barrier, the applicant is proposing a 10-foot wide landscaping strip to connect to the intersection with Sutton Road. Staff supports the modification of the barrier requirements to that which is shown on the GDP/SE Plat due to the fact that the masonry wall is near the proposed play area and that the proposed architecture of the building will mimic residential development to minimize impacts of the proposed development on nearby uses. However, in the absence of a barrier, the landscaping along the parking lot (near the intersection) becomes vital to shielding the adjacent uses from the view of the parking lot (specifically, headlight glare and the activity related to the pick up and drop off of students). Again, as noted above, given the fact that the detached residential development is across the street and not directly abutting the proposed project, staff could be supportive of a modification of the transitional screening. However, staff notes that the need for the modification is being driven by the intensity of the use, and staff has concluded that the transitional screening modification would not be required if the development footprint were smaller. Therefore, while staff supports the waiver of the barrier, staff cannot support the modification of the required transitional screening at this time.

Southern Property Line/Adjacent to Tax Map Parcel 48-1 ((1)) 48

Par. 4 of Sect. 13-304 permits transitional screening yard width and planting requirements to be reduced as much as two-thirds (2/3) where the developer chooses to construct a seven (7) foot brick or architectural block wall instead of the lesser barrier indicated by the matrix. The applicant is proposing a 7-foot high masonry wall along the property boundary with a proposed vegetated buffer 10 feet in width, which meets the 2/3 requirement. Staff supports this modification to the barrier requirements as the masonry wall will provide better sound buffering than would the required transitional screening. However, in this case, unlike above, the transitional screening here is much closer to single family detached

housing and staff remains concerned that part of the need for the reduction of width for the transitional screening is related to the fact that the proposed development consumes so much of this parcel. As such, staff cannot support the modification as it relates to the overall intensity problems relating to this proposal.

Modification of Fence Height Limitations in a Front Yard

Since the applicant has two front yards, including along Chain Bridge and Sutton Roads, the applicant requests a modification of the 4 (four) foot fence height limitation in a front yard to permit a 7-foot high masonry wall and 6-foot high wood fence along Chain Bridge Road. According to Par. 3H of Sect. 10-104, the Board may approve in conjunction with a proffered rezoning or a special exception for another use, an increase in fence and/or wall height so long as:

- In order to show the visual impact of the fence, wall, gate and/or gate post on nearby properties, the height, location, color and materials of the proposed fence, wall, gate and/or gate post and any associated berming or landscaping shall be submitted with the application.

- The Board/BZA shall determine that the proposed fence, wall, gate and/or gate post is in character with the existing development on the site, is harmonious with the surrounding development, and will not adversely impact the use and/or enjoyment of any nearby property. The Board/BZA may impose such conditions as it deems necessary to satisfy this criteria.

Staff notes again that the wall/fence proposed will be in two sections. For a small section, a 7-foot high masonry wall is proposed, with landscaping between it and the children's play area. The majority of the wall is proposed to be a 6-foot high board on board fence with notching and landscaping to complement other fences along Chain Bridge Road. Staff supports the request as the masonry wall is intended to provide noise buffering between Chain Bridge Road and the proposed play area associated with the child care center. In addition, staff has concluded that the masonry wall and wood fence are compatible with the surrounding area and the landscaping will be harmonious with the neighborhood. As such, staff supports this requested modification.

Waiver of the service drive requirement along Chain Bridge Road.

Staff supports this request as the abutting parcel is residential and would not need to provide interparcel access to this site.

Waiver of construction of the on-road bike lane along Chain Bridge Road

Staff has determined that the applicant has provided sufficient right-of-way to accommodate an on-road bike lane. Staff finds that requested waiver of construction of the on-road bike lane is appropriate as right-of-way will be available for any possible future construction of the bike lane.

Other Zoning Ordinance Requirements:

Special Exception Requirements (Appendix 12)

Standards for Child Care Centers and Nursery Schools (Sect. 9-309)

Standard 1 requires that, 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. On the applicant's submitted GDP/SE Plat, a play area of over 7,200 SF is shown at the rear of the proposed structure. As this area would allow 72 children to play outside at one given time, staff has concluded that this standard has been met. Staff has further proposed a development condition specifying that no more than 72 children can access the play area at any given time. With the implementation of this proposed development condition, this standard has been satisfied.

Standard 2 requires that 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

The applicant proposes to access this child care center from Sutton Road, a collector road per the Comprehensive Plan. However, as this site is near the Chain Bridge Road intersection with Sutton Road, staff has analyzed whether this part of the road network is adequate for the intensity of use proposed here. Specifically, staff has noted, and the applicant has provided a right-turn analysis showing, that there is currently sufficient traffic to support a right turn lane from Chain Bridge to Sutton Road on the northbound lanes of Chain Bridge Road. Given this information, staff has expressed concern that the number of trips generated by the use proposed here will merely exacerbate the existing problems. Although the applicant has resolved issues relating to site access from Sutton Road, staff has concluded that the current conditions are not sufficient to accommodated pedestrian and vehicular traffic to and from the use. Therefore, this standard has not been met.

Standard 3 requires that all such uses shall be located so as to permit the pick-up and delivery of all persons on the site. The applicant has proposed a parking lot at the front of the proposed structure, near Sutton Road, with the required parking spaces and areas to take the students into and out of the site. Staff has asked the applicant for a pick-up and drop-off plan for the students because staff is concerned that with the amount of vehicles entering the site, (all seeking to park and deliver children into the building), back-ups could result on Sutton Road.

Instead of providing the requested transportation management plan (or proposing a "drop-off" or "pick-up" process where employees of the facility assist in this procedure), the applicant has simply indicated that the turn-around time for pick-ups and drop-offs would be brief and that those parents dropping off the students will park their vehicles and then accompany the students into the facility. Similarly, the pick-up process would operate in reverse, with those parents picking up students walking inside to get the children and then returning to their vehicles. Under the proposed one-way circulation, those looking for a place to park onsite will either need to stop while other cars exit a parking space or circle around the parking lot in order to find an empty space. Without a plan and direction for pick-up and drop-off, staff has determined that this standard has not been met.

Standard 4 requires 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. The applicant will be required to meet all applicable state codes relating to the establishment of this kind of use

General Standards

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

General Standard 1 requires that the proposed use at the specified location shall be in harmony with the adopted comprehensive plan. As noted above, while there is no specific text for this parcel, this type of use may be appropriate for infill development as envisioned by the Comprehensive Plan. However, the Comprehensive Plan provides further guidance in the form of the *Locational Guidelines for Child Care Facilities* in the Policy Plan. The Locational Guidelines give six criteria to consider when siting a child care. With regard to one of these criterion, the proposed child care facility is well-sited because it is near the employment centers of Tysons Corner and Vienna. However, this proposal fails on key aspects relating to transportation concerns in the Locational criteria:

- *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 application has met the basic requirements of providing suitable play areas, but staff has noted that the play area is directly adjacent to Chain Bridge Road. Staff believes that if the size of the facility, in terms of its footprint, were reduced, there would be better opportunity to place the play area further away from Chain Bridge Road and provide a greater buffer between the road and the play area and between the adjacent single family home and the play area. Therefore, while the location of the play area could be improved, as currently proposed, staff finds that this standard is met.

- *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 play area's location adjacent to Chain Bridge Road raised concerns for staff. The applicant has agreed to mitigate the noise with a 7-foot high masonry wall along the play area and Chain Bridge Road. A proposed development condition requires that the noise be mitigated, with appropriate noise study during site plan approval. Further, as noted on Sheet 2, the play area is required, per the Zoning Ordinance, to be outside of the front yard, which will require the play area to be placed at least 30 feet from the Chain Bridge Road frontage. With the play area shown on the GDP/SE Plat and with implementation of the proposed development condition relating to noise mitigation, this part of the standard has been met.

- *Child care facilities should be located and designed to ensure safe and convenient access. This includes appropriate parking areas and safe and effective on-site circulation of automobiles and pedestrians.* The applicant has revised the layout in order to provide more effective access from Sutton Road since the original layout relied too heavily on circulation on a service drive located within the right-of-way. However, staff remains concerned that the proposed intensity of use (170 children) is too great for the adjacent

intersection to support. The applicant has provided information that there is already enough right turns from Chain Bridge to Sutton to warrant a right turn lane, but has not provided specific information about how many more trips would be generated by the proposed use. Nevertheless, there are existing transportation issues which staff believes will be exacerbated by the proposed use. For that reason, staff has consistently urged the applicant to reduce the number of students so as to allow more flexibility of site design and to, possibly reduce the access impacts that this use will place on this key intersection. At this time, without a right turn lane from Chain Bridge to Sutton Road, staff cannot find that this facility is located at a site that will provide safe and convenient access for the users of the facility and staff continues to urge the applicant to reduce the proposed enrollment and to provide more safeguards for the number of trips and timing of trips at this location. This standard has not been met

- *Child care facilities in Suburban Neighborhoods should be located and designed to avoid creating undesirable traffic, noise, and 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.* Staff has determined that the siting of this child care facility could well cause undesirable traffic impacts upon the surrounding community as this use may further degrade the service levels at the Sutton Road and Chain Bridge Road intersection. As previously discussed, staff has proposed a development condition requiring that a noise study be submitted during site plan approval to show that the proposed wall will mitigate the noise levels to 65dBA. While the applicant has not shown a noise study to demonstrate that the wall is sufficient, in either its height or acoustical design, staff notes that implementation of the proposed development condition will require that the wall ultimately be designed to mitigate noise for both the children in the play area and residences nearby.

General Standard 2 requires that the proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations. The Zoning Ordinances notes that the R-3 District is established to provide for single-family detached dwellings; to provide for affordable dwelling unit developments; and to allow other selected uses which are compatible with the low density residential character of the district. Staff does believe that the basic Zoning Ordinance requirements have been satisfied and that this type of use can be compatible with the low density residential character of the area. However, as noted, staff has concerns about the intensity of the use to include, specifically, the large number of children to be accommodated onsite and the large percentage of land which must be used to accommodate the building, parking and recreation requirement, as well as the need for modifications of all the transitional screening requirements on the site.

General Standard 3 requires that 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 applicant proposes fences, walls and landscaping to screen and buffer this use from the adjacent single-family detached dwellings and staff believes that this proposal is harmonious with the surrounding area and this standard is satisfied.

General Standard 4 requires that 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. As detailed above, the applicant is not providing adequate facilities in terms of a right turn lane from Chain Bridge to Sutton Road. In addition, staff is still concerned that the absence of a pick up and drop off plan for a Child Care Center, with up to 170 students, could impact Sutton Road with excess queuing into the right-of-way. As such, this standard is not satisfied.

General Standard 5 requires that landscaping and screening be in accordance with the provisions of Article 13. The applicant is providing 28% tree cover where 20% is required and is also providing the required parking lot landscaping for the site. Staff further supports several of the transitional screening waivers and/or modifications requested, and while staff finds that this standard has been met, further buffering between the play area and Chain Bridge Road and the adjacent single family detached dwelling, is desirable.

General Standard 6 requires that open space be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located. There is no open space requirement for conventional subdivisions in the R-3 district. Therefore, this standard is not applicable.

General Standard 7 requires that adequate utilities, drainage, parking and loading spaces and other necessary facilities to serve the proposed use. All necessary water connections must be made for this property during the site plan review process and staff notes that the SWM and parking/loading requirements have been met per the Zoning Ordinance. As noted above, the applicant is aware of that further waivers and/or modifications of PFM design criteria may need to be sought for innovative stormwater facilities proposed onsite. The applicant has also provided the required amount of parking for the use based on the Zoning Ordinance. However, staff remains concerned that there could be a traffic circulation pattern created under the proposed site layout if all of the children are picked up or dropped off at the same times, potentially causing conflict points and traffic jams in the parking lot that could spill out onto the public right-of-way.

General Standard 8 requires signs to be regulated in accordance with the Zoning Ordinance; however, the Board of Supervisors may impose more strict requirements for a given use than those set forth in this Ordinance. New signage will be required to comply with Article 12 of the Fairfax County Zoning Ordinance and, as such, this standard is satisfied. Standards for all Category 3 Uses (Sect. 9-304)

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

For public uses, it shall be concluded that the proposed location of the special exception use is necessary for the rendering of efficient government services to the residents of properties within the general area of the location. This standard is not applicable to this request since a child care center/nursery school is not a public use as defined by the Zoning Ordinance.

Except as may be qualified below in the following sections, all uses shall comply with the lot size requirements of the zoning district in which located.

As indicated in the zoning ordinance provisions identified above, the subject property meets the minimum area requirement and appears to meet the lot width requirement based on the depiction on the plat.

Except as may be qualified in the following sections, all uses shall comply with the bulk regulations of the zoning district in which locate; however, subject to the provisions of Sect. 9-607, the maximum building height for a Category 3 use may be increased.

The building meets the requirements for building height of the R-3 zone. As such, this standard is met.

All uses shall comply with the performance standards specified for the zoning district in which located.

All performance standards have been satisfied with the proposed site conditions.

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

The applicant will be required to fulfill any applicable provisions of Article 17, as they relate to this request.

Staff Conclusions

Staff finds that the proposal is not in harmony with the intent of the Comprehensive Plan for the Locational Guidelines for Child Care Facilities. In staff's opinion, many of the locational issues could be resolved with a smaller enrollment which, in turn, would help create a smaller footprint of development on this site. In addition, staff concludes that the transportation concerns related to the trip management of trips into the site on Sutton Road and the road improvements necessary for Chain Bridge Road have not been adequately addressed at this time. Of specific concern, staff notes that:

- Applicant should consider a smaller enrollment for a smaller building footprint, with more room for landscaping and buffering of the use;

- Applicant should consider construction of a right turn lane from Chain Bridge to Sutton Roads to accommodate traffic caused by this intensity of use.

- Applicant should consider greater incorporation of Green Building Practices in order to minimize the development's impact on the environment.

Staff Recommendations

Staff recommends denial of RZ 2008-PR-010; however, if it is the intent of the Board of Supervisors to approve RZ 2005-PR-010, staff recommends that such approval be subject to the proffers consistent with those contained in Appendix 1.

Staff recommends denial of SE 2008-PR-021; however, if it is the intent of the Board of Supervisors to approve SE 2007-PR-021, staff recommends that such approval be subject to the development conditions contained in Appendix 2.

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

The approval of this rezoning and/or 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. Draft Proffers
2. Proposed Development Conditions
3. Affidavit
4. Statement of Justification
5. Transportation Analysis
6. Environmental Analysis
7. Stormwater Analysis
8. Urban Forestry Analysis
9. Water Analysis
10. Fire Analysis
11. Fairfax County Park Authority
12. Glossary

APPENDIX 1

PROFFERS - RZ 2008-PR-010
Concurrent with SE 2008-PR-021
JAMES W. JACKSON

March 3, 2009**(Revised; May 8, 2009)**

Pursuant to Section 15.2-2303(A) of the 1950 Code of Virginia, as amended, the Applicant/Owner, for himself and his successors or assigns (herein collectively referred to as the "Applicant") in this rezoning application filed on property identified on the Fairfax County Tax Map 48-1 ((1)), Parcel 50 (hereinafter referred to as the "Application Property"), agrees to the following proffers, provided that the Fairfax County Board of Supervisors (hereinafter referred to as the "Board") approves the rezoning of the Application Property from the R-1 zoning district to the R-3 district.

1. **Generalized Development Plan (GDP):** The application property shall be developed in substantial conformance with the Generalized Development Plan and Special Exception Plat (GDP) prepared by Barnes & Johnson, Inc., Civil Engineers dated March l 17, 2008 (REV through 3/3/09) depicting a Child Care Center and Nursery School with a maximum of 175 students in the R-3 District on 56,009 square feet of land. Minor modifications to the GDP may be made provided that said modifications are in substantial conformance with the GDP, and provided that the total area of open space is not decreased from that shown thereon, and the limits of clearing and grading are adhered to.

2. **Buildings and Building Materials**: The building constructed on the property shall be in substantial conformance with the elevations depicted on the GDP, consisting of a combination of brick and siding exterior materials. Applicant shall be permitted to vary the exterior design of the building as long as the building remains generally similar in style and presentation to the elevations depicted in the GDP and compatible with residential structures in the neighborhood.

The masonry wall constructed at the southern end of the property shall be faced with materials which complement the exterior siding materials on the building.

3. **Right of Way Dedication on Chain Bridge Road**: Applicant shall dedicate and convey in fee simple to the Board of Supervisors, right of way for public street purposes (together with all ancillary easements), 73.5 feet from the centerline of Chain Bridge Road as shown on the GDP, and shall construct a 5' wide concrete sidewalk as shown thereon. Such right of way shall be dedicated at the time of site plan approval, or upon demand by the County of Fairfax and/or VDOT, whichever shall first occur.

4. **Right of Way Dedication on Sutton Road**: Applicant shall dedicate and convey in fee simple to the Board of Supervisors, right of way for public street purposes (together with all ancillary easements), 66.5feet from the centerline of Sutton Road as shown on the GDP, and construct public improvements as shown thereon. Such right of way shall be dedicated at the time of site plan approval, or upon demand by the County of Fairfax and/or VDOT, whichever shall first occur.

5. **Ingress/Egress** : All vehicular traffic shall enter and exit the site by way of the service drive parallel to Sutton Road. Appropriate signs shall be placed at the entrance to guide the flow of traffic into and out of the property as shown on the GDP.

6. **Maintenance of Bio Retention Facilities (Rain Gardens)**: The rain gardens shown on the subject property will be designed and constructed as determined by DPWES, and shall be maintained by the Applicant.

7. **Park Authority Contribution**: At the time of subdivision plan approval, the Applicant will contribute the sum of $2,500.00 to the Fairfax County Park Authority for development of recreational facilities at one or more of the FCPA sites located within the service area of the subject property. Applicant shall prepare and submit a Phase I archaeological report prior to any grading activity on the site.

8. **Contribution to Oakton Public Library**: Prior to issuance of the first non-RUP, the Applicant shall make a contribution to the Fairfax Regional Library for use in acquiring children's books for the Oakton Public Library in the total amount of $2,500.00.

9. **Landscape Design**: During the site plan review process, Applicant shall submit a detailed landscape plan which shows the planting of native plant species on the perimeter of the property as shown on the GDP. Such plan shall be subject to review and approval by the Urban Forestry Division and the Director of DPWES.

10. Tree Preservation: To the extent that there exist trees on the Application property or adjoining properties identified by the Urban Forestry Division during site plan review as worthy of preservation, the Applicant shall comply with the following procedures:

"The applicant shall submit a Tree Preservation plan as part of the first and all subsequent site plan submissions. The preservation plan shall be prepared by a protessional with experience in the preparation of tree preservation plans, such as a certified arborist or landscape architect, and shall be subject to the review and approval of the Urban Forest Management Division, DPWES.

The tree preservation plan shall consist of a tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees 10 inches in diameter and greater, and 25 feet to either side of the limits of clearing and grading shown on the SEA for the entire site. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the SE and those additional areas in which trees can be preserved as a result of final engineering. The condition analysis ratings shall be prepared using methods outlined in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching. fertilization, and others as necessary, shall be included in the plan."

Tree Preservation Walk-Through. "The Applicant shall retain the services of a certified arborist or landscape architect, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree preservation walk-through meeting, the Applicant's certified arborist or landscape archchitect shall walk the limits of clearing and grading with an UFMD, DPWES, representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated under story vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions."

Limits of Clearing and Grading. "The Applicant shall conform strictly to the limits of clearing and grading as shown on the SE, subject to allowances specified in these proffered conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the SE, they shall be located in the least disruptive manner necessary as determined by the UFMD, DPWES. DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities."

Tree Preservation Fencing: " All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super

silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets, as may be modified by the "Root Pruning" proffer below.

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES."

Root Pruning:. "The Applicant shall root prune, as needed to comply with the tree preservation requirements of these proffers. **All** treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the subdivision plan submission. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.

Root pruning shall take place prior to any clearing and grading, or demolition of structures.

Root pruning shall be conducted with the supervision of a certified arborist.

An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete."

Site Monitoring. "During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by the UFMD. The Applicant shall retain the services of a certified arborist or landscape architect to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffers, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES."

11. Noise

The Applicant shall provide the following noise attenuation measures:

a) In order to reduce the maximum interior noise to a level of approximately 45 dBA Ldn, the Applicant proffers that those facades impacted by noise from Chain Bridge Road, which shall be annotated and shown as such on the site plan, shall have the following acoustical attributes:

   i) Exterior walls shall have a laboratory sound transmission class (STC) rating of at least 45;

   ii) Doors and glazing shall have a laboratory STC rating of at least 37 unless doors, windows and glazing constitute more than 20 percent of any façade exposed to noise levels of DNL 65 dBA or above. If doors, windows and other glazed areas

constitute more than 20 percent of an exposed façade, then the glazing of such features shall have an STC rating of at least 45; and

iii) Measures to seal and caulk between surfaces shall follow methods approved by the American Society for testing and Materials to minimize sound transmission.

In order to reduce the maximum exterior noise to a level of approximately 65 dBA Ldn or less for outdoor play areas, a 7' tall masonry wall shall be provided around the western and northern of the play area. The masonry wall shall faced with materials similar in type and compatible with the exterior building materials.

12. **Contribution to Providence District Tree Fund**: Applicant shall contribute the total sum of $1,500.00 to the Providence District Tree Fund to assist in planting trees in the district as determined by the office of the District Supervisor and the Urban Forestry Branch of DPWES.

13. **Hours of Construction**: Outdoor construction activity shall be limited to between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday and 8:00 a.m. and 5:00 p.m. on Saturdays. No outdoor construction activities shall be permitted on Sundays or on federal holidays. The site superintendent shall notify all employees and subcontractors of these hours of operation and shall ensure that the hours of operation are respected by all employees and subcontractors. Construction hours shall be posted on-site in both English and Spanish. This proffer applies to the original construction only and not to future additions and renovations by homeowners.

APPLICANT/OWNER:

JAMES W. JACKSON

_____

James W. Jackson

APPENDIX 2

PROPOSED DEVELOPMENT CONDITIONS

SE 2008-PR-021

May 13, 2009

If it is the intent of the Board of Supervisors to approve SE 2008-PR-021 located at 2701 Chain Bridge Road (Tax Map 48-1 ((1)) 50) for a child care center and nursery school pursuant to Sect. 3-304 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, 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 Generalized Development Plan/Special Exception Plat entitled Lord Fairfax Academy, prepared by Barnes and Johnson, Inc and dated March 3, 2009 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. Maximum daily enrollment (inclusive of the child care center and the nursery school) shall be limited to 170 children.

5. The hours of operation shall not exceed 6:30 am to 7:00 pm Monday through Friday [with an optional operation from 6:00 pm to 10:00 pm on Friday and Saturday nights.]

6. The maximum number of children in the outdoor play area at any one time shall be limited by the provisions of Paragraph 1 of Section 9-309 and of the Zoning Ordinance, which provides that 100 square feet of usable outdoor recreation area shall be provided for each child that may use the space at any one time.

7. The maximum number of staff shall be 23.

8. The site shall be accessed from one entrance via Sutton Road.

9. Prior to site plan approval, a noise study shall be submitted to DPZ for review which demonstrates exterior noise levels shall not exceed 65 dBA. The noise study shall be conducted in accordance with the attached guidelines. If it is determined that the exterior noise levels exceed 65 dBA, mitigation measures shall be used to reduce noise levels such that they do not exceed 65 dBa.

10. Prior to site plan approval, the appropriate water line extension, as determined by Fairfax County Water Authority, shall be installed to support this development.

11. Additional Landscaping shall be provided to buffer the wall along Chain Bridge Wall as determined by consultation with the Forest Management Branch of DPWES.

12. Prior to any land disturbing activities on the property, a Phase I archeological study of the Application Property shall be conducted and the result of such studies shall be submitted to the Heritage Resources Branch of the Fairfax County Park Authority ('Heritage Resources'). If deemed necessary by Heritage Resources, a Phase II and/or Phase III archeological study shall be conducted on only those areas of the Application Property identified for further study by Heritage Resources. The studies shall be conducted by a qualified archeological professional approved by Heritage Resources, and shall be reviewed and approved by Heritage Resources. The studies shall be completed prior to site plan approval.

13. All signage for the child care center shall comply with provisions of Article 12 of the Zoning Ordinance

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 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.

APPENDIX 3

REZONING AFFIDAVIT

DATE: April 14th, 2009
(enter date affidavit is notarized)

I, Stephen K. Fox, Agent for James W. Jackson, 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

100520a

in Application No.(s): RZ 2008-PR-010
(enter County-assigned application number(s), e.g. RZ 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 must 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)
James W. Jackson	11325 Lee Highway, #110, Fairfax, VA. 22030	TITLE OWNER/APPLICANT
Barnes & Johnson, Inc.	8503 Euclid Avenue, #1, Manassas Park, VA. 20111	ENGINEER/SURVEYOR/AGENT
Kerry L. Skinner, L.S.	8503 Euclid Avenue, #1, Manassas Park, VA. 20111	SURVEYOR/AGENT
Stephen K. Fox, P.C.	10511 Judicial Drive, #112, Fairfax, VA. 22030	ATTORNEY/AGENT
Stephen K. Fox	10511 Judicial Drive, #112, Fairfax, VA. 22030	ATTORNEY/AGENT
M.J. Wells & Associates, Inc. T/A Wells & Associates	1420 Spring Hill Road, #600, McLean, VA. 22102	TRANSPORTATION ENGINEER/Agent
Robin L. Antonucci	11441 Robertson Drive, #201, Manassas, VA. 20109	TRANSPORTATION ENGINEER
William F. Johnson	11441 Robertson Drive, #201, Manassas, VA. 20109	TRANSPORTATION ENGINEER
Priyatham Konda	11441 Robertson Drive, #201, Manassas, VA. 20109	TRANSPORTATION ENGINEER / Agents

(check if applicable) [ ] There are more relationships to be listed and Par. 1(a) is continued on a "Rezoning 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).

REZONING AFFIDAVIT

DATE: April 14th, 2009
(enter date affidavit is notarized)

100520a

for Application No. (s): RZ 2008-PR-010
(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, **and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:**

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

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Barenes & Johnson, Inc.
8503 Euclid Avenue, #1
Manassas Park, VA. 20111

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)
James A. Johnson, Jr.

Joseph W. Webb

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. **President, Vice President, Secretary, Treasurer**, etc.)
James A. Johnson, Jr., PRESIDENT, TREASURER, DIRECTOR

Joseph W. Webb, VICE PRESIDENT, SECRETARY, DIRECTOR

(check if applicable) [✓] There is more corporation information and Par. 1(b) is continued on a "Rezoning 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.

Rezoning Attachment to Par. 1(b)

DATE: April 14, 2009
(enter date affidavit is notarized)

100520a

for Application No. (s): RZ 2008-PR-010
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Stephen K. Fox, P.C.
10511 Judicial Drive, #112
Fairfax, VA. 22030

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 SHAREHOLDER: (enter first name, middle initial, and last name)
Stephen K. Fox

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer**, etc.)
Stephen K. Fox, PRESIDENT, DIRECTOR

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
M.J. Wells & Associates, Inc.
1420 Spring Hill Road, #600
McLean, Virginia 22102

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)
M.J. Wells & Associates, Inc. Employee Stock Ownership Trust. All employees are eligible plan participants; however, no one employee owns more than 10% of any class of stock.

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. **President, Vice-President, Secretary, Treasurer**, etc.)
Martin J. Wells, PRESIDENT and SECRETARY
Terence J. Miller, VICE PRESIDENT AND TREASURER

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

REZONING AFFIDAVIT

DATE: April 14th, 2009
(enter date affidavit is notarized)

100520a

for Application No. (s): RZ 2008-PR-010
(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, 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 "Rezoning 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.

REZONING AFFIDAVIT

DATE: April 14th, 2009
(enter date affidavit is notarized)

100520a

for Application No. (s): RZ 2008-PR-010
(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 "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: April 14th, 2009
(enter date affidavit is notarized)

100520a

for Application No. (s): RZ 2008-PR-010
(enter County-assigned application number(s))

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 "Rezoning 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:

Stephen K. Fox, Agent

(check one) [ ] Applicant [✓] Applicant's Authorized Agent

Stephen K. Fox, Agent for James W. Jackson
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 14 day of April 2009, in the State/Comm. of Virginia, County/City of Fairfax

Carolyn Ann Bruce
Notary Public

My commission expires: 8-31-11
131902

CAROLYN ANN BRUCE NOTARY PUBLIC COMMONWEALTH OF VIRGINIA COMMISSION # 131902 MY COMMISSION EXPIRES 08-31-2011

FORM RZA-1 Updated (7/1/06)

APPENDIX 4

STEPHEN K. FOX
A PROFESSIONAL CORPORATION
ATTORNEY AT LAW
10511 JUDICIAL DRIVE
SUITE 112
FAIRFAX, VIRGINIA 22030

(703) 273-7220
skfox@stephenkfoxpc.com

FAX (703) 273-7225

June 3, 2008

RECEIVED
Department of Planning & Zoning
JUN 03 2008
Zoning Evaluation Division

Eileen McLane, Zoning Administrator
County of Fairfax
ATTN: Regina M. Coyle, Director
Zoning Evaluation Division
12055 Government Center Parkway, Suite 803
Fairfax, Virginia 22035

Re: **Amended Statement of Justification;** Application for Rezoning from R-1 to R-3 and Application for Special Exception for Childcare Center and Nursery School Pursuant to Sections 3-304, Para 2.B. and 9-309; ***Request for Approval of Increase in Fence Height (Section 10-104 3.H.)***, 2701 Chain Bridge Road; Tax Map 48-1 ((1)), Parcel 50; 1.2858 Acres

Dear Mrs. Coyle:

This letter is written in support of the applications of James W. Jackson, the owner of the above-referenced parcel, to amend the zoning map of the subject site from R-1 to R-3, and for a Special Exception to build and operate a childcare center and nursery school pursuant to Sections 3-304, Paragraph 2.B. and 9-309 of the Zoning Ordinance.

DESCRIPTION OF THE PROPERTY:

The subject site is located about 3/4 of a mile north of the village area of Oakton and has frontage on Route 123 (Chain Bridge Road) and Sutton Road. The parcel is generally rectangular in shape, containing 1.2858 acres of land (56,009 square feet). The site's topography is relatively level. The northern part of the site is open, and the southern part is vegetated with a variety of trees of native species (Poplar, Cherry, Pine, Hickory, Cedar, Walnut, Locust). With the exception of old unoccupied structures on the site, the property has long been vacant. It has often been used for temporary seasonal sales (fireworks, Christmas trees), and *ad hoc* sale of automobiles by members of the public. Since its acquisition by the Applicant, however, the property has been used only as staging area for VDOT's performance of certain capital road improvements in the Town of Vienna.

The northern boundary of the property is adjacent to the right of way for Sutton Road (Route 701), which serves as a connector between Chain Bridge Road and Courthouse Road, leading eventually to connections to Vienna Metro, Oakton High School and Blake Lane. The southern boundary adjoins single-family construction. The western boundary adjoins Chain Bridge Road. The eastern boundary adjoins a site zoned I-E, improved by a brick building which is occupied by Verizon Virginia, Inc. as a central switching station.

The property has access public to streets *via* Sutton Road and Chain Bridge Road. Public utilities (electric, natural gas, water and sewer) are in place to serve the site.

COMPREHENSIVE PLAN RECOMMENDATIONS:

The property is located in the Nutley Community Planning Sector (V5) of the Area II component of the Comprehensive Plan for Fairfax County, Virginia. The subject parcel is not called out for specific treatment by the plan text, which merely states:

" 1. The land use and density plans of the Town of Vienna apply to this sector.

2. Fairfax County should plan land use and density in areas adjacent to Vienna to be compatible with the plans and goals established by Vienna for itself and the needs of the County". (See; Area II Plan at page 393).

The Comprehensive Plan Map depicts the area as planned for 3-4 dwelling units per acre.

THE APPLICANT'S PROPOSAL:

- The Application to Rezone the Property from R-1 to R-3

The Applicant proposes to rezone the property from R-1 to R-3 to facilitate the development and construction of a 10,347 square foot building, and to operate a childcare center and nursery school from the premises for a maximum of 200 students. Rezoning to R-3 is within the guidelines set forth in the Comprehensive Plan, and will permit greater floor area ratio (F.A.R.). The F.A.R. proposed is 0.18.

Further, rezoning to the R-3 zoning district will also allow the proposed development to take advantage of the R-3 setbacks, allowing the building to be sited further away from Chain Bridge Road and closer to the adjoining industrially zoned property.

Additional explanation of the Applicant's proposal is set forth below.

- The Application for Special Exception under Section 3-304, Paragraph 2.B.

The Applicant has a well-documented history of owning and operating childcare centers/nursery schools in Fairfax County. The Applicant acquired the subject property for the specific purpose of building and operating such a facility in this area of the County, believing that the demographics would support such use, given the heavy commuter traffic to Tyson's Corner and Vienna Metro in the area.

The proposal is to build and operate a childcare center/nursery school for a maximum of 200 students. The building is proposed to be a 10,347 square foot facility with administrative areas, classroom areas, eating area, bathrooms as expected in a facility of this nature. A fenced outdoor plan area will be provided as shown on the Special Exception plat to conform to County regulations. Operation of the childcare center/nursery school will be pursuant to Virginia State Department of Education rules, regulations and guidelines.

Access to the site is proposed via an existing commercial entrance on Sutton Road to an existing service drive. The service drive will be lengthened to facilitate this access. Use of the existing access point, while eliminating current access to Route 123, will foster consolidation of access points along this route. Once into the site, the parents must park and sign the child(ren) in for the day. The use does not permit a "kiss and ride" type drop off arrangement. Re-entering their cars, the parents will be able to continue a loop through the parking lot to exit onto the service drive at a different point. All traffic entering and exiting the improved site will take advantage of this "interior" loop.

The improved property will be connected to pubic facilities already extant in the area, including water and sewer, natural gas, and electricity.

Storm water management will be accomplished by grading and directing storm water toward inlets. Volume will be controlled by an underground storage facility; water quality issues will be addressed by use of a "Filtera" system, and a rain garden for roof top drainage. Storm water will be discharged from the site by draining into an existing channel as shown on the plan. Applicant hereby provides the following additional information as required by the Special Exception submission requirements:

A. **Type of operation:** Applicant will construct and operate childcare center/nursery school on the premises to serve a maximum of 200 children.

B. **Hours of operation:** 6:30 a.m. to 7:00 p.m., Monday through Friday; option for extended hour operation for experimental evening care on Fridays and Saturdays from 6:00 p.m. to 10:00 p.m. to permit working couples an opportunity to have "adult" time.

C. **Estimated number of patrons/clients/patients/pupils/etc.:** It is estimated that 200 pupils will utilize the facility on a daily basis. Although some are single children; approximately 70% will consist of multiple children from the same household.

It is estimated that during the hours of operation, approximately 130 cars will enter and exit the site (60 with single child; 70 with two (2) children) during the hours of 6:30 a.m. 9:30 a.m., and again between 4:00 p.m. and 7:00 p.m. Inasmuch as there is no fixed "bell time", it is expected that there will be a relatively even flow of traffic into and out of the site.

D. **Proposed number of employees/attendants/teachers/etc.:** 1 teacher for each 10 students = 20 teachers. Administrative Staff: 3

E. **Estimate of traffic impact of the proposed use, including the maximum expected trip generation and the distribution of such trips by mode and time of day:** It is estimated that during the morning hours, 130 vehicles will enter and exit the site (See No. 2, above) between 6:30 a.m. and 9:30 a.m. It is expected that 65 of those vehicles will approach and enter the site from Chain Bridge Road/Sutton Road (coming from the north or south), and that 65 vehicles will enter the site from the east via Sutton Road. Exiting

the site, these vehicles are expected to proceed northward toward Vienna and Tyson's Corner and Vienna Metro in a like distribution.

In the afternoon and early evening hours, the same 130 vehicles will enter and exit the site to pick up children at the end of the day. 65 vehicles are expected from the north (Vienna and Tyson's Corner), and 65 vehicles are expected from Vienna Metro.

F. **Vicinity or general area to be served by the use:** Applicant's business serves the public throughout western Fairfax County by providing Childcare/nursery School for working parents commuting in this corridor.

G. **Description of building facade and architecture of proposed new building or additions:**
A new building will be constructed of a combination of exterior wood-like appearance ("Hardy Plank"), consistent with the depiction on Sheet 1 of the Special Permit/Rezoning Plat.

H. **A listing, if known, of all hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4 and 355; all hazardous waste as set forth in Virginia Department of Environmental Quality Hazardous Waste Management Regulations; and/or disposed of on site and the size and contents of any existing or proposed storage tanks or containers.**

None.

Request for Additional Fence Height Pursuant to Z.O. 10-104 , 3.H.

In conjunction with the foregoing rezoning application and Special Exception application, it is requested that the Board of Supervisors consider an increase in fence height to 6 feet on a portion of the site's Chain Bridge Road frontage. It is submitted that ;

- ***The requested increase is necessary for the safety of the children in the proposed play area i.e., to adequately contain the children and to prevent entry into the area by others; and***
- ***The proposed detail of the fence is shown on the GDP/SE plan; and***
- ***The proposed entrance to the property is on Sutton Road; and***
- ***The proposed fence will not have an adverse impact on the adjoining residential property since users of that site must utilize right turns into the site and right turns out of the site. Visibility on exit from the site is not occluded by the fence as the user is only concerned with visibility to the left (Rt. 123 is separated by a raised median).***

CONCLUSION:

It is submitted that these applications meet and/or exceed the standards required for the rezoning and grant of a Special Exception for the purposes stated, as well as the request for additional fence height. The applications are consistent with the Comprehensive Plan, and all

utilities are in place, or sufficiently proximate to the site to serve the proposed development. The need for childcare facilities/nursery schools within the County is well documented. We, therefore, enclose herewith the application fee for rezoning the property in the amount of $9,252.00, and the fee for the Special Exception application in the amount of $5,295.00, along with the other submission materials required. We would appreciate your accepting the enclosed materials, your forwarding the same to Staff or review and the ultimate scheduling of hearings before the Planning Commission and the Board of Supervisors pertaining to this matter.

Very truly yours,

Stephen K. Fox

SKF/dlk
Enclosure
cc: Mr. James W. Jackson
Kerry Skinner, L.S.

County of Fairfax, Virginia

MEMORANDUM

DATE: April 15, 2009

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

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

FILE: 3-4 (RZ 2008-PR-010)
3-5 (SE 2008-PR-021)

SUBJECT: Transportation Impact, Addendum 2

REFERENCE: RZ 2998-PR-010 & SE 2008-PR-021, James W. Jackson,
Lord Fairfax Academy
Traffic Zone: 1618
Land Identification: 48-1 ((1)) 50

Transmitted herewith are additional comments from the Department of Transportation with respect to the referenced application. These comments are based on plats made available to this office dated May 6, 2008, and revised through March 3, 2009, and the right-turn lane analysis from Wells & Associates dated March 20, 2009. The applicant has made revisions to the site plan to reflect DOT comments on right-of-way and relocating the entrance at the south end of the existing service drive along Sutton Road. The third lane and right-turn lane plus bike lane are shown on Route 123 although the applicant does not propose to construct these improvements.

The basic problem with this site is the intensity of the use and the right-turn lane on Route 123. According to the right-turn lane analysis based on existing peak hour turning movement counts, a full width right-turn lane and taper is warranted under existing conditions before development of the proposed school. There are also a number of left turns onto Sutton Road which means there will be limited gaps for left turns from northbound Sutton Road into the service drive access to the school. Consequently, it is assumed that a majority of the trips to the school will come from Route 123. All these trips must also enter and leave the site, adding interference to the southbound trips on Sutton Road which is one lane southbound. It appears that despite all the revisions to the site the applicant has made, the use is too intense for such a small site with the limitations existing.

AKA/LAH/lah
cc: Michelle Brickner, Director, Office of Site Development Services, DPW&ES

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MEMORANDUM

DATE: December 17, 2008

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

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

FILE: 3-4 (RZ 2008-PR-010)
3-5 (SE 2008-PR-021)

SUBJECT: Transportation Impact, Addendum

REFERENCE: RZ 2008-PR-010 & SE 2008-PR-021, James W. Jackson, Lord Fairfax Academy
Traffic Zone: 1618
Land Identification: 48-1 ((1)) 50

Transmitted herewith are further comments from the Department of Transportation with respect to the referenced application. These comments are based on plats made available to this office dated May 6, 2008, and revised through November 24, 2008. The applicant proposes to rezone 1.29 acres at the southeast corner of Route 123 and Sutton Road from the R-1 District to the R-3 District to construct a child care center and nursery school. All of the previous comments still apply, however, here are additional comments pertaining to Sutton Road:

Sutton Road is shown on the Comprehensive Plan as a two-lane improved road. Any improvement would likely provide a northbound left turn lane, a left/through lane and a right turn lane at the intersection with Route 123. In addition, another southbound lane would be added to make available two lanes southbound from Route 123 which would transition to one lane southbound past the Verizon site. The median between Sutton road and the service drive would be eliminated with this scenario and the access to the site would become a right-in/right-out only. Therefore, because the service drive will be an interim access until the intersection is improved, VDOT and this department recommend that the applicant close the entrance nearest to Route 123 and show how the circulation on site would work with a single entrance which in future would become right–in/right-out only.

AKR/LAH/lah

cc: Michelle Brickner, Director, Office of Site Development Services, Department of Public Works and Environmental Services

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County of Fairfax, Virginia

MEMORANDUM

DATE: September 17, 2008

TO: Barbara A. Byron, Director
Zoning Evaluation Division
Department of Planning and Zoning

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

FILE: 3-4 (RZ 2008-PR-010)
3-5 (SE 2008-PR-021)

SUBJECT: Transportation Impact

REFERENCE: RZ 2008-PR-010 & SE 2008-PR-021, James W. Jackson, Lord Fairfax Academy
Traffic Zone: 1618
Land Identification: 48-1 ((1)) 50

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on plats made available to this office dated May 6, 2008, and revised through September 3, 2008. The applicant proposes to rezone 1.29 acres at the southeast corner of Route 123 and Sutton Road from the R-1 District to the R-3 District to construct a child care center and nursery school.

- Right-of-way 71.5 feet from centerline in accordance with the Comprehensive Plan should be provided for a future six-lane divided section on Route 123 plus an additional 12 feet for a right turn lane from Route 123 to Sutton Road.

- Construction of the third lane should be provided and may serve as an interim right turn lane. If construction is waived, the applicant should grade to the future road elevation and construct the fence at the ultimate elevation so that fence columns do not have to be relocated at such time as the road improvements are made.

- An on-road bike lane on Route 123 is also shown on the trails plan and a waiver is required if the additional five feet is not dedicated.

- The queues on Sutton Road frequently extend back approximately 140 feet or about six car lengths. Queues of five to nine vehicles were observed during a.m. peak hours and a steady

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backup of seven to 14 vehicles in the p.m. peak period. Therefore, the access from Sutton Road to the site **must** be at the southernmost end of the service road.

- Curb and gutter should be provided on Sutton Road south from Route 123 all the way across the Verizon site.

- Waiver of service drive on Route 123 is required.

AKR/LAH/lah
cc: Michelle Brickner, Director, Office of Site Development Services, Department of Public Works and Environmental Services

COMMONWEALTH of VIRGINIA

DAVID S. EKERN, P.E.
COMMISSIONER

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

October 2, 2008

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

Re: James W. Jackson
RZ 2008-PR-010, SE 2008-PR-021
Tax Map No.: 48-1((1)) 50

Dear Ms. Coyle:

We have reviewed the referenced application as requested and offer the following comments.

1. The appropriate location for the entrance to the proposed site and the existing Verizon building would be the southern access to the existing service drive, as the access should be as far away from the major arterial as possible. A full length right turn lane should be provided and also a striped left turn lane if sufficient pavement width exists. The right turn lane and service drive improvements should be curb and gutter.

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

Sincerely,

Thomas B. Walker
Senior Transportation Engineer

cc: Ms. Angela Rodeheaver

County of Fairfax, Virginia

MEMORANDUM

September 29, 2008

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

FROM: Pamela G. Nee, Chief
Environment and Development Review Branch, DPZ

SUBJECT: Environmental Assessment: RZ 2008-PR-010; SE 2008-PR-021
Lord Fairfax Academy

This memorandum, prepared by Mary Ann Welton, AICP, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. Plan citations are followed by a discussion of concerns including a description of potential impacts that may result from the proposed development as depicted on the revised Generalized Development Plan (GDP) and Special Exception (SE) Plat dated September 3 and 4, 2008. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are in harmony with Plan policies.

COMPREHENSIVE PLAN CITATIONS:

The Comprehensive Plan is the basis for the evaluation of this application. The assessment of the proposal for conformity with the environmental recommendations of the Comprehensive Plan is guided by the following citations from the Plan:

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through February 25, 2008, on pages 7-9, the Plan states:

"**Objective 2:** **Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County.**

Policy a. Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment complies with the County's best management practice (BMP) requirements. . . .

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DEPARTMENT OF PLANNING & ZONING

Policy k. For new development and redevelopment, apply better site design and low impact development (LID) techniques. . . .

- Minimize the amount of impervious surface created.
- Site buildings to minimize impervious cover associated with driveways and parking areas and to encourage tree preservation.
- Where feasible, convey drainage from impervious areas into pervious areas. . . .
  Encourage fulfillment of tree cover requirements through tree preservation instead of replanting where existing tree cover permits. Commit to tree preservation thresholds that exceed the minimum Zoning Ordinance requirements. . . .
- Encourage the use of innovative BMPs and infiltration techniques of stormwater management where site conditions are appropriate, if consistent with County requirements.
- Apply nonstructural best management practices and bioengineering practices where site conditions are appropriate, if consistent with County requirements.
- Encourage shared parking between adjacent land uses where permitted.
- Where feasible and appropriate, encourage the use of pervious parking surfaces in low-use parking areas.
- Maximize the use of infiltration landscaping within streetscapes consistent with County and State requirements. . . .

Development proposals should implement best management practices to reduce runoff pollution and other impacts. Preferred practices include: those which recharge groundwater when such recharge will not degrade groundwater quality; those which preserve as much undisturbed open space as possible; and, those which contribute to ecological diversity by the creation of wetlands or other habitat enhancing BMPs, consistent with State guidelines and regulations."

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through February 25, 2008, on page 10, the Plan states:

"**Objective 3:** **Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.**

Policy a. Ensure that new development and redevelopment complies with the County's Chesapeake Bay Preservation Ordinance. . . ."

The Fairfax County Comprehensive Plan Policy Plan, 2007 Edition, Environment section as amended through February 25, 2008, page 11 states:

"**Objective 4:** **Minimize human exposure to unhealthful levels of transportation generated noise.**

Policy a: Regulate new development to ensure that people are protected from unhealthful levels of transportation noise. . .

New development should not expose people in their homes, or other noise sensitive environments, to noise in excess of DNL 45 dBA, or to noise in excess of DNL 65 dBA in the outdoor recreation areas of homes. To achieve these standards new residential development in areas impacted by highway noise between DNL 65 and 75 dBA will require mitigation. New residential development should not occur in areas with projected highway noise exposures exceeding DNL 75 dBA."

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through February 25, 2008, on page 16, the Plan states:

"**Objective 10:** **Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.**

Policy a: Protect or restore the maximum amount of tree cover on developed and developing sites consistent with planned land use and good silvicultural practices.

Policy b: Require new tree plantings on developing sites which were not forested prior to development and on public rights of way."

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through February 25, 2008, on pages 17 and 18, the Plan states:

"**Objective 13:** **Design and construct buildings and associated landscapes to use energy and water resources efficiently and to minimize short- and long-term negative impacts on the environment and building occupants.**

Policy a; Consistent with other Policy Plan objectives, encourage the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. These practices can include, but are not limited to:

- Environmentally-sensitive siting and construction of development.

- Application of low impact development practices, including minimization of impervious cover (See Policy k under Objective 2 of this section of the *Policy Plan*).

- Optimization of energy performance of structures/energy-efficient design.

- Use of renewable energy resources.

- Use of energy efficient appliances, heating/cooling systems, lighting and/or other products.

- Application of water conservation techniques such as water efficient landscaping and innovative wastewater technologies.

- Reuse of existing building materials for redevelopment projects....

Policy d. Promote implementation of green building practices by encouraging commitments to monetary contributions in support of the county's environmental initiatives, with such contributions to be refunded upon demonstration of attainment of certification under the applicable LEED rating system or equivalent rating system."

ENVIRONMENTAL ANALYSIS

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed development. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Particular emphasis is given to opportunities provided by this application to conserve the county's remaining natural amenities.

Stormwater Management/Best Management Practices (SWM/BMP): This application proposes a new 10,347 square foot child care center and nursery school for a maximum enrollment of 200 students with 35 parking spaces. The 1.28 acre subject property is located on the southeast corner of Chain Bridge Road and Sutton Road land and it falls within the Accotink Creek watershed as well as within the County's Chesapeake Bay Preservation Area.

The revised general development plan and special exception plat, indicates that several low impact development techniques are proposed to achieve onsite water quality control requirements. Those measures include the following:

- 220' x 10' section of grasscrete along the side (near Chain Bridge Road) and a portion of the rear of the proposed building;

- Two rain gardens with underdrains – one rain garden will be located on the southeastern corner of the new building and the second will be installed as an elongated feature as a landscape island in the middle of the parking lot north of the proposed building;
- Pervious paver blocks will be used in the parking spaces and appear to function in conjunction with the rain garden which will be the landscaped median of the parking lot.

Two underground vaults are proposed to meet the detention requirements for the development. One facility will be installed under the parking lot north of the new school and a second facility will be installed beyond the southeastern corner of the building. The stormwater narrative indicates that a StormPURE® structural device will be installed to meet both water quality and quantity control requirements. It is not clear whether or not this facility is depicted on the development plan.

The stormwater narrative indicates that the outfall for the site is an existing trapezoidal ditch which meets the requirement for adequacy as stipulated by the Public Facilities Manual. No maps are included in the plan depicting the drainage pattern for the property. More information may be required to demonstrate outfall adequacy. Stormwater management and outfall adequacy requirements are subject to the review and the approval by the Department of Public Works and Environmental Services (DPWES).

Noise: The entire property falls within the 65-70 dBA L_{dn} impact area and will be adversely affected by projected traffic noise from Chain Bridge Road. The proposed new school/child care facility is a noise sensitive use.

The development plan shows the playground area located behind the building. The playground area is enclosed by a 7-foot high masonry wall along the southern boundary, a 6-foot high board-on-board fence along the eastern boundary and 6-foot high board-on-board fence with brick columns along Chain Bridge Road. If the wall and fences are architecturally solid from ground up with no gaps or openings, these barriers should provide adequate attenuation so that traffic noise from Chain Bridge Road is 65 dBA L_{dn} or less in the playground area.

The applicant should commit to appropriate noise mitigation measures including building materials that provide noise mitigation in interior areas to achieve 45 dBA L_{dn} or less as well as mitigation for the playground area to reduce noise level to 65 dBA L_{dn} or less.

The applicant may pursue other methods of mitigating traffic noise if it can be demonstrated through an independent noise study for review and approval by the Department of Planning and Zoning and the Department of Public Works and Environmental Services that these methods reduce exterior noise levels to 65 dBA L_{dn} or less and interior noise levels to 45 dBA L_{dn} or less.

Green Building Practices: This application proposes the use of low impact development techniques to meet some of the stormwater management requirements for this proposed school and child care center. The applicant is encouraged to implement building and development

practices designed to reduce energy usage, water usage and to achieve better site design through a proffered commitment to Leadership in Energy and Environmental Design (LEED) certification or at a minimum the applicant is encouraged to commit to the use of Energy Star appliances.

Tree Preservation/Restoration: The existing vegetation map shows that the subject property is vegetated with dense deciduous vegetation except for the area where a private residence was previously located. The limits of clearing and grading shown on the current plan will effectively remove all existing vegetation. The applicant is encouraged to work with the Urban Forestry Management Branch of the Department of Public Works and Environmental Services to identify stands of existing vegetation worthy of preservation which could be incorporated into the landscape plan for the future nursery school and child care facility.

COUNTYWIDE TRAILS MAP:

The Countywide Trails Plan depicts an on-road bike lane along the site's Chain Bridge Road frontage. The development plan depicts a 5-foot wide sidewalk along this frontage. Sheet #8 of the development plan provides a cross-section of roadway, including an on-road bike lane, but the description indicates that the bike lane will be implemented "by others." The applicant should clarify whether sufficient r-o-w dedication is being provided by the applicant to include this future trail. If so, the applicant should clearly specify this as a general note as well as depict the on-road bike lane on the development plan on sheet #2. Otherwise, the applicant should be requesting a waiver with a statement of justification of the on-bike trail requirement.

PGN: MAW

County of Fairfax, Virginia

MEMORANDUM

DATE: MAR 2 0 2009

TO: Suzanne Lin, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Qayyum M. Khan, Senior Stormwater Engineer
Stormwater and Geotechnical Section
Environmental and Site Review Division
Department of Public Works and Environmental Services

SUBJECT: Rezoning Application, RZ 2008-PR-010, Concurrent with SE 2008-PR-021, Lord Fairfax Academy Day Care, Plan Dated March 4, 2009, LDS Project #7965-ZONA-002-4, Tax Map #048-1-01-0050 (Property), Accotink Creek Watershed, Providence District

We have reviewed the subject plan and offer the following comments related to Stormwater Management (SWM):

Chesapeake Bay Preservation Ordinance
There are no Resource Protection Areas on the property.

Floodplain
There is no regulated floodplain on the property.

Downstream Drainage Complaints
There is a yard and ditch flooding complaint on record, along Sutton Road at Tax Map #048-1-09-055A. The applicant has stated that Parcel 55A does not lie within the outfall path for the subject project.

Site Outfall
The applicant has provided the analysis and narrative for the outfall to a point that is at least 100 times greater contributing drainage area of the proposed development site.

SWM
The applicant proposes use of two underground detention systems, one raingarden, and two Filterra devices for water quality control.

Department of Public Works and Environmental Services
Land Development Services, Environmental and Site Review Division
12055 Government Center Parkway, Suite 535
Fairfax, Virginia 22035-5503
Phone 703-324-1720 • TTY 711 • FAX 703-324-8359

The applicant states that the soils on the lots have been analyzed and underdrain are proposed for the raingarden. Detailed design shall be submitted with the site plan submission. The use of Filterra is deemed as an innovative BMP measure. Compliance with the PFM Section 6-0402.4 and Letter to Industry #09-04 will be required.

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

QMK/mw

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

County of Fairfax, Virginia

MEMORANDU

March 20, 2009

TO: Suzanne Lin, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Todd Nelson, Urban Forester II
Forest Conservation Branch, DPWES

SUBJECT: Lord Fairfax Academy; RZ 2008-PR-010

RE: Request for assistance dated March 9, 2009

This review is based on the Generalized Development Plan RZ 2008-PR-010 and Special Exception plat SE 2008-PR-021 stamped "Received, Department of Planning and Zoning, March 4, 2009". A site visit was conducted on July 9, 2008 as part of the review of the SE/GDP stamped "Received, Department of Planning and Zoning, March 26, 2008".

General Comment: Comments of the previously submitted SE/GDP were provided to you in my memos dated June 22, 2008, September 22, 2008, and December 8, 2008. The comments contained in these memos are still valid for this latest SE/GDP submission. Additional comments are provided to address the proposed landscaping and tree cover requirements on the SE/GDP.

1. **Comment:** Several trees in various locations throughout the site are shown to be planted within 4 feet of a restrictive barrier such as a curb and/or sidewalk.

   Recommendation: Trees should be planted no closer than 4 feet from any restrictive barrier.

2. **Comment:** The proposed locations of the barriers at the western portion of the site adjacent to Chain Bridge Road are not located between the required transitional screening and the proposed school and the proposed locations do not meet the intent of the barrier requirements.

   Recommendation: The proposed barriers should be relocated to the western edge of the 10' grasscrete access road and the transitional screening should be located along the western side of the proposed barriers to adequately screen the use from the single family detached dwellings across Chain Bridge Road.

Department of Public Works and Environmental Services
Land Development Services, Urban Forest Management Division
12055 Government Center Parkway, Suite 518
Fairfax, Virginia 22035-5503
Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769
www.fairfaxcounty.gov/dpwes

3. **Comment:** The draft proffers do not contain Tree Preservation language. Given the nature of the tree cover adjacent to this site, and depending upon the ultimate development configuration provided, several proffers will be instrumental in assuring adequate tree preservation and protection throughout the development process.

   Recommendation: Recommend the following proffer language to ensure effective tree preservation:

   Tree Preservation: "The applicant shall submit a Tree Preservation plan as part of the first and all subsequent site plan submissions. The preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a certified arborist or landscape architect, and shall be subject to the review and approval of the Urban Forest Management Division, DPWES.

   The tree preservation plan shall consist of a tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees 10 inches in diameter and greater, and 25 feet to either side of the limits of clearing and grading shown on the SEA for the entire site. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the SE and those additional areas in which trees can be preserved as a result of final engineering. The condition analysis ratings shall be prepared using methods outlined in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan."

   Tree Preservation Walk-Through. "The Applicant shall retain the services of a certified arborist or landscape architect, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree-preservation walk-through meeting, the Applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with an UFMD, DPWES, representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions."

   Limits of Clearing and Grading. "The Applicant shall conform strictly to the limits of clearing and grading as shown on the SE, subject to allowances specified in these proffered conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the SE, they shall be located in the least disruptive manner necessary as determined by the UFMD,

DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities."

Tree Preservation Fencing: "All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets, as may be modified by the "Root Pruning" proffer below.

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES."

Root Pruning. "The Applicant shall root prune, as needed to comply with the tree preservation requirements of these proffers. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the subdivision plan submission. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
- Root pruning shall take place prior to any clearing and grading, or demolition of structures.
- Root pruning shall be conducted with the supervision of a certified arborist.
- An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete."

Site Monitoring. "During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by the UFMD. The Applicant shall retain the services of a certified arborist or landscape architect to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffers, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES."

Please contact me at 703-324-1770 if you have any questions.

TLN/
UFMID #: 138281

cc: RA File
DPZ File

County of Fairfax, Virginia

MEMORANDUM

December 8, 2008

TO: Suzanne Lin, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Todd Nelson, Urban Forester II
Forest Conservation Branch, DPWES

SUBJECT: Lord Fairfax Academy; RZ 2008-PR-010

RE: Request for assistance dated

This review is based on the Generalized Development Plan RZ 2008-PR-010 and Special Exception plat SE 2008-PR-021 stamped "Received, Department of Planning and Zoning, November 24, 2008". A site visit was conducted on July 9, 2008 as part of the review of the SE/GDP stamped "Received, Department of Planning and Zoning, March 26, 2008".

General Comment: Comments of the previously submitted SE/GDP were provided to you in my memos dated June 22, 2008, and September 22, 2008. The comments contained in these memos are still valid for this latest SE/GDP submission. Additional comments are provided to address the proposed landscaping and tree cover requirements on the SE/GDP.

1. **Comment:** Several trees in various locations throughout the site are shown to be planted within 4 feet of a restrictive barrier such as a curb and/or sidewalk.

   Recommendation: Tree should be planted no closer than 4 feet from any restrictive barrier.

2. **Comment:** A Category IV evergreen tree appears to be located inside the proposed water line easement at the western portion of the site.

   Recommendation: This tree should be relocated outside of the proposed water line easement.

3. **Comment:** It appears the Applicant is requesting a modification to the transitional screening and barrier requirements for the portion of the site adjacent to the single family detached dwellings, as stated in the various notes on sheet 4. However, a modification request with a justification in conformance with Section 13-204 of the Zoning Ordinance has not been provided.

Department of Public Works and Environmental Services
Land Development Services, Urban Forest Management Division
12055 Government Center Parkway, Suite 518
Fairfax, Virginia 22035-5503
Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769
www.fairfaxcounty.gov/dpwes

Recommendation: A modification request with a detailed justification, for each of the transitional screening yards, in conformance with a specific circumstance identified under Section 13-204 of the Zoning Ordinance should be provided as part of SE/GDP.

4. **Comment:** Euonymus alata is proposed to be planted as specified in the Landscaping Schedule on sheet 4. This shrub is invasive, undesirable and not suited for this environment.

   Recommendation: Euonymus alata should be removed from the proposed Landscaping Schedule.

Please contact me at 703-324-1770 if you have any questions.

TLN/
UFMID #: 138281

cc: RA File
DPZ File

APPENDIX 9

FAIRFAX COUNTY WATER AUTHORITY
8560 Arlington Boulevard, Fairfax, Virginia 22031
www.fairfaxwater.org

PLANNING & ENGINEERING DIVISION
Jamie Bain Hedges, P.E.
Director
(703) 289-6325
Fax (703) 289-6382

July 8, 2008

Ms. Regina Coyle, Director
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

Re: RZ 08-PR-010
SE 08-PR-021
Lord Fairfax Academy

Dear Ms. Byron:

The following information is submitted in response to your request for a water service analysis for the above application:

1. The property is located within the Fairfax Water service area.

2. Adequate domestic water service is not available at this site.

3. An offsite water main extension will be required utilizing the 12" water main located in Chain Bridge Road. See the enclosed property map and Generalized Development Plan. The Generalized Development Plan has been forwarded to Plan Control for distribution to Engineering Firm.

If you have any questions regarding this information please contact Dave Guerra at (703) 289-6343.

Sincerely,

Traci K. Goldberg

Traci K. Goldberg, P.E.
Manager, Planning Department

Enclosure

County of Fairfax, Virginia

MEMORANDUM

DATE: July 8, 2008

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

FROM: Eric Fisher (246-3501)
Information Technology Section
Fire and Rescue Department

SUBJECT: Fire and Rescue Department Preliminary Analysis of Proffered Condition Amendment and Special Exception Application RZ 2008-PR-010 concurrent with SE 2008-PR-021

The following information is submitted in response to your request for a preliminary Fire and Rescue Department analysis for the subject:

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station **#434, Oakton**

2. After construction programmed _____ this property will be serviced by the fire station _____

3. In summary, the Fire and Rescue Department considers that the subject rezoning application property:

   _X_ a. currently meets fire protection guidelines.

   ____ b. will meet fire protection guidelines when a proposed fire station becomes fully operational.

   ____ c. does not meet current fire protection guidelines without an additional facility; however, a future station is projected for this area.

   ____ d. does not meet current fire protection guidelines without an additional facility. The application property is _____ of a mile outside the fire protection guidelines. No new facility is currently planned for this area.

FAIRFAX COUNTY PARK AUTHORITY

MEMORANDUM

TO: Regina M. Coyle, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Sandy Stallman, Branch Manager,
Planning and Development Division

DATE: December 8, 2008

SUBJECT: RZ 2008-PR-010/SE 2008-PR-021; Lord Fairfax Academy - **Revised**
Tax Map Number: 48-1((1)) 50

BACKGROUND

The Park Authority staff has reviewed the proposed Development Plan dated March 25, 2008. for the above referenced application. The application proposes construction of a 10,347 square foot building to house a childcare and nursery school accommodating up to 200 students.

COMPREHENSIVE PLAN CITATIONS

1. **Heritage Resources** (**The Policy Plan, Heritage Resources, Objective 1, p. 3**)

"Objective 1: Identify heritage resources representing all time periods and in all areas of the County."

"Policy a: Identify heritage resources well in advance of potential damage or destruction."

2. **Heritage Resources** (**Comprehensive Policy Plan, Heritage Resources Objective 3, page 4**)

"Objective 3: Protect significant historical resources from degradation or damage and destruction by public or private action."

ANALYSIS & RECOMMENDATIONS

Cultural Resources Impacts

Based on an archival review, the Park Authority Cultural Resource Management and Protection (CRMP) staff has determined this site contained structures that date back to at least 1937 and has a moderate potential for significant historic archaeological sites.

If any archaeological resources are found by the Phase I survey currently in progress, and determined to be potentially significant then a Phase II assessment should be done. If any sites are determined to be significant then either they should be avoided or Phase III data recoveries should be performed in accordance with a scope provided by CRMP. Any Phase III scopes will provide for public interpretation of the results.

The Park Authority requests that the applicant provide one copy of the Archaeology Report(s) to the Park Authority's Resource Management Division (Attention: Liz Crowell) within 30 days of completion of the study or survey. Should significant archaeological resources be discovered, the Park Authority requests that further archaeological studies be conducted and copies of the reports provided to CRMP. At the completion of any cultural resource studies, field notes, photographs and artifacts should be submitted to CRMP within 30 days.

FCPA Reviewer: Andy Galusha
DPZ Coordinator: Suzanne Lin

Copy: Cindy Walsh, Acting Director, Resource Management Division
Chron Binder
File Copy

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.

APPENDIX 12

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